



## Legislation Text

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INTRODUCTORY\*

CITY OF BALTIMORE  
COUNCIL BILL

Introduced by: Councilmember Holton

At the request of: 22 S. Athol Street, LLC, 4 N. Athol Avenue, LLC, and 50 S. Athol Avenue,  
LLC

Address: c/o Stanley S. Fine, Esquire, 25 South Charles Street, Suite 2115, Baltimore,  
Maryland 21201

Telephone: 410-727-6600

A BILL ENTITLED

AN ORDINANCE concerning

**Planned Unit Development - Designation - Irvington Knolls**

FOR the purpose of repealing the existing Development Plan for the Irvington Knolls Village Planned Unit Development and approving a new Development Plan for the Irvington Knolls Planned Unit Development.

BY authority of

Article - Zoning

Title 9, Subtitles 1 and 2

Baltimore City Revised Code

(Edition 2000)

Recitals

By Ordinance 91-717, the Mayor and City Council of Baltimore approved the application of Irvington Knolls Village Limited Partnership to have certain property located at 22 South Athol Avenue, which property is bounded by Athol Avenue to the east, Mountview Road to the north, parkland owned by the City of Baltimore to the southwest, and 1,100 feet approximately to the south of Mountview Road, consisting of approximately 16 acres, more or less, (the "Property") designated as a Residential Planned Unit Development and approved the Development Plan submitted by the applicant.

Subsequent to the enactment of Ordinance 91-717, the Property was subdivided into three lots: 4 North Athol Avenue, owned by 4 N. Athol Avenue, LLC; 22 South Athol Avenue, owned by 22 S. Athol Street, LLC; and 50 South Athol Avenue, owned by 50 S. Athol Avenue, LLC.

22 S. Athol Street, LLC, 4 N. Athol Avenue, LLC, and 50 S. Athol Avenue, LLC, the owners of the Property, wish to rescind Ordinance 91-717 and replace the existing Development Plan with a new one.

On June 8, 2009, representatives of 22 S. Athol Street, LLC, 4 N. Athol Avenue, LLC, and 50 S. Athol Avenue, LLC, met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the Property and to institute proceedings to have the Property designated a Residential Planned Unit Development.

The representatives of 22 S. Athol Street, LLC, 4 N. Athol Avenue, LLC, and 50 S. Athol Avenue, LLC, have now applied to the Baltimore City Council for the replacement Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance 91-717 is repealed.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council approves the application of 22 S. Athol Street, LLC, 4 N. Athol Avenue, LLC, and 50 S. Athol Avenue, LLC, owners of the property located at 22 South Athol Avenue, which property is bounded by Athol Avenue to the east, Mountview Road to the north, parkland owned by the City of Baltimore to the southwest, and 1,100 feet approximately to the south of Mountview Road, consisting of 16 acres, more or less, as outlined on the accompanying Development Plan entitled “Irvington Knolls”, dated May 26, 2009, to designate the property a Residential Planned Development under Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 3. AND BE IT FURTHER ORDAINED, That the Development Plan titled “Irvington Knolls, submitted by the applicants 22 S. Athol Street, LLC, 4 N. Athol Avenue, LLC, and 50 S. Athol Avenue, LLC, consisting of Sheet 1, “Existing Conditions,” dated May 26, 2009; Sheet 2, “Proposed Development Plan,” dated May 26, 2009; and Sheet 3, “Preliminary Forest Conservation/Landscape Plan,” dated May 26, 2009, is approved.

SECTION 4. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 2, the following uses are permitted within the Planned Unit Development:

- (a) All permitted, accessory, and conditional uses as allowed in the R-5 and R-6 Zoning Districts.
- (b) The following additional uses are specifically permitted in the Planned Unit Development:
  - (1) Convalescent, nursing, and rest homes, including assisted and/or independent living, not to exceed a total of 341 beds.
  - (2) Multiple-family dwellings or housing for the elderly, not to exceed 120 dwelling units.
  - (3) Uses accessory to those listed above, including, but not limited to, a dialysis center, rehabilitation center, and staff offices.

SECTION 5. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Planning Commission may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 8. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

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