



## Legislation Text

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**File #:** 14-0379, **Version:** 0

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INTRODUCTORY\*

CITY OF BALTIMORE  
COUNCIL BILL

Introduced by: Councilmembers Clarke and Stokes

At the request of: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28th Street, LLC

Address: c/o Evan Morville, 2601 North Howard Street, Suite 100, Baltimore, Maryland 21218

Telephone: 443-602-7514

A BILL ENTITLED

AN ORDINANCE concerning

**Planned Unit Development - Designation - Remington Row**

FOR the purpose of approving the application of Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28th Street, LLC (collectively, the "Applicant"), their affiliates and assigns, who are either the developer, contract purchaser, potential owner and/or owner of the area consisting of the properties listed on Exhibit 1 attached hereto and made a part of this Ordinance, together with the adjoining roads, highways, alleys, rights-of-way, and other similar property (collectively, the "Properties"), to have the Properties designated a Business Planned Unit Development; approving the Development Plan submitted by the applicant, and providing for a special effective date.

BY authority of

Article - Zoning

Title 9, Subtitles 1 and 4

Baltimore City Revised Code

(Edition 2000)

Recitals

The Applicant is either the developer, contract purchaser, potential owner, or owner of the Properties shown on the accompanying Development Plan, consisting of 4.25 acres, more or less.

The owner proposes to develop the Properties for retail, residential, and office uses.

On April 11, 2014, representatives of the Applicant 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 Business Planned Unit Development.

The representatives of the Applicant have now applied to the Baltimore City Council for designation of the property as a Business Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of the Applicant to designate the Properties, consisting of 4.25 acres, more or less, as outlined on the accompanying Development Plan entitled “Remington Row”, dated April 9, 2014, to designate the property a Business Planned Unit Development under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by the Applicant and consisting of the following sheets is approved:

| Plan Number | Description                           | Date of Plan   |
|-------------|---------------------------------------|----------------|
| C1.1        | Overall Existing Conditions Plan      | April 9, 2014  |
| C1.2        | Overall Proposed Conditions Plan      | April 30, 2014 |
| C1.3        | Existing Conditions Plan - 2700 Block | April 9, 2014  |
| C1.4        | Detail Site Plan - 2700 Block         | April 30, 2014 |
| C1.5        | Existing Conditions Plan - 2800 Block | April 9, 2014  |
| C1.6        | Detail Site Plan - 2800 Block         | April 30, 2014 |
| A4.1        | Building Elevations - 2700 Block      | April 30, 2014 |
| A4.2        | Building Elevations - 2700 Block      | April 30, 2014 |
| A4.1        | Building Elevations - 7-Eleven        | April 9, 2014  |
| A5.1        | Building Height Exhibit - 2700 Block  | April 9, 2014  |
| A4.1        | Building Elevations - 2800 Block      | April 9, 2014  |
| L1.0        | Overall Landscape Plan                | April 9, 2014  |
| L1.1        | Landscape Plan - 2700 Block           | April 9, 2014  |
| L1.2        | Landscape Plan - 2800 Block           | April 9, 2014. |

SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 4, the following uses are permitted in all Areas within the Planned Unit Development:

- (a) all permitted, accessory, and conditional uses as allowed in the B-2 Zoning District
- (b) outdoor seating and table service as accessory to any permitted use
- (c) beer and ale: brewing
- (d) artisans’ and craft work
- (e) dry cleaning establishments - more than 4 employees, 1 manager on premises
- (f) dyeing establishments
- (g) trade schools
- (h) trade schools: industrial

- (i) bakery goods: manufacturing
- (j) candy: manufacturing
- (k) clothing, finished products: manufacturing
- (l) coffee roasting
- (m) commissaries
- (n) fermented fruits and vegetable products: manufacturing
- (o) food products: manufacturing and processing
- (p) ice cream: manufacturing
- (q) spices: manufacturing and processing
- (r) furniture and fixtures: manufacturing
- (s) jewelry: manufacturing
- (t) laboratories: research and testing
- (u) leather products: manufacturing
- (v) machine shops
- (w) moving and storage establishments
- (x) photographic printing and developing establishments
- (y) upholstering shops
- (z) wholesale establishments
- (aa) woodworking and furniture-making: custom

SECTION 4. AND BE IT FURTHER ORDAINED, That within the Planned Unit Development the following alcoholic beverages licenses are permitted:

- (a) a total of not more than 3 Class B beer, wine and liquor licenses; and
- (b) a total of not more than 1 Class A beer, wine and liquor license.

SECTION 5. AND BE IT FURTHER ORDAINED, That the following additional use is permitted in Area B within the Planned Unit Development:

1 garage, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ tons capacity - including body repair, painting and engine rebuilding - located at 301 West 29th Street. If the existing use at this

location is discontinued for a period of 6 months, the discontinuance shall constitute an abandonment of that use, and the use may not be reestablished.

SECTION 6. AND BE IT FURTHER ORDAINED, That the following uses are prohibited as principal uses within the Planned Unit Development:

Firearm and ammunition sales

Amusement arcades in shopping or commercial recreation centers over 20,000 square feet

Amusement devices (accessory)

Apartment hotels

Athletic fields

Automotive accessory stores

Bed and breakfast homes

Blood donor centers

Bus and transit passenger stations and terminals

Check cashing agencies

Clubs and lodges: private, nonprofit

Clubs and lodges: private

Community correction centers

Convalescent, nursing and rest homes

Drug stores and pharmacies: drive-in

dry cleaning establishment: drive-in

Gasoline service stations

Fraternity and sorority houses: off-campus

Helistops

Structures on piers

Marinas: accessory

Marinas: recreational

Marinas: recreational boat launch/tie up

Outside display and sales areas

Outside storage areas (unless specifically labeled on the Development Plan to the Planned Unit Development)

Public utility uses as follows: antenna towers, microwave relay towers, and similar installations for communications transmission or receiving; bus and transit turnarounds; railroad rights of way and passenger stations; repeater, transformer, pumping, booster, switching, conditioning, and regulations stations, and similar installations

Radio and television antennas that are free-standing or that extend more than 25 feet above the building on which they are mounted - but not including microwave antennas (satellite dishes)

Recycling collection stations

Restaurants: drive-in

Residential substance abuse treatment facilities housing 17 or more patients

Rooming houses

Pawn shops

Parole and probation field offices

Poultry and rabbit killing establishments

Pool halls and billiard parlors

Public utility service centers

Social, fraternal and veterans' clubs

Taverns

Travel trailers, RV's and similar camping equipment: parking or storage  
Undertaking establishments or funeral parlors  
Video lottery facility

SECTION 7. AND BE IT FURTHER ORDAINED, That the existing billboards located within the Planned Unit Development shall be permitted to remain and may be relocated within the Planned Unit Development subject to approval by the Planning Commission.

SECTION 8. AND BE IT FURTHER ORDAINED, That when reviewing plans for final design approval, the Planning Commission may take into consideration proposed uses that have different peak parking characteristics that complement each other, so that the parking spaces provided may reasonably be shared by proposed uses, and an excess of parking is not provided by strict cumulation of the parking requirements of the Zoning Code.

SECTION 9. 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 10. AND BE IT FURTHER ORDAINED, That the Applicant must comply with the requirements of Zoning Code § 2-305 and Building Code § 105.3.1.2 regarding traffic mitigation for the Planned Unit Development prior to the issuance of any building permit.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Applicant must comply with the requirements of Building Code Chapter 37 {“Green Building” Requirements} and incorporate the required energy efficiency and environmental design elements into its construction plans prior to the issuance of any building permit.

SECTION 12. 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 13. AND BE IT FURTHER ORDAINED, That on acquisition of the Properties by Miller's Square, LLC, Miller's Square Retail, LLC, or 211 W. 28th Street, LLC, or their successors and assigns the Properties shall be included as part of the Planned Unit Development.

SECTION 14. 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 15. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Exhibit 1

Area A

| Block | Lot | Street Address |
|-------|-----|----------------|
|-------|-----|----------------|

|      |       |                       |
|------|-------|-----------------------|
| 3645 | 35/37 | 310 West 27th Street  |
| 3645 | 34    | 2700 Remington Avenue |
| 3645 | 33C   | 2718 Remington Avenue |
| 3645 | 33B   | 2722 Remington Avenue |
| 3645 | 33A   | 2724 Remington Avenue |
| 3645 | 38    | 2727 Fox Street       |
| 3645 | 39    | 2729 Fox Street       |
| 3645 | 40    | 2731 Fox Street       |
| 3645 | 41    | 2733 Fox Street       |
| 3645 | 33    | 301 West 28th Street  |

Area B

| Block | Lot   | Street Address           |
|-------|-------|--------------------------|
| 3651  | 32/33 | 301/315 West 29th Street |

Area C

| Block | Lot   | Street Address       |
|-------|-------|----------------------|
| 3650B | 32/33 | 211 West 28th Street |

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