



Legislation Text

File #: 09-0315, **Version:** 0

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.
INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: President Rawlings-Blake

At the request of: Uplands Visionaries, LLC

Address: c/o Jon Laria, Esquire, Ballard Spahr Andrews & Ingersoll, LLP, 300 East Lombard

Street, 18th Floor, Baltimore, Maryland 21202

Telephone: 410-528-5506

A BILL ENTITLED

AN ORDINANCE concerning

Planned Unit Development - Designation - Uplands

FOR the purpose of approving the application of the Mayor and City Council of Baltimore and Uplands Visionaries, LLC, which are either the owner, potential owner, developer and/or awardee of development rights for the properties listed on Exhibit 1, attached to and made part of this Ordinance, together with certain adjoining roads, highways, alleys, and rights-of-way (collectively, the "Property"), to have the Property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of

Article - Zoning

Title 9, Subtitles 1 and 2

Baltimore City Revised Code

(Edition 2000)

Recitals

The Mayor and City Council of Baltimore and Uplands Visionaries, LLC, are either the owner, potential owner, developer and/or awardee of development rights of the Property, consisting of 61.3 acres, more or less.

Uplands Visionaries, LLC, intends to develop the property or cause it to be developed for residential uses.

On February 6, 2009, representatives of the applicant met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing conditions and proposed development on the Property and to institute proceedings to have the Property designated a Residential Planned Unit Development.

The representatives of the applicant have now applied to the Baltimore City Council for designation of the Property as a Residential 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 the Mayor and City Council approves the application of the Mayor and City Council of Baltimore and Uplands Visionaries, LLC, which are either the owner, potential owner, developer and/or awardee of development rights for the properties listed on Exhibit 1, attached to and made part of this Ordinance, together with certain adjoining roads, highways, alleys, and rights-of-way (collectively, the "Property"), consisting of 61.3 acres, more or less, as outlined on the accompanying Development Plan entitled "Uplands Planned Unit Development", to designate the property a Residential Planned Unit Development under Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by the applicant Uplands Visionaries, LLC, consisting of Sheet 1, "Existing Conditions", dated February 20, 2009; Sheet 2, "Proposed Development Master Plan", dated March 23, 2009; and Sheet 3, "Preliminary Forest Conservation/Landscape Plan", dated February 20, 2009, is approved.

SECTION 3. AND BE IT FURTHER ORDAINED, That the uses within the Planned Unit Development are as follows:

(a) In all areas of the Planned Unit Development:

(1) all permitted, accessory, and conditional uses as allowed in the R-5 Zoning District as of the date of this Ordinance, except as further provided in Section 3(a)(2);

(2) additionally, the following uses are permitted uses:

Club or lodge, nonprofit or private, including swimming pools but no athletic courts

Leasing or sales offices for dwelling units within the Planned Unit Development

Model home and garage displays

Multiple family detached dwellings

Parks and playgrounds, public or private

Single family attached dwellings per the Development Plan

(b) Notwithstanding the provisions of Section 3(a) above, the following uses are prohibited within the Planned Unit Development:

Automobile accessory stores, including repair and installation

Beauty shops and nail salons

Blood donor centers

Check cashing stores

"Dollar" stores

Firearm sales or ammunition sales

Gasoline service stations

Gun shops

Health clinics

Hospitals

Laboratories for research and testing

Liquor stores or package goods stores

Pawnshops

Pool halls and billiard parlors
Poultry and rabbit-killing establishments

Recycling collection stations
Rooming houses
Second-hand stores
Taverns
Theaters
Travel trailers, recreational vehicles, and similar camping equipment: parking or storage

SECTION 4. AND BE IT FURTHER ORDAINED, That within the Planned Unit Development:

- (a) the maximum allowable floor area may not exceed 1,501,038 square feet.
- (b) the maximum allowable density may not exceed 761 dwelling units.

SECTION 5. AND BE IT FURTHER ORDAINED, That notwithstanding any provisions of the Zoning Code, the height of all single-family dwellings (attached, detached, or semi-detached) shall not be subject to a strict height limitation but shall not exceed 3 stories, the precise height to be approved by the Planning Commission as part of final design approval.

SECTION 6. AND BE IT FURTHER ORDAINED, That parking shall be provided in accordance with the Zoning Code for the underlying zoning district.

SECTION 7. AND BE IT FURTHER ORDAINED, That the properties designated as part of the Residential Planned Unit Development under this Ordinance shall not be regulated by it until the City or Uplands Visionaries, LLC, or its successors and assigns, has acquired title to the properties.

SECTION 8. AND BE IT FURTHER ORDAINED, That the exterior signage within the Planned Unit Development shall be subject to final design approval by the Planning Commission.

SECTION 9. AND BE IT FURTHER ORDAINED, That where there may be a conflict between the provisions of the Uplands Renewal Plan and the provisions of any Planned Unit Development in the Uplands Renewal Area, the provisions of the Uplands Renewal Plan control.

SECTION 10. 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 11. AND BE IT FURTHER ORDAINED, That the Planning Commission may determine what constitutes minor or major modifications to the Development Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 12. 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 13. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Exhibit 1

Properties to be included in the Planned Unit Development

4400-4412 Old Frederick Road
4414-4420 Old Frederick Road
4550-4506 Old Frederick Road
4508 Old Frederick Road
4631 Edmondson Avenue
4625 Edmondson Avenue
4627-4629 Edmondson Avenue
4503-4507 Old Frederick Road
4509-4513 Old Frederick Road
4601-4627 Old Frederick Road
4601-4613 Lawnpark Road
522 Swann Avenue
524 Swann Avenue
526 Swann Avenue
528 Swann Avenue
530 Swann Avenue
4605 Edmondson Avenue
4607 Edmondson Avenue
4609 Edmondson Avenue
4611 Edmondson Avenue
4613 Edmondson Avenue
4617 Edmondson Avenue
4602 Old Frederick Road
4600 Old Frederick Road
4501 Edmondson Avenue

dlr09-0658~intro/25Mar09
pudest/Uplands/nbr

dlr09-0658~intro/25Mar09
?????
pudest/Uplands/nbr