



## Legislation Details (With Text)

**File #:** 17-0015      **Version:** 0      **Name:** Planned Unit Development - Designation - The Fox Building  
**Type:** Ordinance      **Status:** Enacted  
**File created:** 1/23/2017      **In control:** City Council  
**On agenda:**      **Final action:** 5/16/2017  
**Enactment date:**      **Enactment #:** 17-014

**Title:** Planned Unit Development - Designation - The Fox Building  
 For the purpose of approving the application of D & C Management LLP, owner of the following properties: 3100 Falls Cliff Road (Block 3504B, Lot 001), 3300 Falls Cliff Road (Block 3511D, Lot 002), and Block 3511D, Lots 1 and 3 (collectively, the “property”), to have the property designated an Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

**Sponsors:** Mary Pat Clarke, Ryan Dorsey, Leon F. Pinkett, III, Zeke Cohen

**Indexes:** Designation, Planned Unit Development

**Code sections:**

**Attachments:** 1. Statement of Intent 17-0015, 2. 17-0015~1st Reader, 3. Fire 17-0015, 4. BDC 17-0015, 5. Planning 17-0015, 6. DPW 17-0015, 7. Parking 17-0015, 8. BMZA 17-0015, 9. HCD 17-0015, 10. Sustainability 17-0015, 11. DOT 17-0015, 12. Law 17-0015, 13. Finding of Facts 17-0015, 14. 2nd Reader Amendments 17-0015, 15. 17-0015~3rd Reader, 16. Completed Legislative File 17-0015

Date	Ver.	Action By	Action	Result
6/5/2017	0	Mayor	Signed by Mayor	
5/8/2017	0	City Council	Approved and Sent to the Mayor	
4/24/2017	0	City Council	3rd Reader, for final passage	
4/3/2017	0	Land Use and Transportation Committee	Recommended Favorably with Amendment	
4/3/2017	0	City Council	3rd Reader, to be held one meeting	
3/29/2017	0	Land Use and Transportation Committee	Recommended Favorably with Amendment	Pass
3/13/2017	0	Land Use and Transportation Committee	Sign Posting	
3/9/2017	0	Land Use and Transportation Committee	Advertising	
3/6/2017	0	Land Use and Transportation Committee	Advertised at Introduction	
2/27/2017	0	Land Use and Transportation Committee	Scheduled for a Public Hearing	
1/26/2017	0	The City Council	Refer to Dept. of Transportation	
1/26/2017	0	The City Council	Refer to Office of Sustainability	
1/26/2017	0	The City Council	Refer to Fire Department	
1/26/2017	0	The City Council	Refer to Baltimore Development Corporation	
1/26/2017	0	The City Council	Refer to Parking Authority Board	

1/26/2017	0	The City Council	Refer to Planning Commission
1/26/2017	0	The City Council	Refer to Dept. of Housing and Community Development
1/26/2017	0	The City Council	Refer to Dept. of Public Works
1/26/2017	0	The City Council	Refer to City Solicitor
1/26/2017	0	The City Council	Refer to Board of Municipal and Zoning Appeals
1/23/2017	0	City Council	Assigned
1/23/2017	0	City Council	Introduced

\* **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: Councilmember Clarke

At the request of: D & C Management LLP

Address: c/o Caroline Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South Charles Street, 21<sup>st</sup> Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

### **A Bill Entitled**

An Ordinance concerning

#### **Planned Unit Development - Designation - The Fox Building**

For the purpose of approving the application of D & C Management LLP, owner of the following properties: 3100 Falls Cliff Road (Block 3504B, Lot 001), 3300 Falls Cliff Road (Block 3511D, Lot 002), and Block 3511D, Lots 1 and 3 (collectively, the “property”), to have the property designated an Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

By authority of

Article - Zoning

Title 9, Subtitles 1 and 5

Baltimore City Revised Code

(Edition 2000)

### **Recitals**

D & C Management LLP (the “applicant”) is the owner of 3100 Falls Cliff Road (Block 3504B, Lot 001), 3300 Falls Cliff Road (Block 3511D, Lot 002), and Block 3511D, Lots 1 and 3 (collectively, the “property”), consisting of 2.28 acres, more or less.

The applicant proposes to redevelop the property for residential and light industrial uses.

On December 20, 2016, 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 an Industrial Planned Unit Development.

The representatives of the applicant have now applied to the Baltimore City Council for designation of the property as an Industrial Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 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, owner of 3100 Falls Cliff Road (Block 3504B, Lot 001), 3300 Falls Cliff Road (Block 3511D, Lot 002), and Block 3511D, Lots 1 and 3 (collectively the “property”), consisting of 2.28 acres, more or less, as outlined on the accompanying Development Plan entitled “The Fox Building”, dated January 3, 2017, to designate the property an Industrial Planned Development under Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.

**Section 2. And be it further ordained,** That the Mayor and City Council of Baltimore approves the new Development Plan submitted by the applicant, as attached to and made part of this Ordinance, including:

- (a) Sheet DP-01, “Existing Conditions Plan”, dated January 3, 2017;
- (b) Sheet DP-02, “Development Plan”, dated January 3, 2017; and
- (c) Sheets A4-1, A4-2, and A4-3, “Architectural Elevations”, dated December 15, 2016.

**Section 3. And be it further ordained,** That in accordance with Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code, the following uses are permitted within the Planned Unit Development:

- (a) All permitted, accessory, and conditional uses as allowed in the underlying Zoning District.
- (b) Multiple-family dwellings within the existing building, not to exceed a total of 100 dwelling units.
- (c) Light industrial uses, within the existing building, that include the processing, manufacturing, assembly, or compounding of materials or products, where: (i) all processing, fabrication, assembly, treatment, and packaging of products are contained entirely within a building; (ii) noise, odor, smoke, heat, glare, and vibration resulting from the manufacturing process are confined within the building or otherwise minimized; and (iii) only minimal truck traffic is required for daily operations.

**Section 4. And be it further ordained,** That the following uses are prohibited within the Planned Unit Development:

- (a) Animal clinic
- (b) Banquet hall
- (c) Boat manufacturing
- (d) Broadcasting station
- (e) Day-care center: adult or child
- (f) Entertainment: indoor
- (g) Entertainment: live
- (h) Government facilities: Public Works
- (i) Heavy retail, rental or service
- (j) Homeless shelter
- (k) Hospital

- (l) Kennel
- (m) Lodge or club
- (n) Lodging: hotel/motel
- (o) Marina: dry storage
- (p) Motor vehicle service and repair (major and minor)
- (q) Passenger terminal
- (r) Recreation: indoor
- (s) Recreation: outdoor

**Section 5. And be it further ordained,** That the provisions of the Memorandum of Understanding, dated March 31, 2016, between the applicant and the Hampden Community Council, Inc., are incorporated herein.

**Section 6. And be it further ordained,** That a minimum number of off-street parking spaces must be provided as follows:

- (a) Residential uses - 1 space per dwelling unit and 1 space per efficiency unit;
- (b) Industrial uses - 1 space per 500 square feet of gross floor area;
- (c) Parking for all other uses shall be as provided for in the Zoning Code.

**Section 7. And be it further ordained,** That the applicant shall maintain continued communication with the Hampden Community Council's Zoning & Land Use Committee throughout the development of the PUD.

**Section 8. 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 9. And be it further ordained,** That the Planning Department may determine what constitutes minor or major modifications of the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

**Section 10. 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 11. And be it further ordained,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted. This Ordinance will remain effective for 5 years; at the end of that period, with no further action by the Mayor and City Council, this Ordinance will be abrogated and of no further effect.