



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 07-0587, **Version:** 0

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INTRODUCTORY*

CITY OF BALTIMORE COUNCIL BILL

Introduced by: Councilmember Kraft

At the request of: South Broadway Properties, LLC

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

Telephone: 410-727-6600

A BILL ENTITLED

AN ORDINANCE concerning

Planned Unit Development - Designation - Marketplace at Fells Point

FOR the purpose of approving the application of South Broadway Properties, LLC, owner of 600, 606, 610, 616, 622, 607, 609, 611, 617, 619, 621, 623, 625, and 627 South Broadway, 611, 613, 615, 617, 619, 621, and 623 South Bethel Street, 1621, 1625-1631, and 1641 Fleet Street, and 608 and 614 South Regester Street; John E. Demirjian, the owner of 602 South Broadway; and the Mayor and City Council of Baltimore, the owner of 1640 and 1641 Aliceanna Street and 1641 Lancaster Street (collectively the "Property"), to have that property designated a Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of

Article - Zoning

Title 9, Subtitles 1 and 4

Baltimore City Revised Code

(Edition 2000)

Recitals

South Broadway Properties, LLC, is the owner of 600, 606, 610, 616, 622, 607, 609, 611, 617, 619, 621, 623, 625, and 627 South Broadway, 611, 613, 615, 617, 619, 621, and 623 South Bethel Street, 1621, 1625-1631, and 1641 Fleet Street, and 608 and 614 South Regester Street. John E. Demirjian is the owner of 602 South Broadway. The Mayor and City Council of Baltimore owns 1640 and 1641 Aliceanna Street and 1641 Lancaster Street. South Broadway Properties, LLC, plans to develop the Property, consisting of 4.405 acres, more or less, for business and residential uses.

On January 25, 2007, 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 South Broadway Properties, LLC, to designate the properties known as 600, 602, 606, 610, 616, 622, 607, 609, 611, 617, 619, 621, 623, 625, and 627 South Broadway, 611, 621, and 623 South Bethel Street, 1621, 1625-1631, and 1641 Fleet Street, 608 and 614 South Regester Street, 1640 and 1641 Aliceanna Street, and 1641 Lancaster Street, consisting of 4.405 acres, more or less, as outlined on the accompanying Development Plan, as 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 entitled "Marketplace at Fells Point" submitted by the applicant, consisting of Sheet 1, "Existing Conditions", dated January 30, 2007, Sheet 2, "Development Plan", dated January 30, 2007, and Sheet 3, "Illustrative Streetscape Plan", dated January 30, 2007, is approved.

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 within the Planned Unit Development:

(a) Except as provided in paragraph (c) below, all uses specified in §§ 6-306, 6-307, 6-308, and 6-309 of the Zoning Code of Baltimore City as permitted, accessory, or conditional uses in the B-2 Zoning District are specifically authorized as permitted, accessory, and conditional uses (subject to the requirements of Title 14 of the Zoning Code of Baltimore City - Conditional Uses), in the Planned Unit Development.

(b) The following additional uses are specifically permitted in the Planned Unit Development:

Open off-street parking areas, other than accessory, for the parking of 4 or more motor vehicles, are permitted in Subarea "B" only;
Outdoor table service when accessory to a restaurant or any permitted use;
Prepared food delivery services - including any operated as an accessory use by a restaurant.

(c) The following uses are prohibited as principal uses in the Planned Unit Development:

Amusement devices located within a shopping center of over 20,000 square feet
or a commercial recreation center of over 20,000 square feet

Check cashing

Community correction centers

Exterminator's shops

Firearms sales

Fraternity and sorority houses

Furrier shops - including accessory storage and conditioning of furs

Parole and probation field offices

Pawnshops

Poultry - and rabbit-killing establishments

Sewerage pumping station

Taxidermist shops

Travel trailers, recreational vehicles, and similar camping equipment:
parking or storage
Undertaking establishments and funeral parlors
Union halls
Water filtration plants, reservoirs, and pumping stations.

SECTION 4. AND BE IT FURTHER ORDAINED, That temporary Planned Unit Development signs, business signs, identification signs, free-standing signs, and parking garage access signs in excess of the permitted square footage are permitted within the Planned Unit Development, provided that the signs are subject to final design approval by the Planning Commission.

SECTION 5. AND BE IT FURTHER ORDAINED, That the requirements of Ordinance 06-345 must be satisfied prior to the issuance of building permits for the construction of permanent improvements on the Property within the Planned Unit Development.

SECTION 6. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the Property within the Planned Unit Development 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 7. 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 8. 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 9. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

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