



City of Baltimore

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

Legislation Text

File #: 23-0434, Version: 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **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 Ramos

At the request of: Charles Village Civic Association, Inc.

Address: c/o Sandy Sparks, 206 E. 32nd Street, Baltimore, Maryland 21218

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A Bill Entitled

An Ordinance concerning

Planned Unit Development - Repeal and Replace - North Charles Village

For the purpose of repealing the existing Development Plan for the North Charles Village Planned Unit Development; approving a new Development Plan for the North Charles Village Planned Unit Development; establishing prohibited uses within the Planned Unit Development; providing for the creation of the North Charles Village Planned Unit Development Design Review Committee; establishing the membership of the Committee; establishing applicable design guidelines for the Planned Unit Development; requiring the Committee to review proposed developments and amendments to the development plan; providing for a special effective date; and generally relating to the North Charles Village Planned Unit Development.

By authority of

Article - Zoning

Section 5-201(a) and Title 13, Subtitles 3 and 4

Baltimore City Revised Code

(Edition 2000)

Recitals

By Ordinance 96-35, as amended by Ordinances 03-639 and 07-629, the Mayor and City Council (i) approved the application of the owners of certain properties located generally within the area bounded by 33rd Street on the north, Hargrove Alley on the east, 30th Street on the south, and Charles Street on the west, consisting of 12 acres more or less, designated as a Residential Planned Unit Development and (ii) approved the Development Plan submitted by the applicant.

Amendments to the Development Plan proposed by The Johns Hopkins University and Struever Bros. Eccles & Rouse, as approved by Ordinance 03-639, expanded the boundaries of the Planned Unit Development to include the redevelopment of the properties located at 3301 North Charles Street, 10 East 33rd Street, 3330 Saint Paul Street, and along both the east and west side of the 3200 block of Saint Paul Street.

Additional amendments to the Development Plan as approved by Ordinance 07-629 modified the allowable height of a certain structure within the Planned Unit Development area and made related amendments to accommodate the then proposed conditions of the property located along both the east and west side of the 3200 block of Saint Paul Street.

The Charles Village Civic Association, Inc. wishes to rescind Ordinance 96-35, as amended by Ordinances 03-639 and 07-629, and replace the existing Development Plan, with a new one. It is the intent of the Charles Village Civic Association, Inc. to recognize the major development within the boundaries of the Planned Unit Development since 1996 and to update the permitted uses, the design guidelines, and, in addition, generally conform the Plan to the 2017 revision of the Zoning Code of Baltimore City, known as “Transform Baltimore”.

On October 26, 2022, representatives of the Charles Village Civic Association, Inc. met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

The representatives of the Charles Village Civic Association, Inc. have now applied to the Baltimore City Council for approval of the replacement Planned Unit Development, including the Development Plan intended to satisfy the requirements of Section 5-201(a) and Title 13, subtitles 3 and 4 of the Baltimore City Zoning Code.

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That Ordinance 96-35, Ordinance 03-639, and Ordinance 07-629 are repealed.

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

- (a) Sheet 1, “Existing Conditions Plan”, dated September 2003, Revised January 2022;
- (b) Sheet 2, “Proposed Conditions Plan”, dated September 2003, Revised January 2022;
- (c) Sheet 3, “Illustrative Preliminary Build-Out Plan”, dated September 2003, Revised January 2022; and
- (d) Sheet 4, “Landscape Concept Plan”, dated September 2003, Revised January 2022.

Section 3. And be it further ordained, That in accordance with § 13-201(b) {“Requirements of underlying district”} of the Baltimore City Zoning Code, unless otherwise provided for in this Ordinance all requirements of the underlying zoning districts apply.

Section 4. And be it further ordained, That, except as otherwise approved in the Development Plan adopted by this Ordinance, all applicable height restrictions apply as established in the applicable underlying zoning district.

Section 5. And be it further ordained, That the following uses are prohibited within the Planned Unit Development:

(1) Check-cashing establishment;	
(2) Greenhouse;	
(3) Health-care clinic	Over 2,500 sq/ft;
(4) Motel;	
(5) Motor vehicle service and repair	Major and Minor;

(6) Nursery;	
(7) Pawn shop; and	
(8) Retail: Big Box Establishment.	

Section 6. And be it further ordained, That subsequent to the enactment of this Ordinance, all proposed changes in the approved Development Plan for North Charles Village shall be reviewed and approved by the Planning Commission prior to implementation to insure that such changes are consistent with this Ordinance. The Planning Commission shall determine if modifications or amendments to the Development Plan are “minor” or “major”. Minor modifications of the Plan may be approved by the Planning Commission. Major modifications of the Plan may be approved by Ordinance of the Mayor and City Council of Baltimore

Section 7. And be it further ordained, That subsequent to the enactment of this Ordinance, all plans for the construction of permanent improvements within the boundaries of the Planned Unit Development are subject to final design approval by the Planning Commission to ensure that the plans are consistent with the Development Plan and this Ordinance.

Section 8. And be it further ordained, That to ensure that development is consistent with the requirements and objectives of the North Charles Village PUD District, all plans and specifications for new construction (including parking lots) and exterior rehabilitation for any property must be submitted for approval to the Department of Housing and Community Development. The plan review process begins with a building permit application to DHCD.

- (a) The Department of Housing and Community Development must forward permit applications for all new construction and for all renovations that include significant exterior changes that are visible from a public street, to the Chair of the North Charles Village PUD Design Review Committee or designee.
- (b) In addition to material given to DHCD, developers or property owners are responsible for providing the following information to the North Charles Village PUD Design Review Committee.
 - (1) Renovation projects that change existing building facades visible from a public street:
 - (i) photographs of the existing facades and neighboring buildings;
 - (ii) elevations of the facades showing the proposed changes;
 - (iii) additional drawings or renderings as needed to explain the proposed changes; and
 - (iv) color chips and samples of proposed materials.
 - (2) New projects that include new structures or new building additions that are visible from a public street:
 - (i) the items listed above;
 - (ii) elevations of all of the facades;
 - (iii) a complete set of floor plans;
 - (iv) a site plan showing adjacent properties and structures; and
 - (v) a small study model.

- (c) The site plans and drawings must be drawn to a standard architectural or engineering scale. Photographs and renderings must show enough of the blocks and buildings around the project so that the Design Review Committee can determine how successfully the project fits with the nearby parts of the neighborhood and the context of the North Charles Village PUD District.
- (d) Preliminary Submission: All property owners and developers are encouraged to bring their conceptual and preliminary designs to the Design Review Committee to begin a dialogue before the plans are finalized for the required City permits. An early presentation of the plans will often help the proposal proceed smoothly through the approval process without major and costly last minute changes to the plans. Preliminary presentations may expedite the process but do not change the formal approval process.
- (e) Final Submission: The Design Review Committee will have 30 days from the date of the receipt of the final required information from the owner or developer to recommend approval or disapproval of the permit to DHCD. The Committee will advise the applicant and the Department of Planning of any changes or additions required. Design Review approval shall consist of a letter to the owner or developer and the Planning Department written within 7 working days of the decision in order for required permits to proceed. If the owner or developer and the Design Review Committee are unable to reach consensus, a letter of approval will not be issued.
- (f) Later Revisions: If the project plans undergo substantial change before the permits are approved by DHCD, the revised plans must be submitted to the Design Review Committee for additional review. The Committee will have 30 days from the receipt of the new required information to review the amended plans. Design Review approval shall consist of a letter to the owner or developer and the Planning Department written within 7 working days of the decision in order for required permits to proceed.
- (g) Design Advisory Panel Review: If a development project located within the North Charles Village PUD District boundaries is referred by the Planning Department or DHCD to the City's Design Advisory Panel for design review, the project must also be referred to this Design Review Committee. The Design Review Committee will, within the time specified for its comments, forward its recommendations to the Commissioner so that its views, along with those of the Design Advisory Panel, can be considered in the Commissioner's decisions.

Section 9. And be it further ordained, That the North Charles Village Planned Unit Development Design Review Committee shall be a standing committee of the Charles Village Civic Association, Inc., and individuals, who should demonstrate professional design, planning, or economic development experience, shall comprise the committee, including:

- (1) the President of the Charles Village Civic Association, Inc. or the President's designee;
- (2) 1 volunteer architect designated by the Charles Village Civic Association, Inc.;
- (3) 1 owner of commercial property within the boundaries of the North Charles Village Planned Unit Development;
- (4) 1 resident living within the boundaries of the North Charles Village Planned Unit Development; and
- (5) 1 representative from each of the following organizations:
 - (i) Charles Village Community Benefits District;

- (ii) North Charles Village Business Association;
- (iii) Abell Improvement Association;
- (iv) Greenway Community Association;
- (v) Okenshawe Improvement Association;
- (vi) The Johns Hopkins University;
- (vii) Union Memorial Hospital; and
- (viii) Baltimore City Department of Planning.

Section 10. And be it further ordained, That the goals listed below shall guide the actions and decisions of the North Charles Village Planned Unit Development Design Review Committee.

- (a) Increase the variety of retail opportunities to serve better the people who live, work, and study within the boundaries of the Planned Unit Development.
- (b) Develop a vibrant identity for the area contained within the boundaries of the Planned Unit Development.
- (c) Maintain the scale and uniqueness of the area's architecture.
- (d) Attract students and employees of The Johns Hopkins University, Union Memorial Hospital, and other area institutions to live, work, shop, and study within the boundaries of the Planned Unit Development.
- (e) Eliminate blighted and vacant structures.
- (f) Increase area employment.
- (g) Increase parking capacity in the area.
- (h) Contribute to the stabilization and increase of property values in the area.

Section 11. And be it further ordained, That all areas of the Planned Unit Development are part of the Charles Village/Abell Historical District, and that building preservation, wherever possible, is a goal.

Section 12. And be it further ordained, That all plans for the construction of permanent improvements within the boundaries of the Planned Unit Development shall follow the North Charles Village Planned Unit Development Design Review Guidelines and Standards as established by this Ordinance.

Section 13. And be it further ordained, That the North Charles Village Planned Unit Development Design Guidelines and Standards are as follows:

I. New Construction

New construction shall be compatible with existing architecture in scale, mass, materials, color, and setbacks.

Exterior Building Materials

This section pertains to all new construction, remodeling, and renovation within the Planned Unit Development. Exterior building materials that relate to existing buildings in the Charles Village area in color, size, texture, and type, are encouraged.

Natural building materials are encouraged. Modern synthetic stone materials made of polymer core forms with applied cementitious coatings are strongly discouraged.

- A. All exterior building materials that constitute the permanent finish of all surfaces of any new construction or changes to an existing building shall be submitted to the Planned Unit Development Design Review Committee for review and recommendation to the Baltimore City Planning Department.
- B. Materials that are covered in this section include but are not limited to:
 - 1. Masonry (brick, mortar, stone, cast stone, architectural pre-cast concrete, concrete and other cementitious materials, paving); also refer to C. Masonry Bonding Patterns, below;
 - 2. Wood: type of wood and finish (clear coating, including gloss level);
 - 3. Paints: all finish paints to include gloss level, manufacturer and identification (number, code, etc.);
 - 4. Metals: anodized, painted, natural, powder coated;
 - 5. Glass: window types, glass block, decorative glass panels, including frosted, hammered, ribbed, seeded, and other glass types; and
 - 6. Roofing materials. Also refer to D. Green Roofing.

Examples of the proposed building materials are to be presented at the time of the Preliminary Submission, or at a subsequent time deemed appropriate by the Planned Unit Development Design Review Committee. In addition to actual examples of the proposed building materials, the source of the building material, the manufacturer's identification of the building material, and the specifications for each building material will be made available to the Planned Unit Development Design Review Committee. Photographs of the proposed building materials in other similar applications are also requested.

- C. Masonry bonding patterns are to relate to examples found on buildings in the North Charles Village community. Flemish, English, and Common Bond (5 stretched rows to 1 header row) patterns are encouraged.
- D. Green Roofing: the innovative construction technology of Green Roofing is encouraged for all new construction and renovations wherever possible.
- E. Paint color modifications and changes: Any change in paint colors from the paint colors approved at the time of the original submission are to be submitted to the Planned Unit Development Design Review Committee for review at least 30 days prior to planned repainting.

II. Adjoining properties

Adjoining properties used by the same occupant shall be rehabilitated in a unified and harmonious manner. Each building shall be rehabilitated and repaired with materials and in a manner consistent with the original construction techniques, where feasible.

III. Security Grilles

Enclosures and housing for security grilles and screens are not allowed on the front of commercial uses.

IV. Rear of Building and Property

- A. The rear of buildings shall be maintained in a neat and clean appearance at all times.
- B. Dumpsters shall be screened by a solid wall and subject to Design Review and
- C. HVAC equipment shall be installed to minimize visual, noise, and odor impacts and shall meet Baltimore City Code noise regulations.
- D. Screened and/or landscaped parking areas are encouraged.
- E. Outdoor storage is not permitted except for stacking of seasonal furniture when interior space is not available. Fitted covers for stacked seasonal furniture are encouraged.

V. Signs

A successful sign can reinforce the image of North Charles Village as well as serve the needs of the business:

A. Signs for single commercial fronts:

- 1. A sign should express an easy to read, direct message; keep it simple.
- 2. A storefront should not have more than 2 signs, including awning signage: 1 primary and 1 secondary. Additional signs may be considered, but must be part of a coherent overall plan.
- 3. A flush-mounted signboard may extend the width of the storefront, but should not be more than 2-foot 6-inches high. The sign should be mounted below the second-story window sills. It is imperative that signage be designed to complement an existing building or to be part of a signage system for a new building. Generally, lettering should be between 8 and 18 inches high and occupy approximately 65% of the sign board.
- 4. Hanging signs shall be a maximum of 5 feet square and shall project no more than 3 feet. The size and location of a hanging sign should be carefully considered so that it does not interfere with neighboring signs.
- 5. Window signs should not obscure the display areas. The color of the letters should contrast with the display background. Light colored letters or gold letters with dark borders are effective.
- 6. New box signs are not permitted. Existing signs that have become obsolete or

are in disrepair must be replaced with signage conforming to the Planned Unit Development Design Review Guidelines.

7. Illuminated signs can be appropriate if they respect the proportions of the storefront and the guidelines outlined herein. Painted signs may be directly illuminated with fluorescent or incandescent lighting. Exposed neon signage can also be effective, adding color and vitality to the street. Also refer to VII. 1. General Illumination.
8. Permanent window signs should not obscure interior display areas.
9. Temporary signs: Temporary is defined as 30 consecutive days per installation not to exceed 90 days per calendar year. Temporary signs should not exceed 50% of the window area.
10. Flags and banners, as defined: the use of flags and banners is encouraged and is to relate to pedestrian traffic. Flags and banners may be part of sign systems and may be considered as part of the signage for a storefront or building. Design and materials for the flags and banners and finishes and materials of the flag poles and banner supports are to be presented to the Planned Unit Development Design Review Committee for review and recommendation as part of the presentation of the signage system.

B. Signage for buildings with 2 or more commercial tenants:

In addition to the conditions on signs indicated above (V.A.1 through 10), signage for larger buildings is to be planned as an organized system that is to be coordinated for the entire building. The appearance of an accumulation of individual signs, each clamoring for attention, is to be avoided.

All buildings with 2 or more commercial tenants are to include a coordinated signage system for the entire building. Signs are to be organized in an appropriate manner consistent with the architecture and clearly identifying the commercial tenant. Individual signs may be considered; however, they will be required to conform to an organized system that harmonizes with the design of the building.

A rendering or scale drawing of the signage will be presented at the time of the Preliminary Submission or at a time to be determined by the Planned Unit Development Design Review Committee.

1. Materials: Samples of the materials of the signage will be presented for review by the Planned Unit Development Design Review Committee. Proposed colors for all materials are to be fully identified and specified. Manufacturer's complete specifications for each material are to be submitted at the same time as the samples.
2. Paints and coatings: Samples of paint finishes and any other coatings or finishes (powder coated metals, anodized metals, and etc.) will be submitted to the Planned Unit Development Design Review Committee for review and recommendation. Paints and coatings that are proposed must be presented in the same gloss level as is proposed for use. Complete specifications for each paint and coating will accompany all samples.
3. Flags and banners: The use of flags and banners must be coordinated with the system of signage as proposed. Materials for the flags and banners and finishes and materials of the flag poles and banner supports are to be presented to the Planned Unit

Development Design Review Committee for review and recommendation as part of the presentation of the signage system. For the purpose of this document, a flag is defined as a woven fabric panel attached at one end to a fixed pole attached at an angle (right angle included) to the elevation of the building. A banner is defined as a woven fabric panel attached at both ends to fixed poles attached at right angles to the elevation of the building. Location, size, and number of flags and banners are to be shown on building drawings.

4. Illumination of signage: As part of the overall signage system, a coordinated system of illumination of the signage is to be presented to the Planned Unit Development Design Review Committee for review and recommendation as part of the presentation of the signage system. No interior illuminated box signs are permitted. Also refer to VII.1.General Illumination.

VI. Awnings

Canvas awnings are encouraged as important design elements of the traditional storefront.

1. A standard street level awning should be mounted so that the valance is at least 7 feet above the sidewalk, and the awning should project between 4 and 7 feet from the building. An 8 to 12 inch valance may be attached at the awning bar. Awning signage must be limited to maximum sized 12- inch valences.
2. An awning may be attached above the display windows and below the cornice or sign panel. An awning may also be mounted between the transom and display windows to allow light into the store.
3. An awning should reinforce the frame of the storefront and should not cover the piers or the space between the second story window sills and the storefront cornice.
4. Inappropriate storefront alterations may be effectively disguised by mounting an awning over the alterations, while maintaining the proportions of a traditional storefront.
5. Aluminum and vinyl awnings are not permitted.
6. Canopies that are a part of the building's architectural features are allowed.

VII. Lighting and Lighting Systems

This section pertains to all projects for new construction and any renovations to existing structures within the Planned Unit Development boundaries. Lighting is to be for the benefit of pedestrians and to a pedestrian scale.

All projects that require changes in lighting and all buildings with 2 or more commercial tenants are to present a coordinated lighting design for the building. The lighting design should address the following:

1. General illumination of the building or parts of the building: illumination of the building should enhance the appearance of the structure after dark. Excessive amounts of lighting should be avoided. Control of the proposed lighting is very important: lighting should be designed to avoid overcasting (i.e. throwing light beyond) the area to be illuminated: avoiding lighting pollution is important and will be considered. High contrast light levels at grade should

be avoided. Lumen output should be between 2-4-foot-candles delivered to the object illuminated. Light color is not to exceed 3000 degrees Kelvin. No sodium vapor lights are to be used. Design of lighting units as well as specifications of lamping are to be provided for review and recommendation to the Planned Unit Development Design Review Committee.

2. Safety and lighting security: this section is to conform to all requirements set forth in the various regulations of the City of Baltimore.
3. Decorative lighting: where appropriate, decorative lighting may be used. Any site lighting, including street lighting to be installed as part of infrastructure improvements should be taken into consideration.

Illustrations and complete manufacturer's description and specifications of any and all lighting units that are proposed for use are to be presented to the Planned Unit Development Design Review Committee in a timely manner, either at the Preliminary Submission or at a subsequent time to be determined by the Planned Unit Development Design Review Committee. With each manufacturer's description, specification of the recommended lamp (bulb) is to be included. The color and controlled lumen output of light is very important in a successful exterior lighting design.

VIII. Landscaping

A. Plant Materials and Planters

All green spaces shall be designed and landscaped in a manner appropriate to an urban streetscape to enhance the buildings. Broad plantings of a limited number of types of plants are encouraged; designs should be complementary to the building(s). Creation of shade, site lines, and safety must be considered. Plant materials should be chosen to thrive in the specified environment. Planters, if any, may be planted in a more elaborate manner; however, the plant materials in planters will require daily maintenance and should be planned so as not to create hazards to pedestrian traffic, including issues of watering. The success of landscaping is largely determined by maintenance; all landscaped areas must be kept in a clean, orderly appearance at all times.

Designs for all green spaces, including roof gardens that are part of new construction, are to be submitted for review to the Planned Unit Development Design Review Committee at the time of the preliminary submission or at a later date. Landscape designs will include lists and locations of all plant materials for all permanent plantings. All trees shall be 3 inches to 4 inches caliper and will be planted with sufficient protection to deter damage. Complete specifications of all aspects of landscaping and all street furnishings that are proposed for use are to be presented to the Planned Unit Development Design Review Committee in a timely manner, either at the Preliminary Submission or at a subsequent time to be determined by the Planned Unit Development Design Review Committee. A maintenance plan for the landscaping is to be submitted with the plans and specifications.

B. Street and Open Space Furnishings

Seating, tables, trash receptacles, and bicycle parking devices are all features that facilitate the development of vital urban spaces. The use of exterior furnishings for the streetscape and open spaces is encouraged. All furnishings should be well designed and of a high quality to withstand urban commercial use and the effects of the seasons. Seasonal furnishings must be removed to interior storage when not in use. Permanent and seasonal furnishings must be maintained in good condition at all times.

Complete specifications of all permanent street furnishings that are proposed for use are to be presented to the Planned Unit Development Design Review Committee in a timely manner, either at the Preliminary Submission or at a subsequent time to be determined by the Planned Unit Development Design Review Committee. A maintenance plan for these features is to be included with the specifications.

IX. Parking Lots

All parking lots shall be screened from adjacent properties by a fence or landscaped area of not less than 42 inches in height. Any parking garage demolished that abuts Hargrove Street, construction of a one-story brick-faced wall along Hargrove Street is required. In Area E, parking lots may not be accessed from Hargrove Street.

X. Demolition

The Baltimore City Planning Commission must approve development plans, and financing must be secured before a building demolition permit can be issued. A building permit must be completed before a demolition permit will be issued. Sites where demolition is occurring must be fully screened to limit the impact of dust and noise at all times.

XI. General Maintenance and Sanitation

The success of the PUD to create a vibrant urban center is predicated on good maintenance and sanitation procedures. All buildings, grounds, sidewalks, furnishings, parking areas, and any and all other facilities and spaces must be clean and maintained in good condition at all times.

Sanitation services shall be scheduled to ensure that all receptacles (from small sidewalk trash receptacles to large dumpsters) should be prevented from overflowing and creating an unsightly and unsanitary condition. Dumpster lids should be kept closed at all times.

All new buildings will provide spigots on the exterior facades at regular intervals to permit power-washing of the sidewalks and other paved open spaces on a regular basis.

XII. Design Review and Approval

Design for all improvements and modifications affecting the exterior of any building and grounds shall be submitted to the North Charles Village Planned Unit Development Design Review Committee for review and recommendation to the Baltimore City Department of Planning prior to final design approval by the Planning Commission.

An amendment to the Design Standards shall be considered a minor amendment to the Planned Unit Development to be reviewed and approved by the Baltimore City Planning Commission.

Section 14. And be it further ordained, That as evidence of the authenticity of the accompanying amended 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 amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended 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 all final design approvals accepted prior to the enactment date of this Ordinance for property within the existing Planned Unit Development are accepted under the

Planned Unit Development established by this Ordinance.

Section 16. And be it further ordained, That this Ordinance takes effect on the date it is enacted.