

CITY OF BALTIMORE  
ORDINANCE **99-570**  
Council Bill ~~99-1087~~

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Introduced by: Councilmembers Spector, Rawlings, Holton  
At the request of: United States Fidelity and Guaranty Company  
Address: c/o Donald P. McPherson, III, Esquire, Piper & Marbury L.L.P., 36 South Charles  
Street, Baltimore, Maryland 21201  
Telephone: (410) 576-1742  
Introduced and read first time: June 14, 1999  
Assigned to: Land Use Committee  

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Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: November 22, 1999

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**AN ORDINANCE CONCERNING**

1                                   **Planned Unit Development — Amendment —**  
2                                   **Mount Saint Agnes College Property**  
3                                   **United States Fidelity and Guaranty Company**

4   FOR the purpose of approving certain amendments to the Development Plan of the Mount Saint  
5    Agnes Property — United States Fidelity and Guaranty Company Planned Unit Development.

6   BY authority of  
7     Article 30 - Zoning  
8     Section(s) 12.0-1 and 12.0-3  
9     Baltimore City Code  
10    (1983 Replacement Volume and Supplements)

11                                   **Recitals**

12       By Ordinance 82-700, as amended by Ordinance 95-565, the Mayor and City Council  
13    approved the application of United States Fidelity and Guaranty Company to have certain  
14    property known as Mount Saint Agnes College Campus, located generally north of Smith  
15    Avenue and west of the Jones Falls Expressway, consisting of 29.18 acres, more or less,  
16    designated as an Office-Residential Planned Unit Development and approved the Development  
17    Plan submitted by the applicant.

18       United States Fidelity and Guaranty Company wishes to amend the Development Plan, as  
19    previously approved by the Mayor and City Council, to provide for the construction of new  
20    facilities and the change or expansion of certain of the existing facilities.

21       On May 17, 1999, representatives of United States Fidelity and Guaranty Company met with  
22    the Department of Planning for a preliminary conference, to explain the scope and nature of the  
23    proposed amendments to the Development Plan.

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike-out~~ indicates matter stricken from the bill by  
amendment or deleted from existing law by amendment.



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1 The representatives of United States Fidelity and Guaranty Company have applied to the  
2 Baltimore City Council for approval of these amendments, and they have submitted amendments  
3 to the Development Plan intended to satisfy the requirements of Article 30, §§ 12.0-1 and 12.0-3  
4 of the Baltimore City Code.

5 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the  
6 Mayor and City Council approves the amendments to the Development Plan submitted by the  
7 Developer, as attached to and made part of this Ordinance, including Existing Conditions (Sheet  
8 1, dated June 8, 1999), Proposed Master Plan (Sheet 2, dated June 8, 1999), and Building  
9 Envelopes (Sheet 3, dated June 8, 1999), provided that, in addition to the modification  
10 procedures outlined in Article 30, § 12.0-1-b of the Baltimore City Code, the design of future  
11 structures not shown on the Development Plan will be subject to design approval by the Planning  
12 Commission.

13 SECTION 2. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of  
14 Article 30, § 12.0-3-a(1) and (3) of the Baltimore City Code, the following uses are permitted  
15 within Area A of the Planned Development as shown on the Development Plan:

16 (a) all uses currently permitted within the O-R-1 Zoning District and such uses as shall in the  
17 future be permitted in the O-R-1 Zoning District;

18 (b) artisans' and craft works, including an artisan trade school and related educational  
19 facilities;

20 (c) an art gallery, exhibit room, or museum, with retail sales;

21 (d) hotel or motel, or bed and breakfast with no more than 38 rooms;

22 (e) a restaurant or lunch room, subject to the following conditions:

23 (1) the floor area may be no greater than 1,000 square feet, with an additional 300 square  
24 feet for terrace dining;

25 (2) the total number of seats may not exceed 40;

26 (3) no alcoholic beverages may be sold; and

27 (4) daytime hours of operation are unrestricted, but operation in the evening must end no  
28 later than 1 hour after the gallery closes; and

29 (f) offices for non-profit organizations.

30 SECTION 3. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent  
31 improvements on the property must be reviewed by the Planning Commission to insure that the  
32 plans are consistent with the Development Plan and this Ordinance.

33 SECTION 3. AND BE IT FURTHER ORDAINED, That the Planning Department may determine  
34 what constitutes minor or major modifications to the Plan. Minor modifications require approval  
35 by the Planning Commission. Major modifications require approval by Ordinance.  
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1 SECTION 4. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the  
2 accompanying amended Development Plan and in order to give notice to the agencies that  
3 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the  
4 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor  
5 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the  
6 Director of Finance then shall transmit a copy of this Ordinance and the amended Development  
7 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the  
8 Commissioner of Housing and Community Development, the Supervisor of Assessments for  
9 Baltimore City, and the Zoning Administrator.

10 SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th  
11 day after the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of DEC 2 1999, 19\_\_

*Agnes Welch*  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_

*[Signature]*  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_  
DEC 06 1999

*Kent L. Schmoke*  
Mayor, Baltimore City

APPROVED as to form and  
legal sufficiency:

*Sandra C. Buckley*  
Assistant City Solicitor  
ASSOCIATE

A TRUE COPY  
WILLIAM R. BROWN, JR.  
DIRECTOR OF FINANCE