

Introduced by: Councilmember Clarke

Prepared by: Department of Legislative Reference

Date: May 23, 2017

Referred to: **HOUSING AND URBAN AFFAIRS** Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0076

A BILL ENTITLED

AN ORDINANCE concerning

**Urban Renewal – Coldstream Homestead Montebello –
Amendment _**

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of
Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)



****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

- | | |
|---|---|
| <input checked="" type="checkbox"/> Department of Public Works | <input type="checkbox"/> Baltimore City Public School System |
| <input type="checkbox"/> Department of Real Estate | <input checked="" type="checkbox"/> Baltimore Development Corporation |
| <input type="checkbox"/> Department of Recreation and Parks | <input checked="" type="checkbox"/> City Solicitor |
| <input checked="" type="checkbox"/> Department of Transportation | <input type="checkbox"/> Comptroller's Office |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Department of Audits |
| <input type="checkbox"/> Health Department | <input type="checkbox"/> Department of Finance |
| <input type="checkbox"/> Mayor's Office of Employment Development | <input type="checkbox"/> Department of General Services |
| <input type="checkbox"/> Mayor's Office of Human Services | <input checked="" type="checkbox"/> Department of Housing and Community Development |
| <input type="checkbox"/> Mayor's Office of Information Technology | <input type="checkbox"/> Department of Human Resources |
| <input type="checkbox"/> Office of the Mayor | <input checked="" type="checkbox"/> Department of Planning |
| <input type="checkbox"/> Police Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

Boards and Commissions

- | | |
|---|---|
| <input checked="" type="checkbox"/> Environmental Control Board | <input type="checkbox"/> Board of Estimates |
| <input type="checkbox"/> Fire & Police Employees' Retirement System | <input type="checkbox"/> Board of Ethics |
| <input type="checkbox"/> Labor Commissioner | <input checked="" type="checkbox"/> Board of Municipal and Zoning Appeals |
| <input type="checkbox"/> Parking Authority Board | <input checked="" type="checkbox"/> Comm. for Historical and Architectural Preservation |
| <input checked="" type="checkbox"/> Planning Commission | <input type="checkbox"/> Commission on Sustainability |
| <input type="checkbox"/> Wage Commission | <input type="checkbox"/> Employees' Retirement System |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

Council Bill 17-0076

1 **B. Land Use Plan**

2 1. Permitted Uses

3

4 b. Neighborhood Business

5 In the area designated as Neighborhood Business on the Land Use Plan
6 Map, the following uses shall be permitted:

7

8 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
9 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
10 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
11 HOURS.

12 c. Community Business

13 In the area designated as Community Business on the Land Use Plan
14 Map, the following uses shall be permitted:

15

16 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
17 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
18 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
19 HOURS.

20 d. Community Commercial

21 In the area designated as Community Commercial on the Land Use
22 Plan Map, the following uses shall be permitted:

23

24 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
25 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
26 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
27 HOURS.

28 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream
29 Homestead Montebello, as amended by this Ordinance and identified as "Urban Renewal Plan,
30 Coldstream Homestead Montebello, revised to include Amendment 11, dated June 5, 2017", is
31 approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan
32 with the Department of Legislative Reference as a permanent public record, available for public
33 inspection and information.

34 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
35 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
36 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
37 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
38 Ordinance is exempted from them.

39 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
40 application of this Ordinance to any person or circumstance is held invalid for any reason, the

WISCONSIN

1912

State of Wisconsin

John Doe

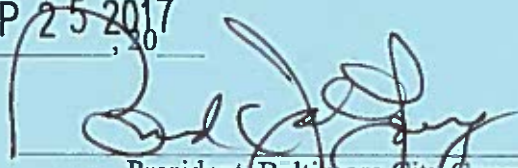
Council Bill 17-0076

1 invalidity does not affect any other provision or any other application of this Ordinance, and for
2 this purpose the provisions of this Ordinance are declared severable.

3 SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns
4 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
5 safety law or regulation, the applicable provisions shall be construed to give effect to each.
6 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
7 higher standard for the protection of the public health and safety prevails. If a provision of this
8 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
9 establishes a lower standard for the protection of the public health and safety, the provision of
10 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
11 conflict.

12 SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is
13 enacted.

Certified as duly passed this _____ day of SEP 25 2017, 20



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of SEP 25 2017, 20



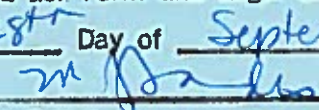
Chief Clerk

Approved this 2 day of October, 20 17

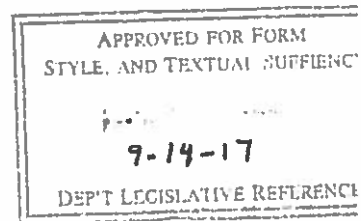


Mayor, Baltimore City

Approved For Form and Legal Sufficiency

This 28th Day of September 2017


Assistant Solicitor



AMENDMENTS TO COUNCIL BILL 17-0076
(1st Reader Copy)

By: Housing and Urban Affairs Committee

Amendment No. 1

On page 1, in line 3, in the blank, insert “11”; and, on page 2, in line 31, in the blank, insert “11”.

Amendment No. 2

On page 1, in line 17, strike “14-391” and substitute “14-301”.

ADOPTED

BALTIMORE CITY COUNCIL
Housing And Urban Affairs Committee
VOTING RECORD


DATE: 9-24-11

BILL#CC: 17- 0076 BILL TITLE: Ordinance – Urban Renewal – Coldstream
 Homestead Montebello – Amendment

MOTION BY: HENRY SECONDED BY: BURNETT

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Bullock, J. Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schleifer, I. Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Burnett, K.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed ,S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cohen, Z	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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TOTALS				

CHAIRPERSON: 
 COMMITTEE STAFF: Richard G. Krummerich, Initials: RK

CERTIFICATE OF POSTING

RE: Case No. CCB 17-0076

Date of Hearing 9/14/17

**Baltimore City Council
c/o Natawna B. Austin
Room 409 – City Hall
100 N. Holliday Street
Baltimore, Md. 21202**

This letter is to certify that the necessary sign was posted conspicuously, on the property located at _____

NWS Harford Road - NE. of Homestead St. (2614 Harford Rd.)

_____ on 9/4/17

Sincerely,

 9/4/17

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

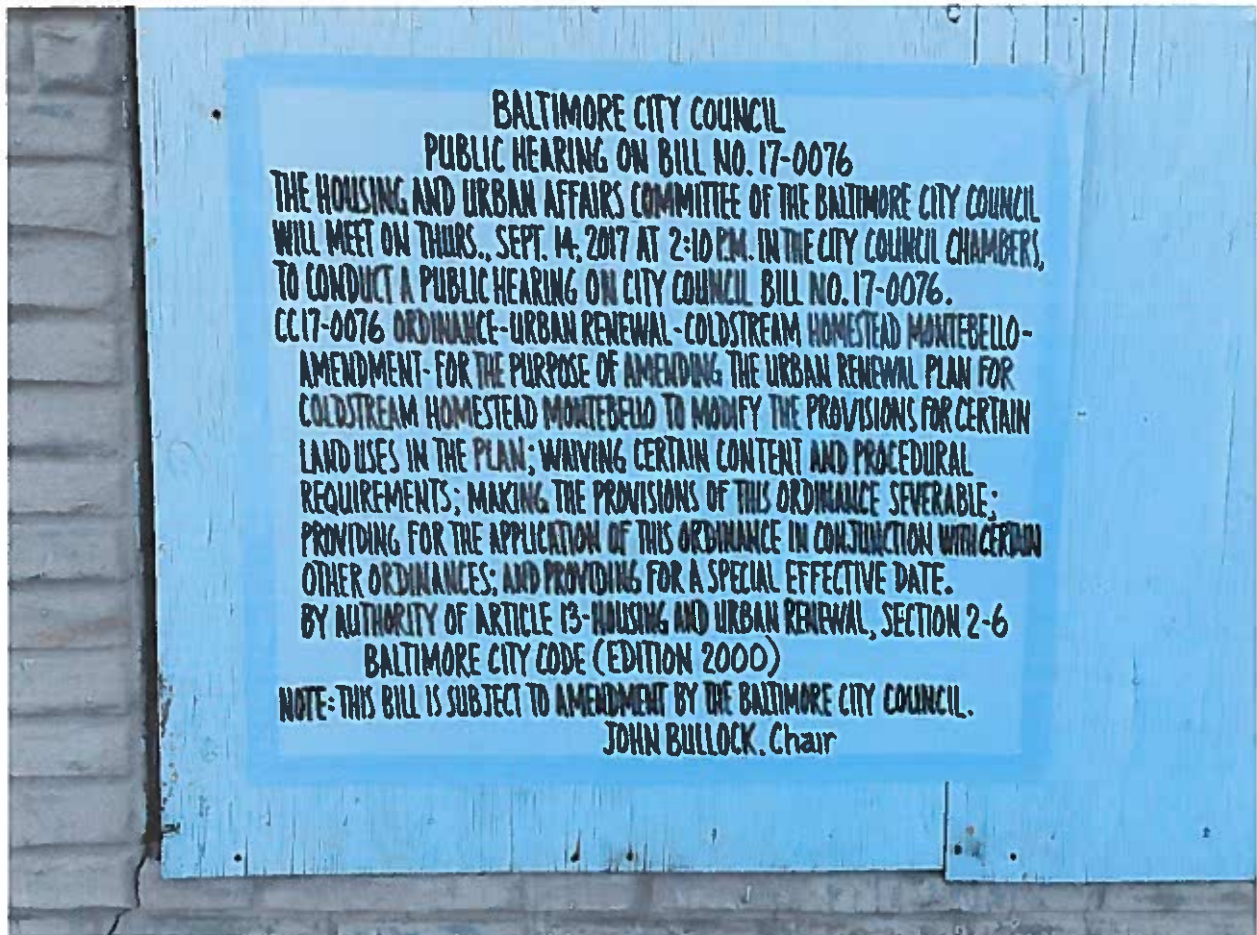


Certificate of Posting

Baltimore City Council

Land Use and Transportation Committee

City Council Bill No. 17-0076



WS Harford Rd.-NE of Homestead St. (2624 Harford Rd.)

Posted 9/4/17

 9/4/17

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

Order #: 11395735

Case #:

Description:

BILL NO. 17-0076 - The Housing and Urban Affairs Committee of the Baltimore City Council w

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 2 times on the following dates:

8/31/2017 9/7/2017

Darlene Miller, Public Notice Coordinator
(Representative Signature)

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 17-0076

The Housing and Urban Affairs Committee of the Baltimore City Council will meet on Thursday, September 14, 2017 at 2:10 P.M. in the City Council Chambers, to conduct a public hearing on City Council Bill No. 17-0076.

CC 17-0076 ORDINANCE - Urban Renewal - Coldstream Homestead Montebello - Amendment - FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of
Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

John Bullock
Chair

au31,s7

RECEIVED
SEP - 6 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

TO: Councilmember Mary Pat Clarke, City Council, District 14

FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council

DATE: July 18, 2017

RE: **INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR AN URBAN RENEWAL BILL**

- A. City Council Bill No. **17-0076** is scheduled for public hearing on **Thursday, September 14, 2017 at 2:10 P.M** in the City Council Chambers.
- B. At the expense of the person who requested this urban renewal plan amendment, the following requirements must be met.
1. **NEWSPAPER ADVERTISING** - Publication of notice of hearing **once a week for two consecutive weeks prior to the date of the hearing**. You may advertise in any of the following newspapers: The Daily Record, Baltimore Sun, or Afro-American.
 2. **POSTING OF A SIGN** - Notice of the public hearing shall be posted in the neighborhood involved at least **10 days prior to the hearing**. The sign is to be not less than 4 feet long and 3 feet wide with black lettering 2 inches high on a white background. The sign should be placed in a conspicuous manner.
 3. **NOTIFICATION OF PROPERTY OWNER(S)** - Any owner of property whose property is identified in legislation for acquisition by the City must be sent a letter, by ordinary mail, notifying the owner of the hearing. **The owner must receive the notice one week prior to the hearing date**. (For further information contact Survey Control Section, Department of Public Works 410-396-3641).
 4. **NOTIFICATION OF COMMUNITY GROUPS** - Under provision of certain urban renewal plans, community groups **or Project Area Committees (PACS) must be notified in writing of the public hearing ten 10 days in advance**. To find out if such a provision is contained in this plan, contact Laurie Feinberg, Department of Planning at 410-396-1275.
 5. **NOTIFICATION OF AFFECTED DEVELOPERS** - Under provision of certain urban renewal plans, the owner of any land previously disposed of by the Department of Housing & Community Development and whose interest is materially affected by a plan amendment, **must receive written notice of the hearing 10 days prior to the hearing date**.
 6. **OTHER REQUIREMENTS** - There may be other notification or advertising requirements particular to an urban renewal plan. Please review the urban renewal plan associated with this bill.
 7. **COPIES OF REQUIREMENTS** - Copies of all the advertising, sign posting certificate, and other notification requirements must be received by Natawna B. Austin, Executive Secretary, Baltimore City Council, **2 days prior to the public hearing**.
- C. A list of advertising firms available to make signs as required in B-2 (above) is attached for your information.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE ADVERTISED IN A NEWSPAPER AND A SIGN MUST BE POSTED ON THE PROPERTY BY THURSDAY, AUGUST 31, 2017 (ONCE A WEEK FOR TWO CONSECUTIVE WEEKS) FOR NEWSPAPER ADVERTISEMENT AND MONDAY, SEPTEMBER 4, 2017 FOR SIGN POSTING AS OUTLINED ON THE PREVIOUS PAGE.

**BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0076**

The Housing and Urban Affairs Committee of the Baltimore City Council will meet on Thursday, September 14, 2017 at 2:10 P.M, in the City Council Chambers, to conduct a public hearing on City Council Bill No. 17-0076.

CC 17-0076 ORDINANCE - **Urban Renewal - Coldstream Homestead Montebello - Amendment _** - FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of
Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

John Bullock
Chair

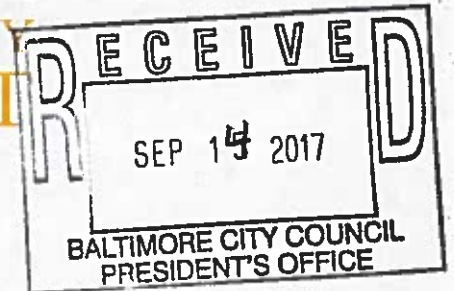
SEND CERTIFICATION OF PUBLICATION TO:

Natawna B. Austin
Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202
410-396-1697

SEND BILL FOR THIS ADVERTISEMENT TO:

Mary Pat Clarke
City Council
City Hall, Room 501
Baltimore, MD 21202
410-396-4814

The Baltimore City Department of
**HOUSING & COMMUNITY
DEVELOPMENT**



MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner

Date: September 13, 2017

Re: **City Council Bill 17-0076 - Urban Renewal – Coldstream Homestead Montebello –
Amendment**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0076, for the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

If enacted, this bill would support the rejuvenating of a business area in the Coldstream Homestead Montebello Urban Renewal Area (URA) located along Harford Road by requiring that "Street-facing ground floor uses must be primarily retail or service establishment that deal directly with consumers, rely heavily on walk-in business, and have regular daily hours". The proposed amendment would most directly affect the west side of Harford Road between 25th Street and Abbotston Street and the Triangular area where Hillen Road meets Harford Road. The section of Harford Road boarding the URA has not developed as a coherent commercial area. The new zoning code that became effective on June 5, 2017 placed most of the Harford Road-fronting properties in the C-1 Neighborhood Business Zoning District. This bill, in conjunction with the new zoning district would encourage more walk-to retail commercial establishment and personal services establishments to locate along certain block of Harford Road to assist with improving the look, cohesiveness and appeal of the area.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0076.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*

A handwritten mark, possibly a signature or initials, consisting of a stylized letter 'F' or similar shape.

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



BOARD OF MUNICIPAL AND ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

September 12, 2017

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: City Council Bill No. 17-0076: Urban Renewal – Coldstream Homestead Montebello
- Amendment

Ladies and Gentlemen:

City Council Bill No. 17-0076 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0076 is to amend the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan, waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special, effective date.

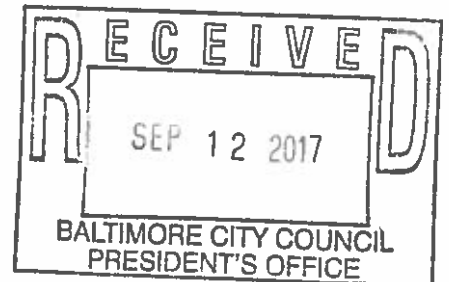
The BMZA has reviewed the legislation and has no objection to Bill No. 17-0076 being passed.

Sincerely,

David C. Tanner
Executive Director

DCT/rdh

CC: Mayors Office of Council Relations
Legislative Reference



*No
obj*

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

August 9, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0076 – Urban Renewal – Coldstream Homestead
Montebello - Amendment

Dear President and City Council Members:

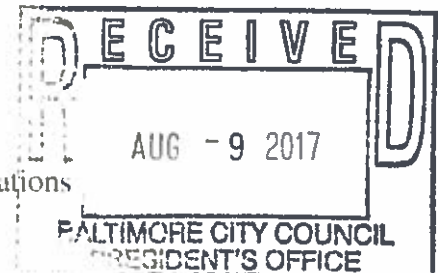
The Law Department has reviewed City Council Bill 17-0076 for form and legal sufficiency. The bill amends the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan. The bill also waives certain content and procedural requirements, makes the provisions of the ordinance severable, provides for the application of the ordinance in conjunction with certain other ordinances, and provides for an immediate effective date.


The Baltimore City Code (BCC) requires that any change to an Urban Renewal Plan be made by ordinance. BCC Art. 13, § 2-6(g)(1). Where, as here, a change is proposed by a Councilmember, the ordinance must be referred for review to the Department of Housing and Community Development and the Planning Commission. BCC Art. 13, Section 2-6(h)(4). As this is the appropriate mechanism for making changes to the Plan, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Interim City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Tervalá, Chief Solicitor



FROM	NAME & TITLE	Eric Holcomb, Executive Director <i>EH</i> CHAP	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Commission for Historical and Architectural Preservation 417 East Fayette Street, 8 TH Floor		
	SUBJECT	City Council Bill #17-0076/Urban Renewal – Coldstream Homestead Montebello - Amendment		

DATE: July 13, 2017

TO The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

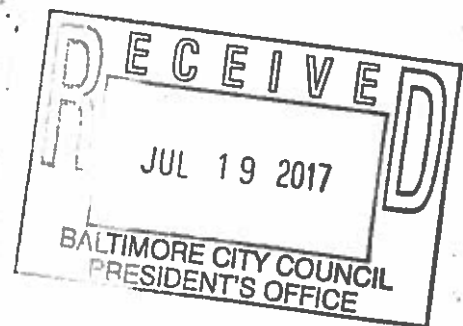
At its regular meeting of July 11, 2017, the Commission for Historical and Architectural Preservation considered City Council Bill 17-0076: Urban Renewal – Coldstream Homestead Montebello – Amendment.

In its consideration of this Bill, the Commission for Historical and Architectural Preservation reviewed the attached staff report which recommended a finding of No Objection to the amendment (12 members being present, 12 in favor):

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

If you have any questions, please contact Mr. Eric Holcomb, Executive Director, at 410-396-4866.

CC:
Kyron Banks
Natawna Austin



No objection



Catherine E. Pugh
Mayor

COMMISSION FOR
HISTORICAL & ARCHITECTURAL
PRESERVATION

Tom Liebel, Chairman

STAFF REPORT



Thomas J. Stosur
Director

July 11, 2017

REQUEST: Review and Response to City Council Bill for Urban Renewal Amendments: City Council Bill 16-0076: Urban Renewal – Coldstream Homestead Montebello – Amendment

RECOMMENDATION: CHAP has no objection to the amendment and defers to Planning regarding zoning amendments.

STAFF: Stacy Montgomery

PETITIONER(S): Introduced by City Councilman Clarke

SUMMARY: City Council Bill 17-0076 proposes to amend several permitted uses in the land use plan for the Coldstream Homestead Montebello Urban Renewal Plan.

SITE/HISTORIC DISTRICT

The Coldstream Homestead Montebello neighborhood is located in northeast Baltimore, south of Lake Montebello and northwest of Clifton Park. A portion of the neighborhood was listed on the National Register of Historic Places in 2013. There are two Baltimore City Landmarks within the boundaries of the Urban Renewal Plan, the Friend's Burial Ground and Baltimore City College. The Olmstead Parkways Landmark runs along the north side of the neighborhood.

BACKGROUND

- There are no previous CHAP actions.

PROPOSAL

Bill 16-0076 Urban Renewal – Coldstream Homestead Montebello – Amendment will amend the Land Use Plan in the Urban Renewal Plan for Coldstream Homestead Montebello to change the permitted uses for areas mapped as Community Business and Community Commercial. Per the ordinance “Street-facing ground floor uses must be primarily retail or service establishments that deal directly with consumers, rely heavily on walk-in business, and have regular daily hours.” The goal of this amendment is to encourage more walk-to retail commercial establishments and personal service establishments along Harford Road.

ANALYSIS

CHAP staff finds that the proposed amendments will have no impact on designated historic properties as the amendments address use and have no physical impact on locally designated historic resources.

Staff recommends a finding of no objection and deferment to Planning regarding zoning.

Eric Holcomb
Director

MAPS & IMAGES



Neighborhood Boundaries



Coldstream Homestead Montebello National Register Historic District



Baltimore City Landmarks in area

CC Bill 17-0076: Urban Renewal – Coldstream Homestead Montebello - Amendment

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0076 / Urban Renewal – Coldstream Homestead Montebello – Amendment

CITY of
BALTIMORE
MEMO



TO The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

DATE: July 7, 2017

At its regular meeting July 6, 2017, the Planning Commission considered City Council Bill #17-0076, for the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions of certain land uses in the Plan; waiving certain content and procedural requirements; making provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0076, and adopted the following resolution, eight members being present (eight in favor):

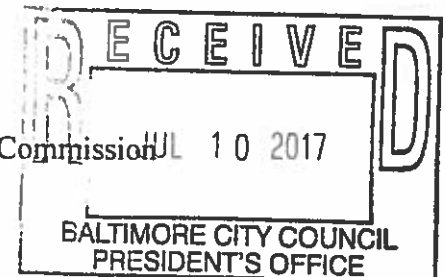
RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #17-0076 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC



A



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

July 6, 2017

REQUEST: City Council Bill #17-0076/ Urban Renewal – Coldstream Homestead Montebello – Amendment :

For the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONER: Councilmember Mary Pat Clarke

OWNERS: Various and numerous, within the defined Urban Renewal Area known as Coldstream Homestead Montebello

SITE/GENERAL AREA

Site Conditions: The boundaries of the Coldstream Homestead Montebello Urban Renewal Area (URA) are: 33rd Street and 32nd Streets on its north; Loch Raven Road on its west; 25th Street and the Baltimore Belt Railroad on its south; and Harford Road on its east, with a small extension east of Harford Road at the southeast corner of the URA taking in the properties known as 2501- 2555 Harford Road. The Coldstream Homestead Montebello URA has a concentration of attached residential structures spread across its northeastern, central, and southern portions, split into an upper and lower section by the boulevard known as The Alameda; a concentration of public schools and other public facilities in its western section along Loch Raven Road; a concentration of commercial and small industrial uses in its southwest section south of Exeter Hall Avenue and along its southern border next to the Baltimore Belt Railroad right-of-way; and small commercial uses along its southeastern border along Harford Road. Most of the residential portion of this Urban Renewal Area was originally developed in the second and third decades of the 20th Century, but this large-scale development was preceded by construction of small groups of houses along Harford Road in the late 19th Century and first decade of the 20th Century.

General Area: The Coldstream Homestead Montebello URA is located in the now-inner northeastern part of Baltimore City. To its northeast is the Montebello Reservoir and Water Purification Plant, supplier of drinking water for the entire eastern area of Baltimore City and

Baltimore County. The northern boundary of the URA is 33rd Street, the historic boulevard which forms part of the street network linking central and downtown Baltimore to Baltimore's northeast sections (via Loch Raven Boulevard, The Alameda, Hillen Road and Perring Parkway, and Harford Road) and eastern sections (via 32nd Street extended through Clifton Park to Erdman Avenue, and Erdman Avenue to Belair Road and Philadelphia Road/ Pulaski Highway). City College, a Baltimore landmark, is located at the northwest corner of the URA. West of the URA, across Loch Raven Road, is the predominantly residential area known as Waverly. Clifton Park, which includes a municipal golf course and public schools, is across Harford Road southeast of the URA. South of the URA, across the railroad right-of-way, is a mixed residential, industrial, and commercial area known as East Baltimore Midway, itself another Urban Renewal Area having Harford Road as its southeastern border.

HISTORY

The Coldstream Homestead Montebello Urban Renewal Plan was originally approved by the Mayor and City Council by Ordinance no. 289 dated February 28, 1977. This Urban Renewal Plan (URP) was last amended by its Amendment no. 8, dated February 12, 2007, approved by the Mayor and City Council by Ordinance no. 07-571 dated November 27, 2007. The Coldstream Homestead Montebello Historic District was certified to the National Register of Historic Places on October 23, 2013.

CONFORMITY TO PLANS

The proposed amendment to the URP would be consistent with LIVE EARN PLAY LEARN, the Baltimore Comprehensive Master Plan, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods. The amendment would also further the URP objective to achieve a strong residential neighborhood including supporting commercial and public facilities in the Coldstream Homestead Montebello Area (URP, Project Description, Urban Renewal Plan Objectives (A.2.)).

ANALYSIS

The predominantly residential northeast part of the URA located along and northeast of The Alameda is a National Register Historic District also called Coldstream Homestead Montebello. The southwest portion of the URA is designated as Industrial, and the northwest portion of the URA is designated as Public (for schools, parks, and recreation facilities). Only Harford Road, which forms the eastern or southeast border of the URA, has a mixture of original residential structures, some partially or wholly converted to non-residential use, and commercial structures, many in the URA's southern section closer to the railroad.


The proposed amendment would apply to the portions of the URA now designated by the URP as "Neighborhood Business", "Community Business", and "Community Commercial". The URA's Land Use Plan map places the Neighborhood Business designation on a triangular area where Hillen Road meets Harford Road, and at 2501 Harford Road near the southeast corner of the URA. The same map places the Community Business designation along the 2500, 2600, and 2800 blocks of Harford Road, and the Community Commercial designation at the southeast corner of the URA between Harford Road and Aisquith Street. In practical terms, the proposed amendment would directly affect primarily the west side of Harford Road between 25th Street and Abbotston Street, and the triangular area where Hillen Road meets Harford Road.

Harford Road bordering the Coldstream Homestead Montebello URA has not developed as a coherent commercial area. Although the comprehensive rezoning that became effective on June 5, 2017 has placed most of the Harford Road-fronting properties that would be directly affected by the proposed action in the new C-1 Neighborhood Business Zoning District, enactment of that zoning does not guarantee that the proviso recited in City Council Bill 17-0076, "Street-facing ground floor uses must be primarily retail or service establishments that deal directly with consumers, rely heavily on walk-in business, and have regular daily hours" will actually be realized. This is because the list of permitted and conditional uses contained in Table 10-301, "Commercial Districts – Permitted and Conditional Uses" of the new Zoning Code includes numerous uses that could easily qualify under this criterion, and some which would not if their operator chose not to meet this criterion.

As the existing building stock in the portion of the URA that would be affected includes a number of residential mixed-use properties and some non-residential properties built for commercial purposes, the proposed amendment represents an opportunity to encourage more walk-to retail commercial establishments and personal services establishments to locate along these blocks of Harford Road, thus strengthening both the image of this section of Harford Road as a neighborhood-oriented commercial area, and its curb appeal as a cohesive node for small businesses in this part of Baltimore. This in turn could serve to strengthen the nearby residential area immediately northwest of Harford Road, parts of which have been beset by problems associated with neglected or abandoned properties.

The concept embodied in the proposed amendment to the Coldstream Homestead Montebello URP was initiated in the Hamilton Business Area URP, a plan originally adopted in November 1979. The Hamilton Business Area covers both sides of Harford Road where it meets Hamilton Avenue, and includes as its first objective "establishing a positive and identifiable image for the Hamilton Business Area" (Hamilton URP, A.2.a.), and as its second objective "promoting new retail business activity in the area (Hamilton URP, A.2.b.). Recognizing that these two objectives interconnect, the URP states, in its next section (Land Use Plan, Provisions and Standards [for] Permitted Uses, B.2.a.(3)) covering its Community Business areas, "street-facing ground floor uses must be primarily retail or service establishments that deal directly with consumers, rely heavily on walk-in business and have regular daily hours". To the extent that this requirement has succeeded in activating or rejuvenating a business area that had been in existence for almost one hundred years, the concept is worthy of consideration for use elsewhere, such as in the Coldstream Homestead Montebello URA's business area along Harford Road.

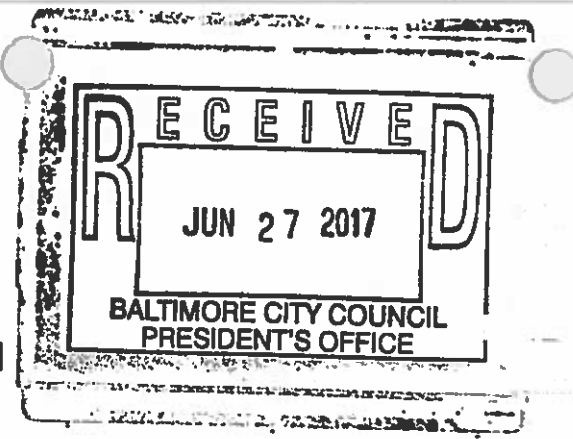
Notification: The Coldstream Homestead Montebello Community Development Corporation has been notified of this action.



Thomas J. Stosur
Director



Baltimore
Development Corporation



MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO *[Signature]*

DATE: June 23, 2016

SUBJECT: City Council Bill No. 17-0076
Urban Renewal – Coldstream Homestead Montebello – Amendment_

The Baltimore Development Corporation (BDC) supports City Council Bill 17-0076. If passed, the Bill will amend the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the areas designated as neighborhood business, community business and community commercial to restrict street-facing ground floor uses as primarily retail or service establishments. This land use plan will foster the development of more robust commercial corridors with mixed-use development that will better serve the retail and services needs of the community at-large.


The BDC supports this resolution and respectfully requests that favorable consideration be given by the City Council for Bill No. 17-0076.

cc: Kyron Banks

F

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RECEIVED
JUN 5 2015
BALTIMORE CITY COLLEGE
DEPARTMENT OF...

FROM	NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 17-0076		

DATE: June 13, 2017

TO

The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall


I am herein reporting on City Council Bill 17-0076 introduced by Council Member Clarke.

The purpose of the Bill is to amend the Urban Renewal plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the plan; waive certain content and procedural requirements; make the provisions of this Ordinance severable; provide for the application of this Ordinance in conjunction with certain other ordinances; and provide for a special effective date.

Ordinance 77-289 established the Urban Renewal Area and Plan for Coldstream Homestead Montebello. The Urban Renewal Area is generally bounded by Harford Road on the east, 25th Street on the south, Loch Raven Boulevard on the west, and 33rd and 32nd Streets on the north. The Plan was last amended by Ordinance 14-301 to extend the powers of acquisition and condemnation in order to be in compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland.

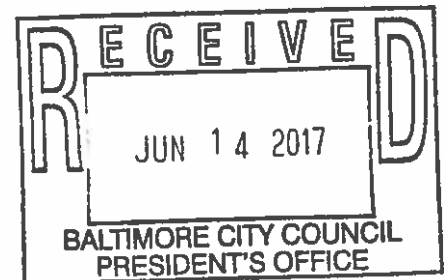
City Council Bill 17-0076 would amend the Land Use Plan of the Urban Renewal Plan to require that street-facing ground floor uses in areas designated as Neighborhood Business, Community Business, and Community Commercial, must be primarily retail or service establishments that rely on walk-in business, deal directly with customers, and have regular daily hours of operation.

The Department of Public Works supports passage of City Council Bill 17-0076. It should be noted that the first recital of the Bill (on page 1, line 17) mistakenly identifies the last amending ordinance to be Ordinance 14-391. The correct reference is Ordinance 14-301.


Rudolph S. Chow, P.E.
Director

RSC/MMC

Fav w/ Amend



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: CC 17-0076

Ordinance - Urban Renewal - Coldstream Homestead Montebello - Amendment

Committee: Housing and Urban Affairs
Chaired By: Councilmember John Bullock

Hearing Date: September 14, 2017
Time (Beginning): 2:10 PM
Time (Ending): 2:16 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: 14
Committee Members in Attendance:
John Bullock Zeke Cohen
Isaac "Yitzy" Schleifer
Kristerfer Burnett Ryan Dorsey
Bill Henry
Sharon Sneed

Bill Synopsis in the file? [X] yes [] no [] n/a
Attendance sheet in the file? [X] yes [] no [] n/a
Agency reports read? [X] yes [] no [] n/a
Hearing televised or audio-digitally recorded? [X] yes [] no [] n/a
Certification of advertising/posting notices in the file? [X] yes [] no [] n/a
Evidence of notification to property owners? [] yes [] no [X] n/a
Final vote taken at this hearing? [X] yes [] no [] n/a
Motioned by: Councilmember Henry
Seconded by: Councilmember Burnett
Final Vote: Fav. with Amendments

Major Speakers

(This is not an attendance record.)

- Councilwoman Mary Pat Clarke(D.14th)
•
•

Major Issues Discussed

1. Chairman Bullock continued the 2:00 PM hearing. This Bill was called and the Chair recognized Councilwoman Clarke.
2. Councilwoman Clarke explained that she introduced this bill to aid the area around the intersection of Harford and Hillen Roads. This Bill will require businesses in that area to be easily accessible to the public.
3. No other testimony was taken.
4. The Bill passed on a 7-0 vote.

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

J. Bullock:..... Yea
 I. Schleifer: Yea
 K. Burnett: Yea
 B. Henry: Yea
 S. Sneed: Yea
 Z. Cohen: Yea
 R. Dorsey: Yea
 :
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Richard G. Krummerich, Committee Staff
cc: Bill File
OCS Chrono File

Date: September 15, 2017



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CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Housing and Urban Affairs

Bill CC 17-0076

Ordinance – Urban Renewal – Coldstream Homestead Montebello – Amendment

Sponsor: Councilmember Clarke

Introduced: June 5, 2017

Purpose:

For the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Effective: Upon enactment

Hearing Date/Time/Location: September 14, 2017 at 2:10 PM in the Council Chambers

Agency Reports

Department of Law	Favorable
Planning Commission	Favorable
Department of Public Works	Favorable/Amend
Baltimore Development Corporation	Favorable
Department of Housing and Community Development	
Department of Transportation	
Board of Municipal and Zoning Appeals	No Objection
CHAP	No Objection

Analysis

Current Law

The Coldstream Homestead Montebello (CHUM) Urban Renewal Plan was created by Ordinance 77-0289 on February 28, 1977. It was last amended by Ordinance 14-301 in 2014.

Background

The CHUM neighborhood is located in Northeast Baltimore City. The Boundaries are generally: 33rd Street on the North, 25th Street on the South, Loch Raven Road on the West, and 25th Street on the East. It lies just to the East of the Montebello Water Station and to the South of Morgan State University.

CC 17-0076 was introduced to primarily to aid the southeast corner of the neighborhood near the intersection of Hillen and Harford roads. These areas are zoned C1 (Neighborhood Business)

CC 17-0076 amends the Coldstream Homestead Montebello Urban Renewal Plan to provide that in a C1 district "street-facing ground floor uses must be primarily retail or service establishments that deal directly with consumers, rely heavily on walk-in-business, and have regular daily hours".

Additional Information

Fiscal Note: Not Available

Information Source(s): Bill File

Analysis by: Richard G. Krummerich *RK* Direct Inquiries to: 410-396-1266
Analysis Date: 9-12-17

**CITY OF BALTIMORE
COUNCIL BILL 17-0076
(First Reader)**

Introduced by: Councilmember Clarke

Introduced and read first time: June 5, 2017

Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Department, Department of Housing and Community Development, Department of Public Works, Commission for Historical and Architectural Preservation, Baltimore Development Corporation, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Coldstream Homestead Montebello –**
3 **Amendment**

4 FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to
5 modify the provisions for certain land uses in the Plan; waiving certain content and
6 procedural requirements; making the provisions of this Ordinance severable; providing for
7 the application of this Ordinance in conjunction with certain other ordinances; and providing
8 for a special effective date.

9 BY authority of

10 Article 13 - Housing and Urban Renewal
11 Section 2-6
12 Baltimore City Code
13 (Edition 2000)

14 **Recitals**

15 The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by
16 the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance
17 14-391.

18 An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is
19 necessary to modify the provisions for certain land uses in the Plan.

20 Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved
21 renewal plan unless the change is approved in the same manner as that required for the approval
22 of a renewal plan.

23 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the**
24 **following changes in the Urban Renewal Plan for Coldstream Homestead Montebello are**
25 **approved:**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0076

1 (1) In the Plan, amend B.1.b., c., and d. to read as follows:

2 B. Land Use Plan

3 1. Permitted Uses

4

5 b. Neighborhood Business

6 In the area designated as Neighborhood Business on the Land Use Plan
7 Map, the following uses shall be permitted:

8

9 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
10 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
11 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
12 HOURS.

13 c. Community Business

14 In the area designated as Community Business on the Land Use Plan
15 Map, the following uses shall be permitted:

16

17 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
18 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
19 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
20 HOURS.

21 d. Community Commercial

22 In the area designated as Community Commercial on the Land Use
23 Plan Map, the following uses shall be permitted:

24

25 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
26 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
27 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
28 HOURS.

29 SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Coldstream
30 Homestead Montebello, as amended by this Ordinance and identified as "Urban Renewal Plan,
31 Coldstream Homestead Montebello, revised to include Amendment __, dated June 5, 2017", is
32 approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan
33 with the Department of Legislative Reference as a permanent public record, available for public
34 inspection and information.

35 SECTION 3. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan
36 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
37 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
38 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
39 Ordinance is exempted from them.

Council Bill 17-0076

1 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
2 application of this Ordinance to any person or circumstance is held invalid for any reason, the
3 invalidity does not affect any other provision or any other application of this Ordinance, and for
4 this purpose the provisions of this Ordinance are declared severable.

5 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
6 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
7 safety law or regulation, the applicable provisions shall be construed to give effect to each.
8 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
9 higher standard for the protection of the public health and safety prevails. If a provision of this
10 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
11 establishes a lower standard for the protection of the public health and safety, the provision of
12 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
13 conflict.

14 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
15 enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

FORMATTED BY DLR

5-23-17

Introduced by: Councilmember Clarke

A BILL ENTITLED

AN ORDINANCE concerning

**Urban Renewal – Coldstream Homestead Montebello –
Amendment _**

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance 14-391.

An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is necessary to modify the provisions for certain land uses in the Plan.

Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Coldstream Homestead Montebello are approved:

(1) In the Plan, amend B.1.b., c., and d. to read as follows:

B. Land Use Plan

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.

1. Permitted Uses

....
b. Neighborhood Business

In the area designated as Neighborhood Business on the Land Use Plan Map, the following uses shall be permitted:

....
STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS, RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY HOURS.

c. Community Business

In the area designated as Community Business on the Land Use Plan Map, the following uses shall be permitted:

....
STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS, RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY HOURS.

d. Community Commercial

In the area designated as Community Commercial on the Land Use Plan Map, the following uses shall be permitted:

....
STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS, RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY HOURS.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Coldstream Homestead Montebello, as amended by this Ordinance and identified as "Urban Renewal Plan, Coldstream Homestead Montebello, revised to include Amendment __, dated June 5, 2017", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

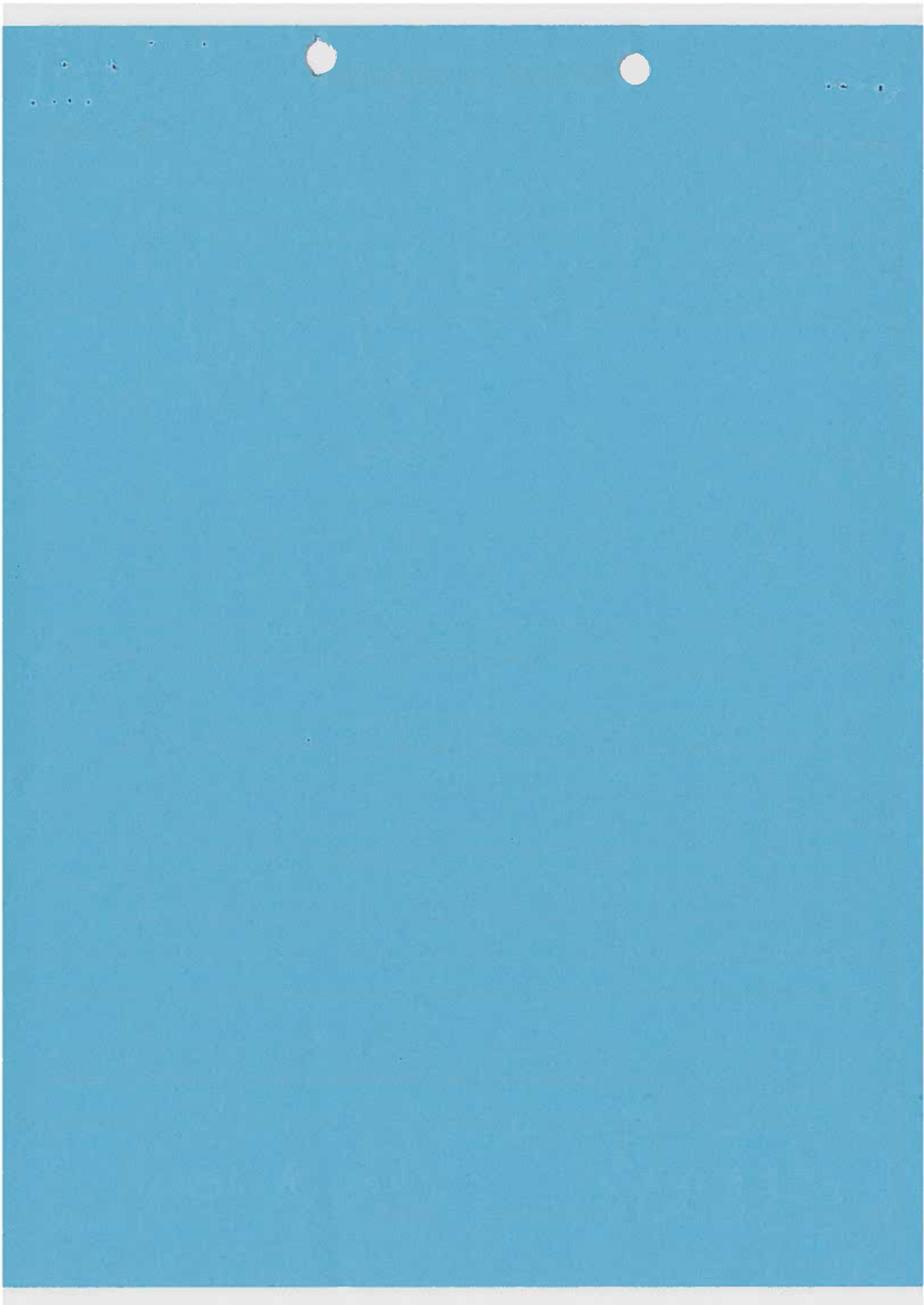
SECTION 3. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or

safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.



ACTION BY THE CITY COUNCIL

JUN 05 2017

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON 9-14 _____ 20 17

COMMITTEE REPORT AS OF 9-18 _____ 20 17

_____ FAVORABLE _____ UNFAVORABLE FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

[Handwritten Signature]

Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

SEP 18 2017
20 _____

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ SEP 25 2017
20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

[Handwritten Signature]

President

[Handwritten Signature]

Chief Clerk

The Baltimore City Department of
**HOUSING & COMMUNITY
DEVELOPMENT**

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner

Date: September 13, 2017

Re: **City Council Bill 17-0076 - Urban Renewal – Coldstream Homestead Montebello –
Amendment**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0076, for the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

If enacted, this bill would support the rejuvenating of a business area in the Coldstream Homestead Montebello Urban Renewal Area (URA) located along Harford Road by requiring that “Street-facing ground floor uses must be primarily retail or service establishment that deal directly with consumers, rely heavily on walk-in business, and have regular daily hours”. The proposed amendment would most directly affect the west side of Harford Road between 25th Street and Abbotston Street and the Triangular area where Hillen Road meets Harford Road. The section of Harford Road boarding the URA has not developed as a coherent commercial area. The new zoning code that became effective on June 5, 2017 placed most of the Harford Road-fronting properties in the C-1 Neighborhood Business Zoning District. This bill, in conjunction with the new zoning district would encourage more walk-to retail commercial establishment and personal services establishments to locate along certain block of Harford Road to assist with improving the look, cohesiveness and appeal of the area.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0076.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyrion Banks, *Mayor's Office of Government Relations*

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

September 12, 2017

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: City Council Bill No. 17-0076: Urban Renewal – Coldstream Homestead Montebello
- Amendment

Ladies and Gentlemen:

City Council Bill No. 17-0076 has been referred by your Honorable Body to the Board of
Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0076 is to amend the Urban Renewal Plan for
Coldstream Homestead Montebello to modify the provisions for certain land uses in the
Plan, waiving certain content and procedural requirements; making the provisions of this
Ordinance severable; providing for the application of this Ordinance in conjunction with
certain other ordinances; and providing for a special; effective date.

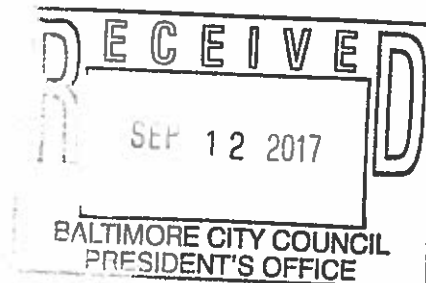
The BMZA has reviewed the legislation and has no objection to Bill No. 17-0076 being
passed.

Sincerely,

David C. Tanner
Executive Director

DCT/rdh

CC: Mayors Office of Council Relations
Legislative Reference

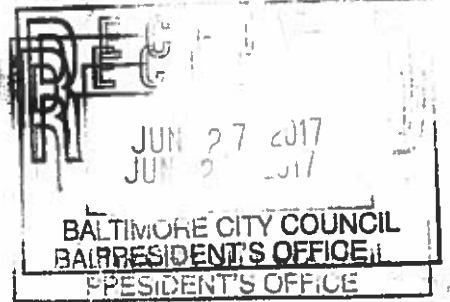
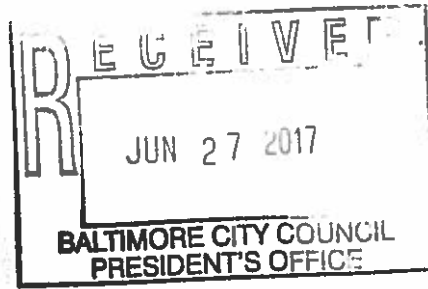


no obj



Baltimore
Development Corporation

MEMORANDUM



TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO

DATE: June 23, 2016

SUBJECT: City Council Bill No. 17-0076
Urban Renewal – Coldstream Homestead Montebello – Amendment_

The Baltimore Development Corporation (BDC) supports City Council Bill 17-0076. If passed, the Bill will amend the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the areas designated as neighborhood business, community business and community commercial to restrict street-facing ground floor uses as primarily retail or service establishments. This land use plan will foster the development of more robust commercial corridors with mixed-use development that will better serve the retail and services needs of the community at-large.

The BDC supports this resolution and respectfully requests that favorable consideration be given by the City Council for Bill No. 17-0076.

cc: Kyron Banks



BALTIMORE
MAY 18 1864

1864

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



August 9, 2017

DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0076 – Urban Renewal – Coldstream Homestead
Montebello - Amendment

Dear President and City Council Members:

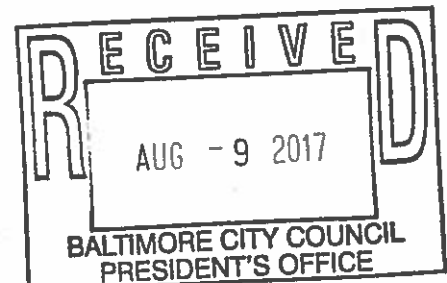
The Law Department has reviewed City Council Bill 17-0076 for form and legal sufficiency. The bill amends the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan. The bill also waives certain content and procedural requirements, makes the provisions of the ordinance severable, provides for the application of the ordinance in conjunction with certain other ordinances, and provides for an immediate effective date.


The Baltimore City Code (BCC) requires that any change to an Urban Renewal Plan be made by ordinance. BCC Art. 13, § 2-6(g)(1). Where, as here, a change is proposed by a Councilmember, the ordinance must be referred for review to the Department of Housing and Community Development and the Planning Commission. BCC Art. 13, Section 2-6(h)(4). As this is the appropriate mechanism for making changes to the Plan, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Interim City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Tervalá, Chief Solicitor



FROM	NAME & TITLE	Eric Holcomb, Executive Director <i>EH</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Commission for Historical and Architectural Preservation 417 East Fayette Street, 8 TH Floor		
	SUBJECT	City Council Bill #17-0076/Urban Renewal – Coldstream Homestead Montebello - Amendment		

DATE: July 13, 2017

TO The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

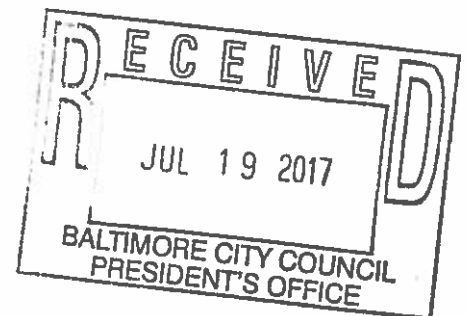
At its regular meeting of July 11, 2017, the Commission for Historical and Architectural Preservation considered City Council Bill 17-0076: Urban Renewal – Coldstream Homestead Montebello – Amendment.

In its consideration of this Bill, the Commission for Historical and Architectural Preservation reviewed the attached staff report which recommended a finding of No Objection to the amendment (12 members being present, 12 in favor):

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

If you have any questions, please contact Mr. Eric Holcomb, Executive Director, at 410-396-4866.

CC:
Kyron Banks
Natawna Austin



*No
obj*



Catherine E. Pugh
Mayor

COMMISSION FOR
HISTORICAL & ARCHITECTURAL
PRESERVATION

Tom Liebel, Chairman

STAFF REPORT



Thomas J. Stosur
Director

July 11, 2017

REQUEST: Review and Response to City Council Bill for Urban Renewal Amendments: City Council Bill 16-0076: Urban Renewal – Coldstream Homestead Montebello – Amendment

RECOMMENDATION: CHAP has no objection to the amendment and defers to Planning regarding zoning amendments.

STAFF: Stacy Montgomery

PETITIONER(S): Introduced by City Councilman Clarke

SUMMARY: City Council Bill 17-0076 proposes to amend several permitted uses in the land use plan for the Coldstream Homestead Montebello Urban Renewal Plan.

SITE/HISTORIC DISTRICT

The Coldstream Homestead Montebello neighborhood is located in northeast Baltimore, south of Lake Montebello and northwest of Clifton Park. A portion of the neighborhood was listed on the National Register of Historic Places in 2013. There are two Baltimore City Landmarks within the boundaries of the Urban Renewal Plan, the Friend's Burial Ground and Baltimore City College. The Olmstead Parkways Landmark runs along the north side of the neighborhood.

BACKGROUND

- o There are no previous CHAP actions.

PROPOSAL

Bill 16-0076 Urban Renewal – Coldstream Homestead Montebello – Amendment will amend the Land Use Plan in the Urban Renewal Plan for Coldstream Homestead Montebello to change the permitted uses for areas mapped as Community Business and Community Commercial. Per the ordinance "Street-facing ground floor uses must be primarily retail or service establishments that deal directly with consumers, rely heavily on walk-in business, and have regular daily hours." The goal of this amendment is to encourage more walk-to retail commercial establishments and personal service establishments along Harford Road.

ANALYSIS

CHAP staff finds that the proposed amendments will have no impact on designated historic properties as the amendments address use and have no physical impact on locally designated historic resources.

Staff recommends a finding of no objection and deferment to Planning regarding zoning.

Eric Holcomb
Director



Baltimore City Landmarks in area

CC Bill 17-0076: Urban Renewal – Coldstream Homestead Montebello - Amendment

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0076 / Urban Renewal – Coldstream Homestead Montebello – Amendment

CITY of
BALTIMORE
MEMO



TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

DATE:

July 7, 2017

At its regular meeting July 6, 2017, the Planning Commission considered City Council Bill #17-0076, for the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions of certain land uses in the Plan; waiving certain content and procedural requirements; making provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0076, and adopted the following resolution, eight members being present (eight in favor):

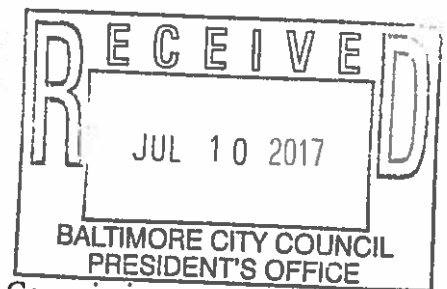
RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #17-0076 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC



[Handwritten mark]



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

July 6, 2017

REQUEST: City Council Bill #17-0076/ Urban Renewal – Coldstream Homestead Montebello – Amendment :

For the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONER: Councilmember Mary Pat Clarke

OWNERS: Various and numerous, within the defined Urban Renewal Area known as Coldstream Homestead Montebello

SITE/GENERAL AREA

Site Conditions: The boundaries of the Coldstream Homestead Montebello Urban Renewal Area (URA) are: 33rd Street and 32nd Streets on its north; Loch Raven Road on its west; 25th Street and the Baltimore Belt Railroad on its south; and Harford Road on its east, with a small extension east of Harford Road at the southeast corner of the URA taking in the properties known as 2501- 2555 Harford Road. The Coldstream Homestead Montebello URA has a concentration of attached residential structures spread across its northeastern, central, and southern portions, split into an upper and lower section by the boulevard known as The Alameda; a concentration of public schools and other public facilities in its western section along Loch Raven Road; a concentration of commercial and small industrial uses in its southwest section south of Exeter Hall Avenue and along its southern border next to the Baltimore Belt Railroad right-of-way; and small commercial uses along its southeastern border along Harford Road. Most of the residential portion of this Urban Renewal Area was originally developed in the second and third decades of the 20th Century, but this large-scale development was preceded by construction of small groups of houses along Harford Road in the late 19th Century and first decade of the 20th Century.

General Area: The Coldstream Homestead Montebello URA is located in the now-inner northeastern part of Baltimore City. To its northeast is the Montebello Reservoir and Water Purification Plant, supplier of drinking water for the entire eastern area of Baltimore City and

Baltimore County. The northern boundary of the URA is 33rd Street, the historic boulevard which forms part of the street network linking central and downtown Baltimore to Baltimore's northeast sections (via Loch Raven Boulevard, The Alameda, Hillen Road and Perring Parkway, and Harford Road) and eastern sections (via 32nd Street extended through Clifton Park to Erdman Avenue, and Erdman Avenue to Belair Road and Philadelphia Road/ Pulaski Highway). City College, a Baltimore landmark, is located at the northwest corner of the URA. West of the URA, across Loch Raven Road, is the predominantly residential area known as Waverly. Clifton Park, which includes a municipal golf course and public schools, is across Harford Road southeast of the URA. South of the URA, across the railroad right-of-way, is a mixed residential, industrial, and commercial area known as East Baltimore Midway, itself another Urban Renewal Area having Harford Road as its southeastern border.

HISTORY

The Coldstream Homestead Montebello Urban Renewal Plan was originally approved by the Mayor and City Council by Ordinance no. 289 dated February 28, 1977. This Urban Renewal Plan (URP) was last amended by its Amendment no. 8, dated February 12, 2007, approved by the Mayor and City Council by Ordinance no. 07-571 dated November 27, 2007. The Coldstream Homestead Montebello Historic District was certified to the National Register of Historic Places on October 23, 2013.

CONFORMITY TO PLANS

The proposed amendment to the URP would be consistent with LIVE EARN PLAY LEARN, the Baltimore Comprehensive Master Plan, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods. The amendment would also further the URP objective to achieve a strong residential neighborhood including supporting commercial and public facilities in the Coldstream Homestead Montebello Area (URP, Project Description, Urban Renewal Plan Objectives (A.2.)).

ANALYSIS

The predominantly residential northeast part of the URA located along and northeast of The Alameda is a National Register Historic District also called Coldstream Homestead Montebello. The southwest portion of the URA is designated as Industrial, and the northwest portion of the URA is designated as Public (for schools, parks, and recreation facilities). Only Harford Road, which forms the eastern or southeast border of the URA, has a mixture of original residential structures, some partially or wholly converted to non-residential use, and commercial structures, many in the URA's southern section closer to the railroad.

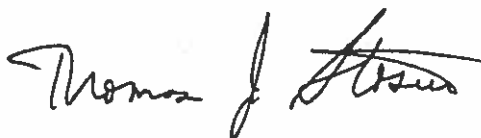
The proposed amendment would apply to the portions of the URA now designated by the URP as "Neighborhood Business", "Community Business", and "Community Commercial". The URA's Land Use Plan map places the Neighborhood Business designation on a triangular area where Hillen Road meets Harford Road, and at 2501 Harford Road near the southeast corner of the URA. The same map places the Community Business designation along the 2500, 2600, and 2800 blocks of Harford Road, and the Community Commercial designation at the southeast corner of the URA between Harford Road and Aisquith Street. In practical terms, the proposed amendment would directly affect primarily the west side of Harford Road between 25th Street and Abbotston Street, and the triangular area where Hillen Road meets Harford Road.

Harford Road bordering the Coldstream Homestead Montebello URA has not developed as a coherent commercial area. Although the comprehensive rezoning that became effective on June 5, 2017 has placed most of the Harford Road-fronting properties that would be directly affected by the proposed action in the new C-1 Neighborhood Business Zoning District, enactment of that zoning does not guarantee that the proviso recited in City Council Bill 17-0076, "Street-facing ground floor uses must be primarily retail or service establishments that deal directly with consumers, rely heavily on walk-in business, and have regular daily hours" will actually be realized. This is because the list of permitted and conditional uses contained in Table 10-301, "Commercial Districts – Permitted and Conditional Uses" of the new Zoning Code includes numerous uses that could easily qualify under this criterion, and some which would not if their operator chose not to meet this criterion.

As the existing building stock in the portion of the URA that would be affected includes a number of residential mixed-use properties and some non-residential properties built for commercial purposes, the proposed amendment represents an opportunity to encourage more walk-to retail commercial establishments and personal services establishments to locate along these blocks of Harford Road, thus strengthening both the image of this section of Harford Road as a neighborhood-oriented commercial area, and its curb appeal as a cohesive node for small businesses in this part of Baltimore. This in turn could serve to strengthen the nearby residential area immediately northwest of Harford Road, parts of which have been beset by problems associated with neglected or abandoned properties.

The concept embodied in the proposed amendment to the Coldstream Homestead Montebello URP was initiated in the Hamilton Business Area URP, a plan originally adopted in November 1979. The Hamilton Business Area covers both sides of Harford Road where it meets Hamilton Avenue, and includes as its first objective "establishing a positive and identifiable image for the Hamilton Business Area" (Hamilton URP, A.2.a.), and as its second objective "promoting new retail business activity in the area (Hamilton URP, A.2.b.). Recognizing that these two objectives interconnect, the URP states, in its next section (Land Use Plan, Provisions and Standards [for] Permitted Uses, B.2.a.(3)) covering its Community Business areas, "street-facing ground floor uses must be primarily retail or service establishments that deal directly with consumers, rely heavily on walk-in business and have regular daily hours". To the extent that this requirement has succeeded in activating or rejuvenating a business area that had been in existence for almost one hundred years, the concept is worthy of consideration for use elsewhere, such as in the Coldstream Homestead Montebello URA's business area along Harford Road.

Notification: The Coldstream Homestead Montebello Community Development Corporation has been notified of this action.



Thomas J. Stosur
Director

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
<http://www.thedailyrecord.com>

Order #: 11395735
Case #:
Description:

BILL NO. 17-0076 - The Housing and Urban Affairs Committee of the Baltimore City Council w

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 2 times on the following dates:

8/31/2017 9/7/2017



Darlene Miller, Public Notice Coordinator
(Representative Signature)

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 17-0076

The Housing and Urban Affairs Committee of the Baltimore City Council will meet on Thursday, September 14, 2017 at 2:10 P.M. in the City Council Chambers, to conduct a public hearing on City Council Bill No. 17-0076.

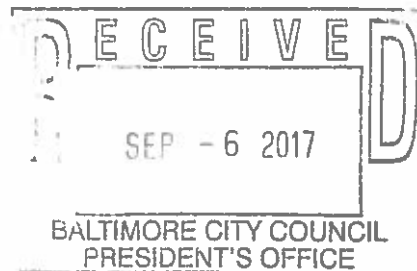
CC 17-0076 ORDINANCE - Urban Renewal - Coldstream Homestead Montebello - Amendment - FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements, making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of
Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

John Bullock
Chair

au31s7



**CITY OF BALTIMORE
COUNCIL BILL 17-0076
(First Reader)**

Introduced by: Councilmember Clarke

Introduced and read first time: June 5, 2017

Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Department, Department of Housing and Community Development, Department of Public Works, Commission for Historical and Architectural Preservation, Baltimore Development Corporation, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Coldstream Homestead Montebello –**
3 **Amendment**

4 FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to
5 modify the provisions for certain land uses in the Plan; waiving certain content and
6 procedural requirements; making the provisions of this Ordinance severable; providing for
7 the application of this Ordinance in conjunction with certain other ordinances; and providing
8 for a special effective date.

9 BY authority of

10 Article 13 - Housing and Urban Renewal
11 Section 2-6
12 Baltimore City Code
13 (Edition 2000)

14 **Recitals**

15 The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by
16 the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance
17 14-391.

18 An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is
19 necessary to modify the provisions for certain land uses in the Plan.

20 Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved
21 renewal plan unless the change is approved in the same manner as that required for the approval
22 of a renewal plan.

23 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the**
24 **following changes in the Urban Renewal Plan for Coldstream Homestead Montebello are**
25 **approved:**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0076

1 (1) In the Plan, amend B.1.b., c., and d. to read as follows:

2 B. Land Use Plan

3 1. Permitted Uses

4

5 b. Neighborhood Business

6 In the area designated as Neighborhood Business on the Land Use Plan
7 Map, the following uses shall be permitted:

8

9 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
10 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
11 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
12 HOURS.

13 c. Community Business

14 In the area designated as Community Business on the Land Use Plan
15 Map, the following uses shall be permitted:

16

17 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
18 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
19 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
20 HOURS.

21 d. Community Commercial

22 In the area designated as Community Commercial on the Land Use
23 Plan Map, the following uses shall be permitted:

24

25 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
26 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
27 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
28 HOURS.

29 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream
30 Homestead Montebello, as amended by this Ordinance and identified as "Urban Renewal Plan,
31 Coldstream Homestead Montebello, revised to include Amendment __, dated June 5, 2017", is
32 approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan
33 with the Department of Legislative Reference as a permanent public record, available for public
34 inspection and information.

35 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
36 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
37 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
38 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
39 Ordinance is exempted from them.

Council Bill 17-0076

1 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
2 application of this Ordinance to any person or circumstance is held invalid for any reason, the
3 invalidity does not affect any other provision or any other application of this Ordinance, and for
4 this purpose the provisions of this Ordinance are declared severable.

5 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
6 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
7 safety law or regulation, the applicable provisions shall be construed to give effect to each.
8 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
9 higher standard for the protection of the public health and safety prevails. If a provision of this
10 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
11 establishes a lower standard for the protection of the public health and safety, the provision of
12 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
13 conflict.

14 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
15 enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL 17-0076

FORMATTED BY DLR

5-23-17

Introduced by: Councilmember Clarke

A BILL ENTITLED

AN ORDINANCE concerning

Urban Renewal – Coldstream Homestead Montebello –
Amendment _

HUA

Law

planning Dept.

HCD

DPW, CHAP, BC

BMZA

007

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

By authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance 14-391.

An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is necessary to modify the provisions for certain land uses in the Plan.

Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Coldstream Homestead Montebello are approved:

(1) In the Plan, amend B.1.b., c., and d. to read as follows:

B. Land Use Plan

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.

1. Permitted Uses

b. Neighborhood Business

In the area designated as Neighborhood Business on the Land Use Plan Map, the following uses shall be permitted:

STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS, RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY HOURS.

c. Community Business

In the area designated as Community Business on the Land Use Plan Map, the following uses shall be permitted:

STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS, RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY HOURS.

d. Community Commercial

In the area designated as Community Commercial on the Land Use Plan Map, the following uses shall be permitted:

STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS, RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY HOURS.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Coldstream Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan, Coldstream Homestead Montebello, revised to include Amendment __, dated June 5, 2017”, is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

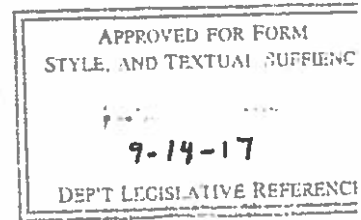
SECTION 3. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or

safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.



AMENDMENTS TO COUNCIL BILL 17-0076
(1st Reader Copy)

By: Housing and Urban Affairs Committee

Amendment No. 1

On page 1, in line 3, in the blank, insert “11”; and, on page 2, in line 31, in the blank, insert “11”.

Amendment No. 2

On page 1, in line 17, strike “14-391” and substitute “14-301”.

CITY OF BALTIMORE
ORDINANCE
Council Bill 17-0076

Introduced by: Councilmember Clarke
Introduced and read first time: June 5, 2017
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: September 18, 2017

AN ORDINANCE CONCERNING

**Urban Renewal – Coldstream Homestead Montebello –
Amendment 11**

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the provisions for certain land uses in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of
Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance ~~14-391~~ 14-301.

An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is necessary to modify the provisions for certain land uses in the Plan.

Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Coldstream Homestead Montebello are approved:

(1) In the Plan, amend B.1.b., c., and d. to read as follows:

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 **B. Land Use Plan**

2 1. Permitted Uses

3
4 b. Neighborhood Business

5 In the area designated as Neighborhood Business on the Land Use Plan
6 Map, the following uses shall be permitted:

7
8 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
9 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
10 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
11 HOURS.

12 c. Community Business

13 In the area designated as Community Business on the Land Use Plan
14 Map, the following uses shall be permitted:

15
16 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
17 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
18 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
19 HOURS.

20 d. Community Commercial

21 In the area designated as Community Commercial on the Land Use
22 Plan Map, the following uses shall be permitted:

23
24 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
25 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
26 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
27 HOURS.

28 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream
29 Homestead Montebello, as amended by this Ordinance and identified as "Urban Renewal Plan,
30 Coldstream Homestead Montebello, revised to include Amendment 11, dated June 5, 2017", is
31 approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan
32 with the Department of Legislative Reference as a permanent public record, available for public
33 inspection and information.

34 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
35 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
36 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
37 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
38 Ordinance is exempted from them.

39 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
40 application of this Ordinance to any person or circumstance is held invalid for any reason, the

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1 invalidity does not affect any other provision or any other application of this Ordinance, and for
2 this purpose the provisions of this Ordinance are declared severable.

3 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
4 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
5 safety law or regulation, the applicable provisions shall be construed to give effect to each.
6 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
7 higher standard for the protection of the public health and safety prevails. If a provision of this
8 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
9 establishes a lower standard for the protection of the public health and safety, the provision of
10 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
11 conflict.

12 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
13 enacted.

Certified as duly passed this ____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this ____ day of _____, 20__

Chief Clerk

Approved this ____ day of _____, 20__

Mayor, Baltimore City

