

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 14-0449

Introduced by: Councilmember Middleton

At the request of: Kann Aquity, LLC

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Introduced and read first time: October 27, 2014

Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: February 2, 2015

AN ORDINANCE CONCERNING

**Urban Renewal – Coldspring Neighborhood Development Program –
Amendment 10**

FOR the purpose of amending the Urban Renewal Plan for Coldspring Neighborhood
Development Program to delete an existing land use and to add a new land use to the Plan, to
establish design standards for the new land use, to remove certain language from a
development objective, to delete the acquisition and clearance provisions from the Plan, ~~and~~
to delete a certain exhibit from the Plan, to permit a certain use in a land use area, but only
for Disposition Lot 1, to revise certain exhibits to reflect the changes in the Plan, and to also
revise certain exhibits to reflect the change in the land use plan and the change in zoning, on
approval by separate ordinance, for the properties known as 2001, 2011, 2013, 2105, 2107,
and 2201 West Cold Spring Lane; 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 Coldspring Neighborhood Development Program was originally
approved by the Mayor and City Council of Baltimore by Ordinance 73-242 and last amended by
Ordinance 97-175.

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 An amendment to the Urban Renewal Plan for Coldspring Neighborhood Development
2 Program is necessary to delete an existing land use and to add a new land use to the Plan, to
3 establish design standards for the new land use, to remove certain language from a development
4 objective, to delete the acquisition and clearance provisions from the Plan, ~~and~~ to delete a certain
5 exhibit from the Plan, to permit a certain use in a land use area, but only for Disposition Lot 1, to
6 revise certain exhibits to reflect the changes in the Plan, and to also revise certain exhibits to
7 reflect the change in the land use plan and the change in zoning, on approval by separate
8 ordinance, for the properties known as 2001, 2011, 2013, 2105, 2107, and 2201 West Cold
9 Spring Lane.

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

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
14 following changes in the Urban Renewal Plan for Coldspring Neighborhood Development
15 Program are approved:

16 1. In the Plan, amend B.1. to read as follows:

17 B. Statement of Development Objectives

18 1. Housing Objectives

19 [The Coldspring Plan will provide for a clearance of most of the relatively few
20 structures on the site.] A broad range of housing types will be provided to
21 accommodate a variety of types of family and individual needs, including the
22 elderly, with regard to income, size of units, and physical design.
23 Notwithstanding any other provision of this plan, the maximum number of
24 dwelling units to be permitted shall be 4000. [Of the total number of dwelling
25 units developed, no less than 70% shall be for owner occupancy.]

26 2. In the Plan, amend C.2. to read as follows:

27 C. General Land Use Plan

28 2. Description of Predominant Land Uses

29

30 [d. Town Center - In the area designated on the General Land Use Plan as
31 town center, uses shall be limited to residential, as specified in paragraph
32 a. above; community commercial type business, service and commercial
33 establishments as listed in section 6.3-1 of the Baltimore City Zoning
34 Ordinance; neighborhood convenience type business, as listed in sections
35 6.1-1 and 6.2-1 of the Baltimore City Zoning Ordinance; offices for
36 businesses, governmental, professional and related uses; light industrial
37 uses and office space related to research and development activities;
38 libraries, post offices, police stations and other public offices and
39 facilities; restaurants and taverns including live entertainment and dancing;
40 outdoor cafes, theaters and auditoriums; medical clinics; health clubs;
41 schools; day care centers; religious facilities of any denomination sect or

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rite; recreation centers and teen centers; off-street parking garages; and landscaping, parking and loading facilities related to the above uses. The maximum floor area shall be 5.0.]

D. TRANSIT ORIENTED DEVELOPMENT (TOD) - IN THE AREA DESIGNATED ON THE GENERAL LAND USE PLAN AS TRANSIT ORIENTED DEVELOPMENT, ONLY THOSE USES ALLOWED IN THE B-2 CATEGORY OF THE BALTIMORE CITY ZONING CODE SHALL BE PERMITTED, EXCEPT FOR THE FOLLOWING USES THAT ARE PROHIBITED: LIQUOR STORES: PACKAGE GOODS; RECYCLING COLLECTION STATIONS; TRAVEL TRAILERS, RECREATIONAL VEHICLES, AND SIMILAR CAMPING EQUIPMENT: PARKING AND STORAGE; COMMUNITY CORRECTION CENTERS; PARKING, OPEN OFF-STREET AREAS AND OFF-STREET GARAGES, OTHER THAN ACCESSORY, FOR THE PARKING OF 4 OR MORE AUTOMOBILES; AUTOMOTIVE ACCESSORY STORES - BUT NOT INCLUDING REPAIR OR INSTALLATION SERVICES; GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR, AND SERVICING OF MOTOR VEHICLES NOT OVER 1½ TONS CAPACITY - BUT NOT INCLUDING BODY REPAIR, PAINTING, OR ENGINE REBUILDING; GASOLINE SERVICE STATIONS; CHECK CASHING AGENCIES; ROOMING HOUSES; BANQUETS HALLS; PAWNSHOPS; RESTAURANTS: DRIVE-IN; DRUG STORES AND PHARMACIES: DRIVE-IN; DRY CLEANING ESTABLISHMENTS: DRIVE-IN; ~~HOMES FOR THE REHABILITATION OF NON-BEDRIDDEN ALCOHOLICS AND FOR THE CARE AND CUSTODY OF HOMELESS PERSONS.~~

f. Public - In the area designated on the General Land Use Plan, as public, uses shall be limited to public schools, parks, playgrounds, plazas for active and passive recreation; swimming pools, lakes, piers, boat houses, certain city or state-owned institutions, including police, fire, and transportation departments; and such other structures as are customarily accessory to such uses; AND PUBLIC UTILITIES FOR DISPOSITION LOT 1 ONLY.

3. In the Plan, amend C.3.a. to read as follows:

C. General Land Use Plan

3. Planning Criteria and Standards

a. Type, Intensity and Location of Accessory and Supporting Uses Permitted

(1) Residential Area - parks, playgrounds, elevated pedestrian walkways and decks, parking areas.

[(2) Town Center Area - elevated pedestrian walkways and decks, kiosks, pavilions and similar outdoor display area.]

(2) [3] The location of supporting uses will be such that there will not be conflicts with adjacent uses and that they will adequately serve the residents of the project area.

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1 4. In the Plan, add new subsection C.3.d. to read as follows:

2 C. General Land Use Plan

3 3. Planning Criteria and Standards

4
5 D. DESIGN STANDARDS FOR TOD

6 DESIGN REVIEW

7 THE DEPARTMENT OF PLANNING, ON BEHALF OF THE DEPARTMENT OF
8 HOUSING AND COMMUNITY DEVELOPMENT, WILL REVIEW ALL EXTERIOR
9 PERMITS WITHIN THE URBAN RENEWAL AREA. ALL PROJECTS, DEFINED AS
10 ANYTHING THAT REQUIRES A NEW USE AND OCCUPANCY PERMIT AND/OR A
11 NEW BUILDING PERMIT, WILL BE CONSIDERED FOR A POTENTIAL SITE PLAN
12 REVIEW COMMITTEE (SPRC) REVIEW. FOR ANY PROJECT THAT IS
13 REVIEWED BY SPRC, PERMITS MUST MATCH PLANS APPROVED BY SPRC.
14 DEPENDING ON THE SCOPE/SCALE/VISIBILITY OF THE PROJECT, PERMITS
15 WILL BE EITHER REVIEWED BY DESIGN STAFF OR BY THE DEPARTMENT’S
16 URBAN DESIGN AND ARCHITECTURAL REVIEW PANEL (UDARP). PERMITS
17 WILL BE REVIEWED ACCORDING TO THE STANDARDS BELOW, AS WELL AS
18 FOR GENERAL DESIGN PRINCIPLES.

19 LOCATION

20 THESE STANDARDS APPLY WITHIN THE AREA IDENTIFIED ON THE MAP AS
21 “TRANSIT ORIENTED DEVELOPMENT”.

22 (1) GOALS

23 (A) CREATE HIGHER DENSITY DEVELOPMENT IN RELATION TO THE
24 SURROUNDING COMMUNITY.

25 (B) PROVIDE A MIX OF LAND USES, HORIZONTALLY AND
26 VERTICALLY.

27 (C) ORIENT BUILDING DESIGN TOWARDS THE TRANSIT FACILITY
28 AND STREETS.

29 (D) INCORPORATE PEDESTRIAN ORIENTED DESIGN AND
30 STREETSCAPES. PROVIDE PEDESTRIAN SPACES THAT ARE
31 VISUALLY AND MATERIALLY DISTINCT FROM AUTOMOBILE
32 SPACES.

33 (E) PROVIDE PEDESTRIAN, BICYCLE, AND VEHICULAR LINKS TO
34 ADJACENT NEIGHBORHOODS.

35 (F) FACILITATE PEDESTRIAN AND BICYCLE ACCESS TO AND
36 THROUGH SITES.

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- 1 (G) NEW DEVELOPMENT SHOULD BUILD A STRONG RELATIONSHIP
2 TO THE COLD SPRING LIGHT RAIL STATION.
- 3 (H) ENCOURAGE BUILDING MASSING AND DESIGN TO TAKE
4 ADVANTAGE OF THE SITE AND VIEWS.
- 5 (I) MITIGATE THE VIEW AND EFFECTS OF SURFACE PARKING AND
6 SERVICE.
- 7 (J) ENTRANCES SHOULD BE LOCATED WITH PROXIMITY TO THE
8 LIGHT RAIL CONNECTION.
- 9 (K) OPEN SPACE SHOULD BE AN INTEGRAL DESIGN COMPONENT
10 WITHIN THE DEVELOPMENT AREA.

11 (2) REQUIREMENTS

12 (A) DENSITY

13 ALL NEW DEVELOPMENT MUST HAVE A MINIMUM OF 4 STORIES,
14 EXCEPT ACCESSORY USES DEVELOPED IN CONJUNCTION WITH
15 PRIMARY SITE DEVELOPMENT.

16 (B) SITE PLAN

17 (I) THE MAJOR BUILDING ENTRY MUST BE PEDESTRIAN
18 FRIENDLY AND INCLUDE ENTRANCE FEATURES, PLANTINGS,
19 AND SIGNAGE.

20 (II) THERE MUST BE CLEAR PEDESTRIAN CONNECTIONS
21 BETWEEN MAJOR BUILDING ENTRANCES AND BOTH WEST
22 COLD SPRING LANE AND THE COLD SPRING LIGHT RAIL
23 STATION.

24 (C) USES

25 ACTIVE USES ARE REQUIRED ON THE FIRST FLOOR ALONG WEST
26 COLD SPRING LANE. ACTIVE USES ARE USES THAT ARE OPEN TO
27 THE PUBLIC, AT A MINIMUM, BETWEEN 9:00 A.M. AND 4:00 P.M.
28 WAIVERS ARE PERMITTED UNDER CERTAIN CIRCUMSTANCES;
29 SEE SECTION C.3.D.(2)(G).

30 (D) AMENITIES

31 (I) PEDESTRIAN AMENITIES, SUCH AS BENCHES AND BIKE
32 RACKS, MUST BE PROVIDED AS APPROPRIATE.

33 (II) ALL PUBLIC SPACES MUST INCLUDE PEDESTRIAN ACCESS,
34 BICYCLE ACCESS, PEDESTRIAN SCALE LIGHTING, AND
35 LANDSCAPING.

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1 (E) SIGNAGE

2 SIGNAGE MUST MEET THE FOLLOWING REQUIREMENTS IN
3 ADDITION TO, AND NOT INSTEAD OF, THE REQUIREMENTS OF THE
4 BALTIMORE CITY ZONING CODE.

5 (I) ROOFTOP SIGNS, SIGNS ON ROOFTOP MECHANICAL
6 ENCLOSURES OR ADVERTISING BILLBOARDS ARE NOT
7 ALLOWED.

8 (II) PYLON OR FREE-STANDING SIGNS ARE ALLOWED,
9 PROVIDED THAT THEY DO NOT BLOCK PEDESTRIAN
10 FLOW, ARE NO HIGHER THAN 12 FEET, AND ARE SITED
11 WITHIN A LANDSCAPED SETTING OR PEDESTRIAN PLAZA.

12 (III) OVERHANGING SIGNS ARE ALLOWED, PROVIDED THAT
13 THEY ARE NO LARGER THAN 12 SQUARE FEET IN AREA,
14 PROJECT NO MORE THAN 4 FEET FROM A BUILDING FACE,
15 AND ARE LOCATED BELOW 12 FEET ABOVE GRADE OR
16 SECOND FLOOR WINDOW SILLS, WHERE THEY EXIST.

17 (IV) FABRIC AWNINGS ARE ALLOWED AND ENCOURAGED
18 ABOVE FIRST FLOOR WINDOWS AND ENTRANCE DOORS.
19 SIGNAGE MAY BE INCORPORATED WITH THEIR DESIGN.

20 (V) FLAT SIGNS ARE ALLOWED, PROVIDED THAT THEY DO
21 NOT EXCEED 2 FEET TIMES THE WIDTH OF THE USE
22 FRONTAGE, ARE LOCATED ABOVE STOREFRONT
23 WINDOWS, AND ARE PLACED BELOW 12 FEET ABOVE
24 GRADE OR SECOND FLOOR WINDOW SILLS, WHERE THEY
25 EXIST.

26 (F) PARKING

27 (I) SURFACE PARKING LOTS ARE NOT ALLOWED TO EXCEED 100
28 PARKING SPACES, AND NO MORE THAN 65% OF THESE
29 SPACES MAY BE PROVIDED ALONG WEST COLD SPRING
30 LANE; THE REMAINDER MAY BE PROVIDED ALONG THE SIDE
31 OR REAR OF THE DEVELOPMENT.

32 (II) SURFACE PARKING LOTS MUST BE LANDSCAPED, INCLUDING
33 THE PEDESTRIAN WALKS AT THE PERIMETER AND BETWEEN
34 AISLES, AND A CONTINUOUS SIDEWALK, WITH
35 LANDSCAPING, MUST BE PROVIDED ALONG WEST COLD
36 SPRING LANE.

37 (G) WAIVERS

38 THE DEPARTMENT OF PLANNING, ON BEHALF OF THE
39 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT,

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MAY WAIVE CERTAIN DESIGN STANDARD REQUIREMENTS, AS NOTED ABOVE, FOR 1 OF THE FOLLOWING REASONS:

- (I) A REQUIREMENT DIRECTLY VIOLATES OR IS IN CONFLICT WITH OTHER FEDERAL, STATE, OR CITY REGULATIONS ASSOCIATED WITH A SPECIFIC USE THAT A DEVELOPMENT PROJECT UNDER CONSIDERATION MUST MEET.
- (II) THE DIRECTOR OF PLANNING, WITH INPUT FROM SPRC AND/OR UDARP, DETERMINES THAT FOR A PARTICULAR PROJECT A PARTICULAR REQUIREMENT UNDERMINES THE GOALS ESTABLISHED ABOVE AND THAT THE PROJECT MEETS THE GOALS IN OTHER WAYS.

- 5. In the Plan, delete D.1. in its entirety; and renumber paragraphs D.2. and D.3. respectively, to be paragraphs D.1 and D.2., respectively.
- 6. In the Plan, delete Exhibit ND 401-2: Property Acquisition from the Plan.
- 7. Revise Exhibit ND 401-1: Land Use Plan, to reflect the deletion of a land use category, “Town Center”, and the addition of a new land use category, “Transit Oriented Development”, in the Plan and to reflect, on approval by separate ordinance, the change in the land use category for the properties known as 2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane, from Industrial to Transit Oriented Development.
- 8. Revise Exhibit ND 401-3: Land Disposition, to reflect the changes in the Plan.
- 9. Revise Exhibit ND 401-4: Zoning Districts, to reflect, on approval of rezoning by separate ordinance, the change in zoning for the properties known as 2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane, from the M-1-1 Zoning District to the B-2-3 Zoning District.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Coldspring Neighborhood Development Program, as amended by this Ordinance and identified as “Urban Renewal Plan, Coldspring Neighborhood Development Program, revised to include Amendment 10 dated October 27, 2014”, 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

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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