

**CITY OF BALTIMORE
COUNCIL BILL 06-0465
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: July 10, 2006
Assigned to: Urban Affairs Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Central Business District –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for the Central Business District to
5 authorize the acquisition by purchase or by condemnation of certain properties for urban
6 renewal purposes; create new disposition lots; revise exhibits to reflect the changes in the
7 Plan; make minor technical corrections; waiving certain content and procedural
8 requirements; making the provisions of this Ordinance severable; providing for the
9 application of this Ordinance in conjunction with certain other ordinances; and providing for
10 a special effective date.

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

16 **Recitals**

17 The Urban Renewal Plan for the Central Business District was originally approved by the
18 Mayor and City Council of Baltimore by Ordinance 01-170.

19 An amendment to the Urban Renewal Plan for the Central Business District is necessary to
20 authorize the acquisition by purchase or by condemnation of certain properties for urban renewal
21 purposes, create new disposition lots, revise exhibits to reflect the changes in the Plan, and make
22 minor technical corrections.

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

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

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1 This proposed amendment to the Renewal Plan for the Central Business District has been
2 approved by the Director of the Department of Planning for conformity to the Master Plan for
3 the detailed location of any public improvements proposed in the amended Renewal Plan, its
4 conformity to the rules and regulations for subdivisions and all zoning changes proposed in the
5 amended Renewal Plan, and the proposed amendment also has been approved and recommended
6 to the Mayor and City Council of Baltimore by the Commissioner of the Department of Housing
7 and Community Development.

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

10 (1) In the Plan, amend the second clause of the third paragraph of A. to read as follows:

11 thence Northerly, binding on the West side of Cathedral Street, 1110.5 feet, more or
12 less, to the Southwest corner of Cathedral Street and Centre Street; thence binding on
13 the South side of Centre Street, 825 feet, more or less, to intersect the [East] WEST
14 side of St. Paul Street;

15 (2) In the Plan, amend E.1.b. to read as follows:

16 E. Types of Renewal Action to be Used to Achieve Plan Objectives

17 1. Plan Review

18 b. Prior to building permit submission process for new construction,
19 rehabilitation or demolition within the Project Area, the developer or
20 property owner or his representative shall at his earliest convenience
21 submit to the Department plans for the proposed work. Upon finding that
22 the proposal(s) is consistent with the objectives and requirements of the
23 Urban Renewal Plan and depending on the size, location and/or scope of
24 proposed work, the Department may require such plans be
25 presented through the City's [Design Advisory Panel (DAP)] URBAN
26 DESIGN AND ARCHITECTURE REVIEW PANEL (UDARP) review process.
27 Other agency reviews shall be conducted as required. Once the review
28 process is complete, the developer may continue with the City's building
29 permit process. Demolition may not commence until construction
30 documents have been submitted for permits.

31 (3) In the Plan, amend the second paragraph of G.1. to read as follows:

32 Except where a building's primary façade is of glazing, the material should be
33 expressive of permanence by use of brick, stone, granite, marble, pre-cast concrete,
34 cast stone, or similar masonry product. Exterior Insulation and Finish Systems
35 (EIFS) may be used on upper floors only, not at ground level. Colors should be
36 compatible with the surrounding architecture. Inclusion of architectural details that
37 provide pedestrian interest [are] is encouraged. Reflective glass must not be used as
38 the dominant building material at street level. Large expanses of blank façade are not
39 permitted. All ground floor façades, except for parking garages, must have a
40 minimum area of 50% consisting of openings and clear glass.

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1 (4) In the Plan, amend H. To read as follows:

2 H. Specific Disposition Lot Controls

3 The provisions required in Section G. must be applied to the disposition lots
4 identified on Exhibit B, Land Disposition. The provisions must be included,
5 where appropriate, in agreements, leases, deeds, and other instruments whereby
6 land or interests in real property in the Project Area are disposed of by the City to
7 developers and must be incorporated where appropriate in covenants running with
8 the land or interests in real property.

9 In addition to the requirements for review of all plans for new construction and
10 rehabilitation as required by Section E.1. of the Renewal Plan, the following
11 controls apply to the Disposition Lots.

Disposition	<u>Lot</u>	<u>Land Use</u>	<u>Proposed Development</u>	<u>Zoning</u>
	1	Mixed	Redevelopment for commercial, residential, and/or garage use	B-4-2
	2	Mixed	Redevelopment for commercial, residential, and/or garage use	B-4-2
	3	Mixed	Redevelopment for commercial, residential, garage and/or public open space	B-4-2
	4	Mixed	Redevelopment for commercial, residential, and/or garage use	B-4-2 B-5-2
	5	Mixed	Redevelopment for commercial, residential, and/or garage use	B-5-2
	6	MIXED	REDEVELOPMENT FOR COMMERCIAL, RESIDENTIAL AND/OR GARAGE USE	B-5-2
	7	MIXED	REDEVELOPMENT FOR COMMERCIAL, RESIDENTIAL AND/OR GARAGE USE	B-5-2
	8	MIXED	REDEVELOPMENT FOR COMMERCIAL, RESIDENTIAL AND/OR GARAGE USE	B-5-2

30 The Plan strongly encourages the development of public open space within the
31 block bounded by Calvert, Baltimore, Holliday, and Fayette Streets. Therefore,
32 all or a portion of Disposition Lot 3 or an appropriate portion of the area of Lot 3
33 otherwise situated within the block must be utilized for grade-level public open
34 space.

35 Any building constructed on Disposition Lot 4 shall be designed in a manner that
36 respects, and to the degree feasible, enhances the pedestrian character of Water
37 Street between Grant and Light Streets. If Water Street and Mercer Street are
38 closed as a result of any development on the parcel, a significant pedestrian
39 connection between Calvert Street and Grant Street should be provided as part of
40 any redevelopment project.

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1 (5) In the Plan’s Appendix, amend 1.A.5.c. to read as follows:

2 5. Signs

3 c. [Placement of signs is restricted to the first floor only, placed no higher
4 than the bottom of the second story window sill, where windows exist, and the
5 sign bottom must be directly above the storefront or awning/security
6 enclosure.] Signs must be designed in a manner so that they do not interfere
7 with important architectural details (e.g., windows, cornices, carved friezes,
8 arches) of the building. [Placement entirely on a flat portion of façade or an
9 area entirely within the confines of an opening and lined up with architectural
10 details or elements is required. Upper floor signs are contrary to the intent of
11 this Plan. However, in special circumstances, signs may be placed on upper
12 floors if it is determined that there is no prudent means of accommodating the
13 sign on the first floor consistent with these provisions or as special exceptions
14 approved by the Department.]

15 (6) In the Plan’s Appendix, amend 1.A.5.h. to read as follows:

16 5. Signs

17 h. Signs must be incorporated in the design of the storefront and may not project
18 more than 12 inches except where a sign will serve to hide a security grille
19 enclosure that exists beyond the primary surface of the building. If the
20 storefront design includes a cornice, the sign may be incorporated in the
21 cornice design. If a storefront cornice is not appropriate for a sign, or there is
22 no cornice, the sign may be placed either in the store window or on the
23 portion of the building façade above the store window/cornice [and below the
24 sill of the second floor windows]. Signs that are an integral part of the
25 building structure and compatible with the original architecture of the building
26 are permitted.

27 (7) In the Plan’s Appendix, amend 1.A.5.k. to read as follows:

28 5. Signs

29 k. One projecting sign is permitted PER FAÇADE for each establishment, provided
30 it is perpendicular to the building face. No projecting sign may exceed [six]
31 TWELVE square feet in area, BE NO MORE THAN 18 INCHES IN WIDTH, nor be
32 placed higher than the bottom of the second story window where they exist[,
33 nor more than 14 feet above grade level].

34 **SECTION 2. AND BE IT FURTHER ORDAINED**, That Exhibit A, “Property Acquisition”, dated
35 May 10, 2006, and Exhibit B, “Land Disposition”, dated May 10, 2006, are amended to reflect
36 the changes in the Renewal Plan.

37 **SECTION 3. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for the Central
38 Business District, as amended by this Ordinance and identified as “Urban Renewal Plan, Central
39 Business District, revised to include Amendment __, dated July 10, 2006”, is approved. The
40 Department of Planning shall file a copy of the amended Urban Renewal Plan with the

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1 Department of Legislative Reference as a permanent public record, available for public
2 inspection and information.

3 **SECTION 4. AND BE IT FURTHER ORDAINED,** That it is necessary to acquire, by purchase or
4 by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and
5 to the following properties or portions thereof, together with all right, title, interest and estate
6 that the owner or owners of said property interests may have in all streets, alleys, ways or lanes,
7 public or private, both abutting the whole area described and/or contained within the perimeter
8 of said area, situate in Baltimore City, Maryland, and described as follows:

- 9 701 East Baltimore Street
- 10 10 West Falls Avenue
- 11 330 North Holliday Street
- 12 45 Market Place
- 13 55 Market Place

14 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
15 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
16 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
17 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
18 Ordinance is exempted from them.

19 **SECTION 6. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
20 application of this Ordinance to any person or circumstance is held invalid for any reason, the
21 invalidity does not affect any other provision or any other application of this Ordinance, and for
22 this purpose the provisions of this Ordinance are declared severable.

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

32 **SECTION 8. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
33 is enacted.