

**CITY OF BALTIMORE
COUNCIL BILL 17-0108
(First Reader)**

Introduced by: Councilmember Schleifer

At the request of: Blue Ocean Realty

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Introduced and read first time: July 17, 2017

Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, 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 – Mt. Washington Village Business Area –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Mt. Washington Village Business
5 Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan
6 pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the
7 Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect
8 the boundary modifications of the Plan and to reflect a change in zoning, upon approval by
9 separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a
10 certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated
11 Code of Maryland; waiving certain content and procedural requirements; making the
12 provisions of this Ordinance severable; providing for the application of this Ordinance in
13 conjunction with certain other ordinances; and providing for a special effective date.

14 BY authority of

15 Article 13 - Housing and Urban Renewal

16 Section 2-6

17 Baltimore City Code

18 (Edition 2000)

19 **Recitals**

20 The Urban Renewal Plan for Mt. Washington Village Business Area was originally approved
21 by the Mayor and City Council of Baltimore by Ordinance 76-194.

22 An amendment to the Urban Renewal Plan for Mt. Washington Village Business Area is
23 necessary to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan
24 pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real

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

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1 Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the
2 boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate
3 Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain
4 Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of
5 Maryland.

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

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

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

12 A. Project Description

13 1. Boundary Description

14

15 Thence running in a southeasterly direction crossing Kelly Avenue in a
16 straight line and binding on that line, to a point formed by the intersection of
17 the western right-of-way line of Kelly Avenue and the southern right-of-way
18 line of Sulgrave Avenue; thence running easterly along the southern right-of-
19 way line of Kelly Avenue and binding on that line to a point of intersection
20 with the [eastern] NORTHERN property line of Lot [5] 1, Ward 27, Section 17,
21 Block 4700-A; thence running in [an easterly direction in a straight line and
22 binding on that line] A WESTERLY DIRECTION FOR 50 FEET ALONG THE
23 PROPERTY LINE; THENCE RUNNING IN A STRAIGHT LINE IN A SOUTHERLY
24 DIRECTION AND PARALLEL TO THE WESTERN PROPERTY LINE, across South
25 Road to a point formed by the intersection of the south right-of-way line of
26 South Road with the western property line of Lot 6, Ward 27, Section 17,
27 Block 4706-E;

28 . . .

29 (2) In the Plan, amend A.3.a. to read as follows:

30 A. Project Description

31 3. Types of Proposed Renewal Action

32 a. [Acquisition of properties, disposition and redevelopment]
33 Redevelopment;

34 (3) In the Plan, delete C.1.a.b. and c. in their entirety, and delete the letter d. in C.1.d.

35 (4) In the Plan, amend Exhibit 1, “Land Use Plan”, to reflect the modification of the
36 boundary of the Renewal Area, and amend the Exhibit, upon approval of rezoning by
37 separate ordinance, to reflect the change in land use for a portion of the property
38 known as 1700 South Road, from Residential to Office-Residential.

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1 (5) In the Plan, amend Exhibit 4, “ Zoning Districts”, to reflect the modification of the
2 boundary of the Renewal Area, and amend the Exhibit, upon approval of rezoning by
3 separate ordinance, to reflect the change in zoning for a portion of the property known
4 as 1700 South Road.

5 (6) In the Plan, delete Exhibit 2, “Property Acquisition” in its entirety.

6 (7) In the Plan, amend Exhibit 3, “Land Disposition”, to reflect the modification of the
7 boundary of the Renewal Area.

8 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Mt.
9 Washington Village Business Area, as amended by this Ordinance and identified as “Urban
10 Renewal Plan, Mt. Washington Village Business Area, revised to include Amendment __, dated
11 July 17, 2017”, is approved. The Department of Planning shall file a copy of the amended Urban
12 Renewal Plan with the Department of Legislative Reference as a permanent public record,
13 available for public inspection and information.

14 **SECTION 3. 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 4. 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 5. 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 6. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it is
33 enacted.