

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 06-0330

Introduced by: Councilmembers Spector, Rawlings Blake, President Dixon, Councilmember Holton

Introduced and read first time: January 23, 2006

Assigned to: Urban Affairs Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: April 10, 2006

AN ORDINANCE CONCERNING

**Urban Renewal – Howard Park Business Area –
Amendment 3**

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3 FOR the purpose of amending the Urban Renewal Plan for Howard Park Business Area to revise
4 the boundary description for the Project Area, authorize the acquisition by purchase or by
5 condemnation of certain properties for urban renewal purposes, close a certain right-of-way,
6 create an expanded disposition lot, and revise exhibits to reflect the changes in the Plan;
7 waiving certain content and procedural requirements; making the provisions of this
8 Ordinance severable; providing for the application of this Ordinance in conjunction with
9 certain other ordinances; and providing for a special effective date.

10 By authority of

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

Recitals

15
16 The Urban Renewal Plan for Howard Park Business Area was originally approved by the
17 Mayor and City Council of Baltimore by Ordinance 79-1196 and last amended by Ordinance
18 04-837.

19 An amendment to the Urban Renewal Plan for Howard Park Business Area is necessary to
20 revise the boundary description for the Project Area, authorize the acquisition by purchase or by
21 condemnation of certain properties for urban renewal purposes, close a certain right-of-way,
22 create an expanded disposition lot, and revise exhibits to reflect the changes in the Plan.

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

3 (1) Amend A.1. of the Plan to read as follows:

4 A. Project Description

5 1. Boundary Description

6 Beginning for the same at a point formed by the intersection of the southern
7 right-of-way line of Liberty Heights Avenue and the western right-of-way line
8 of Howard Park Avenue; thence running in an easterly direction and binding
9 on the southern right-of-way line of Liberty Heights Avenue to a point of
10 intersection with the eastern property line of Lot 11, Block 8295; thence
11 running in a southerly direction and binding on the eastern property line of
12 said Lot 11 to a point of intersection with the northern right-of-way line of an
13 unnamed 15-foot alley; thence running in a westerly direction and binding on
14 the northern right-of-way line of said 15-foot alley, continuing in a straight
15 line crossing Howard Park Avenue to a point of intersection with the western
16 right-of-way line of said Howard Park Avenue; thence running in a southerly
17 direction and binding on the western right-of-way line of Howard Park
18 Avenue crossing Belleville Avenue to a point of intersection with an extended
19 straight line of the southern right-of-way line of an unnamed 20-foot alley;
20 thence running in an easterly direction crossing Howard Park Avenue and
21 binding on said extended straight line and the southern right-of-way line of
22 said 20-foot alley to a point of intersection with the western right-of-way line
23 of Woodbine Avenue; thence running in a southerly direction and binding on
24 the western right-of-way line of Woodbine Avenue crossing Gwynn Oak
25 Avenue to a point of intersection with an extended straight line of the
26 southern right-of-way line of an unnamed 10-foot alley; thence running in a
27 easterly direction crossing Woodbine Avenue and binding on said extended
28 straight line and the southern right-of-way line of said unnamed 10-foot alley
29 to a point of intersection with [an extended straight line of the western
30 property line of Lot 11, Block 8305 thence running in a northerly direction
31 and binding on said extended line and the western property line of said Lot 11
32 to a point of intersection with the southern right-of-way line of Maine
33 Avenue; thence running in an easterly direction and binding on said southern
34 right-of-way line of said Maine Avenue to a point of intersection with] the
35 eastern right-of-way line of Hillsdale Avenue; thence running in a northerly
36 direction crossing Maine Avenue and binding on the eastern right-of-way line
37 of Hillsdale Road to a point of intersection with the southern right-of-way line
38 of Liberty Heights Avenue; thence running in an easterly direction to a point
39 of intersection with an extended line of the eastern property line of Lot 2,
40 Block 8251; thence running in a northerly direction crossing Liberty Heights
41 Avenue and binding on said extended line and the eastern property line of said
42 Lot 2 to a point of intersection with the southern property line of Lot 11,
43 Block 8251; thence running in a westerly direction and binding on the
44 southern property line of said Lot 11 to a point of intersection with the
45 western property line of said Lot 11; thence running in a northerly direction
46 and binding on the western property lines of Lot 11 and Lot 10, Block 8251 to
47 a point of intersection with the northern right-of-way line of an unnamed 10-

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1 foot alley; thence running in a westerly direction and binding on the northern
2 right-of-way line of said 10-foot alley and an extended straight line of the
3 northern right-of-way line of said 10-foot alley crossing Hillsdale Road to a
4 point of intersection with the western right-of-way line of Hillsdale Road;
5 thence running in a southerly direction and binding on the western right-of-
6 way line of Hillsdale Road to a point of intersection with the northern right-
7 of-way line of an unnamed 12-foot alley; thence running in a westerly
8 direction and binding on the northern right-of-way line of said 12-foot alley
9 and continuing on an extended straight line crossing Gwynn Oak Avenue to a
10 point of intersection with the western right-of-way line of Gwynn Oak
11 Avenue; thence continuing in a westerly direction and binding on the southern
12 property line of Lot 31, Block 8253 to a point of intersection with the western
13 property line of Lot 31; thence running in a northerly direction and binding on
14 the western property line of Lot 31 to a point of intersection with an extended
15 straight line of the northern right-of-way line of an unnamed 20-foot alley;
16 thence running in a westerly direction and binding on said extended straight
17 line and the northern right-of-way line of said unnamed 20-foot alley,
18 continuing in an extended straight line crossing Woodbine Avenue, and
19 binding on the northern right-of-way line of an unnamed 20-foot alley
20 continuing on an extended straight line crossing Howard Park Avenue to a
21 point of intersection with the western right-of-way line of Howard Park
22 Avenue; thence continuing in a southerly direction and binding on the western
23 right-of-way line of Howard Park Avenue, continuing on an extended straight
24 line crossing Liberty Heights Avenue to the point of beginning.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That it is necessary to acquire, by purchase or
26 condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to
27 the following properties or portions thereof, together with all right, title, interest and estate that
28 the owner or owners of said property interests may have in all streets, alleys, ways or lanes,
29 public or private, both abutting the whole area described and/or contained within the perimeter
30 of said area, situate in Baltimore City, Maryland, and described as follows:

- 31 3402 Hillsdale Road
- 32 3404 Hillsdale Road

- 33 4603 Maine Avenue
- 34 4605 Maine Avenue
- 35 4607 Maine Avenue
- 36 4609 Maine Avenue

37 Approximately 310 ft. of Maine Avenue Right-of-way southeast of Gwynn Oak Avenue

38 **SECTION 3. AND BE IT FURTHER ORDAINED,** That Exhibit 1, “Land Use Plan”, Exhibit 2,
39 “Property Acquisition”, Exhibit 3, “Land Disposition”, and Exhibit 4, “Zoning Districts”, dated
40 January 10, 2006, are amended to reflect the changes in the Urban Renewal Plan.

41 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Howard Park
42 Business Area, as amended by this Ordinance and identified as “Urban Renewal Plan, Howard
43 Park Business Area, revised to include Amendment 3, dated January 23, 2006”, is approved.
44 The 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 5. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
4 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
5 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
6 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
7 Ordinance is exempted from them.

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

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

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

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

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City