

**Introduced by:** Councilmember Dorsey

**At the request of:** Northwood SC, LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South Charles Street, Suite 21<sup>st</sup> Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

**Prepared by:** Department of Legislative Reference

**Date:** April 4, 2019

**Referred to:** \_\_\_\_\_ **LAND USE** \_\_\_\_\_ Committee

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

CITY COUNCIL 19-0430

A BILL ENTITLED

AN ORDINANCE concerning

**Repeal of Ordinance 16-580 –  
Northwood Commons Planned Unit Development**

FOR the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

BY repealing  
Ordinance 16-580



NO. \_\_\_\_\_

**\*\*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 checked="" 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 checked="" 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 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:
<input 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 checked="" type="checkbox"/>	Parking Authority Board	<input 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:

**Boards and Commissions**

<input 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 checked="" type="checkbox"/>	Parking Authority Board	<input 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:

CITY OF BALTIMORE  
ORDINANCE **19-316**  
Council Bill 19-0430

---

Introduced by: Councilmember Dorsey  
At the request of: Northwood SC, LLC  
Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South  
Charles Street, Suite 21<sup>st</sup> Floor, Baltimore, Maryland 21201  
Telephone: 410-727-6600  
Introduced and read first time: August 19, 2019  
Assigned to: Land Use Committee

---

Committee Report: Favorable  
Council action: Adopted  
Read second time: October 28, 2019

---

**AN ORDINANCE CONCERNING**

**Repeal of Ordinance 16-580 –  
Northwood Commons Planned Unit Development**

1  
2  
3 FOR the purpose of repealing Ordinance 16-580, which designated certain properties as a  
4 Business Planned Unit Development known as Northwood Commons; and providing for a  
5 special effective date.

6 BY repealing  
7 Ordinance 16-580


8 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That  
9 Ordinance 16-580 is repealed, and the authority conferred in that Ordinance to designate certain  
10 properties as a Business Planned Unit Development known as Northwood Commons is  
11 rescinded.

12 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is  
13 enacted.

**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.

Council Bill 19-0430

Certified as duly passed this \_\_\_\_\_ day of NOV 04 2019, 20\_\_\_\_

  
\_\_\_\_\_  
President, Baltimore City Council


Certified as duly delivered to His Honor, the Mayor,  
this \_\_\_\_\_ day of NOV 04 2019, 20\_\_\_\_

  
\_\_\_\_\_  
Chief Clerk

Approved this 14<sup>th</sup> day of Nov., 2019

  
\_\_\_\_\_  
Mayor, Baltimore City

Approved For Form and Legal Sufficiency  
This 12<sup>th</sup> Day of November 2019.

  
\_\_\_\_\_  
Chief Solicitor

**BALTIMORE CITY COUNCIL  
LAND USE COMMITTEE  
VOTING RECORD**

DATE: October 23, 2019

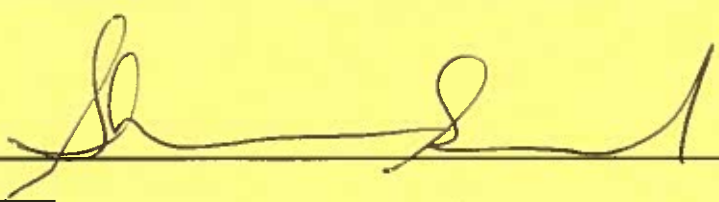
BILL#: 19-0430

BILL TITLE: Repeal of Ordinance 16-580 -Northwood Commons Planned Unit Development

MOTION BY: Dorsey      SECONDED BY: Clarke

- FAVORABLE                       FAVORABLE WITH AMENDMENTS  
 UNFAVORABLE                       WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward - Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed, Shannon - Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert			<input checked="" type="checkbox"/>	
<b>TOTALS</b>	<u>6</u>		<u>2</u>	

CHAIRPERSON: 

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC



# The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Order #: 11793878

Case #:

Description:

PUBLIC HEARING ON BILL NO. 19-0430

## 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 1 times on the following dates:

10/1/2019

Darlene Miller, Public Notice Coordinator  
(Representative Signature)

Baltimore City

### BALTIMORE CITY COUNCIL

#### PUBLIC HEARING ON BILL NO. 19-0430

The Land Use Committee of the Baltimore City Council will meet on Wednesday, October 23, 2019 at 1:05 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0130.

**CC 19-0430 ORDINANCE - Repeal of Ordinance 16-580 -Northwood Commons Planned Unit Development** FOR the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

BY repealing  
Ordinance 16-580

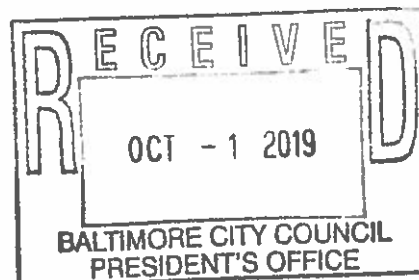
NOTE: This bill is subject to amendment by the Baltimore City Council.

Applicant: Northwood SC, LLC

For more information, contact: Jennifer Coates, Committee Staff at (410) 396-1260.

EDWARD REISINGER  
Chair

01







**Baltimore City Council  
Certificate of Posting - Public Hearing Notice**

**City Council Bill No.: 19-0430**

[9/22/2019]



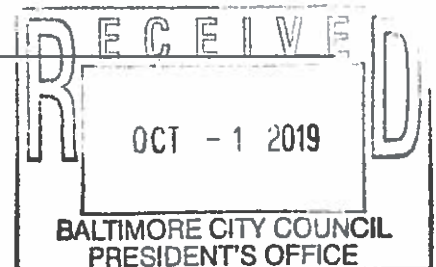
**Address: Loch Raven & Argonne Dr.**

**Date Posted: 9/22/2019**

**Name: Martin Ogle**

**Address: 9912 Maidbrook Road**

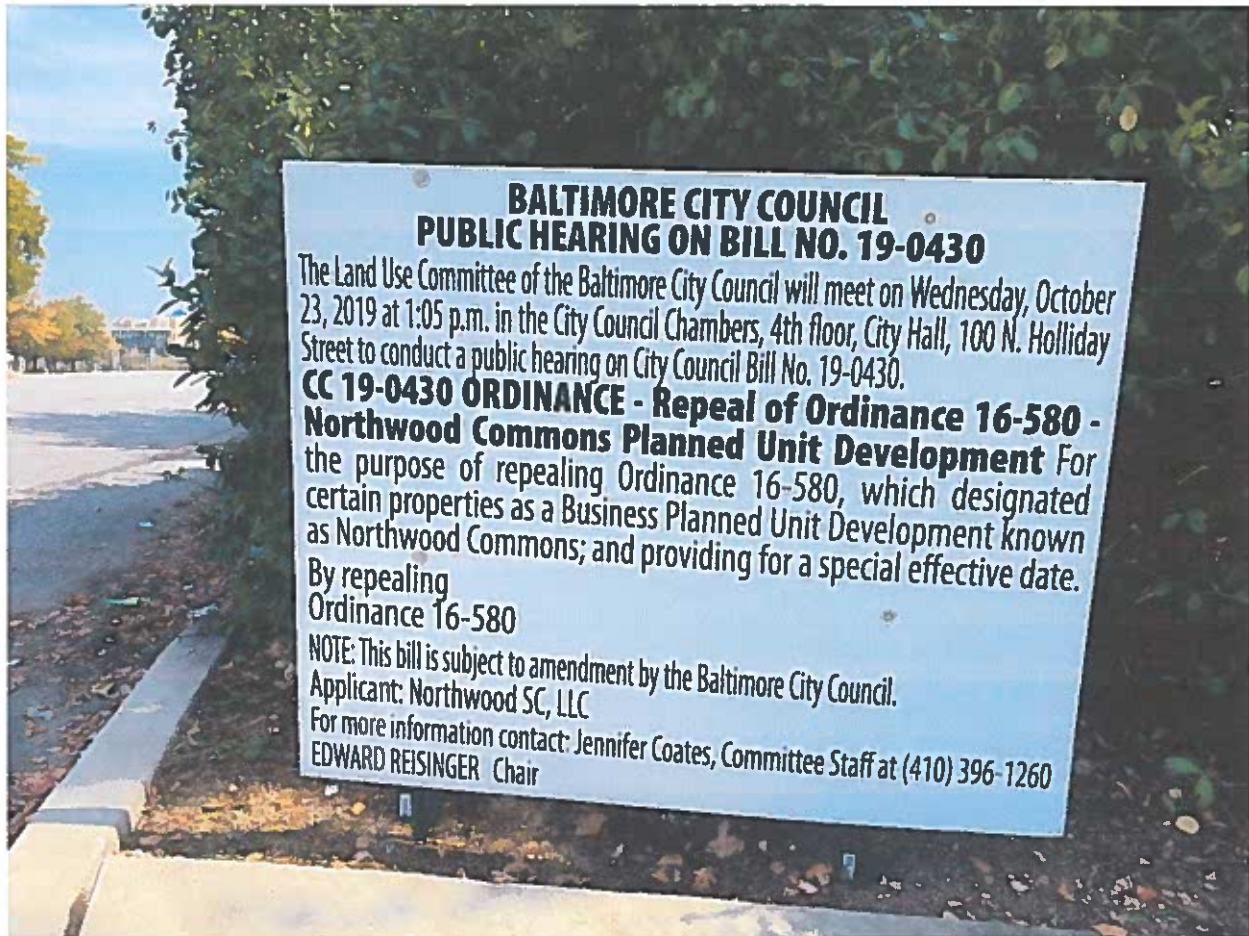
**Telephone: 443-629-3411**



- Email to: [Natawnab.Austin@baltimorecity.gov](mailto:Natawnab.Austin@baltimorecity.gov)
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202



**Baltimore City Council**  
**Certificate of Posting - Public Hearing Notice**  
**City Council Bill No.: 19-0430**  
*[9/22/2019]*



**Address: Loch Raven & Argonne Dr.**

**Date Posted: 9/22/2019**

**Name: Martin Ogle**

**Address: 9912 Maidbrook Road**

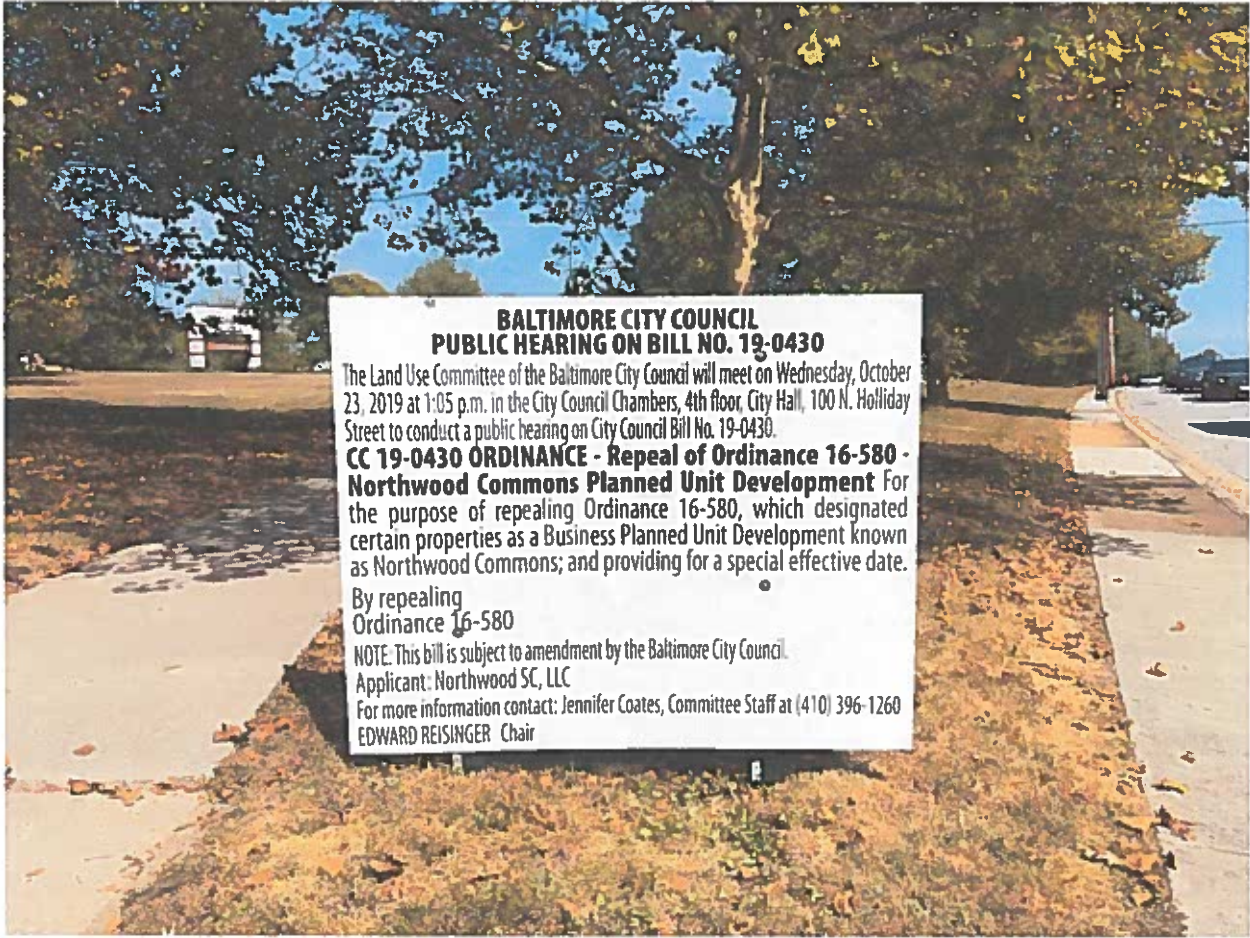
**Telephone: 443-629-3411**

- Email to: [Natawnab.Austin@baltimorecity.gov](mailto:Natawnab.Austin@baltimorecity.gov)
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202



**Baltimore City Council**  
**Certificate of Posting - Public Hearing Notice**  
**City Council Bill No.: 19-0430**

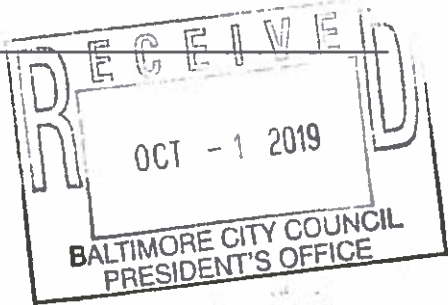
[9/22/2019]



**Address: 1500 Havenwood**

**Date Posted: 9/22/2019**

**Name: Martin Ogle**  
**Address: 9912 Maidbrook Road**  
**Telephone: 443-629-3411**



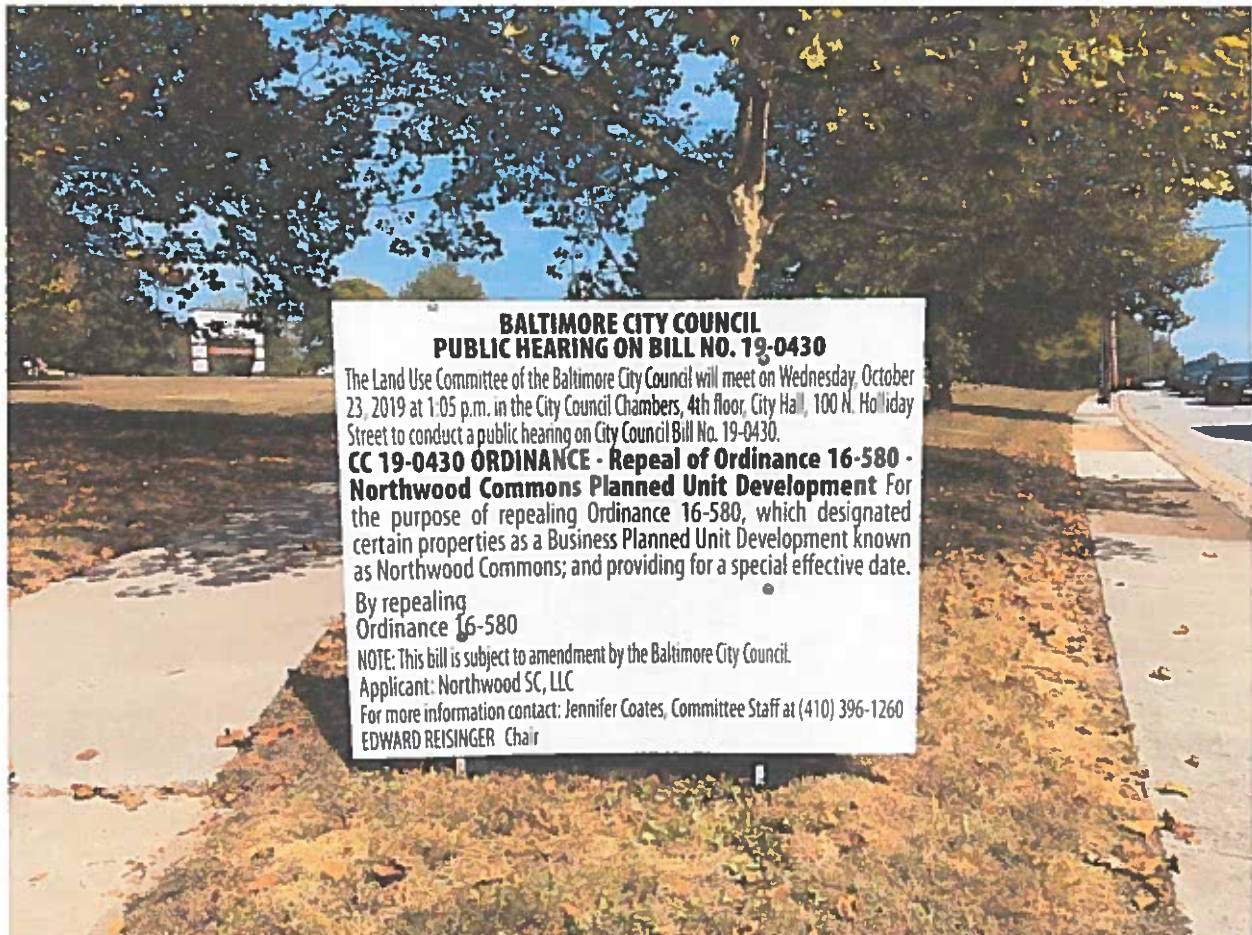
- Email to: [Natawnab.Austin@baltimorecity.gov](mailto:Natawnab.Austin@baltimorecity.gov)
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202



**Baltimore City Council**  
**Certificate of Posting - Public Hearing Notice**

**City Council Bill No.: 19-0430**

*[9/22/2019]*



**Address: 1500 Havenwood**

**Date Posted: 9/22/2019**

**Name: Martin Ogle**


**Address: 9912 Maidbrook Road**

**Telephone: 443-629-3411**

- Email to: [Natawnab.Austin@baltimorecity.gov](mailto:Natawnab.Austin@baltimorecity.gov)
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202





<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #19-0430 / REPEAL OF ORDINANCE 16-580 – NORTHWOOD COMMONS PLANNED UNIT DEVELOPMENT		

DATE:

TO

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

September 13, 2019

At its regular meeting of September 12, 2019, the Planning Commission considered City Council Bill #19-0430, for the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; 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 #19-0430 and adopted the following resolution; five members being present (five in favor):

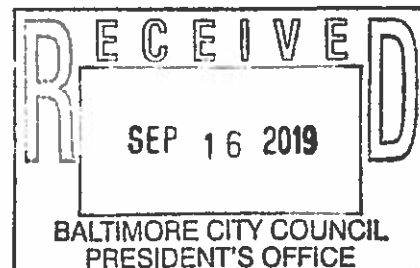
RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #19-0430 be passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Mr. Nicholas Blendy, Mayor's Office  
Mr. Matthew Stegman, Mayor's Office  
Ms. Nina Themelis, Mayor's Office  
The Honorable Edward Reisinger, Council Rep. to Planning Commission  
Mr. Colin Tarbert, BDC  
Mr. Derek Baumgardner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Mr. Bob Pipik, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Liam Davis, DOT  
Ms. Natawna Austin, Council Services  
Mr. Dominic McAlily, Council Services  
Ms. Caroline Hecker, Esq.





13



Bernard C. "Jack" Young  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chairman

### STAFF REPORT



Chris Ryer  
Director

September 12, 2019

**REQUEST:** City Council Bill #19-0430/ Repeal of Ordinance 16-580 – Northwood Commons Planned Unit Development:

For the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

**RECOMMENDATION:** Approval

**STAFF:** Eric Tiso

**PETITIONER:** Councilmember Dorsey

**OWNER:** Northwood SC, LLC, c/o Caroline Hecker, Esq.

#### **SITE/GENERAL AREA**

**Site Conditions:** 1500 Havenwood Road is the location of the Northwood Shopping Center, and is located northeast of the intersection of Loch Raven Boulevard and Argonne Drive. It is currently improved with a one-story strip shopping center and related parking lot. The property contains over 9 acres of land, and is zoned C-3 commercial beneath the existing Planned Unit Development (PUD).

**General Area:** This site is located in the Hillen neighborhood, which is predominantly a residential neighborhood with the housing stock primarily consisting of rowhomes. This shopping center is the exception, being a commercial property, and is adjacent to the Morgan State University Business Center to the east. The Montebello Water Plant is located approximately one block to the east.

#### **HISTORY**

- Ordinance #16-580, dated December 5, 2016, repealed and replaced the Northwood Commons PUD

#### **ANALYSIS**

**Background:** This shopping center was in the process of a planned update, which would involve a significant amount of new construction and investment in the property. The PUD was repealed and replaced in 2016 to allow for that redevelopment to occur, after working with the community and Councilman Dorsey.




**Action:** This bill will repeal the Planned Unit Development. Following the Comprehensive Rezoning of the City, this property was zoned C-3 commercial, which is appropriate for the uses for this property. As the PUD is no longer needed, it is appropriate to repeal it, and allow the property to operate with the underlying zoning. This action supports the overall goal of matching zoning to the actual development of the City, and removes the unnecessary burden in administration of the outdated PUD. For this reason, this action is in conformance with the City's Master Plan.

**Notification:** The Hillen Road Improvement Association, the Stonewood-Pentwood-Winston Community Association, and the Original Northwood Association have been notified of this action.

A handwritten signature in black ink, appearing to be 'Chris Ryer', written in a cursive style.

**Chris Ryer  
Director**



FROM	NAME & TITLE	Steve Sharkey, Director	CITY of <b>BALTIMORE</b>  M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0430		

TO: Mayor Bernard C. "Jack" Young  
TO: Land Use Committee  
FROM: Department of Transportation  
POSITION: Defer to Planning  
RE: Council Bill – 19-0430

DATE: 10/21/19

**INTRODUCTION** – Repeal of Ordinance 16-580 -Northwood Commons Planned Unit Development

**PURPOSE/PLANS** – For the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

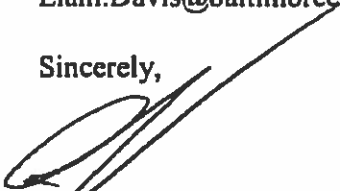
**COMMENTS** – Council Bill 19-0430 aims to formally repeal Ordinance 16-580. Ordinance 16-580 represents an existing Planned Unit Development (PUD) known as Northwood Commons, located adjacent to the Morgan State University campus in Northeast Baltimore. The existing is PUD no longer needed due to the project site being designated as being within the C-3 Zoning District per Transform Baltimore. The C-3 zoning designation allows for intensive commercial use, effectively making the existing PUD redundant.

The Baltimore City Department of Transportation does not foresee any fiscal or operational impact associated with the passage of this bill.

**AGENCY/DEPARTMENT POSITION** – The Department of Transportation defers to the Baltimore City Planning Department for City Council Bill 19-0430.

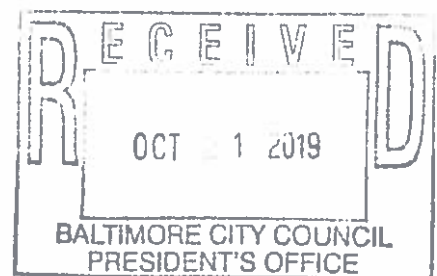
If you have any questions, please do not hesitate to contact Liam Davis via email at [Liam.Davis@baltimorecity.gov](mailto:Liam.Davis@baltimorecity.gov) or by phone (410) 545-3207.

Sincerely,



Steve Sharkey  
Director

*Defers to planning*







CITY OF BALTIMORE

BERNARD C "JACK" YOUNG, Mayor



BOARD OF MUNICIPAL AND  
ZONING APPEALS

DEREK J. BAUMGARDNER, Executive Director  
417 E. Fayette Street, Suite 922  
Baltimore, Maryland 21202

October <sup>16</sup>~~10~~, 2019

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

Re: CC Bill #19-0430 Repeal of Ordinance 16-580 – Northwood Commons  
Planned Unit Development

Ladies and Gentlemen:

City Council Bill No. 19-0430 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

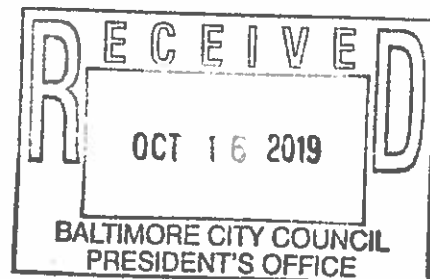
The purpose of City Council Bill No. 19-0430 is to repeal Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

The BMZA has reviewed the legislation and recommends approval of City Council Bill No. 19-0430.

Sincerely,

Derek J. Baumgardner  
Executive Director

CC: Mayor's Office of Council Relations  
City Council President  
Legislative Reference





CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG,  
Mayor



DEPARTMENT OF LAW  
ANDRE M. DAVIS, CITY SOLICITOR  
100 N. HOLLIDAY STREET  
SUITE 101, CITY HALL  
BALTIMORE, MD 21202

October 22, 2019

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

Re: City Council Bill 19-0430 – Repeal of Ordinance 16-580– Northwood  
Commons Planned Unit Development

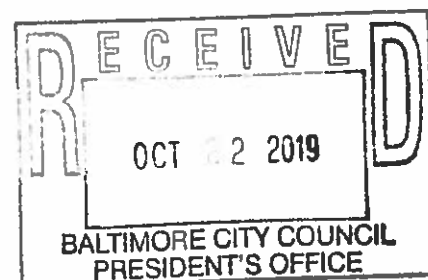
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0430 for form and legal sufficiency. The bill would repeal the prior Ordinance 16-580 that established the Planned Unit Development for Northwood Commons. There are no legal impediments to this repeal. The Land Use Art. of the Md. Ann.Code, §10-304(a) provides that the "Mayor and City Council of Baltimore City may amend or repeal zoning regulations and boundaries." Pursuant to this authority, the Mayor and City Council enacted §13-403 of the City's Zoning law regarding changes to planned unit developments. That provision states (b) A major change requires: (1) the repeal of the ordinance that approved the planned unit development; and (2) introduction and enactment of an ordinance to approve a new planned unit development and PUD master plan.

"Major change" includes "a change in the boundaries of the planned unit development. See §13-403(a)(4). Termination of a PUD is the ultimate change in the boundaries of a PUD as those boundaries are completely removed.

In addition, with respect to floating zones, such as a PUD, Maryland Courts have said that the legislative body must have "a little more than a scintilla of evidence" to support its decision and that decision must not be "arbitrary, capricious or illegal." *Rockville Crushed Stone, Inc. v. Montgomery County*, 78 Md. App. 176, 190 (1989)(citations omitted); accord *Richmarr Holly Hills v. Am. PCS, L.P.*, 117 Md. App. 607, 639 (1997); see also *MLC Auto., LLC v. Town of S. Pines*, 532 F.3d 269, 281 (4<sup>th</sup> Cir. 2008)(citing *Nectow v. City of Cambridge*, 277 U.S. 183, 187-88 (1928)); *Lingle v. Chevron U.S.A. Inc.*, 544 U.S. 528, 543 (2005)).

JAV

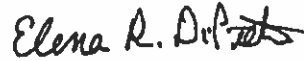




Page 2 of 2

This bill is an appropriate exercise of the City Council's authority. The Law Department, therefore, approves the bill for form and legal sufficiency.

Sincerely yours,



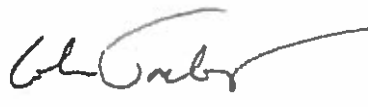
Elena R. DiPietro  
Chief Solicitor

cc: Andre M. Davis, City Solicitor  
Nicholas Blendy, Mayor's Office of Government Relations  
Matthew Stegman, Mayor's Office of Government Relations  
Kaylin Young, President's Legislative Director  
Hilary Ruley, Chief Solicitor  
Victor Tervalá, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Natwana Austin, Executive Secretary  
Avery Aisensstark





**MEMORANDUM**

**DATE:** October 16, 2019  
**TO:** Land Use Committee  
**FROM:** Colin Tarbert, President and CEO   
**POSITION:** Support  
**SUBJECT:** City Council Bill No. 19-0430 - Repeal of Ordinance 16-580 – Northwood Commons Planned Unit Development

---

**INTRODUCTION**

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 19-0430 introduced by Councilmember Dorsey at the request of Northwood SC, LLC.

**PURPOSE**

The purpose of the Bill is to repeal Ordinance 16-580, which designated certain properties as a Business Planned Unit Development (PUD) known as Northwood Commons.

**BRIEF HISTORY**

The ordinance which created the Northwood Commons PUD enabled the redevelopment of an existing shopping center in Northeast Baltimore into a town center with amenities that served both Morgan State University and the surrounding neighborhoods. Initially, the development approved under the PUD included student housing, which has since been removed from the development plan.

In light of the change in the development plan, the developer proposes the repeal of the PUD and reversion to the underlying C-3 zoning on the property, which is sufficient for allowing the project to move forward. Throughout the life of this project, the development team has worked closely with the neighboring communities to create a Memorandum of Understanding (MOU) which has been amended on multiple occasions, based upon ongoing conversations with the residents living adjacent to the project. The MOU will not be affected by approval of this Bill.

**FISCAL IMPACT**

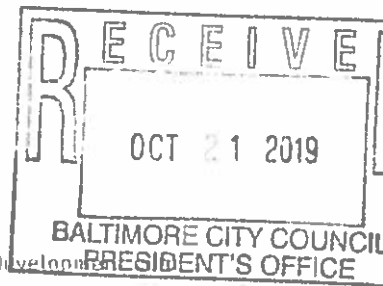
None

**AGENCY POSITION**

The BDC supports the passage of this Bill.

If you have any questions, please do not hesitate to contact Kim Clark at [KClark@baltimoredevelopment.com](mailto:KClark@baltimoredevelopment.com) and 410-837-9305.

cc: Nicholas Blandy  
[MF]







FROM

NAME & TITLE

Rudolph S. Chow, P.E. Director

AGENCY NAME & ADDRESS

Department of Public Works  
600 Abel Wolman Municipal Building

SUBJECT

City Council Bill 19-0430

CITY of  
BALTIMORE

MEMO



September 19, 2019

TO:

Land Use Committee

### INTRODUCTION

I am herein reporting on City Council Bill 19-0430 introduced by Council Member Dorsey on behalf of Northwood SC, LLC.

### PURPOSE

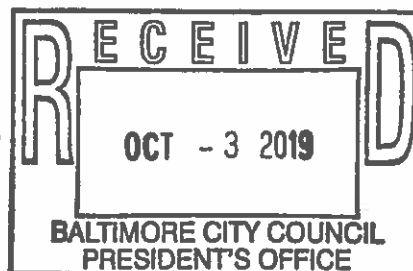
The purpose of the Bill is to repeal Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

### BRIEF HISTORY

Ordinance 77-501 established a Business Planned Unit Development (PUD) for property located on the northeast intersection of Loch Raven Boulevard and Argonne Drive in the Hillen neighborhood, an existing shopping center consisting of approximately 10 acres. The applicant at the time, Northwood Company, planned to redevelop the property into a mixed use project with retail, commercial, and some residential units above the commercial spaces. The PUD was subsequently amended by Ordinances 91-676, 96-1, and 99-383 to allow for new uses of drive-through pick-up windows. To facilitate the project and to accommodate plans for Morgan State University facilities, Ordinance 16-580 repealed the existing PUD and approved a new Business PUD and a new Development Plan. With the passage of Transform Baltimore, the comprehensive rezoning of the City, the property is now zoned C-3 which can accommodate the planned uses for the PUD. As a result, the PUD is no longer needed for the redevelopment to continue as planned.

### FISCAL IMPACT

The Department does not anticipate any fiscal impact to its operations. Continued redevelopment of this parcel will benefit the surrounding communities and will complement the investments made by the Morgan State University.



No  
objection



Handwritten notes and a stamp at the bottom of the page. The stamp contains the text "100" and "100".

Land Use Committee.  
September 19, 2019  
Page 2

**AGENCY/DEPARTMENT POSITION**

The Department of Public Works has no objection to the passage of City Council Bill 19-0430.

Should the Committee have any questions prior to the hearing, please do not hesitate to contact Ms. Marcia Collins at 410-396-1960, or via email at [Marcia.Collins@baltimorecity.gov](mailto:Marcia.Collins@baltimorecity.gov).



Rudolph S. Chow, P.E.  
Director

RSC:MMC



TRANSMITTAL MEMO

TO: Council President Brandon M. Scott  
FROM: Peter Little, Executive Director  
DATE: September 18, 2018  
RE: City Council Bill 19-0430



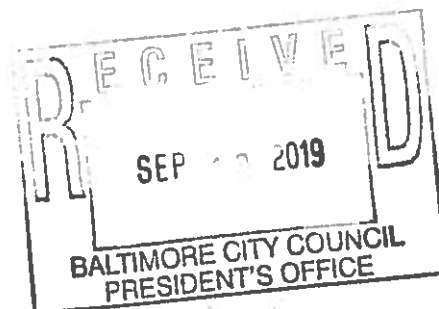
**PARKING**  
OF BALTIMORE CITY  
**AUTHORITY**

I am herein reporting on City Council Bill 19-0430 introduced by Councilmember Dorsey at the request of Northwood SC, LLC.

The purpose of this bill is to repeal Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date. The site is in the 1500 block of Havenwood Road, between Loch Raven Boulevard and Hillen Road and is within the General Commercial Zoning (C-3) District.


The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. The legislation does not explicitly address parking. This site is not located where the Parking Authority administers any on-street parking programs. As building plans and uses for the property become more defined, the PABC will be involved through Site Plan Review and Planning Commission hearings to ensure that the parking and loading demands of the site are adequately addressed and negative effects to parking and loading because of development on this site are mitigated.

Based on the comments above, the PABC does not oppose the passage of City Council Bill 19-0430.



*Does not oppose*



<b>FROM</b>	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. 21202		
	SUBJECT	City Council Bill #19-0430 Response to Repeal of Ordinance 16-580 – Northwood Commons Planned Unit Development		

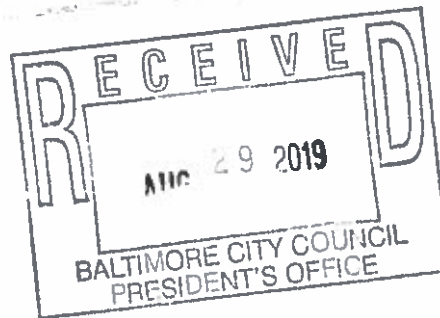
**TO**

The Honorable Bernard C. Young, President  
And All Members of the Baltimore City Council  
City Hall, Room 408

DATE: August 28, 2019

FOR the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

The Baltimore City Fire Department has no objections to Council Bill 19-0430: Repeal of Ordinance 16-580 –Northwood Commons Planned Unit Development. There is no fiscal impact and/or conflict with the Baltimore City Fire Code and has no impact on our agency or the City government.



*No objection*







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: October 8, 2019

Re: **City Council Bill 19-0430 Repeal of Ordinance 16-580 -Northwood Commons Planned Unit Development**

---

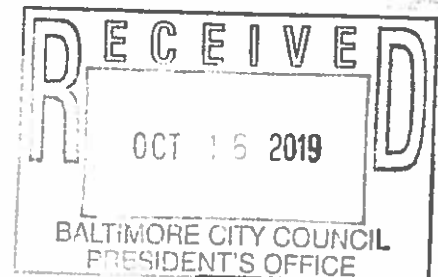
The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0430 for the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

At its regular meeting of September 12, 2019, the Planning Commission concurred with the Department of Planning staff and recommended that City Council Bill 19-0430 be passed by the City Council. Planning staff noted that following the Comprehensive Rezoning of the City, this property was zoned C-3 commercial, which is appropriate for the uses for this property. As the PUD is no longer needed it is appropriate to allow the property to operate with the underlining zoning. DHCD does not foresee any direct fiscal impact as a result of the passage of Council Bill 19-0430.

DHCD has reviewed City Council Bill 19-0430 and has **no objections** to its passage.

MB:sm

cc: Mr. Nicholas Blendy, *Mayor's Office of Government Relations*



*No obj*



## OPPOSITION TO ZONING CHANGE AT NORTHWOOD DEMANDS ACCOUNTABILITY

History and human motivations for-profit and change both good and evil should be examined for the truth. When the welfare of a neighborhood, continued ill-advised past decisions of an institution, and the waste of tax dollars from Baltimore City citizens are at stake. Light is the best disinfectant to gain knowledge from the sordid transactions now seeking a zoning change at Northwood before the Baltimore City Council, as reported by Lorraine Mirabella in the Sun paper on October 3, 2019.

Morgan State College arrived in a community that did not want a colored school, or in their words, "niggers" in what was then Lauraville Baltimore County in 1917. During Maryland's version of Jim Crow and segregation, this community claimed itself to be solidly upright and, more importantly, White. The attitude of those in this outpost of bigotry persisted into the 1960s. Morgan students by 1963 could not shop, attend the movies, or participate in the offerings at Northwood Shopping Center. Undeterred by this reception and the unamerican attitudes of these white citizens. Morgan students and a few of their progressive allied students from Hopkins, Goucher, and other colleges picketed marched, and 341 went to jail. These brave young civil rights pioneers are now alumni of Morgan State University, most in their late seventies. As young men and women, the sacrifice of their actions integrated Northwood, like that of earlier 1940s and 50s Morgan College students who integrated downtown Baltimore. The neighborhood now the Third Councilmanic District of Baltimore City eventually transitioned to a majority of African-Americans, and the Northwood Shopping Center's owners allowed the property to become derelict and unsafe. Between 2016-18 Morgan State University built over 100 million dollars of long-overdue academic buildings close to the dilapidated shopping center at 1700 Havenwood. With an increasing student population of almost 8,000 and rising crimes against Morgan Students in Northwood. The school needed dormitory space and adjacent Morgan Public Safety.

The owner of the property Northwood SCLLC joined with a developer Segall Group. These partners and the Morgan Administration arrived at a plan to demolish the buildings at old Northwood and build new commercial space,

**received**  
10-23-19 JRC  
K. Smith



2 3

1992

including a food market and drug store, housing for 300 Morgan State University students, and other retail shops and restaurants to serve both Morgan and the community. They went to the Baltimore City Council and presented a Planned Unit Development Plan for commercial and housing at the site. Morgan borrowed 25 Million Dollars from the HBCU Federal Loan Fund to build a 13 Million Dollar Public Safety Building at Northwood. Finally, Morgan secured a lucrative multi-year tax break called a "Rise Zone" for the project from Baltimore City, benefiting the owner and 2 Million Dollars from State Government to sweeten the deal. The remaining white neighbors learned that African American students from Morgan might be living close to their homes. It was 1917 revisited, and the developer pulled the student housing, but for months did nothing to repeal what they now claim in Ms. Mirabella's feel-good story to be a "procedural step." Segall has now partnered with MCB Real Estate Developers, and until recently failed to disclose the reasons for altering the beneficial Grocery, and Drug Store while glibly stating that it would be in the "second phase," and striking student housing, while Morgan is building a 13 million dollar Public Safety Building with borrowed Federal Funds without housing-what, will be protected? The Sun story does not reveal why the owner, developers, or Morgan have failed to tell the taxpayers why the multi-million dollar tax break given to them based upon what now appears as a bad deal should remain.

The Sun Article was a soft commercial piece calculated to prevent the scrutiny that this new deal requires. On October 23, 2019, at City Hall, the Committee on Land Use and transportation at 1:05 pm will determine if this land-use PUD should be repealed it should not.

Edward Smith, Jr.

Chairperson Clarence Logan Civil Rights

Alumni- Committee on the Northwood

Commons Project



Prefiled-REPORT OF THE NORTHWOOD  
COMMONS COMMITTEE

By: Edward Smith, Jr. Chairperson

Date: Thursday, October 17, 2019

This report supplements my previous information given to the Chapter on Saturday, September 28, 2019.

On October 1, 2019, I called the Developer for the project Andrew Segall, the principle of the Segall Group. Jerrod Parker, a associate of David Bramble of MCB, a Washington DC group of Developers, indicated that Bramble replaced Segall. Later investigation found the information to be erroneous. Parker advised that it would be challenging to get Bramble, but assured me that he would answer my call at 410-662-0105. I placed the call and left a long message for Mr. Bramble. There was no return call. Next, I checked the DHCD database to determine if a permit had issued for the project with negative results. I advised the officers and Carolyn Wainwright, who volunteered to work on the Committee. She sent a message of assistance on October 2, 2019, suggesting media investigation by the Afro and television stations. The President endorsed Carolyn's suggestion on the same date, by email. Your writer responded to the President and member Wainwright agreeing with her approach. On October 3, 2019, the Baltimore Sun-paper published an article that presented the effort of MCB and Morgan State



11/11/11



University to repeal the PUD (Planned Unit Development) approved by the City Council of Baltimore for the original structures. Demolition Permits did not grant by the DHCD until either the Student Housing, Supermarket, Drug Store, Book Store, Morgan Public Safety Building, and other commercial spaces started, or the developers and Morgan repealed the PUD.

I attempted to contact Mr. Bramble by phone and email for clarification and sent a copy of the email to Dr. Don Terry-Veal, Chief of Staff to President Wilson. There was no response from either until I answered the article of Lorraine Mirabella on October 5, 2019, sending copies to all parties and the communities adjacent to the shopping center. SEE ATTACHMENT

On October 6, 2019, after I walked from Jenkins Hall to speak with Dr. Veal at Truth. I received a call from Mr. Bramble and another person assuring that the Northwood Project would be better than the original PUD. Veal directed me to Dr. Wilson. Since my efforts to speak with these Morgan officials were meet with dismissive indifference. The committee exhibited good faith in its attempt to find common ground with a problem which the University Administration mishandled with dire consequences for Morgan, The African American Northwood Community, students, taxpayers, and our reputation.



A protest was planned to picket at the Northwood Shopping Center and on-campus at Homecoming on Saturday, October 14, 2019. Six persons from the CLCRP and three from the community executed this action from 11:00 am to 1:00 pm. Finally, contact with the Student Newspaper and the editorial piece went to its editors. Neither the Sun paper or Spokesman have carried the writing. However, the community will contest the repeal of the PUD on October 23, 2019, at City hall, with three Pioneers, before the Land Use and Transportation Committee of the City Council. This committee can deny the PUD repeal, or pass favorably on it to the full City Council.

I recommend that CLCRP contest the PUD repeal, and ask for a reversal of the Rise Tax Break given to the Developers and petition the Board of Public Works to recoup the two million dollars from the State Budget granted to the project.

Respectfully submitted

Edward Smith, Jr. Chairperson

CLCRP Northwood Commons Committee



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland 21202

## Meeting Minutes - Final

### Land Use Committee

---

Wednesday, October 23, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

---

19-0430

CHARM TV (Video Recording only, not live)

#### CALL TO ORDER

#### INTRODUCTIONS

#### ATTENDANCE

- Present** 6 - Edward Reisinger, Shannon Sneed, Mary Pat Clarke, Ryan Dorsey, Leon F. Pinkett III, and Eric T. Costello
- Absent** 2 - Sharon Green Middleton, and Robert Stokes Sr.

#### ITEMS SCHEDULED FOR PUBLIC HEARING

19-0430

**Repeal of Ordinance 16-580 -Northwood Commons Planned Unit Development**

For the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

**Sponsors:** Ryan Dorsey

**A motion was made by Dorsey, seconded by Clarke, that the bill be recommended favorably. The motion carried by the following vote:**

**Yes:** 6 - Reisinger, Sneed, Clarke, Dorsey, Pinkett III, and Costello

**Absent:** 2 - Middleton, and Stokes Sr.

#### ADJOURNMENT



CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG,  
Ex Officio 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: 19-0430

Repeal of Ordinance 16-580 -Northwood Commons Planned Unit Development

Committee: Land Use

Chaired By: Councilmember Shannon Sneed

Hearing Date: October 23, 2019  
Time (Beginning): 1:10 PM  
Time (Ending): 1:50PM  
Location: Clarence "Du" Burns Chamber  
Total Attendance: ~20

Committee Members in Attendance:

- Reisinger, Edward - Chairman
- Sneed, Shannon – Vice Chair
- Clarke, Mary Pat
- Costello, Eric
- Dorsey, Ryan
- Pinkett, Leon

Bill Synopsis in the file? .....  yes  no  n/a  
Attendance sheet in the file? .....  yes  no  n/a  
Agency reports read? .....  yes  no  n/a  
Hearing televised (Charm TV) or audio-digitally recorded? .....  yes  no  n/a  
Certification of advertising/posting notices in the file?.....  yes  no  n/a  
Evidence of notification to property owners? .....  yes  no  n/a  
Final vote taken at this hearing? .....  yes  no  n/a  
Motioned by:.....Councilmember Dorsey  
Seconded by:.....Councilmember Clarke  
Final Vote: .....Favorable





**Major Speakers**  
(This is not an attendance record.)

- Mr. Eric Tiso, Department of Planning
- Mr. Liam Davis, Department of Transportation
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Ms. Eleana DiPietro, Department of Law
- Ms. Stephanie Murdock, Department of Housing and Community Development
- Mr. Mica Fetz, Baltimore Development Corporation
- Mr. Arco Sen, Parking Authority for Baltimore City
- Ms. Marcia Collins, Department of Public Works
- Ms. Caroline Hecker, Esquire, Representative for Applicant
- Mr. Matthew Stegman, Office of the Mayor
- Mr. Edward Smith, Civil Rights Pioneer

**Major Issues Discussed**

1. Councilmember Sneed chaired the hearing. She read the bill's number, title and purpose.
2. Councilmember Dorsey provided background information and commented in support of the bill.  
He met with the community, developers and Morgan State University representatives about development of the site. A state RISE Zone was approved for the site. The Planned Unit Development is not necessary as the underlying zoning for the site allows the current development plan to proceed.
3. Mr. Eric Tiso presented the Planning Commission's favorable recommendation.
4. Mr. Edward Smith testified in opposition to the bill for not being in tune with the needs of the community. He provided handouts.
5. Agency representatives confirmed their respective agency's position on the bill.
6. The committee discussed the development project and related issues.
7. The committee approved a favorable recommendation for the bill.

---

**Further Study**

Was further study requested?

Yes  No

If yes, describe.

---


**Committee Vote:**

Reisinger, Edward, Chairman..... Yea  
Sneed, Shannon, Vice Chair..... Yea  
Clarke, Mary Pat..... Yea  
Costello, Eric..... Yea



Dorsey, Ryan ..... **Yea**  
Middleton, Sharon ..... **Absent**  
Pinkett, Leon ..... **Yea**  
Stokes, Robert: ..... **Absent**

---

Jennifer L. Coates, Committee Staff 

Date: October 23, 2019

cc: Bill File;  
OCS Chrono File





# CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use Chairperson: Edward Reisinger  
 Date: October 23, 2019 Time: 1:05 p.m. Place: Clarence "Du" Burns Chambers  
 Subject: Ordinance - Repeal of Ordinance 16-580 -Northwood Commons Planned Unit Development CC Bill Number: 19-0430

**PLEASE PRINT**

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE** ➔

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	WHAT IS YOUR POSITION ON THIS BILL?	LOBBYIST: ARE YOU REGISTERED IN THE CITY
						FOR	AGAINST
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	✓	✓
Edward	Smith	1700	Clayville to BGM CIVIL RIGHTS PLANNERS	21251	edwardsmittr@igol.comcast.net	✓	✓
Rosemund	Smith		Coldspringlan MD State UH- self	21207	Smithrose.munroe@yahoo	✓	✓
Caroline	Hecker	25	S. Charles St. 1 <sup>st</sup> fl.	21201	hecker@rosenbergmckin	✓	✓
Maria	Collins		DPW				
Janelle	Mummy		DPW				
Mica	←exg		BPC		mfezz@baltimoredevelopment		

(\*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland 21202

## Meeting Agenda - Final

### Land Use Committee

---

Wednesday, October 23, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

---

19-0430

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

19-0430

**Repeal of Ordinance 16-580 -Northwood Commons Planned Unit  
Development**

For the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

Sponsors:

Ryan Dorsey

#### **ADJOURNMENT**

**THIS MEETING IS OPEN TO THE PUBLIC**







**BALTIMORE CITY COUNCIL  
LAND USE COMMITTEE**

**Mission Statement**

***On behalf of the Citizens of Baltimore City, the mission of the Land Use Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.***

**The Honorable Edward Reisinger  
Chairperson**

**PUBLIC HEARING**

**Wednesday, October 23, 2019**

**1:05 PM**

**Clarence "Du" Burns Council Chambers**

***City Council Bill # 19-0430  
Repeal of Ordinance 16-580 - Northwood Commons  
Planned Unit Development***

## CITY COUNCIL COMMITTEES

### BUDGET AND APPROPRIATIONS

Eric Costello – Chair  
Leon Pinkett – Vice Chair  
Bill Henry  
Sharon Green Middleton  
Isaac "Yitzy" Schleifer  
Shannon Sneed  
Danielle McCray  
Staff: Marguerite Currin

### CYBERSECURITY AND EMERGENCY PREPAREDNESS

Eric Costello – Co-chair  
Isaac "Yitzy" Schleifer – Co-chair  
Sharon Green Middleton  
Staff: Samuel Johnson

### EDUCATION AND YOUTH

Zeke Cohen – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Kristofer Burnett  
Leon Pinkett  
Staff: Matthew Peters

### EXECUTIVE APPOINTMENTS

Robert Stokes – Chair  
Kristofer Burnett – Vice Chair  
Mary Pat Clarke  
Zeke Cohen  
Isaac "Yitzy" Schleifer  
Staff: Marguerite Currin

### HEALTH

Kristofer Burnett – Chair  
Bill Henry - Vice Chair  
Mary Pat Clarke  
Edward Reisinger  
Isaac "Yitzy" Schleifer  
Staff: Marguerite Murray

### HOUSING AND URBAN AFFAIRS

John Bullock – Chair  
Isaac "Yitzy" Schleifer – Vice Chair  
Kristofer Burnett  
Zeke Cohen  
Ryan Dorsey  
Bill Henry  
Shannon Sneed  
Staff: Richard Krummerich

### JUDICIARY

Eric Costello – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Leon Pinkett  
Edward Reisinger  
Shannon Sneed  
Robert Stokes  
Staff: Matthew Peters

### LABOR

Shannon Sneed – Chair  
Robert Stokes – Vice Chair  
Mary Pat Clarke  
Bill Henry  
Danielle McCray  
Staff: Samuel Johnson

### LEGISLATIVE INVESTIGATIONS

Kristofer Burnett – Chair  
Danielle McCray – Vice Chair  
Ryan Dorsey  
Isaac "Yitzy" Schleifer  
Shannon Sneed  
Staff: Matthew Peters

### LAND USE

Edward Reisinger - Chair  
Shannon Sneed – Vice Chair  
Mary Pat Clarke  
Eric Costello  
Ryan Dorsey  
Sharon Green Middleton  
Leon Pinkett  
Robert Stokes  
Staff: Jennifer Coates

### PUBLIC SAFETY

Isaac "Yitzy" Schleifer – Chair  
Kristofer Burnett – Vice Chair  
Zeke Cohen  
Danielle McCray  
Leon Pinkett  
Shannon Sneed  
Staff: Richard Krummerich

### TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair  
Danielle McCray – Vice Chair  
Eric Costello  
Edward Reisinger  
Robert Stokes  
Staff: Samuel Johnson  
- Larry Greene (pension only)

### TRANSPORTATION

Ryan Dorsey – Chair  
Leon Pinkett – Vice Chair  
John Bullock  
Staff: Jennifer Coates

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, 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: Land Use

Bill 19-0430

---

### Repeal of Ordinance 16-580 -Northwood Commons Planned Unit Development

---

**Sponsor:** Councilmember Dorsey

**Introduced:** August 19, 2019

**Purpose:**

For the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

**Effective:** Date of Enactment

---

### Agency Reports

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	<i>Defers to Planning</i>
Department of Law	<i>Favorable</i>
Department of Housing and Community Development	No Objection
Baltimore Development Corporation	<i>Favorable</i>
Parking Authority of Baltimore City	Does Not Oppose
Department of Public Works	No Objection
Fire Department	No Objection

---

---

## Analysis

### Current Law

Ordinance 16-580

### Background

Northwood SC, LLC is the owner of the property. Councilmember Ryan Dorsey is the applicant. The Northwood Commons Planned Unit Development (PUD) is located at 1500 Havenwood Road on the site of the Northwood Shopping Center. The site is located on the northeastern corner of the intersection of Loch Raven Boulevard and Argonne Drive in the Hillen Neighborhood. The site borders on the Northwood neighborhood to the west. Morgan State University is situated to the east.

The Business Planned Unit Development (PUD) for the Northwood Shopping Center property was established by Ordinance 77-501, amended by Ordinances 91-676, 96-1 and 99-383. In 2016, Ordinance 16-0580 was approved for Northwood Commons, LLC to redevelop the site with a new Development Plan with new mixed-use projects that included new retail and commercial spaces with residential units above the commercial uses on the eastern end of the site. Community associations that have shown a keen interest in the revised PUD Development Plan of are: Hillen Road Improvement Association, New Northwood Community Association, Inc., Original Northwood Association and the Stonewood-Pentwood-Winston Neighborhood Association.

The 9.0+ acre property is currently zoned C-3 Commercial Zoning. The applicant is requesting a repeal of the current Development Plan. The owner will ultimately rely on current zoning to meet its present and future needs for mixed use development.

---

## Additional Information

**Fiscal Note:** Not Available

**Information Source(s):** Department of Planning Staff Report; Ordinance 16-0580

---

Analysis by: Jennifer L. Coates  
Analysis Date: October 16, 2019



Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE  
COUNCIL BILL 19-0430  
(First Reader)**

---

Introduced by: Councilmember Dorsey

At the request of: Northwood SC, LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South  
Charles Street, Suite 21<sup>st</sup> Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: August 19, 2019

Assigned to: Land Use 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, Fire Department, Baltimore Development Corporation, Baltimore  
City Parking Authority Board, Department of Transportation

---

**A BILL ENTITLED**

1 **AN ORDINANCE concerning**

2 **Repeal of Ordinance 16-580 –**  
3 **Northwood Commons Planned Unit Development**

4 **FOR the purpose of repealing Ordinance 16-580, which designated certain properties as a**  
5 **Business Planned Unit Development known as Northwood Commons; and providing for a**  
6 **special effective date.**

7 **BY repealing**  
8 **Ordinance 16-580**

10 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**  
11 **Ordinance 16-580 is repealed, and the authority conferred in that Ordinance to designate certain**  
12 **properties as a Business Planned Unit Development known as Northwood Commons is**  
13 **rescinded.**

14 **SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is**  
15 **enacted.**

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

**LAND USE COMMITTEE**

**BILL 19-0430**

**AGENCY REPORTS**

<b>Planning Commission</b>	<b>Favorable</b>
<b>Board of Municipal Zoning Appeals</b>	<b>Favorable</b>
<b>Department of Transportation</b>	
<b>Department of Law</b>	
<b>Department of Housing and Community Development</b>	<b>No Objection</b>
<b>Baltimore Development Corporation</b>	
<b>Parking Authority of Baltimore City</b>	<b>Does Not Oppose</b>
<b>Department of Public Works</b>	<b>No Objection</b>
<b>Fire Department</b>	<b>No Objection</b>



**TO:** Northwood SC, LLC

**FROM:** Jennifer L. Coates, Committee Staff, Land Use Committee

**Date:** September 10, 2019

**RE:** INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING – MAP AMENDMENTS  
(REZONINGS); PLANNED UNIT DEVELOPMENTS

The Land Use Committee has scheduled the following City Council Bill for a public hearing:

**Bill:** City Council Bill No. 19-0430

**Date:** Wednesday, October 23, 2019

**Time:** 1:05 p.m.

**Place:** City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

- **Article 32. Zoning § 5-601 – Map or Text Amendments; PUDs**

For helpful information about the notice requirements under Article 32 - Zoning (pages 127 – 128) see Attachment B. You are encouraged to access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

**Disclaimer.** The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising your accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers

## Newspaper Advertisement

A notice of the public hearing must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.

You may choose any of the following newspapers for advertising purposes: The Daily Record, The Baltimore Sun; or the Afro-American.

## Wording for Written Notice to Property Owner(s), Sign Posting and Newspaper Advertisement

The information that must be published in a newspaper advertisement, posted on a sign and mailed to the property owner appears between the double lines on the attached page (*See Attachment A*); the deadline date is indicated in BOLD letters at the top of Attachment A.

## Certification of Postings

Certification of the written notice, sign posting on the property, and publication of the newspaper advertisement, in duplicate, must be sent four (4) days prior to the hearing to:

Ms. Natawna Austin, Executive Secretary  
Baltimore City Council  
100 N. Holliday Street, Fourth Floor, Room 400  
Baltimore, MD 21202

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant. The deadline dates are as follows:

Sign Posting Deadline:	<b>September 23, 2019</b>
Newspaper Ad Deadline:	<b>October 8, 2019</b>
Written Notice Deadline:	<b>October 8, 2019</b>

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff  
Baltimore City Council,  
Land Use Committee  
410-396-1260  
[Jennifer.Coates@baltimorecity.gov](mailto:Jennifer.Coates@baltimorecity.gov).



THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED **SEPTEMBER 23, 2019** AND PUBLISHED BY **OCTOBER 8, 2019**, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

---

---

**BALTIMORE CITY COUNCIL  
PUBLIC HEARING ON BILL NO. 19-0430**

The Land Use Committee of the Baltimore City Council will meet on Wednesday, October 23, 2019 at 1:05 p.m. in the City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0430.

**CC 19-0430 ORDINANCE - Repeal of Ordinance 16-580 -Northwood Commons Planned Unit Development** FOR the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

BY repealing  
Ordinance 16-580

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

Applicant: Northwood SC, LLC

For more information, contact: Jennifer Coates, Committee Staff at (410) 396-1260.

EDWARD REISINGER

Chair

---

---

**SEND CERTIFICATION OF PUBLICATION TO:**

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

**SEND BILL FOR THIS ADVERTISEMENT TO:**

Ms. Caroline L. Hecker, Esquire  
Rosenberg Martin Greenberg, LLP  
25 S. Charles Street, 21<sup>st</sup> floor  
Baltimore, MD 21218  
(410) 727-6600

**ZONING  
SUBTITLE 6 – NOTICES**

**ARTICLE 32, § 5-601**

§ 5-601. Map or text amendments; PUDs.

(a) Hearing required.

For a bill proposing a zoning map amendment, a zoning text amendment, or the creation or modification of a planned unit development, the City Council committee to which the bill has been referred must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be reviewed.

(b) Notice of hearing required.

Notice of the hearing must be given by each of the following methods, as applicable:

- (1) by publication in a newspaper of general circulation in the City;
- (2) for the creation or modification of a planned unit development and for a zoning map amendment, other than a comprehensive rezoning:
  - (i) by posting in a conspicuous place on the subject property; and
  - (ii) by first-class mailing of a written notice, on forms provided by the Zoning Administrator, to each person who appears on the tax records of the City as an owner of the property to be rezoned; and
- (3) for a comprehensive rezoning:
  - (i) by posting in conspicuous places within and around the perimeter of the subject area or district, as the Department of Planning designates; and
  - (ii) by first-class mailing of a written notice, on forms provided by the Zoning Administrator, to each person who appears on the tax records of the City as an owner of property within the subject area or district.

(c) Contents of notice.

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed rezoning; and
- (3) the name of the applicant.

(d) Number and manner of posted notices.

(1) For a zoning map amendment or the creation or modification of a planned unit development, the number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) for a comprehensive rezoning, a change in the boundaries of a zoning district, or the creation or modification of a planned unit development, at least 2 or more signs are required, as the Department of Planning designates;
- (iii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;
- (iv) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and
- (v) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) Timing of notices – In general.

The notice must be published, mailed, and, except as provided in subsection (f) of this section, posted:

- (1) at least 15 days before the public hearing; or
- (2) for a comprehensive rezoning, at least 30 days before the public hearing.

(f) Timing of notices – Posting for map amendment or PUDs.

For a zoning map amendment or the creation or modification of a planned unit development, the posted notice must be:

- (1) posted at least 30 days before the public hearing; and
- (2) removed within 48 hours after conclusion of the public hearing.

**CITY OF BALTIMORE  
COUNCIL BILL 19-0430  
(First Reader)**

---

Introduced by: Councilmember Dorsey

At the request of: Northwood SC, LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South  
Charles Street, Suite 21<sup>st</sup> Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: August 19, 2019

Assigned to: Land Use 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, Fire Department, Baltimore Development Corporation, Baltimore  
City Parking Authority Board, Department of Transportation

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Repeal of Ordinance 16-580 –**  
3 **Northwood Commons Planned Unit Development**

4 FOR the purpose of repealing Ordinance 16-580, which designated certain properties as a  
5 Business Planned Unit Development known as Northwood Commons; and providing for a  
6 special effective date.

7 BY repealing  
8 Ordinance 16-580  
9

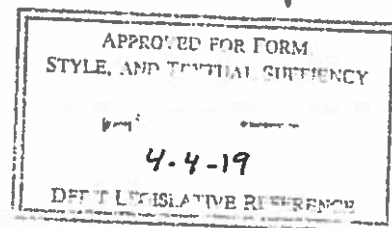
10 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That  
11 Ordinance 16-580 is repealed, and the authority conferred in that Ordinance to designate certain  
12 properties as a Business Planned Unit Development known as Northwood Commons is  
13 rescinded.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is  
15 enacted.

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



**INTRODUCTORY\***  
**CITY OF BALTIMORE**  
**COUNCIL BILL \_\_\_\_\_**



---

Introduced by: Councilmember Dorsey  
At the request of: Northwood SC, LLC  
Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South  
Charles Street, Suite 21<sup>st</sup> Floor, Baltimore, Maryland 21201  
Telephone: 410-727-6600

---

**A BILL ENTITLED**

AN ORDINANCE concerning

**Repeal of Ordinance 16-580 –  
Northwood Commons Planned Unit Development**

FOR the purpose of repealing Ordinance 16-580, which designated certain properties as a Business Planned Unit Development known as Northwood Commons; and providing for a special effective date.

By repealing  
Ordinance 16-580

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That Ordinance 16-580 is repealed, and the authority conferred in that Ordinance to designate certain properties as a Business Planned Unit Development known as Northwood Commons is rescinded.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is enacted.

\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.  
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.





**STATEMENT OF INTENT  
FOR**

Repeal of Ordinance 16-580 –  
Northwood Commons Planned Unit Development

1. Applicant's name, address and telephone number: Northwood SC, LLC c/o Caroline L. Hecker, Esq., Rosenberg Martin Greenberg, LLP, 25 S. Charles Street, 21<sup>st</sup> Floor, (410) 727-6600
  
2. All proposed changes for the property: Repeal Ordinance No. 16-580 for the Northwood Commons Planned Unit Development
  
3. All intended use of the property: Commercial, retail, and restaurant uses as permitted by underlying zoning.
  
4. Current owner's name, address, and telephone number:

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Property Owner</u>	<u>Deed Reference</u>
3969	045	1500 Havenwood Road	Northwood SC, LLC	15736/331
3969	001	[none]	Northwood SC, LLC	15736/331
3969	046	1600 Argonne Drive	Northwood SC, LLC	15736/331

The property was acquired by the current owner by deed recorded in the Land Records of Baltimore City in Liber \_\_\_\_ folio \_\_\_\_\_. [Please see above.]

6. (a) There is \_\_\_ is not  a contract contingent on the requested legislative authorization.
  
- (b) If there is a contract contingent on the requested legislative authorization:
  - (i) The names and addresses of all parties on the contract are {use additional sheet if necessary}:

N/A

---

---

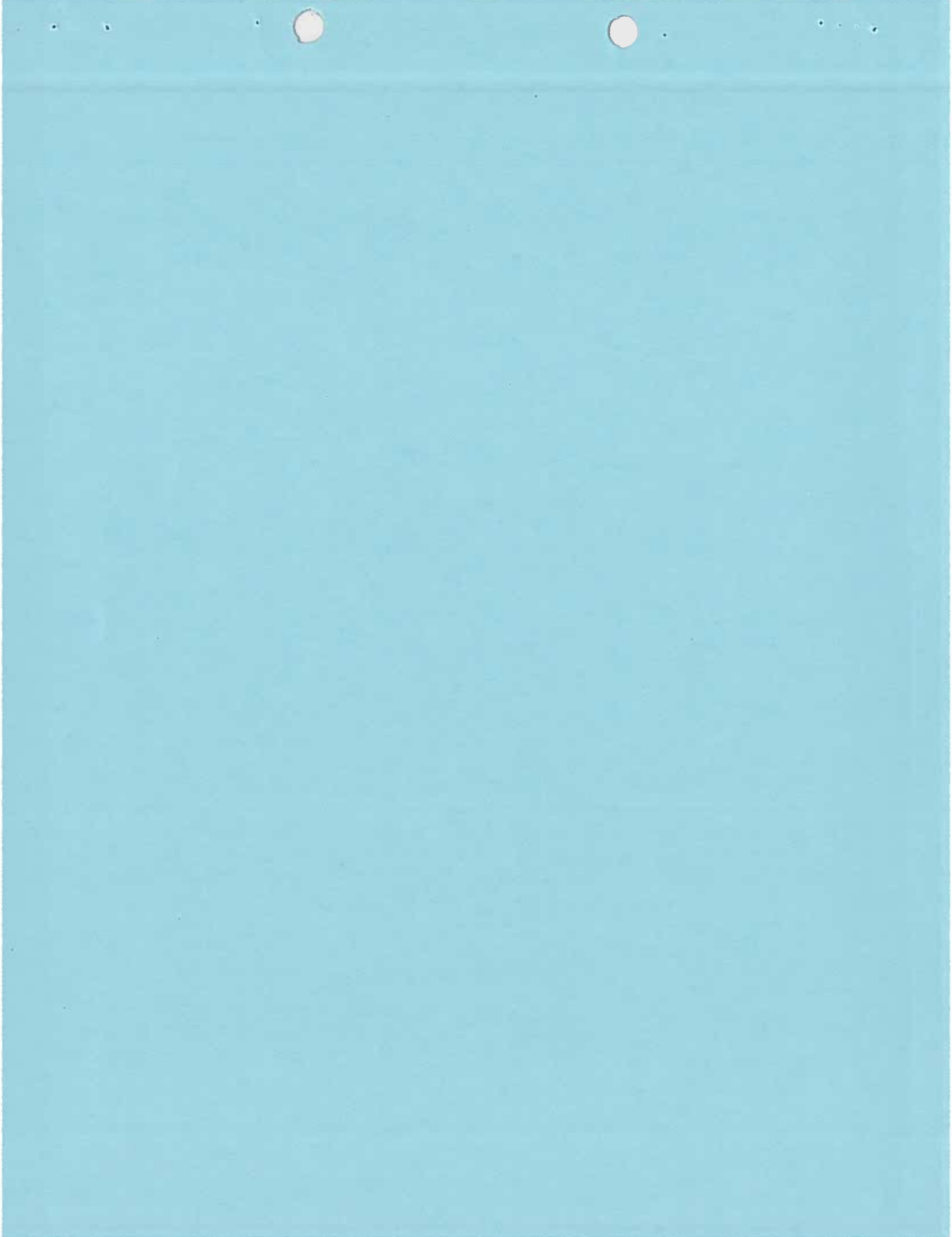
---

---

- (ii) The purpose, nature and effect of the contract are: N/A
- 
- 

7. (a) The applicant is \_\_\_ is not  acting as an agent for another.





**ACTION BY THE CITY COUNCIL**

**AUG 19 2019**  
20

FIRST READING (INTRODUCTION) \_\_\_\_\_

PUBLIC HEARING HELD ON October 23, \_\_\_\_\_ 20 19

COMMITTEE REPORT AS OF October 28, \_\_\_\_\_ 20 19

FAVORABLE \_\_\_\_\_ UNFAVORABLE \_\_\_\_\_ FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

  
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:

**OCT 28 2019**  
20

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

THIRD READING \_\_\_\_\_ **NOV 04 2019**

\_\_\_\_\_ 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.

\_\_\_\_\_  
President

\_\_\_\_\_  
Chief Clerk