

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 09-0371

Introduced by: Councilmembers Spector, Middleton
Introduced and read first time: July 13, 2009
Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: September 21, 2009

AN ORDINANCE CONCERNING

**Urban Renewal – Park Heights –
Amendment 1**

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2
3 FOR the purpose of amending the Urban Renewal Plan for Park Heights to create a new
4 disposition lot, to amend Appendix A to add certain properties for clearance and
5 redevelopment, to amend Appendix B to add the new disposition lot, and to revise certain
6 exhibits to reflect the changes in the Plan; waiving certain content and procedural
7 requirements; making the provisions of this Ordinance severable; providing for the
8 application of this Ordinance in conjunction with certain other ordinances; and providing for
9 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

16 The Urban Renewal Plan for Park Heights was originally approved by the Mayor and City
17 Council of Baltimore by Ordinance 08-93.

18 An amendment to the Urban Renewal Plan for Park Heights is necessary to create a new
19 disposition lot, to amend Appendix A to add certain properties for clearance and redevelopment,
20 to amend Appendix B to add the new disposition lot, and to revise certain exhibits to reflect the
21 changes in the Plan.

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

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

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 (1) In the Plan, amend Section C.3.b. to read as follows:

2 b. Commercial Development: Disposition [Lot] LOTS 6 AND 7

3 Neighborhood centers should provide a focus for concentrated commercial and
4 mixed-use development while enhancing the public realm for the community.

5 *****

6 (2) DISPOSITION LOT 7 – THIS LOT SHALL BE SOLD IN WHOLE OR IN PART TO BE
7 DEVELOPED FOR COMMERCIAL USES. THE LOT SHALL BE USED AS PART OF THE
8 FACILITIES FOR THE MOTOR VEHICLE ADMINISTRATION (MVA).
9 LANDSCAPING, INCLUDING STREET TREES, MUST BE PROVIDED ALONG
10 REISTERSTOWN ROAD IN FRONT OF THE MVA FACILITY AND ANY ADJOINING
11 COMMERCIAL USES. IN ADDITION, LANDSCAPING AND OTHER APPROPRIATE
12 SCREENING MUST BE PROVIDED ALONG ALL SIDES OF THE MVA FACILITY THAT
13 ARE ADJACENT TO RESIDENTIAL USES.

14 (2) In Appendix A, after “4811 Homer Avenue”, insert the following:

15 4045 LEWISTON AVENUE 4511D 056
16 4041 LEWISTON AVENUE 4511D 057

17 (3) In Appendix A, after “4743 Reisterstown Road”, insert the following:

18 5339 REISTERSTOWN ROAD 4511D 052
19 5341 REISTERSTOWN ROAD 4511D 053
20 5343 REISTERSTOWN ROAD 4511D 054
21 5345 REISTERSTOWN ROAD 4511D 055
22 5403 REISTERSTOWN ROAD ~~4511D 011~~ 4511E 001 (REAR
23 PORTION ONLY)
24 ~~4025 W. ROGERS AVENUE~~ 4511G 023A

25 (4) In Appendix B, after the Lot 6 property “4431 Reisterstown Road” insert

26 Lot 7

27 5339 REISTERSTOWN ROAD 4511D 052
28 5341 REISTERSTOWN ROAD 4511D 053
29 5343 REISTERSTOWN ROAD 4511D 054
30 5345 REISTERSTOWN ROAD 4511D 055
31 5403 REISTERSTOWN ROAD 4511E ~~011~~ 001
32 4045 LEWISTON AVENUE 4511D 056
33 4041 LEWISTON AVENUE 4511D 057
34 ~~4025 W. ROGERS AVENUE~~ 4511G 023A

35 (5) Amend Exhibit 2, “Property Acquisition”, and Exhibit 3, “Land Disposition”, to
36 reflect the changes in the Plan.

37 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Park Heights,
38 as amended by this Ordinance and identified as “Urban Renewal Plan, Park Heights, revised to

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1 include Amendment 1, dated July 13, 2009”, is approved. The Department of Planning shall file
2 a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a
3 permanent public record, available for public inspection and information.

4 **SECTION 3. AND BE IT FURTHER ORDAINED**, That if the amended Urban Renewal Plan
5 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
6 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
7 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
8 Ordinance is exempted from them.

9 **SECTION 4. AND BE IT FURTHER ORDAINED**, That if any provision of this Ordinance or the
10 application of this Ordinance to any person or circumstance is held invalid for any reason, the
11 invalidity does not affect any other provision or any other application of this Ordinance, and for
12 this purpose the provisions of this Ordinance are declared severable.

13 **SECTION 5. AND BE IT FURTHER ORDAINED**, That if a provision of this Ordinance concerns
14 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
15 safety law or regulation, the applicable provisions shall be construed to give effect to each.
16 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
17 higher standard for the protection of the public health and safety prevails. If a provision of this
18 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
19 establishes a lower standard for the protection of the public health and safety, the provision of
20 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
21 conflict.

22 **SECTION 6. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it
23 is enacted.

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

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City