

Introduced by: Councilmember Burnett

Prepared by: Department of Legislative Reference

Date: April 5, 2018

Referred to: HOUSING AND URBAN AFFAIRS Committee

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

CITY COUNCIL 18 - 0220

A BILL ENTITLED

AN ORDINANCE concerning

Repeal of Uplands Renewal Area and Plan

FOR the purpose of repealing Ordinance 04-887, as amended by Ordinance 08-99, which established the Uplands Renewal Area and Plan; and providing for a special effective date.

BY repealing
Ordinance 04-887



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 checked="" 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 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: _____ |

Boards and Commissions

- | | |
|---|---|
| <input checked="" 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 type="checkbox"/> Board of Municipal and Zoning Appeals |
| <input checked="" type="checkbox"/> Parking Authority Board | <input checked="" 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: _____ |

FROM	NAME & TITLE	Eric Holcomb, Executive Director CHAP <i>EH</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Commission for Historical and Architectural Preservation 417 East Fayette Street, 8 th Floor		
	SUBJECT	COUNCIL BILL 18-0220 Repeal of Uplands Urban Renewal Area and Plan		

DATE:

May 21, 2018

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

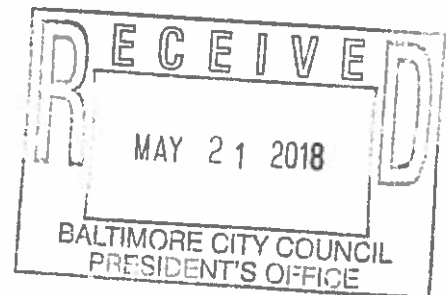
The Commission for Historical and Architectural Preservation staff is in receipt of City Council Bill #18-0220:

FOR the purpose of repealing Ordinance 04-887, as amended by Ordinance 08-99, which established the Uplands Renewal Area and Plan; and providing for a special effective date.

This item has been scheduled for a committee hearing before the Commission for Historical and Architectural Preservation will be able to review it and provide a recommendation to the committee. CHAP staff advises a recommendation of no opposition because this legislation will not have any impact on historic properties listed on the local landmark list or within a local historic district.

If you have any questions, please contact Mr. Eric Holcomb, Executive Director, at 410-396-4866.

*Not
opposed*





Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Thomas J. Stosur
Director

May 10, 2018

Favorable

REQUEST: City Council Bill #18-0220/ Repeal of Uplands Renewal Area and Plan:
For the purpose of repealing Ordinance 04-887, as amended by Ordinance 08-99, which established the Uplands Renewal Area and Plan; and providing for a special effective date.

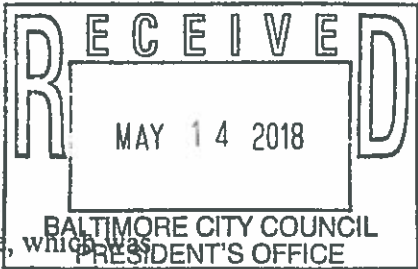
RECOMMENDATION: Approval

STAFF: Kyle B. Leggs

INTRODUCED BY: Councilman Kristerfer Burnett

SITE/GENERAL AREA

Site Conditions: The Uplands Renewal Area is located in Southwest Baltimore, which was the site of the former Uplands Apartment Complex and a Triangle Business District. The site is approximately 52 acres in size and is zoned R-5. The boundaries of the Renewal Area are Edmondson Avenue to the North, Athol Avenue to the east, Uplands Parkway to the west, and Old Frederick Road to the Southeast. The project area boundary also includes the Westside Skill Center, which is an educational wing of the Edmondson Westside High School, located on Athol Avenue. The Westside Skill Center, as identified in the Renewal Plan as a public school, is now zoned OR-1. The Uplands site also continues to be developed with two large development parcels on the site that include a recently completed Site B, along the east, and a vacant Site A, along the west, that will complete the next phase(s) of the Uplands development. It is also important to note that the Uplands Development site later became a Residential Planned Unit Development (PUD) site that continues to guide the development of the Uplands area.



General Area: The Uplands Renewal Area is also bound by the Edmondson Village Shopping Center to the north, the Edmondson Westside High School to the east, a wood-lined Uplands Parkway to the west, and an unoccupied site to the south that was previously the site of the New Psalmist Baptist Church.

HISTORY

- The Uplands Apartments were built in the 1940's as market rate rental units and became low income rental units in the 1970's. Disinvestment began in the Uplands Apartments in the late 1990's with an increasing amount of units becoming empty and boarded.
- In late 2001, after HUD foreclosed on the property, the City's Department of Housing and Community Development began the acquisition process of the Uplands Complex under the Multifamily Property Disposition Reform Act of 1994.
- In 2002, the City became actively involved in the redevelopment of the site.

- In May of 2003, the City and community residents collaborated to select Goody, Clancy & Associates as the architectural planning firm.
- In January of 2004, the City acquired the 52 acre Uplands Apartment site.
- The Uplands Master Plan was approved by the Baltimore City Planning Commission on September 9, 2004.
- The Uplands Renewal Plan was approved by the Baltimore City Planning Commission on September 30, 2004.
- The Uplands Renewal Area and Plan, was approved by Ordinance #04-887, on December 6, 2004.
- The Uplands Renewal Area and Plan, Ordinance #08-99 (Corrective), was approved on December 11, 2008.
- The Planned Unit Development for Uplands was approved by Ordinance #09-215, on September 25, 2009.

CONFORMITY TO PLANS

The Proposed action is consistent with LIVE EARN PLAY LEARN, the Baltimore Comprehensive Master Plan, LIVE Goal 1, Objective 1: Expand Housing Choice for all residents, and Goal 1, Objective 5: Increase the City's Population by 10,000 Households in 6 years. The Uplands development calls for a mixed income community with approximately 761 new dwelling units of various types.

ANALYSIS

With the enactment of the new Zoning Code in 2017, the Department of Planning initiated a comprehensive review of all Urban Renewal Plans, whereas to repeal certain plans that contain either outdated zoning categories, and/or land use categories. The Uplands Renewal Area Plan contains both an outdated residential zoning category of R-6, and references an outdated Business category of B-2 for mixed use along Edmondson Avenue. These areas are now both zoned as R-5.

Following the completion of the Uplands Master Plan, Uplands Visionaries, LLC was selected as the developer for the Uplands site. Soon thereafter, the developer was met with a number of actions that were needed in order for the project to be built. These actions included street closings, new street patterns, a subdivision of the site, and a development plan that included modifications to the design guidelines for the various housing/building types in the Renewal Plan Area. The Renewal Plan also contains an outdated and elongated list of building type descriptions, to include a category of Mansions and Mansionettes that are no longer planned for the development.

In addition, the Renewal Plan also contains an outdated Community Review section that refers to the Southwest Development Committee (SWDC) as an organization that may be asked to review or comment on the plans for development, whereas, the SWDC has been out of existence for 5 years or more. Moreover, the main purpose of the Renewal Plan was for the purpose of establishing acquisition and disposition authority to acquire properties for renewal purposes.


The above concerns subsequently led to the creation of a Planned Unit Development (PUD) to best develop the site as a modern community with a variety of housing types. The PUD, therefore allowed for updated design guidelines to be used, and also established a maximum residential density that may not exceed 761 overall dwelling units. The PUD also established a number of prohibited uses such as auto repair and/or accessory shops, check cashing stores, salons, pawnshops, taverns, liquor stores, and package good stores.

In summary, conflicts between the new Zoning Code, the Renewal Plan, and the established Planned Unit Development for the Uplands site, create a scenario of unclear guidance and regulation for the continued development of this site. The repeal of the Uplands Renewal Area and Plan, would therefore allow for the future phases of the Uplands project to continue under the PUD without conflict or hindrance and would allow for the achievement of the overall goal to eliminate extraneous regulation.

Notification: The following community organizations have been notified of this action: Uplands Community Association, the Uplands Homeowners Association, the Rognel Heights Community Association, the Hunting Ridge Community Assembly, the Ten Hills Community Association, the Irvington Community Association, the Councilman for the 8th District, and the elected officials representing the 41st Legislative District.



Thomas J. Stosur
Director

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0220 / REPEAL OF UPLANDS RENEWAL AREA AND PLAN		

TO

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

DATE: May 11, 2018

At its regular meeting of May 10, 2018, the Planning Commission considered City Council Bill #18-0220, for the purpose of repealing Ordinance 04-887, as amended by Ordinance 08-99, which established the Uplands Renewal Area and Plan; 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 #18-0220 and adopted the following resolution; eight members being present (eight in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #18-0220 be passed by the City Council.

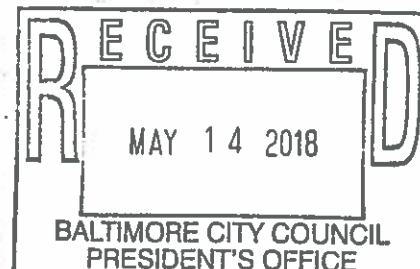
If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

TJS/ewt

attachment

Favorable

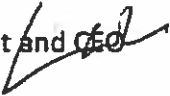
- cc: Mr. Pete Hammen, Chief Operating Officer
 Mr. Jim Smith, Chief of Strategic Alliances
 Ms. Karen Stokes, Mayor's Office
 Mr. Colin Tarbert, Mayor's Office
 Mr. Kyron Banks, Mayor's Office
 The Honorable Edward Reisinger, Council Rep. to Planning Commission
 Mr. William H. Cole IV, BDC
 Mr. Derek Baumgardner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Ms. Sharon Daboin, DHCD
 Ms. Elena DiPietro, Law Dept.
 Mr. Francis Burnszynski, PABC
 Ms. Katelyn McCauley, DOT
 Ms. Natawna Austin, Council Services





MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna B. Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: May 9, 2018

SUBJECT: City Council Bill 18-0220
Repeal of Upland Renewal Area and Plan

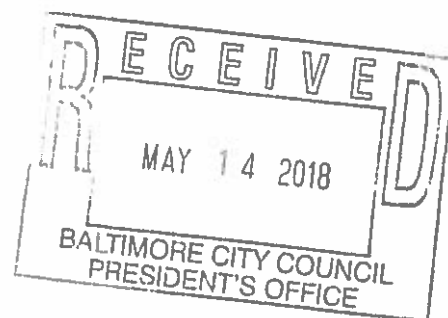
The Baltimore Development Corporation (BDC) has been asked to comment on Council Bill No. 18-0220, for the purpose of repealing Ordinance 04-887, as amended by Ordinance 08-99, which established the Uplands Renewal Area and Plan; and providing for a special effective date.

The Uplands Renewal Area and Plan has outlasted its usefulness and can effectively be replaced by the comprehensive zoning update that was enacted on June 5, 2017.

BDC supports Bill No. 18-0220, and respectfully asks that favorable consideration be given by the City Council.

cc: Kyron Banks

F



**CITY OF BALTIMORE
COUNCIL BILL 18-0220
(First Reader)**

Introduced by: Councilmember Burnett

Introduced and read first time: April 16, 2018

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 **Repeal of Uplands Renewal Area and Plan**

3 FOR the purpose of repealing Ordinance 04-887, as amended by Ordinance 08-99, which
4 established the Uplands Renewal Area and Plan; and providing for a special effective date.

5 BY repealing
6 Ordinance 04-887

7 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That
8 Ordinance 04-887, which established the Uplands Renewal Area and Plan, as amended by
9 Ordinance 08-99, is repealed.

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

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

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

APPROVED FOR FORM STYLE, AND TEXTUAL SUFFICIENCY
4-5-18
DEPT LEGISLATIVE REFERENCE

Introduced by: Councilmember Burnett

A BILL ENTITLED

AN ORDINANCE concerning

Repeal of Uplands Renewal Area and Plan

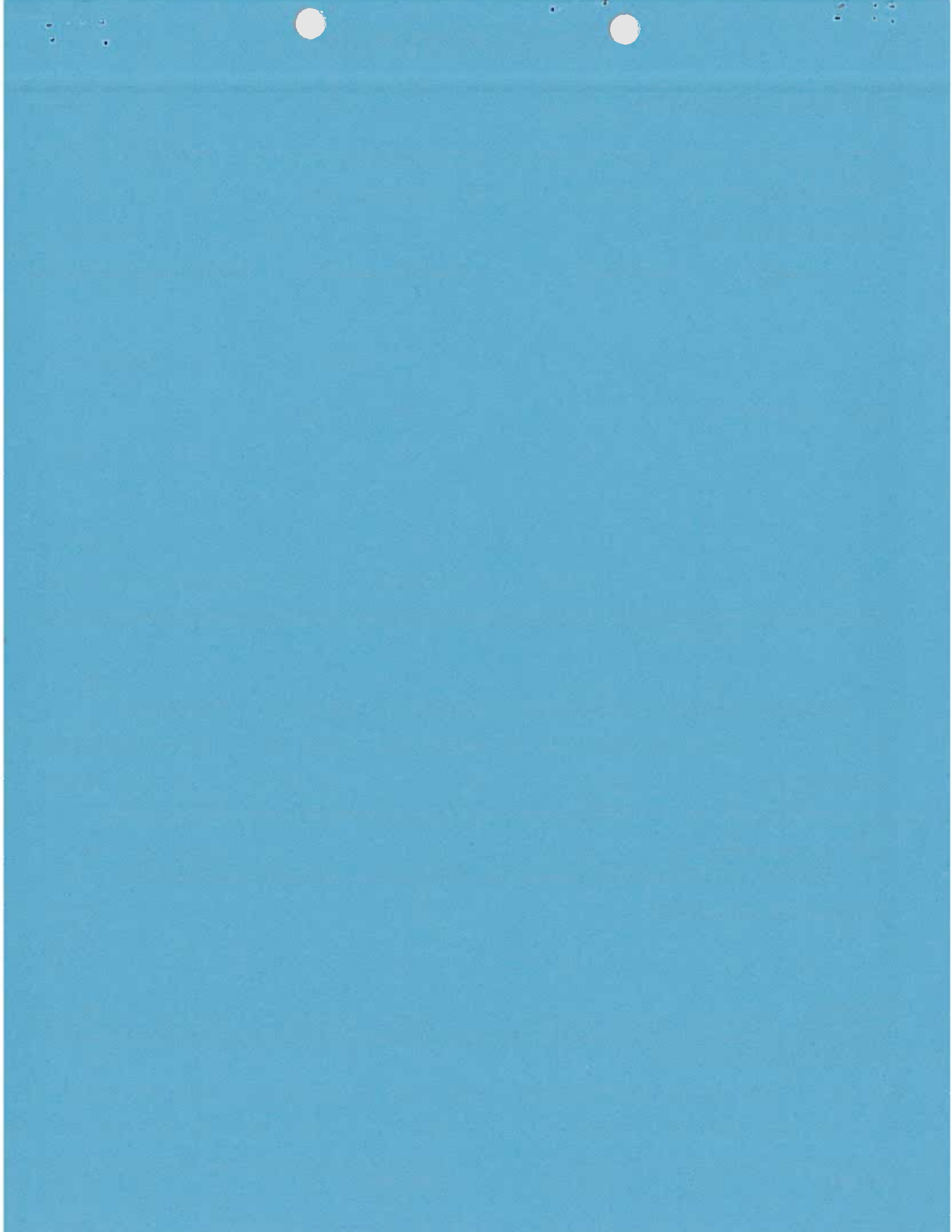
FOR the purpose of repealing Ordinance 04-887, as amended by Ordinance 08-99, which established the Uplands Renewal Area and Plan; and providing for a special effective date.

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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.



ACTION BY THE CITY COUNCIL

APR 16 2018

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON _____ 20 _____

COMMITTEE REPORT AS OF _____ 20 _____

_____ 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:

_____ 20 _____

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

THIRD READING _____ 20 _____

_____ 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