

**CITY OF BALTIMORE
COUNCIL BILL 09-0371
(First Reader)**

Introduced by: Councilmembers Spector, Middleton

Introduced and read first time: July 13, 2009

Assigned to: Urban Affairs and Aging 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, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Park Heights –**
3 **Amendment _**

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

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

16 **Recitals**

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

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

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

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

Council Bill 09-0371

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

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

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

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

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

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

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

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

5339 REISTERSTOWN ROAD	4511D 052
5341 REISTERSTOWN ROAD	4511D 053
5343 REISTERSTOWN ROAD	4511D 054
5345 REISTERSTOWN ROAD	4511D 055
5403 REISTERSTOWN ROAD	4511D 011 (REAR PORTION ONLY)
4025 W. ROGERS AVENUE	4511G 023A

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

LOT 7

5339 REISTERSTOWN ROAD	4511D 052
5341 REISTERSTOWN ROAD	4511D 053
5343 REISTERSTOWN ROAD	4511D 054
5345 REISTERSTOWN ROAD	4511D 055
5403 REISTERSTOWN ROAD	4511E 011
4045 LEWISTON AVENUE	4511D 056
4041 LEWISTON AVENUE	4511D 057
4025 W. ROGERS AVENUE	4511G 023A

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

Council Bill 09-0371

1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Park Heights,
2 as amended by this Ordinance and identified as “Urban Renewal Plan, Park Heights, revised to
3 include Amendment __, dated July 13, 2009”, is approved. The Department of Planning shall file
4 a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a
5 permanent public record, available for public inspection and information.

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

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

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

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