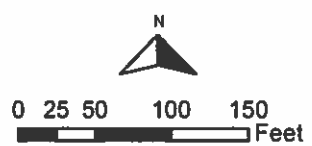


**LEGEND**

- Project Boundary
- Community Business
- Office-Residential
- Community Commercial
- Industrial
- Parking

# MOUNT WASHINGTON VILLAGE BUSINESS AREA

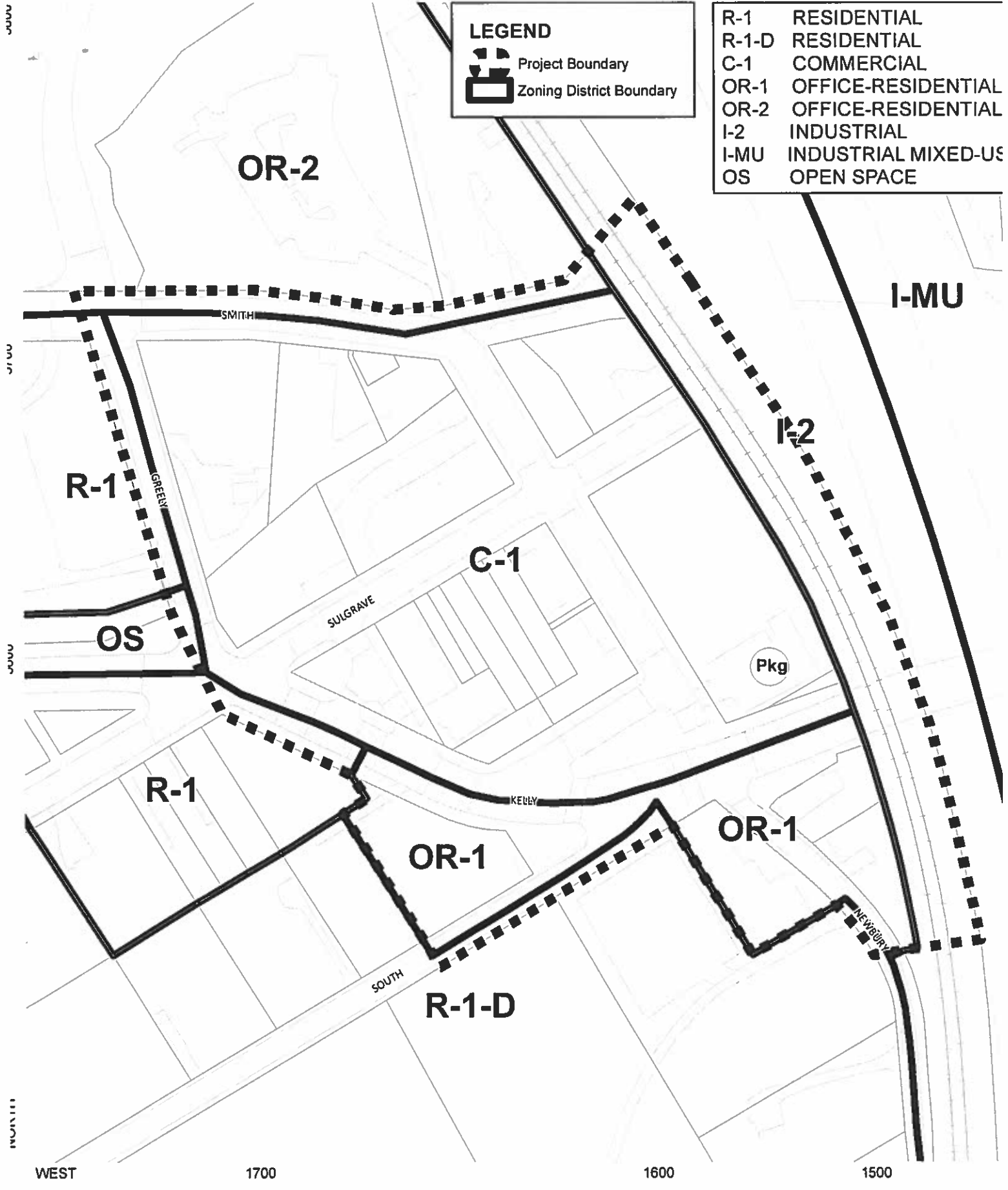
BALTIMORE CITY  
DEPARTMENT OF PLANNING




108


<b>LAND USE PLAN</b>		<b>EXHIBIT</b> <b>1</b>
DATE:	4/22/76	
REVISION:	8/17/17	





**LEGEND**

 Project Boundary

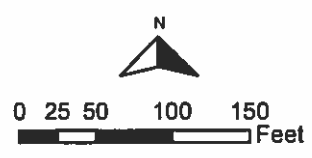
 Zoning District Boundary

R-1	RESIDENTIAL
R-1-D	RESIDENTIAL
C-1	COMMERCIAL
OR-1	OFFICE-RESIDENTIAL
OR-2	OFFICE-RESIDENTIAL
I-2	INDUSTRIAL
I-MU	INDUSTRIAL MIXED-US
OS	OPEN SPACE

WEST 1700 1600 1500

**MOUNT WASHINGTON VILLAGE BUSINESS AREA**

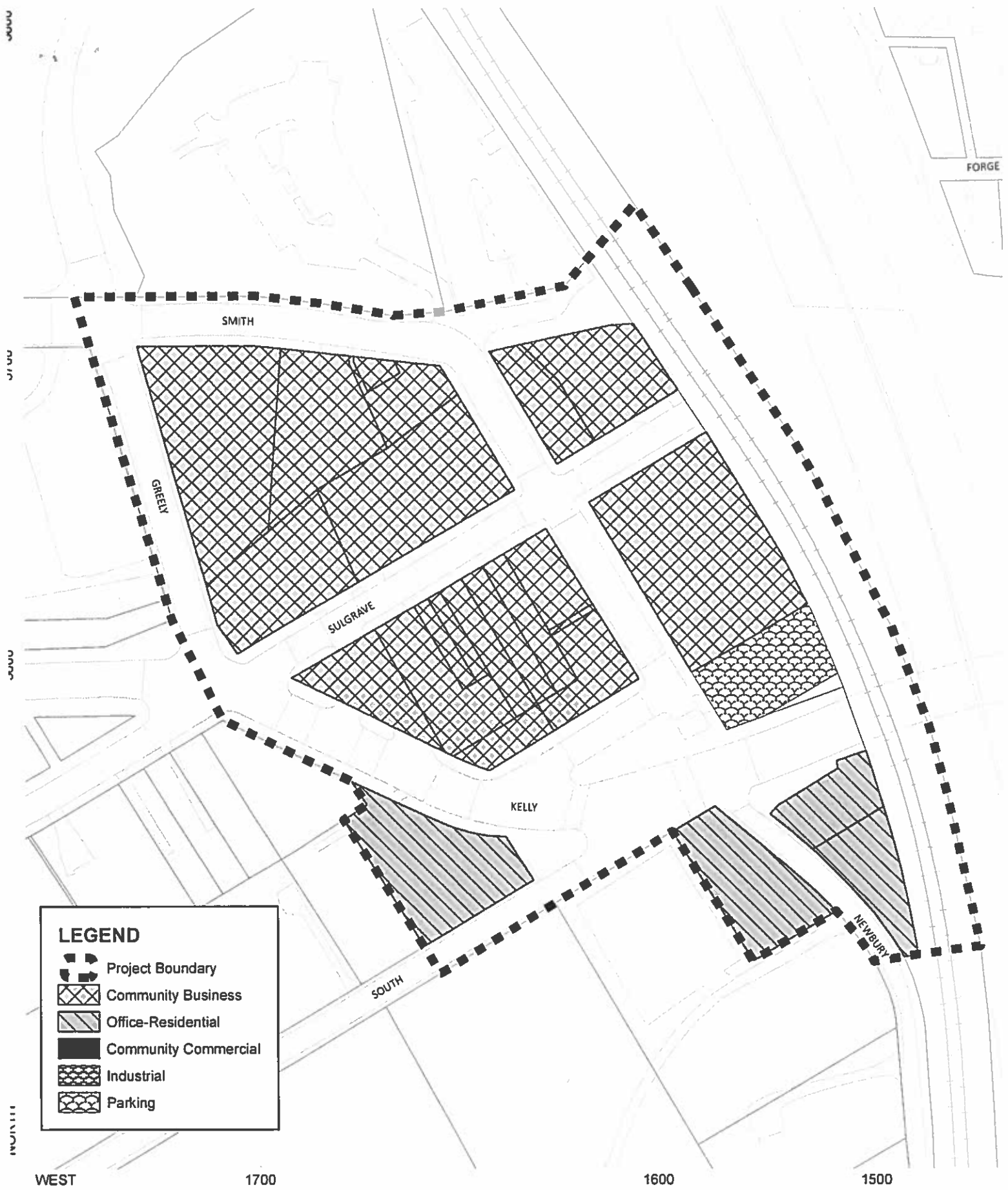
BALTIMORE CITY  
DEPARTMENT OF PLANNING









<b>ZONING DISTRICT</b>	
DATE:	4/22/76
REVISION:	8/17/17

EXHIBIT  
**2**





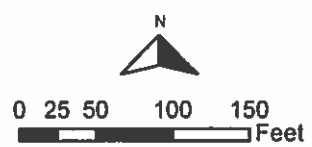
**LEGEND**

-  Project Boundary
-  Community Business
-  Office-Residential
-  Community Commercial
-  Industrial
-  Parking

WEST 1700 1600 1500

# MOUNT WASHINGTON VILLAGE BUSINESS AREA

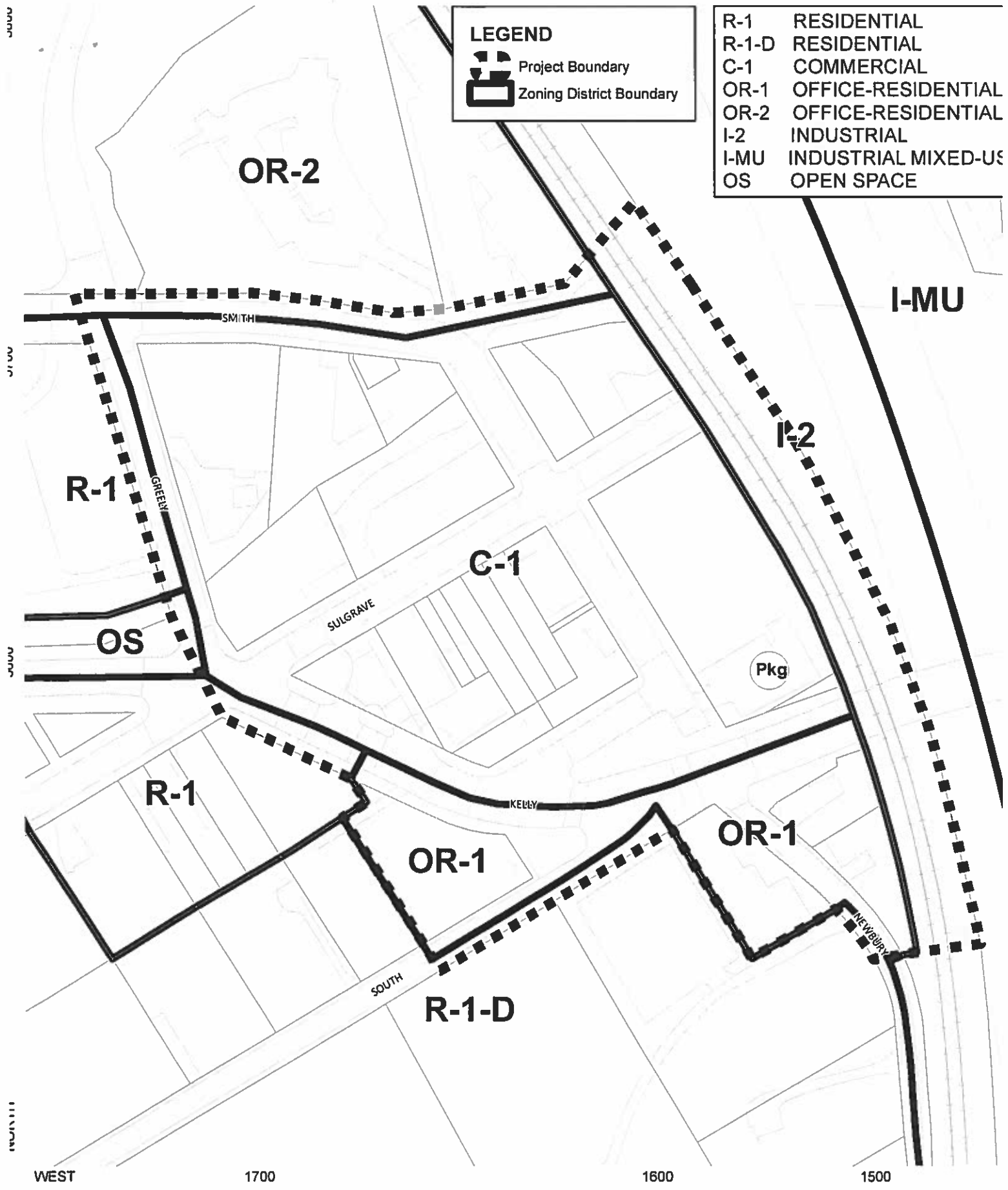
BALTIMORE CITY DEPARTMENT OF PLANNING



<b>LAND USE PLAN</b>		<b>EXHIBIT 1</b>
DATE:	4/22/76	
REVISION:	8/17/17	

108





**LEGEND**

Project Boundary

Zoning District Boundary

R-1	RESIDENTIAL
R-1-D	RESIDENTIAL
C-1	COMMERCIAL
OR-1	OFFICE-RESIDENTIAL
OR-2	OFFICE-RESIDENTIAL
I-2	INDUSTRIAL
I-MU	INDUSTRIAL MIXED-US
OS	OPEN SPACE

# MOUNT WASHINGTON VILLAGE BUSINESS AREA

BALTIMORE CITY  
DEPARTMENT OF PLANNING



ZONING DISTRICT

DATE:  
4/22/76


REVISION:  
8/17/17

EXHIBIT  
**2**





TJS

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, 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 #17-0108 / AMENDING MT. WASHINGTON VILLAGE BUSINESS AREA URBAN RENEWAL PLAN		

DATE:

TO

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

August 18, 2017

At its regular meeting of August 17, 2017, the Planning Commission considered City Council Bill #17-0108, for the purpose of amending the Urban Renewal Plan for the Mt. Washington Village Business Area.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #17-0108 and adopted the following resolution; seven members being present (seven in favor).

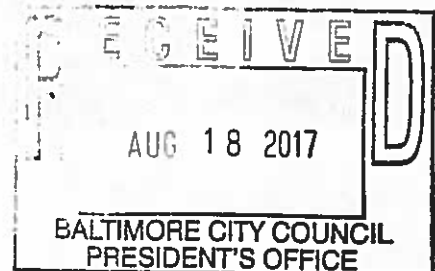
**RESOLVED**, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0108 be amended and passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- 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. David Tanner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Sharon Daboin, DHCD  
Mr. Patrick Fleming, DOT  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Ms. Natawna Austin, Council Services  
Mr. Alfred Barry, Development Consultant



Fav w/Amend





*Catherine E. Pugh  
Mayor*

**PLANNING COMMISSION**

*Wilbur E. "Bill" Cunningham, Chairman*



*Thomas J. Stosur  
Director*

**STAFF REPORT**

**August 17, 2017**

**REQUEST: City Council Bill #17-0108/ Urban Renewal- Mt. Washington Village Business Area – Amendment #1 :**

For the purpose of amending the Urban Renewal Plan for Mt. Washington Village Business Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

**City Council Bill #17-0109/ Rezoning – 1700 South Road:**

For the purpose of changing the zoning for a portion of the property known as 1700 South Road, as outlined in red on the accompanying plat, from the R-1D Zoning District to the OR-1 Zoning District.

**RECOMMENDATION:** City Council Bill #17-0108 - Amend and Approve  
City Council Bill #17-0109 - Approve

**STAFF:** Laurie Feinberg

**PETITIONER:** Blue Ocean Realty

**SITE/GENERAL AREA**

**Site Conditions:** The subject site is within the Mount Washington Village neighborhood. It is bounded by South Road and Kelly Avenue. The residential community borders the property on the west.

**General Area:** The church property lies within the greater Mount Washington community. The village is mostly 2-3 story commercial buildings dating to the mid-1800's. It was one of the earliest Baltimore suburbs. To the south and west of the village are primarily single family detached houses on large lots and to the north is a large satellite campus/ conference center of Johns Hopkins University, formerly USF&G. The eastern boundary is interstate 83 and the light rail tracks. The village is also served by a light rail stop with commuter parking.



## **HISTORY**

There are no previous legislative or Planning Commission actions regarding this site.

## **CONFORMITY TO PLANS**

The proposed action would be consistent with provisions of the Baltimore City Master Plan LIVE Goal 1 Objective 2: Strategically Redevelop Vacant Properties Throughout the City.

## **ANALYSIS**

Currently the church and parsonage house at 1700 South Road in Mount Washington are vacant and for sale. The most recent congregation was unable to maintain the buildings and put them for sale. They are considered contributing structures to the Mount Washington Historic District and currently zoned for R-1-D, low density residential use. The contract purchaser would like to use the church for an office building.

The purchaser has worked with the Mount Washington Improvement Association and Mount Washington Merchants to develop a reuse plan for this vacant site. The plans include incorporating the church building as part of the Village and allowing for office use, while the parsonage portion of the site, will remain residentially zoned.

The renovation of the vacant church building was reviewed and approved by the Commission for Architectural and Historical Preservation after two public hearings. The church will be totally renovated with an outdoor terrace space on the village side.

### **City Council Bill #17-0108 – URP Amendment:**

This Council Bill is to amend the Mount Washington Village Urban Renewal Plan to include a portion of 1700 South Road, recommend OR-1 zoning for that portion and delete the acquisition and disposition maps and language as it is no longer needed.

This Urban Renewal plan was written in 1976 and has not been amended since that time. This proposal permitted staff to take a look at the plan and make some updates and corrections. We had initially proposed a more comprehensive update to be consistent with TransForm, but the community preferred to take more time to review those additional changes. The amendments listed below reflect the needed updates with community input. (Attached is a redline version of the plan with these amendments)

1. Remove the boundary description and replace with a map. We discovered a significant error in the description from 1976 and recommend using an easy to read map instead.
2. Reference that land uses are based on zoning code.
3. Refer to Bulk and Yard regulations by their proper title.
4. Remove reference to B-2-2 and replace with C-1, the current zoning.
5. Remove reference to M-1 use requirements as there is no longer M zoning.
6. Make clear that if there is a conflict between this plan and zoning the stricter governs
7. Prohibit radio and television antennas.
8. Delete Public Land use section as there is no longer an application for that.



9. Delete regulations related to acquisition and relocation as that is no longer planned.
10. Add a section on community review that gives the Improvement association and merchant association up to 30 days to comment on new development or significant rehabilitation.
11. Add a twenty year expiration date for the Urban Renewal Plan.
12. Change review period for amendments to the plan to minimum of 60 days.
13. Update Table of Contents and relevant cross references

**City Council Bill #17-0109 – Rezoning:**

This Council Bill is to rezone a portion of 1700 South Road from R-1D to OR-1. The proposed project is to reuse an existing building for an office use. Below is the staff's review of the required considerations of §5-508(b)(3) of Article 32 – *Zoning*, where staff finds that this change is in the public's interest, in that it is compatible with the surrounding area and uses in this section of the Mt. Washington neighborhood.

Below are the approval standards under §5-508(b) of Article 32 – *Zoning* for proposed zoning map amendments:

(b) *Map amendments.*

(1) *Required findings.*

As required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either:

- (i) a substantial change in the character of the neighborhood where the property is located; or
- (ii) a mistake in the existing zoning classification.

(2) *Required findings of fact.*

In making the determination required by subsection (b)(1) of this section, the City Council must also make findings of fact that address:

- (i) population changes;
- (ii) the availability of public facilities;
- (iii) present and future transportation patterns;
- (iv) compatibility with existing and proposed development for the area;
- (v) the recommendations of the City agencies and officials; and
- (vi) the proposed amendment's consistency with the City's Comprehensive Master Plan.

(3) *Additional standards – General*

Additional standards that must be considered for map amendments are:

- (i) existing uses of property within the general area of the property in question;
- (ii) the zoning classification of other property within the general area of the property in question;
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and
- (iv) the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.

**Maryland Land Use Code – Requirements for Rezoning:**

The Maryland Land Use Code requires the Planning Commission to study the proposed changes in relation to: 1. The plan; 2. The needs of Baltimore City; and 3. The needs of the particular





neighborhood in the vicinity of the proposed changes (*cf.* Md. LAND USE Code Ann. 2012, §10-305). In reviewing this request, the staff finds that:

1. **The Plan:** The proposed action would be consistent with provisions of the Baltimore City Master Plan LIVE Goal 1 Objective 2: Strategically Redevelop Vacant Properties Throughout the City. In addition, it is keeping with the small scale nature of office and commercial of the existing Mt. Washington Business Area as shown in the Urban Renewal Plan
2. **The needs of Baltimore City:** Rezoning this site would make the vacant building available for re-use as a professional office, benefitting the immediate area and the City of Baltimore at large. The proposed rezoning to O-R-1 is the minimum needed to accomplish this purpose.
3. **The needs of the particular neighborhood:** Enabling constructive re-use of this site by enacting the proposed rezoning would allow the applicant to reuse the building for active use, thus preventing this historic property from falling into disrepair.

Similarly, the Land Use article requires the City Council to make findings of fact (*cf.* Md. LAND USE Code Ann. 2012, §10-304). The findings of fact include:

1. **Population changes;** The Mt. Washington neighborhood experienced a relatively small increase (less than 50 persons) from the 2000 Census to the 2010 Census, from a population of 3,853 to 3,878.
2. **The availability of public facilities;** This site is well-served by public facilities and City services, and no changes are expected in connection with the proposed rezoning.
3. **Present and future transportation patterns;** There are no changes expected to transportation patterns in the area.
4. **Compatibility with existing and proposed development for the area;** The proposed rezoning of this site is adjacent to an existing OR-1 Zoning district to the east. The site and the existing OR-1 zoning district are south of Kelly Avenue. This proposed rezoning is a continuation of the existing Mt. Washington Business Area that exists, and it becomes a natural extension, that is both sides of Kelly Avenue, being part of the village.
5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** For the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission.
6. **The relation of the proposed amendment to the City's plan.** As described above, the proposed zoning change is compatible with the City's Master Plan and the existing Mt. Washington Urban Renewal Plan.

Per §5-508(1) of Article 32 – *Zoning*, and as required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification.



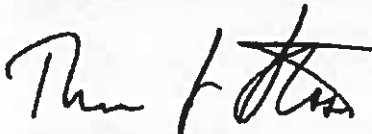
**Mistake:**

The property at 1700 South Road is vacant and has been unable to be reused as a church or other R-1-D reuse. While the new zoning code was rewritten to include more mixed use zoning categories and the ability to reuse non-residential structures in high-density residential zones for limited commercial uses, this provision does not extend to lower-density residential zoning categories. The existing religious institution structure is not suitable for reuse as residential and has close proximity to the commercial area. Without the provision to reuse for commercial, the site likely would continue to remain vacant.

The property consists of two buildings, a significant church facing directly toward the village and a parsonage house adjacent to the single family homes along South road. The Village itself consists of C-1 zoned properties at its heart with OR-1 zoned properties on the periphery. There are limitations on the church to be reused for residential because of the site conditions such as topography and limited room for building expansion. In addition, the restriction on the building as part of a local historic district, make the R-1-D zoning a mistake. In most cases residential conversions of churches have been for multi-family conversions, and would be most suited for this structure, which are not allowed in the R-1D zoning district, thus, making OR-1 a more appropriate category.

In addition, generally speaking the property is currently vacant, but the proposal to use the existing church building at 1700 South Road for office use is compatible to the general area of the property and for the reuse of the building itself. The remainder of the parcel will remain residentially zoned and serve as a transition to the residential area.

**Notification:** Mount Washington Improvement Association and Mount Washington Merchants have been notified of this action.



**Thomas J. Stosur**  
**Director**



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall  
Baltimore, Maryland 21202

September 21, 2017

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

Re: City Council Bill 17-0108 – Urban Renewal – Mt. Washington Village  
Business Area - Amendment

Dear President and City Council Members:

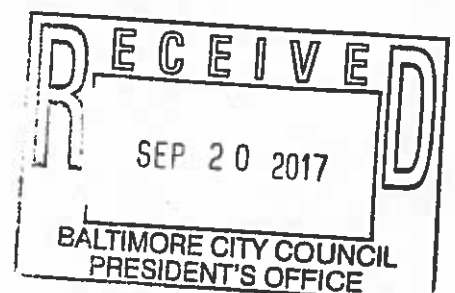
The Law Department has reviewed City Council Bill 17-0108 for form and legal sufficiency. The bill amends the Urban Renewal Plan for Mt. Washington Village Business Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road. The bill also deletes a certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, waives certain content and procedural requirements, makes the provisions of this Ordinance severable and provides for the application of this Ordinance in conjunction with certain other ordinances. The bill has an immediate effective date.

The Baltimore City Code (BCC) requires that any change to an Urban Renewal Plan be made by ordinance. BCC Art. 13, § 2-6(g)(1). Where, as here, a change is proposed by a Councilmember, the ordinance must be referred for review to the Department of Housing and Community Development and the Planning Commission. BCC Art. 13, Section 2-6(h)(4). As this is the appropriate mechanism for making changes to the Plan, the Law Department approves the bill for form and legal sufficiency.

Sincerely,


A handwritten signature in black ink, appearing to read "Victor K. Tervala".

Victor K. Tervala  
Chief Solicitor



*Fav w/ comments*






cc: Andre Davis, City Solicitor  
Karen Stokes, Director, Mayor's Office of Government Relations  
Kyron Banks, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Jennifer Landis, Assistant City Solicitor





<b>FROM</b>	<b>NAME &amp; TITLE</b>	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE <b>MEMO</b>	
	<b>AGENCY NAME &amp; ADDRESS</b>	Department of Public Works 600 Abel Wolman Municipal Building		
	<b>SUBJECT</b>	<b>CITY COUNCIL BILL 17-0108</b>		

DATE August 22, 2017

TO

The Honorable President and Members  
of the Baltimore City Council  
c/o Natawna Austin  
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0108 introduced by Councilman Schleifer at the request of Blue Ocean Realty.

The purpose of this Bill is to amend the Urban Renewal Plan for Mt. Washington Village Business Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland; waive certain content and procedural requirements; make the provisions of this Ordinance severable; provide for the application of this Ordinance in conjunction with certain other ordinances; and provide for a special effective date.

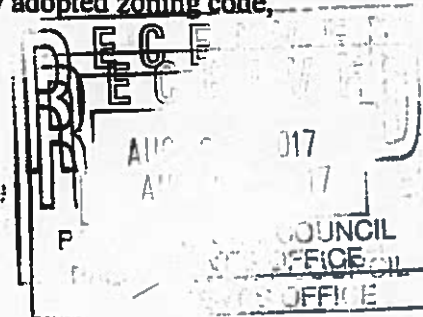
The Urban Renewal Area is bounded by Smith Avenue, Greely Road, Kelly Avenue, Newbury Street, and the Northern Central Railroad. When the Urban Renewal Plan was written in 1976, it was designed to be a neighborhood retail business district and the underlying zoning was a mix of commercial and office residential.

A vacant church and parsonage house at 1700 South Road are for sale and the contract purchaser proposes to use the church for an office building. The applicant would like to incorporate the church into the Mt. Washington Village Business Area Urban Renewal Plan and would like to rezone the church from the residential R-1D designation to OR-1 which would allow for an office use.

There have been no updates to the Urban Renewal Plan since it was implemented over 30 years ago. The Planning Department took this opportunity to work with the community to make appropriate updates and corrections to the full plan, including making the Plan consistent with the recently adopted zoning code, TransForm Baltimore.

City Council Bill 17-0108, if approved, would:

1. Remove the boundary description and replace it with a map
2. Reference that land uses are based on zoning code
3. Refer to Bulk and Yard regulations by their proper title
4. Remove reference to B-2-2 and replace it with C-1, the current zoning



No obj



5. Remove reference to M-1 use requirements as there is no longer M zoning
6. Make clear that if there is a conflict between this plan and zoning the stricter governs
7. Prohibit radio and television antennas
8. Delete Public Land use section as there is no longer an application

Companion legislation (City Council Bill 17-0109) would rezone a portion of 1700 South Road from R-1D to OR-1.

It is this Department's understanding that the Mount Washington Improvement Association and the Mount Washington Merchants have been notified of this action. Based on these findings, the Department of Public Works has no objection to the passage of City Council Bill 17-0108.

Sincerely,

A handwritten signature in cursive script that reads "R. S. Chow for P.E.".

Rudolph S. Chow, P.E.  
Director

RSC/KTO



The 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

*MB*

Date: September 18, 2017

Re: City Council Bill 17-0108 - Urban Renewal – Mt. Washington Village Business Area -  
Amendment

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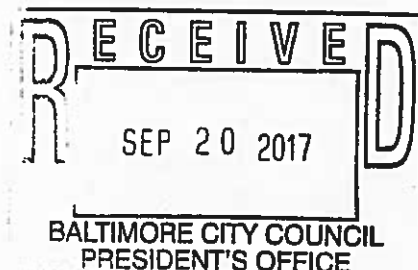
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0108, for the purpose of amending the Urban Renewal Plan for Mt. Washington Village Business Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

If enacted, this companion bill to City Council Rezoning Bill 17-0109, would support successful redevelopment of a vacant church building in the Mt. Washington Village Business Area by amending the Mt. Washington Village Business Area Urban Renewal Plan to delete obsolete and outdated provisions and exhibits. This bill would support a new owner's vision of incorporating the vacant church building for office use in the Village.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0108.

MB:sd

*[Handwritten mark]*







**Baltimore**  
Development Corporation

## MEMORANDUM

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

**FROM:** William H. Cole, President and CEO *WHC*

**DATE:** August 31, 2017

**SUBJECT:** City Council Bill 17-0108  
Urban Renewal – Mt. Washington Village Business Area – Amendment

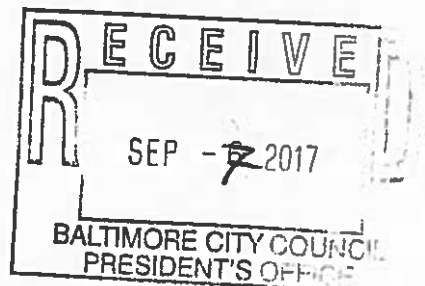
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The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill 17-0108, for the purpose of modifying the Mt. Washington Village Business Area Urban Renewal Plan to delete certain provisions and exhibits made obsolete by updated Maryland state laws and revise other exhibits to reflect boundary and zoning changes made obsolete by a separate ordinance (17-0109).

The BDC supports this Bill. This amendment will address challenges posed by the existing Urban Renewal Plan and appropriately allow properties to contribute to the overall vitality of the Mt. Washington Village Business Area.

The BDC respectfully requests that favorable consideration be given to City Council Bill No. 17-0108.

cc: Kyron Banks







## Hearing Notes:





501 N. Calvert St., P.O. Box 1377  
Baltimore, Maryland 21278-0001  
tel: 410/332-6000  
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5170748

**Sold To:**

Alfred W Barry III - CU00617534  
201 E Baltimore St  
Ste 1150  
Baltimore,MD 21202-1530

**Bill To:**

Alfred W Barry III - CU00617534  
201 E Baltimore St  
Ste 1150  
Baltimore,MD 21202-1530

Was published in "The Baltimore Sun", "Daily", a newspaper printed and published in Baltimore City on the following dates:

Sep 15, 2017; Sep 22, 2017

The Baltimore Sun Media Group

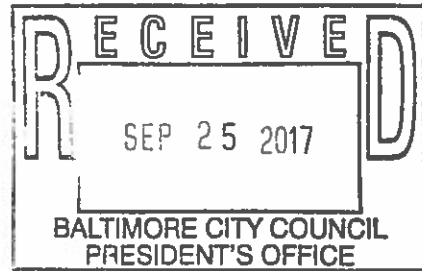
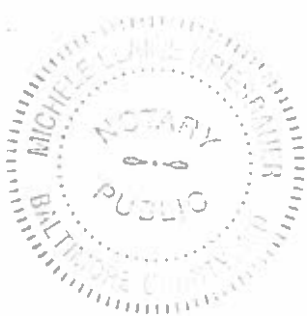
By *[Signature]*

Subscribed and sworn to before me this 20 day of sep 2017 17-0108

By *[Signature: Michele Elaine]*

Notary Public

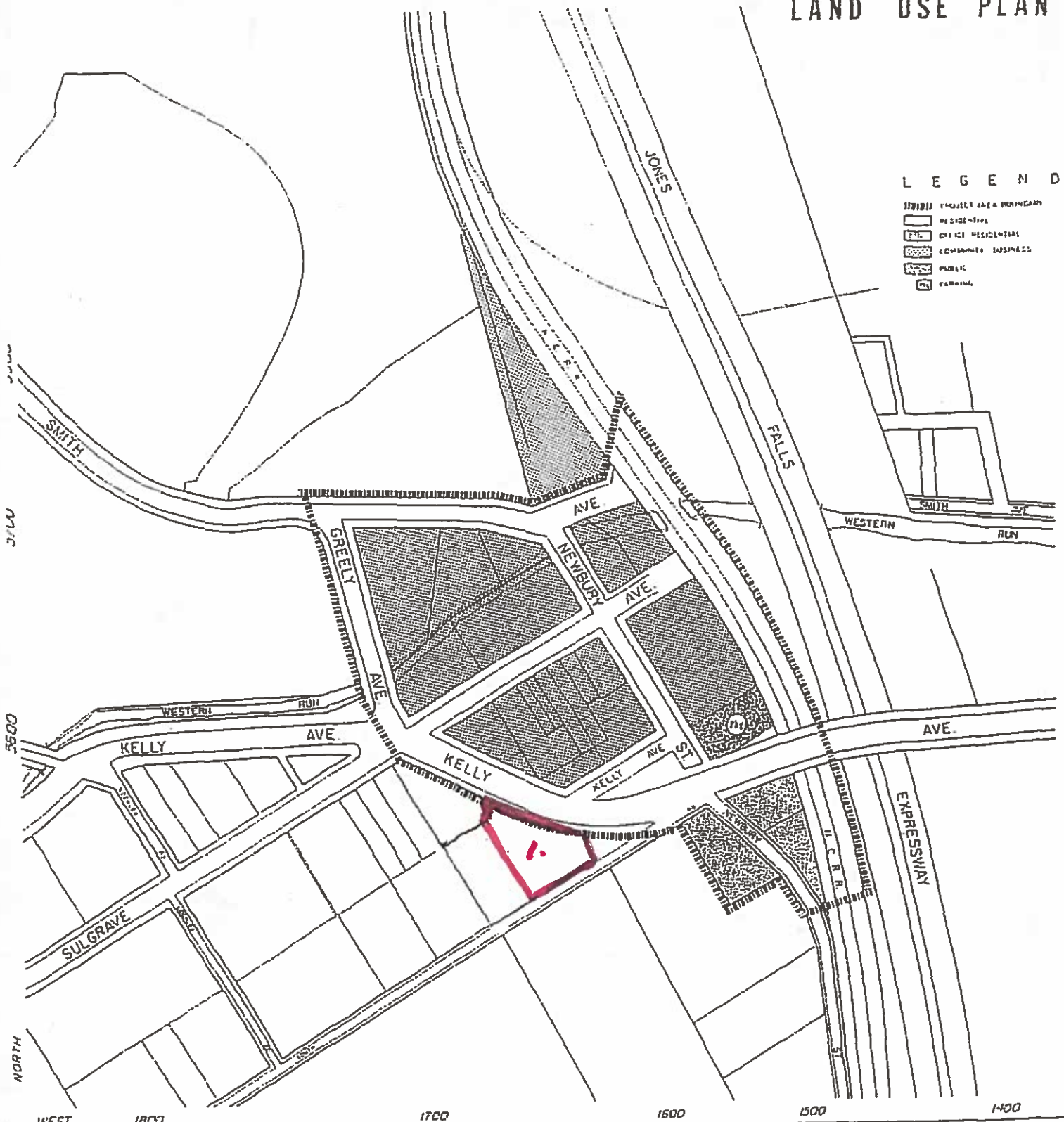
My commission expires 10/5/19



ALTIMORE CITY COUNCIL  
PUBLIC HEARING OF  
BILL NO. 17-0108  
The Housing and Urban Affairs Committee of the Baltimore City Council will meet on Thursday, September 28 at 2:00 P.M. in the City Chambers, to conduct a hearing on City Council 17-0108.  
CC 17-0108 ORDINANCE  
Urban Renewal - Mt. Vernon Village Business Area Amendment FOR the amendment of the Urban Renewal Plan for Mt. Vernon Village Business Area to the boundaries of the Plan to delete certain provisions of the Plan pertaining to powers of acquisition; termination made obsolete 12-105.1 of the Real Property Code of the Annotated Code of Maryland, to revise Exhibits to reflect the any modifications of and to reflect a change in the Ordinance, for a portion of property known as 11 Road, and to delete Exhibit made obsolete 12-105.1 of the Real Property Code of the Annotated Code of Maryland; and to delete content and procedures making the Ordinance severable for the application of the Ordinance in conjunction with other ordinances providing for a specific date.  
BY authority of Article 13 - Housing and Urban Renewal Section 2-6 Baltimore City Code (Edition 2000)  
NOTE: This bill is amendment by the City Council. John Bullock Chair



# LAND USE PLAN



**LEGEND**

	TRACT AND BOUNDARY
	RESIDENTIAL
	OFFICE RESIDENTIAL
	COMMERCIAL BUSINESS
	PUBLIC
	RAILROAD

## MT. WASHINGTON

PLANNING DIVISION  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BALTIMORE, MARYLAND



### LAND USE PLAN

DATE PREPARED	REVISION	<b>1</b>
DRAWN BY D.H.D.		
APPROVED		
		EXHIBIT

*1. CHANGE TO OFFICE-RESIDENTIAL LAND USE*

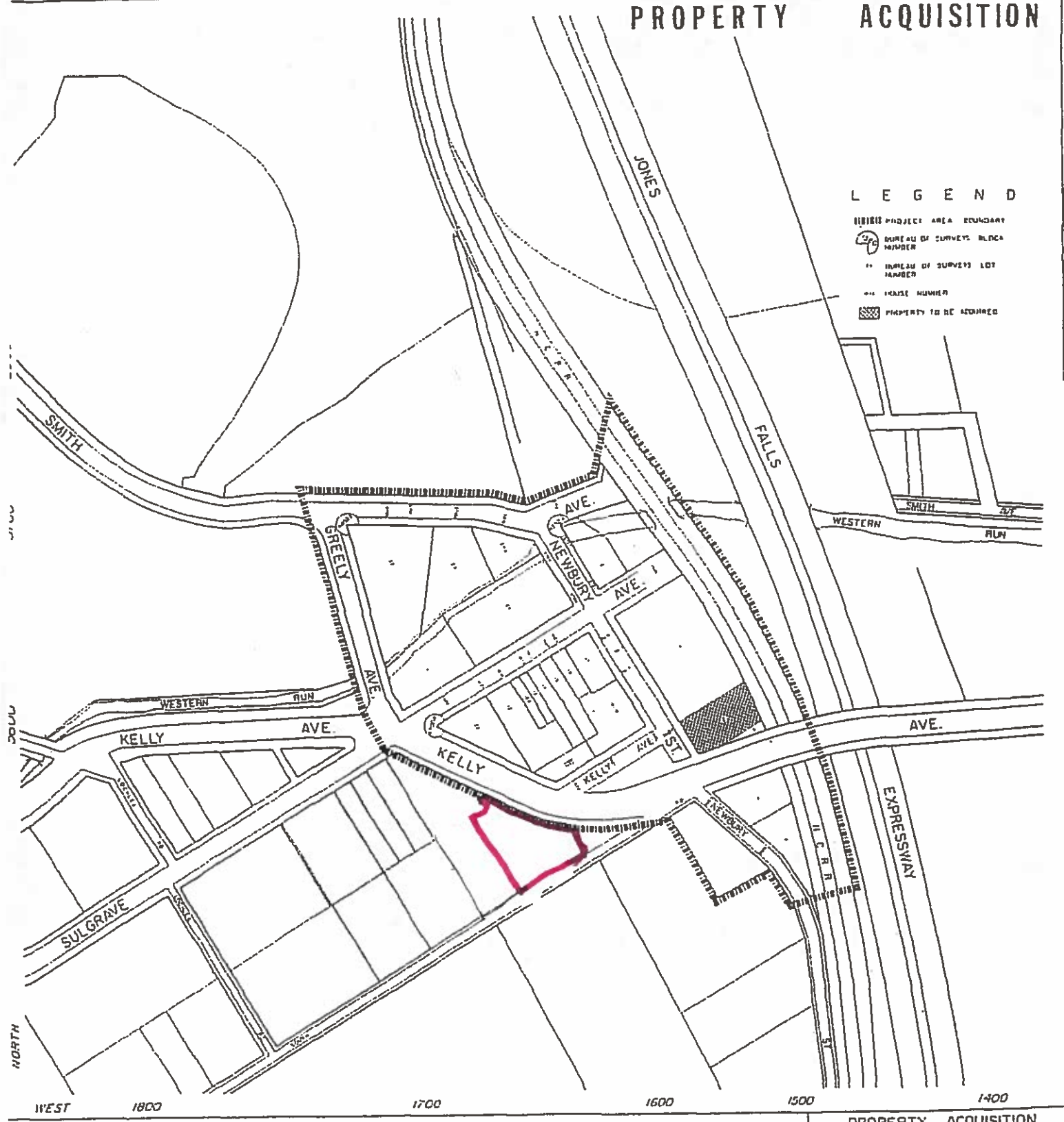
17-0108



# PROPERTY ACQUISITION

## LEGEND

- PROJECT AREA BOUNDARY
- ⊙ BUREAU OF SURVEYS BLOCK NUMBER
- ⊙ BUREAU OF SURVEYS LOT NUMBER
- HOUSE NUMBER
- ▨ PROPERTY TO BE ACQUIRED



# MT. WASHINGTON

PLANNING DIVISION



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



BALTIMORE, MARYLAND

## PROPERTY ACQUISITION

DATE	APPROVED	<b>2</b>
DRAWN BY		
APPROVED		

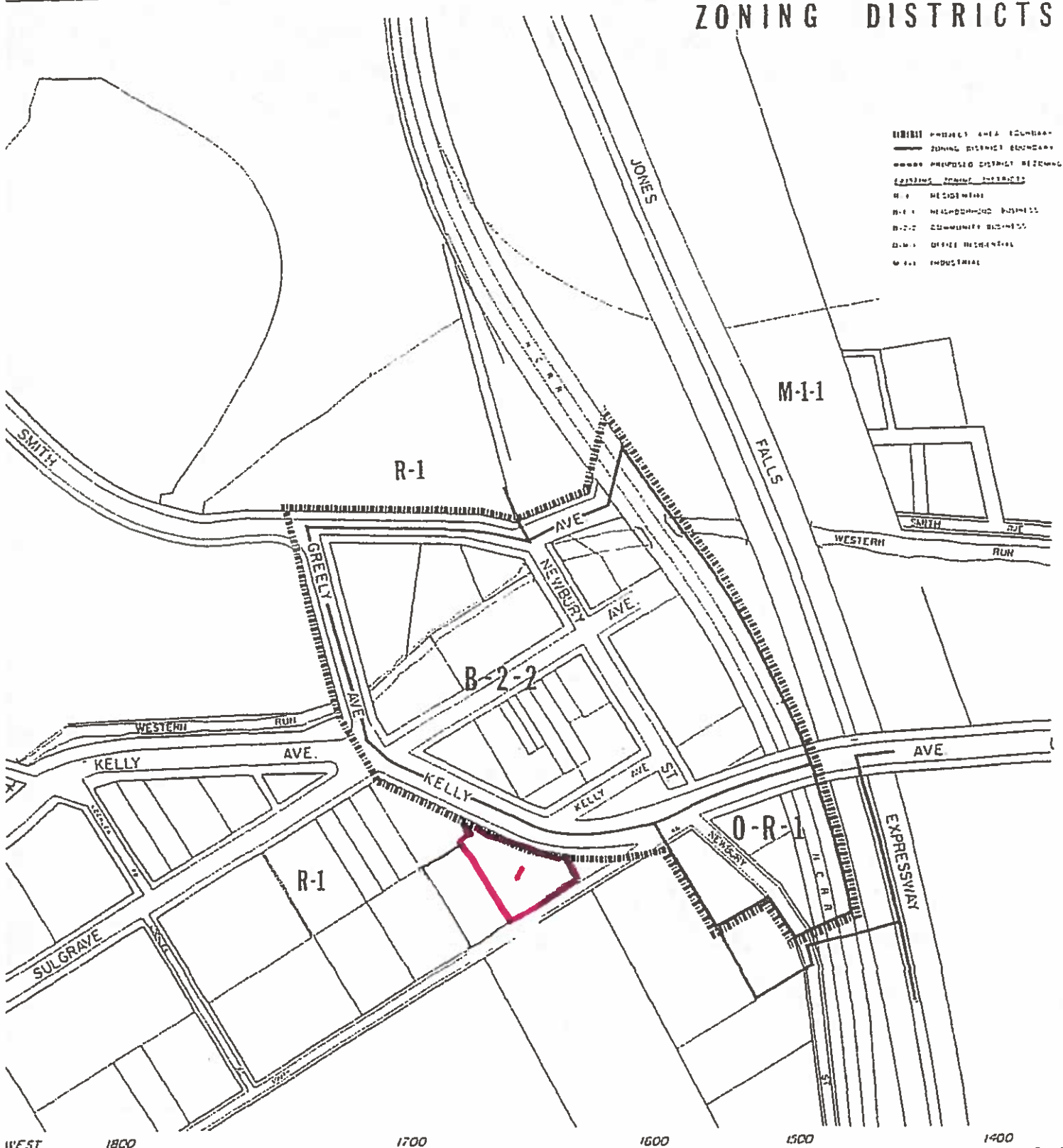
EXHIBIT





# ZONING DISTRICTS

- - - - - EXHIBIT PROJECT AREA BOUNDARY  
 - - - - - ZONING DISTRICT BOUNDARY  
 - - - - - PROPOSED DISTRICT BOUNDARY  
 - - - - - EXISTING ZONING DISTRICTS
- R-1 RESIDENTIAL  
 B-2-2 NEIGHBORHOOD BUSINESS  
 D-R-1 OFFICE RESIDENTIAL  
 M-1-1 INDUSTRIAL



## MT. WASHINGTON

PLANNING DIVISION



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BALTIMORE, MARYLAND

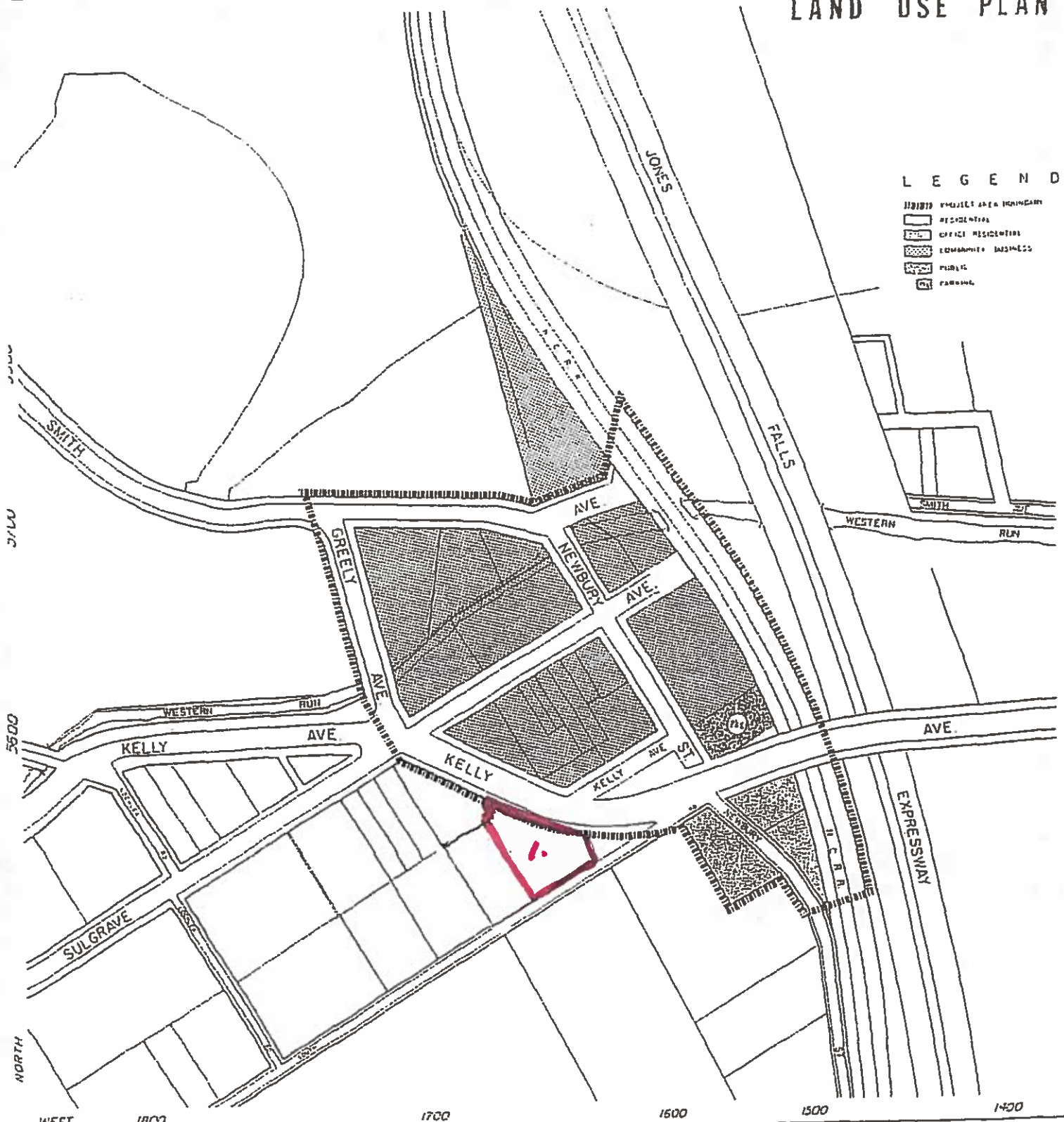
### ZONING DISTRICTS

DATE ISSUED	APPROVED	<b>4</b>
ISSUED BY		
APPROVED		
		EXHIBIT

**ZONING CHANGE**  
**1. FROM R-1 TO D-R-1**



# LAND USE PLAN



**LEGEND**

[Dotted pattern]	PROJECT AREA BOUNDARY
[Horizontal lines]	RESIDENTIAL
[Vertical lines]	OFFICE RESIDENTIAL
[Cross-hatch pattern]	COMMUNITY BUSINESS
[Diagonal lines]	PUBLIC
[Square with 'P']	PARKING

## MT. WASHINGTON

PLANNING DIVISION  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BALTIMORE, MARYLAND



### LAND USE PLAN

DATE: 11-22-66	REVISION:	<b>1</b>
APPROVED BY: [Signature]		
APPROVED:		

EXHIBIT






*1. CHANGE TO OFFICE-RESIDENTIAL LAND USE*

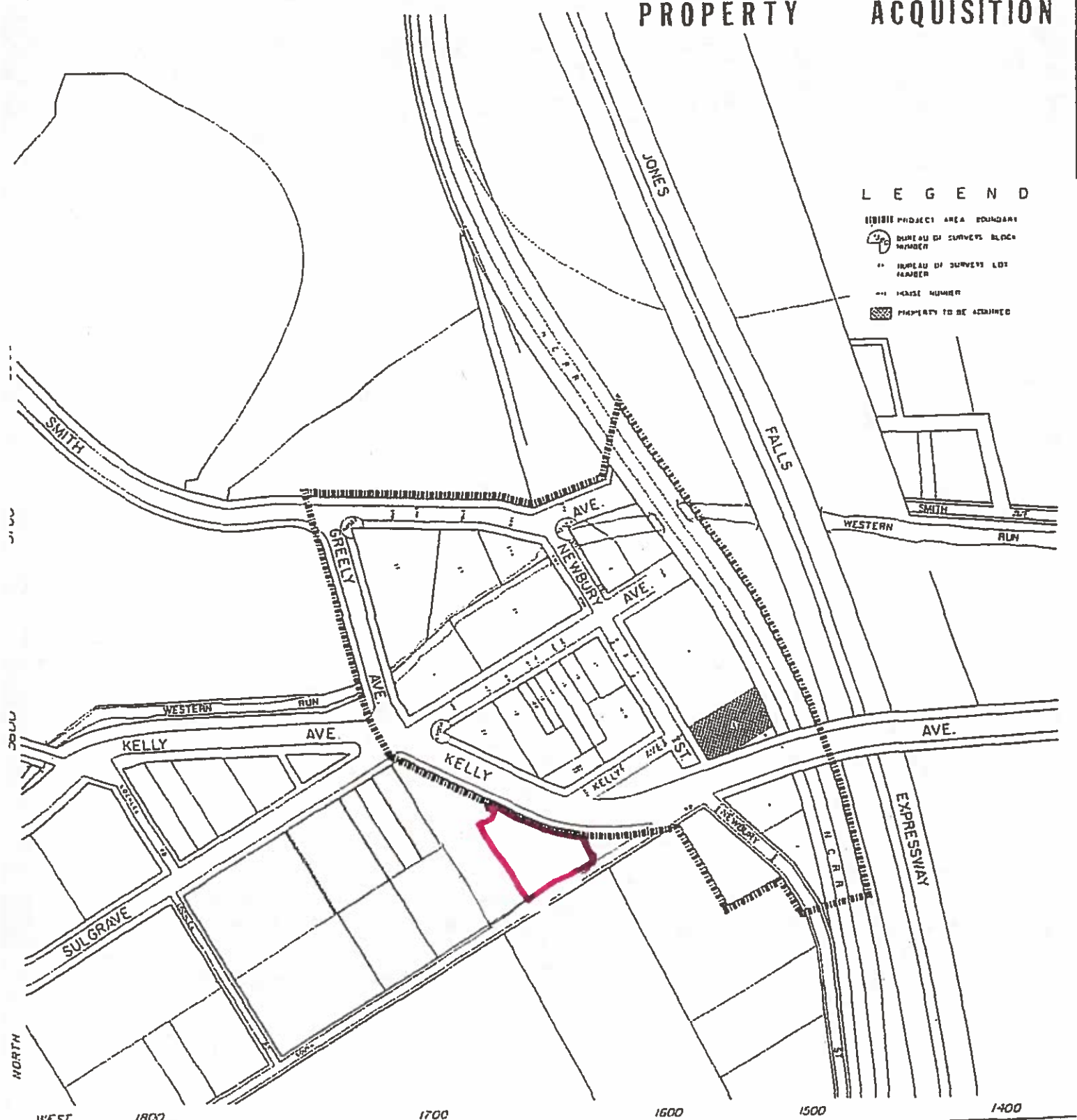
17-0108



# PROPERTY ACQUISITION

## LEGEND

-  PROJECT AREA BOUNDARY
-  BUREAU OF SURVEYS BLOCK NUMBER
-  BUREAU OF SURVEYS LOT NUMBER
-  HOUSE NUMBER
-  PROPERTY TO BE ACQUIRED



# MT. WASHINGTON

PLANNING DIVISION

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



BALTIMORE, MARYLAND

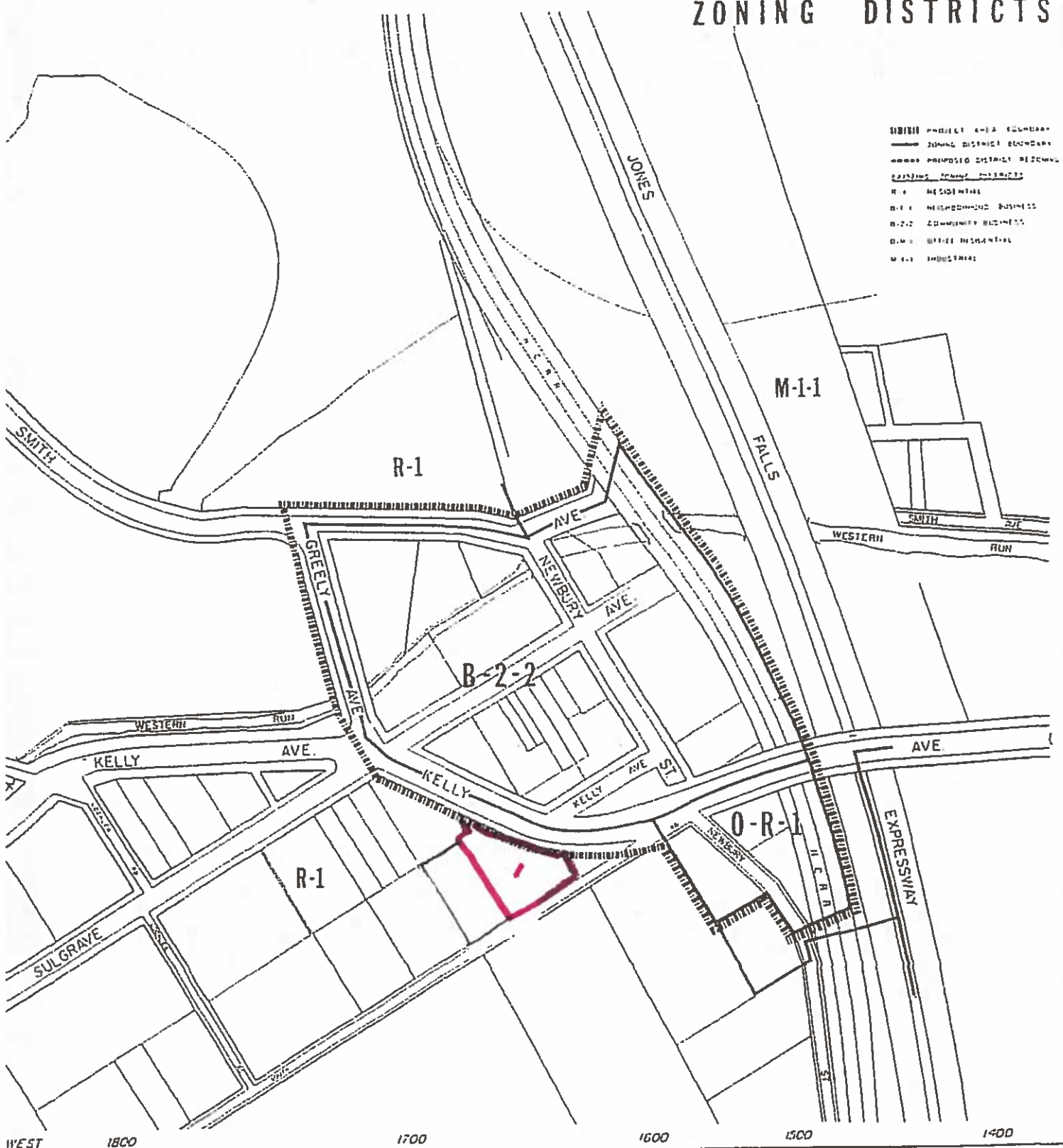
## PROPERTY ACQUISITION

DATE: 11-28-75	BY: [Signature]
BY: [Signature]	DATE: [Signature]
2	
EXHIBIT	



# ZONING DISTRICTS

- PROJECT AREA BOUNDARY
- ZONING DISTRICT BOUNDARY
- PROPOSED DISTRICT BOUNDARY
- ZONING DISTRICTS
- R-1 RESIDENTIAL
- O-R-1 RESIDENTIAL BUSINESS
- B-2-2 COMMUNITY BUSINESS
- O-M-1 OFFICE RESIDENTIAL
- M-1-1 INDUSTRIAL



WEST 1800 1700 1600 1500 1400

## MT. WASHINGTON

PLANNING DIVISION



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



BALTIMORE, MARYLAND

### ZONING DISTRICTS

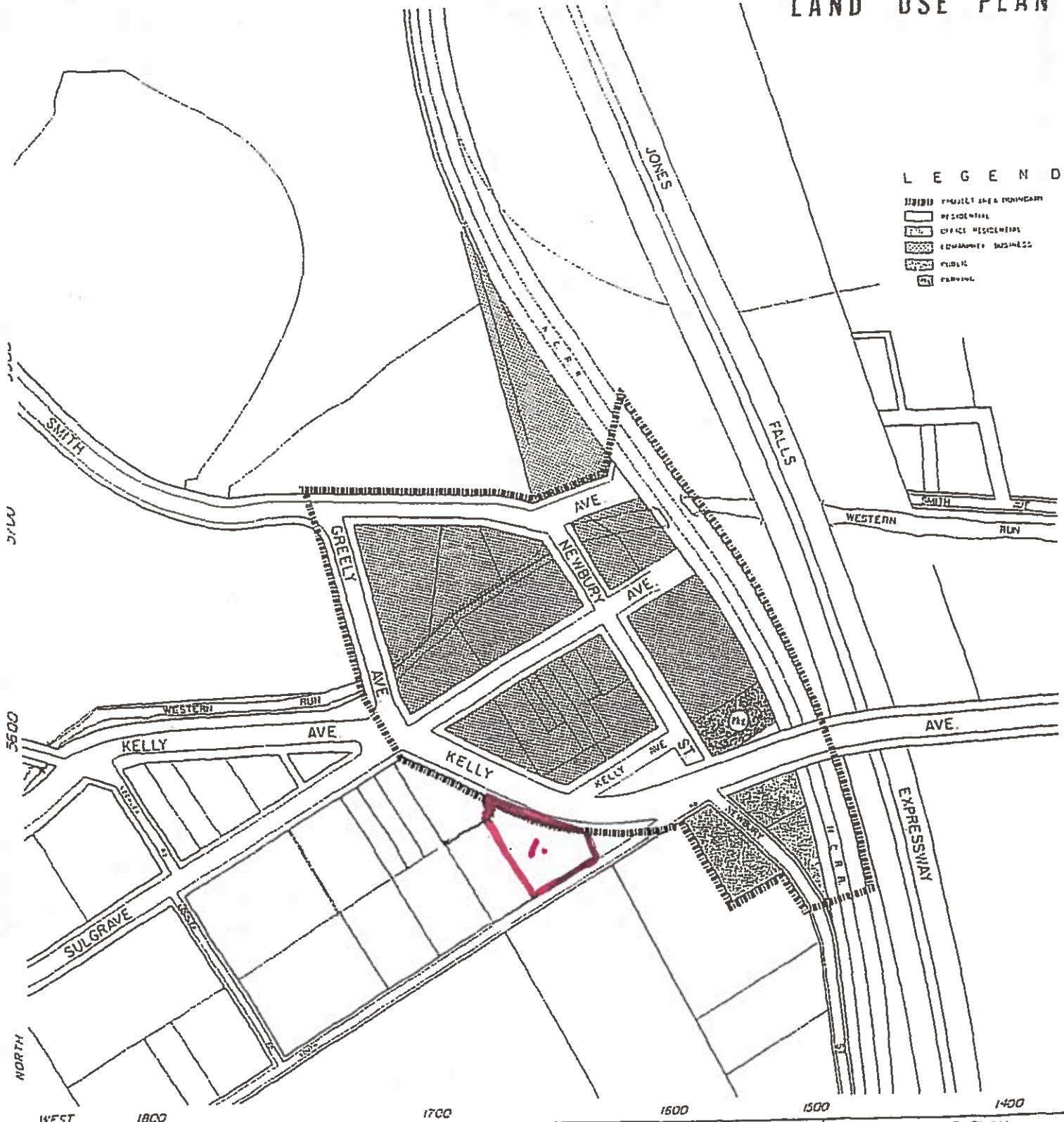
DATE REVISION	REVISION
DRAWN BY D.H.P.	
CHECKED BY	
4	
EXHIBIT	

**ZONING CHANGE**  
 1. FROM R-1 TO O-R-1





# LAND USE PLAN



## LEGEND

- OFFICE AND PROFESSIONAL
- RESIDENTIAL
- OFFICE RESIDENTIAL
- COMMUNITY BUSINESS
- PUBLIC
- PARKING

# MT. WASHINGTON

PLANNING DIVISION

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BALTIMORE, MARYLAND



## LAND USE PLAN

DATE APPROVED	REVISION	<b>1</b>
APPROVED BY		
APPROVED		

EXHIBIT

*1. CHANGE TO OFFICE-RESIDENTIAL LAND USE*

17-010B

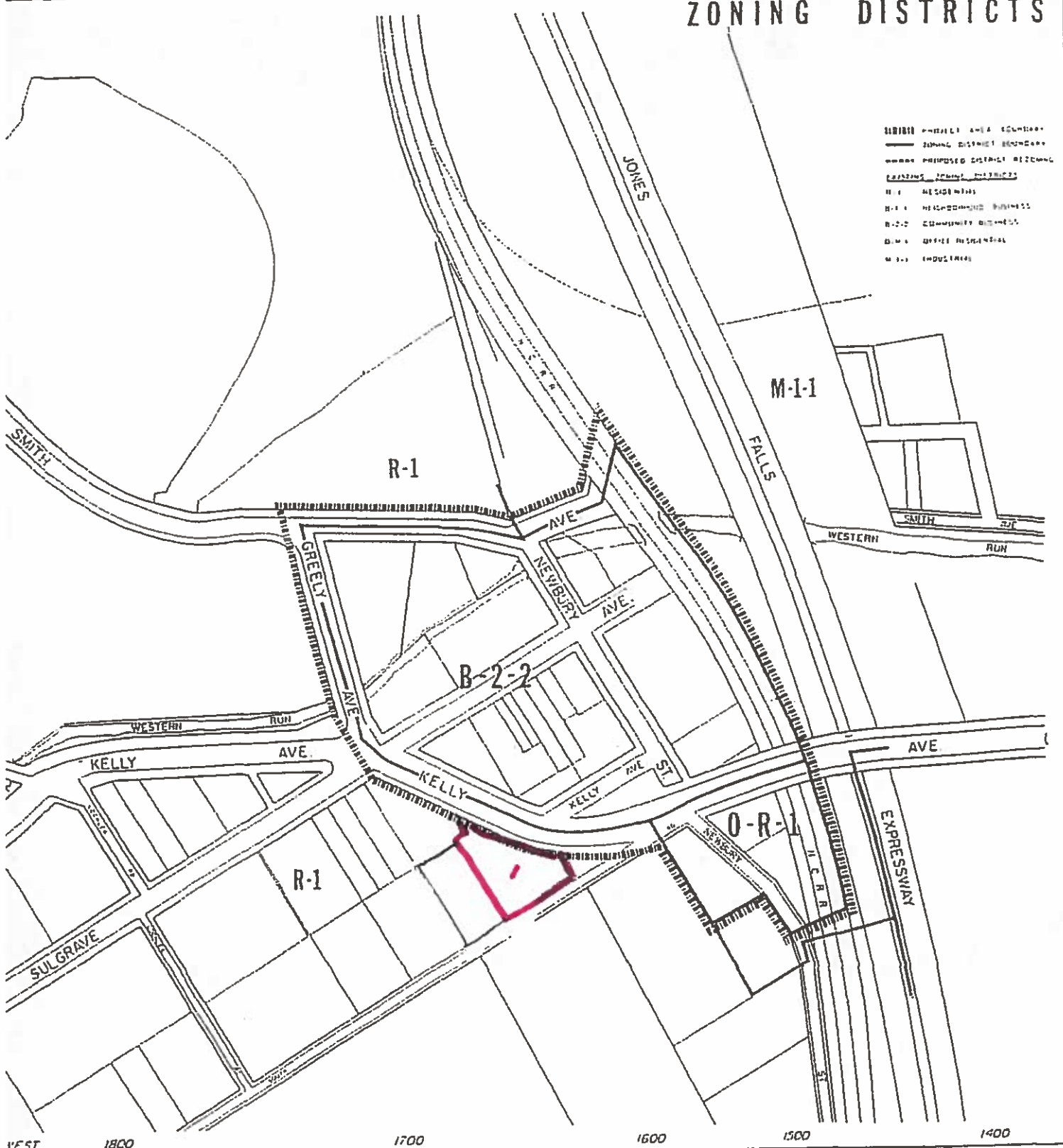






# ZONING DISTRICTS

- UNLAWFUL AREA BOUNDARY
- ZONING DISTRICT BOUNDARY
- PROPOSED DISTRICT BOUNDARY
- ZONING DISTRICT BOUNDARY
- R-1 RESIDENTIAL
- R-1-1 RESIDENTIAL BUSINESS
- B-2-2 COMMUNITY BUSINESS
- D-R-1 OFFICE RESIDENTIAL
- M-1-1 INDUSTRIAL



## MT. WASHINGTON

PLANNING DIVISION

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



BALTIMORE, MARYLAND

### ZONING DISTRICTS

DATE 0-22-76	REVISION 2-19-77	<b>4</b>
ISSUED BY G.H.P.		
APPROVED		
		EXHIBIT

*ZONING CHANGE  
1. FROM R-1 TO D-R-1*



**Krummerich, Richard**

---

**From:** Bullock, John  
**Sent:** Tuesday, September 26, 2017 4:05 PM  
**To:** Greg Sesek  
**Subject:** RE: Public Hearing on 1700 South Road, Mt. Washington

Hello Mr. Sesek,

Thank you for reaching out to our office and sharing this observation. The matter previously went before the Commission for Historical and Architectural Preservation where changes to the windows and removal of symbols were approved. We will look further into the situation regarding the signage.

Best Regards,

Dr. John Bullock  
Councilman, 9th District  
100 Holliday Street, Room 516  
Baltimore, MD 21202  
410-396-4815  
[john.bullock@baltimorecity.gov](mailto:john.bullock@baltimorecity.gov)

**From:** Greg Sesek [<mailto:gregsesek@gmail.com>]  
**Sent:** Tuesday, September 26, 2017 1:52 PM  
**To:** Bullock, John <[John.Bullock@baltimorecity.gov](mailto:John.Bullock@baltimorecity.gov)>  
**Subject:** Public Hearing on 1700 South Road, Mt. Washington


Dear Dr. Bullock,  
I am a resident of Mount Washington. I have been closely following the sale of the former St. John's Episcopal Church a few steps from my house. Last night I saw a notice posted and I would like more information about what this is about (Public Hearing on Bill No. 17-0108). I understand there has been a discussion about breaking the historical designation that I had assumed protected certain aspects of the structure and interior. I am alarmed that the sign is posted not at the front of the building where it could be seen, but rather around back. Someone needs to walk around the back of the building to see the notice. This is not in accordance with public hearing notifications. Can a new sign be posted at the front of the building and the hearing postponed so that the community has the opportunity to be appropriately notified?

Best,  
Greg Sesek  
1814 Sulgrave Ave.  
Baltimore, MD 21209

--  
Greg Sesek  
443-846-4550





<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, 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 #17-0108 / AMENDING MT. WASHINGTON VILLAGE BUSINESS AREA URBAN RENEWAL PLAN		

DATE:

**TO**

August 18, 2017

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

At its regular meeting of August 17, 2017, the Planning Commission considered City Council Bill #17-0108, for the purpose of amending the Urban Renewal Plan for the Mt. Washington Village Business Area.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #17-0108 and adopted the following resolution; seven members being present (seven in favor).

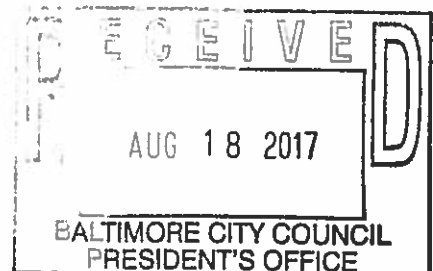
**RESOLVED**, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0108 be amended and passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

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. David Tanner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Sharon Daboin, DHCD  
Mr. Patrick Fleming, DOT  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Ms. Natawna Austin, Council Services  
Mr. Alfred Barry, Development Consultant



*Fav w/Amend*





*Catherine E. Pugh  
Mayor*

**PLANNING COMMISSION**

*Wilbur E. "Bill" Cunningham, Chairman*

**STAFF REPORT**



*Thomas J. Stosur  
Director*

**August 17, 2017**

**REQUEST: City Council Bill #17-0108/ Urban Renewal- Mt. Washington Village Business Area – Amendment #1 :**

For the purpose of amending the Urban Renewal Plan for Mt. Washington Village Business Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

**City Council Bill #17-0109/ Rezoning – 1700 South Road:**

For the purpose of changing the zoning for a portion of the property known as 1700 South Road, as outlined in red on the accompanying plat, from the R-ID Zoning District to the OR-1 Zoning District.

**RECOMMENDATION:** City Council Bill #17-0108 - Amend and Approve  
City Council Bill #17-0109 - Approve

**STAFF:** Laurie Feinberg

**PETITIONER:** Blue Ocean Realty

**SITE/GENERAL AREA**

**Site Conditions:** The subject site is within the Mount Washington Village neighborhood. It is bounded by South Road and Kelly Avenue. The residential community borders the property on the west.

**General Area:** The church property lies within the greater Mount Washington community. The village is mostly 2-3 story commercial buildings dating to the mid-1800's. It was one of the earliest Baltimore suburbs. To the south and west of the village are primarily single family detached houses on large lots and to the north is a large satellite campus/ conference center of Johns Hopkins University, formerly USF&G. The eastern boundary is interstate 83 and the light rail tracks. The village is also served by a light rail stop with commuter parking.



## **HISTORY**

There are no previous legislative or Planning Commission actions regarding this site.

## **CONFORMITY TO PLANS**

The proposed action would be consistent with provisions of the Baltimore City Master Plan LIVE Goal 1 Objective 2: Strategically Redevelop Vacant Properties Throughout the City.

## **ANALYSIS**

Currently the church and parsonage house at 1700 South Road in Mount Washington are vacant and for sale. The most recent congregation was unable to maintain the buildings and put them for sale. They are considered contributing structures to the Mount Washington Historic District and currently zoned for R-1-D, low density residential use. The contract purchaser would like to use the church for an office building.

The purchaser has worked with the Mount Washington Improvement Association and Mount Washington Merchants to develop a reuse plan for this vacant site. The plans include incorporating the church building as part of the Village and allowing for office use, while the parsonage portion of the site, will remain residentially zoned.

The renovation of the vacant church building was reviewed and approved by the Commission for Architectural and Historical Preservation after two public hearings. The church will be totally renovated with an outdoor terrace space on the village side.

### **City Council Bill #17-0108 – URP Amendment:**

This Council Bill is to amend the Mount Washington Village Urban Renewal Plan to include a portion of 1700 South Road, recommend OR-1 zoning for that portion and delete the acquisition and disposition maps and language as it is no longer needed.

This Urban Renewal plan was written in 1976 and has not been amended since that time. This proposal permitted staff to take a look at the plan and make some updates and corrections. We had initially proposed a more comprehensive update to be consistent with TransForm, but the community preferred to take more time to review those additional changes. The amendments listed below reflect the needed updates with community input. (Attached is a redline version of the plan with these amendments)

1. Remove the boundary description and replace with a map. We discovered a significant error in the description from 1976 and recommend using an easy to read map instead.
2. Reference that land uses are based on zoning code.
3. Refer to Bulk and Yard regulations by their proper title.
4. Remove reference to B-2-2 and replace with C-1, the current zoning.
5. Remove reference to M-1 use requirements as there is no longer M zoning.
6. Make clear that if there is a conflict between this plan and zoning the stricter governs
7. Prohibit radio and television antennas.
8. Delete Public Land use section as there is no longer an application for that.



9. Delete regulations related to acquisition and relocation as that is no longer planned.
10. Add a section on community review that gives the Improvement association and merchant association up to 30 days to comment on new development or significant rehabilitation.
11. Add a twenty year expiration date for the Urban Renewal Plan.
12. Change review period for amendments to the plan to minimum of 60 days.
13. Update Table of Contents and relevant cross references

**City Council Bill #17-0109 – Rezoning:**

This Council Bill is to rezone a portion of 1700 South Road from R-1D to OR-1. The proposed project is to reuse an existing building for an office use. Below is the staff's review of the required considerations of §5-508(b)(3) of Article 32 – *Zoning*, where staff finds that this change is in the public's interest, in that it is compatible with the surrounding area and uses in this section of the Mt. Washington neighborhood.

Below are the approval standards under §5-508(b) of Article 32 – *Zoning* for proposed zoning map amendments:

(b) *Map amendments.*

(1) *Required findings.*

As required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either:

- (i) a substantial change in the character of the neighborhood where the property is located; or
- (ii) a mistake in the existing zoning classification.

(2) *Required findings of fact.*

In making the determination required by subsection (b)(1) of this section, the City Council must also make findings of fact that address:

- (i) population changes;
- (ii) the availability of public facilities;
- (iii) present and future transportation patterns;
- (iv) compatibility with existing and proposed development for the area;
- (v) the recommendations of the City agencies and officials; and
- (vi) the proposed amendment's consistency with the City's Comprehensive Master Plan.

(3) *Additional standards – General*

Additional standards that must be considered for map amendments are:

- (i) existing uses of property within the general area of the property in question;
- (ii) the zoning classification of other property within the general area of the property in question;
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and
- (iv) the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.

**Maryland Land Use Code – Requirements for Rezoning:**

The Maryland Land Use Code requires the Planning Commission to study the proposed changes in relation to: 1. The plan; 2. The needs of Baltimore City; and 3. The needs of the particular





neighborhood in the vicinity of the proposed changes (*cf.* Md. LAND USE Code Ann. 2012, §10-305). In reviewing this request, the staff finds that:

1. **The Plan:** The proposed action would be consistent with provisions of the Baltimore City Master Plan LIVE Goal 1 Objective 2: Strategically Redevelop Vacant Properties Throughout the City. In addition, it is keeping with the small scale nature of office and commercial of the existing Mt. Washington Business Area as shown in the Urban Renewal Plan
2. **The needs of Baltimore City:** Rezoning this site would make the vacant building available for re-use as a professional office, benefitting the immediate area and the City of Baltimore at large. The proposed rezoning to O-R-1 is the minimum needed to accomplish this purpose.
3. **The needs of the particular neighborhood:** Enabling constructive re-use of this site by enacting the proposed rezoning would allow the applicant to reuse the building for active use, thus preventing this historic property from falling into disrepair.

Similarly, the Land Use article requires the City Council to make findings of fact (*cf.* Md. LAND USE Code Ann. 2012, §10-304). The findings of fact include:

1. **Population changes;** The Mt. Washington neighborhood experienced a relatively small increase (less than 50 persons) from the 2000 Census to the 2010 Census, from a population of 3,853 to 3,878.
2. **The availability of public facilities;** This site is well-served by public facilities and City services, and no changes are expected in connection with the proposed rezoning.
3. **Present and future transportation patterns;** There are no changes expected to transportation patterns in the area.
4. **Compatibility with existing and proposed development for the area;** The proposed rezoning of this site is adjacent to an existing OR-1 Zoning district to the east. The site and the existing OR-1 zoning district are south of Kelly Avenue. This proposed rezoning is a continuation of the existing Mt. Washington Business Area that exists, and it becomes a natural extension, that is both sides of Kelly Avenue, being part of the village.
5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** For the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission.
6. **The relation of the proposed amendment to the City's plan.** As described above, the proposed zoning change is compatible with the City's Master Plan and the existing Mt. Washington Urban Renewal Plan.

Per §5-508(1) of Article 32 – *Zoning*, and as required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification.



**Mistake:**

The property at 1700 South Road is vacant and has been unable to be reused as a church or other R-1-D reuse. While the new zoning code was rewritten to include more mixed use zoning categories and the ability to reuse non-residential structures in high-density residential zones for limited commercial uses, this provision does not extend to lower-density residential zoning categories. The existing religious institution structure is not suitable for reuse as residential and has close proximity to the commercial area. Without the provision to reuse for commercial, the site likely would continue to remain vacant.

The property consists of two buildings, a significant church facing directly toward the village and a parsonage house adjacent to the single family homes along South road. The Village itself consists of C-1 zoned properties at its heart with OR-1 zoned properties on the periphery. There are limitations on the church to be reused for residential because of the site conditions such as topography and limited room for building expansion. In addition, the restriction on the building as part of a local historic district, make the R-1-D zoning a mistake. In most cases residential conversions of churches have been for multi-family conversions, and would be most suited for this structure, which are not allowed in the R-1D zoning district, thus, making OR-1 a more appropriate category.

In addition, generally speaking the property is currently vacant, but the proposal to use the existing church building at 1700 South Road for office use is compatible to the general area of the property and for the reuse of the building itself. The remainder of the parcel will remain residentially zoned and serve as a transition to the residential area.

**Notification:** Mount Washington Improvement Association and Mount Washington Merchants have been notified of this action.



**Thomas J. Stosur  
Director**



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall  
Baltimore, Maryland 21202

September 21, 2017

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

Re: City Council Bill 17-0108 – Urban Renewal – Mt. Washington Village  
Business Area - Amendment

Dear President and City Council Members:

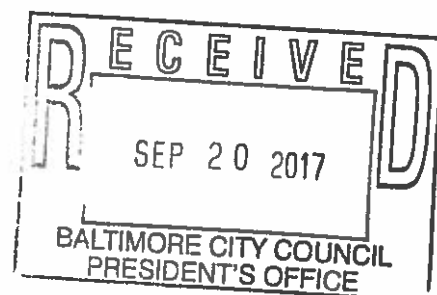
The Law Department has reviewed City Council Bill 17-0108 for form and legal sufficiency. The bill amends the Urban Renewal Plan for Mt. Washington Village Business Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road. The bill also deletes a certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, waives certain content and procedural requirements, makes the provisions of this Ordinance severable and provides for the application of this Ordinance in conjunction with certain other ordinances. The bill has an immediate effective date.

The Baltimore City Code (BCC) requires that any change to an Urban Renewal Plan be made by ordinance. BCC Art. 13, § 2-6(g)(1). Where, as here, a change is proposed by a Councilmember, the ordinance must be referred for review to the Department of Housing and Community Development and the Planning Commission. BCC Art. 13, Section 2-6(h)(4). As this is the appropriate mechanism for making changes to the Plan, the Law Department approves the bill for form and legal sufficiency.

Sincerely,


Victor K. Tervala  
Chief Solicitor

*Fav w/ comments*






RECEIVED  
MAY 10 1964  
U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C.



cc: Andre Davis, City Solicitor  
Karen Stokes, Director, Mayor's Office of Government Relations  
Kyron Banks, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Jennifer Landis, Assistant City Solicitor





<b>FROM</b>	NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	<b>CITY COUNCIL BILL 17-0108</b>		

DATE August 22, 2017

**TO**

The Honorable President and Members  
of the Baltimore City Council  
c/o Natawna Austin  
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0108 introduced by Councilman Schleifer at the request of Blue Ocean Realty.

The purpose of this Bill is to amend the Urban Renewal Plan for Mt. Washington Village Business Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland; waive certain content and procedural requirements; make the provisions of this Ordinance severable; provide for the application of this Ordinance in conjunction with certain other ordinances; and provide for a special effective date.

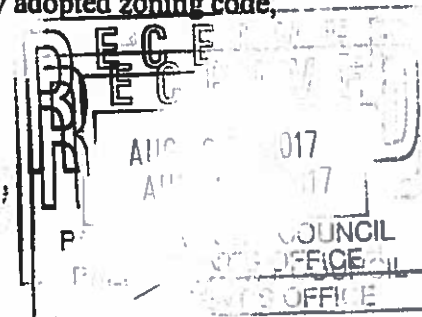
The Urban Renewal Area is bounded by Smith Avenue, Greely Road, Kelly Avenue, Newbury Street, and the Northern Central Railroad. When the Urban Renewal Plan was written in 1976, it was designed to be a neighborhood retail business district and the underlying zoning was a mix of commercial and office residential.

A vacant church and parsonage house at 1700 South Road are for sale and the contract purchaser proposes to use the church for an office building. The applicant would like to incorporate the church into the Mt. Washington Village Business Area Urban Renewal Plan and would like to rezone the church from the residential R-1D designation to OR-1 which would allow for an office use.

There have been no updates to the Urban Renewal Plan since it was implemented over 30 years ago. The Planning Department took this opportunity to work with the community to make appropriate updates and corrections to the full plan, including making the Plan consistent with the recently adopted zoning code, TransForm Baltimore.

City Council Bill 17-0108, if approved, would:

1. Remove the boundary description and replace it with a map
2. Reference that land uses are based on zoning code
3. Refer to Bulk and Yard regulations by their proper title
4. Remove reference to B-2-2 and replace it with C-1, the current zoning



*No obj*



5. Remove reference to M-1 use requirements as there is no longer M zoning
6. Make clear that if there is a conflict between this plan and zoning the stricter governs
7. Prohibit radio and television antennas
8. Delete Public Land use section as there is no longer an application

Companion legislation (City Council Bill 17-0109) would rezone a portion of 1700 South Road from R-1D to OR-1.

It is this Department's understanding that the Mount Washington Improvement Association and the Mount Washington Merchants have been notified of this action. Based on these findings, the Department of Public Works has no objection to the passage of City Council Bill 17-0108.

Sincerely,

A handwritten signature in black ink that reads "R. S. Chow for P.E." in a cursive style.

Rudolph S. Chow, P.E.  
Director

RSC/KTO



The 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

*MB*

Date: September 18, 2017

Re: City Council Bill 17-0108 - Urban Renewal – Mt. Washington Village Business Area -  
Amendment

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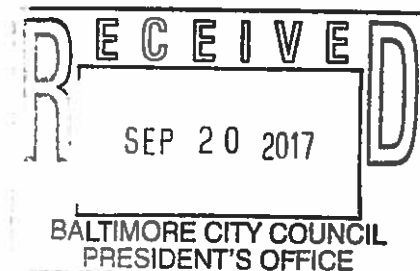
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0108, for the purpose of amending the Urban Renewal Plan for Mt. Washington Village Business Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

If enacted, this companion bill to City Council Rezoning Bill 17-0109, would support successful redevelopment of a vacant church building in the Mt. Washington Village Business Area by amending the Mt. Washington Village Business Area Urban Renewal Plan to delete obsolete and outdated provisions and exhibits. This bill would support a new owner's vision of incorporating the vacant church building for office use in the Village.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0108.

MB:sd

*[Handwritten mark]*








**Baltimore**  
Development Corporation

## MEMORANDUM

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

**FROM:** William H. Cole, President and CEO 

**DATE:** August 31, 2017

**SUBJECT:** City Council Bill 17-0108  
Urban Renewal – Mt. Washington Village Business Area – Amendment

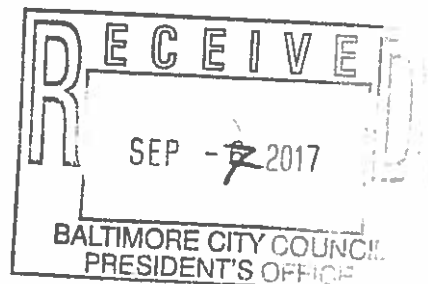
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The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill 17-0108, for the purpose of modifying the Mt. Washington Village Business Area Urban Renewal Plan to delete certain provisions and exhibits made obsolete by updated Maryland state laws and revise other exhibits to reflect boundary and zoning changes made obsolete by a separate ordinance (17-0109).

The BDC supports this Bill. This amendment will address challenges posed by the existing Urban Renewal Plan and appropriately allow properties to contribute to the overall vitality of the Mt. Washington Village Business Area.

The BDC respectfully requests that favorable consideration be given to City Council Bill No. 17-0108.

cc: Kyron Banks







INTRODUCTORY\*  
CITY OF BALTIMORE  
COUNCIL BILL 17-0108

APPROVED FOR FORM,  
STYLE, AND TEXTUAL SUFFICIENCY  
7-12-17  
OFFICE OF LEGISLATIVE REFERENCE

Introduced by: Councilmember Schleifer  
At the request of: Blue Ocean Realty  
Address: c/o Alfred W. Barry, III, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland  
21202  
Telephone: 410-547-6900

*\* Wait for Blueback*  
A BILL ENTITLED

*HUA*  
*Law Planning Comm*  
*HCD, DPW*  
*CHAP*  
*BDC*  
*DOT*

AN ORDINANCE concerning

Urban Renewal – Mt. Washington Village Business Area –  
Amendment

FOR the purpose of amending the Urban Renewal Plan for Mt. Washington Village Business Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

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

Recitals

The Urban Renewal Plan for Mt. Washington Village Business Area was originally approved by the Mayor and City Council of Baltimore by Ordinance 76-194.

An amendment to the Urban Renewal Plan for Mt. Washington Village Business Area is necessary to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain

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

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

Exhibit made obsolete by § 12-105.1 of the Real Property Article of the Annotated Code of Maryland.

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

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

(1) In the Plan, amend the second paragraph of A.1. to read as follows:

A. Project Description

1. Boundary Description

....

Thence running in a southeasterly direction crossing Kelly Avenue in a straight line and binding on that line, to a point formed by the intersection of the western right-of-way line of Kelly Avenue and the southern right-of-way line of Sulgrave Avenue; thence running easterly along the southern right-of-way line of Kelly Avenue and binding on that line to a point of intersection with the [eastern] NORTHERN AND WESTERN property line of Lot [5] 1, Ward 27, Section 17, Block 4700-A; thence running in an easterly direction in a straight line and binding on that line, across South Road to a point formed by the intersection of the south right-of-way line of South Road with the western property line of Lot 6, Ward 27, Section 17, Block 4706-E;

...

(2) In the Plan, amend A.3.a. to read as follows:

A. Project Description

3. Types of Proposed Renewal Action

a. [Acquisition of properties, disposition and redevelopment]  
Redevelopment;

(3) In the Plan, delete C.1.a.b. and c. in their entirety, and delete the letter d. in C.1.d.

(4) In the Plan, amend Exhibit 1, "Land Use Plan", to reflect the modification of the boundary of the Renewal Area, and amend the Exhibit, upon approval of rezoning by separate ordinance, to reflect the change in land use for a portion of the property known as 1700 South Road, from Residential to Office-Residential.

(5) In the Plan, amend Exhibit 4, "Zoning Districts", to reflect the modification of the boundary of the Renewal Area, and amend the Exhibit, upon approval of rezoning by separate ordinance, to reflect the change in zoning for a portion of the property known as 1700 South Road.

(6) In the Plan, delete Exhibit 2, "Property Acquisition" in its entirety.

(7) In the Plan, amend Exhibit 3, "Land Disposition", to reflect the modification of the boundary of the Renewal Area.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Mt. Washington Village Business Area, as amended by this Ordinance and identified as "Urban Renewal Plan, Mt. Washington Village Business Area, revised to include Amendment \_\_, dated July 17, 2017", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

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

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

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

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



**Krummerich, Richard**

---

**From:** Tervalo, Victor K.  
**Sent:** Wednesday, September 27, 2017 9:28 AM  
**To:** Bullock, John  
**Cc:** Krummerich, Richard  
**Subject:** RE: Public Hearing on 1700 South Road, Mt. Washington

Councilman – As you may know, Council Bill 17-0109 was heard last week by the Land Use Committee. That bill proposes to rezone the church from R-1-D to OR-1, which appears to be the focus of Mr. Sesek’s concern. You may also recall the bill was approved on Second Reader and is now on Third Reader. The Rules allow for a bill to be referred back to committee, but you would need to work it out with the Committee Chair and the President’s Office if you wish a rehearing.

Tomorrow your committee, the Urban Affairs Committee, will hear Bill 17-0108, which is of secondary importance to the complaint about rezoning. This bill proposes to amend the Urban Renewal Plan for the Mt. Washington Village Business Area so that the URP encompasses the church at issue. That bill also proposes a number of relatively technical “housecleaning” items. I would say there is no reason to postpone the hearing on 17-0108 because of a complaint about rezoning, i.e., how the church property may ultimately be used.

The notice for an urban renewal bill is different (and less stringent) than for a rezoning bill. Pursuant to City Code Article 13, Section 2-6, notice of a bill proposing the adoption or amendment of a URP must be posted “in the neighborhood of the area involved at least 10 days before the hearing;” and “publication once a week for 2 consecutive weeks in a newspaper of general circulation in Baltimore City.” Furthermore, the notice must:

- (i) contain the time, date, place, and purpose of the hearing;
- (ii) generally identify the area covered by the plan;
- (iii) outline the general scope of the project under consideration; and
- (iv) state that the documents constituting the plan are available for inspection at a place designated in the notice.

If the notice for hearing Bill 17-0108 has met these criteria, there is no legal reason why the bill cannot be heard based solely on a complaint that the notice was not posted on the front of the property.

Further concerns, questions? Let me know.

Victor

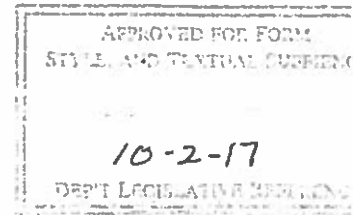
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Victor K. Tervalo  
Chief Solicitor  
Law Dept., General Counsel Division  
410-396-3293

The information contained in this communication may be confidential, is intended only for the use of the recipient named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender and delete the original message and any copy of it from your computer system.



AMENDMENTS TO COUNCIL BILL 17-0108  
(1<sup>st</sup> Reader Copy)



By: Housing and Urban Affairs Committee

**Amendment No. 1**

On page 2, in line 11, strike “amend the second paragraph of A.1. to read as follows:” and substitute “strike all the paragraphs of the boundary description and substitute the following:”; and, on the same page, strike lines 14 through 28 in their entirety and substitute “THE BOUNDARY DESCRIPTION OF THE PLAN IS SHOWN ON THE LAND USE PLAN, EXHIBIT 1, DATED OCTOBER 16, 2017.”.

**Amendment No 2.**

On page 3, after line 7, insert

“(7) In the Plan, amend B. to read as follows:

B. Land Use Plan

1. [Predominant land uses, streets, and all other public rights-of-way proposed or existing to remain within the project area] LAND USES ARE IN ACCORDANCE WITH THE ZONING CODE OF BALTIMORE CITY, UNLESS OTHERWISE NOTED BELOW[,] AND are shown on the Land Use Plan, Exhibit 1.

2. Land Use Provisions and Standards

a. Permitted Uses

Only the uses shown on the Land Use Plan Map EXHIBIT 1 shall be permitted within the [project area] PROJECT AREA. LAND USES IN THE PLAN ARE BASED ON THE ZONING CODE OF BALTIMORE CITY. The use classifications are Office-Residential[,] and [Community] NEIGHBORHOOD Business. Accessory uses, including landscaping, off-street parking, and off-street loading will be permitted to continue subject to the provisions governing [non-conforming] NONCONFORMING uses as set forth in B.2.a.(C)(3) below.

(1) Office-Residential [(O-R-1)] OR-1

....  
[Bulk Regulations (Lot Area, Yard Requirements and Floor Area Ratio) will conform to those outlined for the O-R-1 Zoning District, as specified in section 5.1-2 of the Zoning Ordinance of Baltimore City.] BULK AND YARD REGULATIONS SHALL CONFORM TO TABLE 12-302, AS SPECIFIED IN THE ZONING CODE OF BALTIMORE CITY.

(2) [Community Business (B-2-2)] NEIGHBORHOOD BUSINESS DISTRICT C-1

(a) General Requirements

....  
v. Activities involving the production, processing, cleaning, servicing, testing or repair of materials, goods or products shall conform to the performance standards established [for the M-1 District in Chapter 7 of] BY the Zoning [Ordinance] CODE of Baltimore City.

....  
(b) IF A LAND USE IS NOT ALLOWED IN THE C-1 ZONING DISTRICT, THE USE IS PROHIBITED. [In the area designated as Community Business on the Land Use Map, the uses shall be limited to the following: ...]

(c) The following uses are conditional uses subject to the requirements and provisions of [Section 11-0-3 of the Zoning Ordinance for Baltimore City] THE ZONING CODE OF BALTIMORE CITY:

[i. Accessory or non-accessory radio and television antennas and towers when free standing or when they extend higher than 25 feet above the building on which they are mounted.]

[ii. Bus and transit passenger stations and terminals.]

[iii.] Governmental services, as follows:

(i) Fire and Police stations

(ii) Post Offices

[iv. Accessory uses incidental to and on the same lot as the above conditional uses.]

(d) [Open off-street parking areas and off-street parking garages] PARKING LOTS AND PARKING GARAGES (PRINCIPAL USE), other than accessory,



[for the parking of four or more automobiles are conditional use and shall require authorization by ordinance of the Mayor and City Council, subject to the requirements and provisions of Section 11.0-6d of the Zoning Ordinance for Baltimore City] ARE CONDITIONAL USES SUBJECT TO APPROVAL OF THE BOARD OF MUNICIPAL AND ZONING APPEALS.

(e) Bulk AND YARD Regulations

[i. Lot area regulations and yard requirements will conform to those outlined for the B-2-2 Zoning District, as specified in Section 6.2-2 of the Zoning Ordinance for Baltimore City.] BULK AND YARD REGULATIONS FOR THE C-1 ZONING DISTRICT ARE SPECIFIED IN TABLE 10-401 OF THE ZONING CODE OF BALTIMORE CITY.

[ii. The maximum floor area ration shall not exceed 1.5]

(F) STANDARDS

IF A PROVISION OF THIS URBAN RENEWAL PLAN CONCERNS THE SAME SUBJECT AS A PROVISION OF ANY ZONING, BUILDING, ELECTRICAL, PLUMBING, HEALTH, FIRE, OR SAFETY LAW OR REGULATION, THE APPLICABLE PROVISIONS MUST BE CONSTRUED TO GIVE EFFECT TO EACH. HOWEVER, IF THE PROVISIONS ARE FOUND TO BE IN IRRECONCILABLE CONFLICT, THE ONE THAT ESTABLISHES THE HIGHER STANDARD FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY PREVAILS.

[(3) Public

In the area designated as Public on the Land Use Plan Map, the uses shall be limited to off-street parking.]

(3) [4] [Non-Conforming] NONCONFORMING Use

A [non-conforming] NONCONFORMING use is any lawfully existing use of a [building or other] structure[,] or of land [which] that does not conform to the [applicable] use regulations APPLICABLE [of] to the district in which it is located according to the Zoning [Ordinance] CODE of Baltimore City. [Non-conforming] NONCONFORMING uses shall be permitted to continue, subject to the provisions of the Zoning [Ordinance] CODE of Baltimore City governing [non-conforming] NONCONFORMING uses.

(8) In the Plan, amend C.2. to read as follows:

C. Techniques to be Used to Achieve Plan Objectives

[2] Rehabilitation of Commercial Properties

The following additional standards shall be applied over and above the codes and ordinances of the City of Baltimore to all structures designated as [Community Business] NEIGHBORHOOD BUSINESS on the Land Use Plan Map, [7] Exhibit 1, other than those [which] THAT are scheduled for demolition:

a. Building Fronts and Sides Abutting Streets

....  
(3) Windows:

(a) Windows not in the front of buildings shall be kept properly repaired or [with Fire Department approval.] may be closed, in which case sills, lintels, and frames must be removed and the opening properly closed to match the material design and finish of the adjacent wall.

(b) All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints or loose mullions or muntins shall be replaced. All broken and missing windows shall be replaced with glass [plexiglass or lexan]. All exposed wood shall be repaired and painted.

....  
(6) Awnings

....  
[(c) Rigid or fixed awnings, sun screens or permanent canopies are not permitted on any portion of the building front.]

....  
c. Roofs

....  
[(3) Television and radio antennae shall be located so as to be as inconspicuous as possible.]

(3) [(4)] Roofs shall be kept free of trash, debris, or any other element, which is not a permanent part of the building, or a functioning element of its mechanical or electrical system.

....

(9) In the Plan, amend D.1. by adding a third paragraph to read as follows:

D. Review of Developer's Plans

1. Department of Housing and Community Development Review AND APPROVAL PROCESS

.....

THE DEPARTMENT SHALL SUBMIT TO THE MOUNT WASHINGTON IMPROVEMENT ASSOCIATION AND THE MOUNT WASHINGTON MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS OR ASSIGNEES, FOR REVIEW AND COMMENT, THE FORM AND CONTENT OF ALL PLANS AND PROPOSALS FOR NEW DEVELOPMENT OR SIGNIFICANT REHABILITATION OF ANY PROPERTY. THE MOUNT WASHINGTON IMPROVEMENT ASSOCIATION AND THE MOUNT WASHINGTON MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS OR ASSIGNEES, SHALL ADVISE THE DEPARTMENT OF THEIR RECOMMENDATIONS REGARDING THE ACCEPTABILITY AND/OR PRIORITY CONCERNS REGARDING ALL PLANS AND PROPOSALS. THE WRITTEN COMMENTS SHALL BE TRANSMITTED TO THE DEPARTMENT NO LATER THAN 30 DAYS AFTER THE PROPOSALS AND PLANS HAVE BEEN SUBMITTED TO THE MOUNT WASHINGTON IMPROVEMENT ASSOCIATION AND THE MOUNT WASHINGTON MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS OR ASSIGNEES.

(10) In the Plan, delete E.1. in its entirety, and amend E.2. to read as follows:

E. Other Provisions Necessary to Meet Requirements of State and Local Laws

1. [2.] Zoning

All appropriate provisions of the Zoning [Ordinance] CODE of Baltimore City, other than herein provided, shall apply to properties in the [project area] PROJECT AREA, as shown on the Zoning Districts Map, Exhibit [4] 2. In order to execute the Urban Renewal Plan, zoning district changes as designated on Exhibit [4] 2 will be required. These changes will require amendments to the Zoning [Ordinance] CODE. Action to this effect will be initiated during the execution of the Plan.

2. [3.] Reasons for Various Provisions of this Plan

.....

(11) In the Plan, amend F. to read as follows:

F. Duration of Provisions and Requirements

The provisions and requirements of this Plan shall be in effect for a period of not less than [twenty] 20 years [following] FROM the date [of the approval of this] THE URBAN RENEWAL PLAN IS LAST AMENDED by the Mayor and City Council of Baltimore.

(12) In the Plan, amend G.2. to read as follows:

G. Procedures for Changes in Approved Plan

2. The Department of Housing and Community Development shall submit to the Mt. Washington Village Merchants' Association and Mt. Washington Village Improvement Association, or their successors, for their review and comments, all proposed amendments to the Urban Renewal Plan no later than the time the proposed amendments are submitted to the City Planning Commission by the Department of Housing and Community Development no later than [three (3) weeks] 60 DAYS after they have been submitted to the Mt. Washington Village Merchants' Association and Mt. Washington Village Improvement Association, or their successors Association[.]; otherwise, it is presumed the proposed changes are satisfactory. Prior to passage of any ordinance amending the Urban Renewal Plan, a public hearing shall be held, and the Mt. Washington Village Merchants' Association and Mt. Washington Village Improvement Association, or their successors, shall receive, at least [ten] 10 days prior to [such] THE hearing, written notice of the time and place of [such] THE hearing."

**Amendment No. 3**

On page 3, in line 1, strike "4" and substitute "2"; on page 3, in line 5, before the period, insert ", and delete Exhibit 3, "Land Disposition", in its entirety"; and, on page 3, strike lines 6 and 7 in their entirety.

**Amendment No. 4**

On page 1, in line 9, strike "and"; and, in the same line, after "delete", strike "a"; on page 1, in line 10, strike "Exhibit" and substitute "Exhibits," and strike beginning with "made" down through and including "Maryland" in line 11; one page 1, in line 11, before "; waiving", insert "to clarify, conform and correct certain obsolete language, provisions, and references pertaining

to the Zoning Code of Baltimore City, to clarify that if a land use is not allowed in the C-1 Zoning District, the use is prohibited, to modify certain land uses allowed in the Plan, to remove certain provisions pertaining to land disposition, to modify certain standards for rehabilitation of commercial properties, to modify the review process for developers' proposals for new development or significant rehabilitation of property, to modify the duration of the Plan, and to modify a certain procedure for amending the Urban Renewal Plan".

#### **Amendment No. 5**

On page 2, in line 3, strike "and", and, in the same line, after "delete", strike "a"; on page 2, in line 4, strike "Exhibit" and substitute "Exhibits." and in the same line, strike beginning with "made" down through and including "Maryland", in line 5; and, on page 2, in line 5, before the period, insert "to clarify, conform and correct certain obsolete language, provisions, and references pertaining to the Zoning Code of Baltimore City, to clarify that if a land use is not allowed in the C-1 Zoning District, the use is prohibited, to modify certain land uses allowed in the Plan, to remove certain provisions pertaining to land disposition, to modify certain standards for rehabilitation of commercial properties, to modify the review process for developers' proposals for new development or significant rehabilitation of property, to modify the duration of the Plan, and to modify a certain procedure for amending the Urban Renewal Plan".

#### **Amendment No. 6**

On page 1, in line 3, in the blank, insert "1"; and, on page 3, in line 10, in the blank, insert "1".



**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 17-0108**

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Introduced by: Councilmember Schleifer

At the request of: Blue Ocean Realty

Address: c/o Alfred W. Barry, III, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland  
21202

Telephone: 410-547-6900

Introduced and read first time: July 17, 2017

Assigned to: Housing and Urban Affairs Committee

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Committee Report: Favorable with amendments

Council action: Adopted

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Read second time: October 16, 2017

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**AN ORDINANCE CONCERNING**

**Urban Renewal – Mt. Washington Village Business Area –  
Amendment 1**

1  
2  
3 FOR the purpose of amending the Urban Renewal Plan for Mt. Washington Village Business  
4 Area to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan  
5 pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the  
6 Real Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect  
7 the boundary modifications of the Plan and to reflect a change in zoning, upon approval by  
8 separate Ordinance, for a portion of the property known as 1700 South Road, and to delete a  
9 certain ~~Exhibit Exhibits~~, made obsolete by § 12-105.1 of the Real Property Article of the  
10 Annotated Code of Maryland to clarify, conform and correct certain obsolete language,  
11 provisions, and references pertaining to the Zoning Code of Baltimore City, to clarify that if a  
12 land use is not allowed in the C-1 Zoning District, the use is prohibited, to modify certain  
13 land uses allowed in the Plan, to remove certain provisions pertaining to land disposition, to  
14 modify certain standards for rehabilitation of commercial properties, to modify the review  
15 process for developers' proposals for new development or significant rehabilitation of  
16 property, to modify the duration of the Plan, and to modify a certain procedure for amending  
17 the Urban Renewal Plan; waiving certain content and procedural requirements; making the  
18 provisions of this Ordinance severable; providing for the application of this Ordinance in  
19 conjunction with certain other ordinances; and providing for a special effective date.

20 BY authority of

21 Article 13 - Housing and Urban Renewal

22 Section 2-6

23 Baltimore City Code

24 (Edition 2000)

**Recitals**

**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 17-0108**

1 The Urban Renewal Plan for Mt. Washington Village Business Area was originally approved  
2 by the Mayor and City Council of Baltimore by Ordinance 76-194.

3 An amendment to the Urban Renewal Plan for Mt. Washington Village Business Area is  
4 necessary to modify the boundaries of the Renewal Plan, to delete certain provisions of the Plan  
5 pertaining to powers of acquisition and condemnation made obsolete by § 12-105.1 of the Real  
6 Property Article of the Annotated Code of Maryland, to revise certain Exhibits to reflect the  
7 boundary modifications of the Plan and to reflect a change in zoning, upon approval by separate  
8 Ordinance, for a portion of the property known as 1700 South Road, and to delete a certain  
9 ~~Exhibit Exhibits, made obsolete by § 12-105.1 of the Real Property Article of the Annotated~~  
10 ~~Code of Maryland to clarify, conform and correct certain obsolete language, provisions, and~~  
11 ~~references pertaining to the Zoning Code of Baltimore City, to clarify that if a land use is not~~  
12 ~~allowed in the C-1 Zoning District, the use is prohibited, to modify certain land uses allowed in~~  
13 ~~the Plan, to remove certain provisions pertaining to land disposition, to modify certain standards~~  
14 ~~for rehabilitation of commercial properties, to modify the review process for developers'~~  
15 ~~proposals for new development or significant rehabilitation of property, to modify the duration of~~  
16 ~~the Plan, and to modify a certain procedure for amending the Urban Renewal Plan.~~

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

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

22 (1) In the Plan, amend the second paragraph of A. 1. to read as follows: strike all the  
23 paragraphs of the boundary description and substitute the following:

24 A. Project Description

25 1. Boundary Description

26  
27 ~~Thence running in a southeasterly direction crossing Kelly Avenue in a~~  
28 ~~straight line and binding on that line, to a point formed by the intersection of~~  
29 ~~the western right-of-way line of Kelly Avenue and the southern right-of-way~~  
30 ~~line of Sulgrave Avenue, thence running easterly along the southern right-of-~~  
31 ~~way line of Kelly Avenue and binding on that line to a point of intersection~~  
32 ~~with the [eastern] NORTHERN property line of Lot [5] 1, Ward 27, Section 17,~~  
33 ~~Block 4700-A; thence running in [an easterly direction in a straight line and~~  
34 ~~binding on that line] A WESTERLY DIRECTION FOR 50 FEET ALONG THE~~  
35 ~~PROPERTY LINE; THENCE RUNNING IN A STRAIGHT LINE IN A SOUTHERLY~~  
36 ~~DIRECTION AND PARALLEL TO THE WESTERN PROPERTY LINE, across South~~  
37 ~~Road to a point formed by the intersection of the south right-of-way line of~~  
38 ~~South Road with the western property line of Lot 6, Ward 27, Section 17,~~  
39 ~~Block 4706-E;~~

40  
41 THE BOUNDARY DESCRIPTION OF THE PLAN IS SHOWN ON THE LAND USE PLAN,  
42 EXHIBIT 1, DATED OCTOBER 16, 2017.



Council Bill 17-0108

1 (2) In the Plan, amend A.3.a. to read as follows:

2 A. Project Description

3 3. Types of Proposed Renewal Action

4 a. [Acquisition of properties, disposition and redevelopment]  
5 Redevelopment;

6 (3) In the Plan, delete C.1.a.b. and c. in their entirety, and delete the letter d. in C.1.d.

7 (4) In the Plan, amend Exhibit 1, "Land Use Plan", to reflect the modification of the  
8 boundary of the Renewal Area, and amend the Exhibit, upon approval of rezoning by  
9 separate ordinance, to reflect the change in land use for a portion of the property  
10 known as 1700 South Road, from Residential to Office-Residential.

11 (5) In the Plan, amend Exhibit 4 2, "Zoning Districts", to reflect the modification of the  
12 boundary of the Renewal Area, and amend the Exhibit, upon approval of rezoning by  
13 separate ordinance, to reflect the change in zoning for a portion of the property known  
14 as 1700 South Road.

15 (6) In the Plan, delete Exhibit 2, "Property Acquisition" in its entirety, and delete Exhibit  
16 3, "Land Disposition", in its entirety.

17 ~~(7) In the Plan, amend Exhibit 3, "Land Disposition", to reflect the modification of the~~  
18 ~~boundary of the Renewal Area:~~

19 (7) In the Plan, amend B. to read as follows:

20 B. Land Use Plan

21 1. [Predominant land uses, streets, and all other public rights-of-way proposed or  
22 existing to remain within the project area] LAND USES ARE IN ACCORDANCE  
23 WITH THE ZONING CODE OF BALTIMORE CITY, UNLESS OTHERWISE NOTED  
24 BELOW[, ] AND are shown on the Land Use Plan, Exhibit 1.

25 2. Land Use Provisions and Standards

26 a. Permitted Uses

27 Only the uses shown on the Land Use Plan Map EXHIBIT 1 shall be permitted  
28 within the [project area] PROJECT AREA. LAND USES IN THE PLAN ARE BASED  
29 ON THE ZONING CODE OF BALTIMORE CITY. The use classifications are  
30 Office-Residential[, ] and [Community] NEIGHBORHOOD Business. Accessory  
31 uses, including landscaping, off-street parking, and off-street loading will be  
32 permitted to continue subject to the provisions governing [non-conforming]  
33 NONCONFORMING uses as set forth in B.2.a.(C)(3) below.

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1 (1) Office-Residential [(O-R-1)] OR-1

2  
3 .....  
4 [Bulk Regulations (Lot Area, Yard Requirements and Floor Area Ratio)  
5 will conform to those outlined for the O-R-1 Zoning District, as specified  
6 in section 5.1-2 of the Zoning Ordinance of Baltimore City.] BULK AND  
7 YARD REGULATIONS SHALL CONFORM TO TABLE 12-302, AS SPECIFIED IN  
8 THE ZONING CODE OF BALTIMORE CITY.

8 (2) [Community Business (B-2-2)] NEIGHBORHOOD BUSINESS DISTRICT C-1

9 (a) General Requirements

10 .....  
11 v. Activities involving the production, processing, cleaning,  
12 servicing, testing or repair of materials, goods or products shall  
13 conform to the performance standards established [for the M-1  
14 District in Chapter 7 of] BY the Zoning [Ordinance] CODE of  
15 Baltimore City.

16 .....  
17 (b) IF A LAND USE IS NOT ALLOWED IN THE C-1 ZONING DISTRICT, THE USE  
18 IS PROHIBITED. [In the area designated as Community Business on the  
19 Land Use Map, the uses shall be limited to the following:  
20 ... .]

21 (c) The following uses are conditional uses subject to the requirements  
22 and provisions of [Section 11-0-3 of the Zoning Ordinance for  
23 Baltimore City] THE ZONING CODE OF BALTIMORE CITY:

24 [i. Accessory or non-accessory radio and television antennas and  
25 towers when free standing or when they extend higher than 25 feet  
26 above the building on which they are mounted.]

27 [ii. Bus and transit passenger stations and terminals.]

28 [iii.] Governmental services, as follows:

29 (i) Fire and Police stations

30 (ii) Post Offices

31 [iv. Accessory uses incidental to and on the same lot as the above  
32 conditional uses.]

33 (d) [Open off-street parking areas and off-street parking garages] PARKING  
34 LOTS AND PARKING GARAGES (PRINCIPAL USE), other than accessory,  
35 [for the parking of four or more automobiles are conditional use and  
36 shall require authorization by ordinance of the Mayor and City  
37 Council, subject to the requirements and provisions of Section 11.0-6d  
38 of the Zoning Ordinance for Baltimore City] ARE CONDITIONAL USES  
39 SUBJECT TO APPROVAL OF THE BOARD OF MUNICIPAL AND ZONING  
40 APPEALS.



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1 (e) Bulk AND YARD Regulations

2 [i. Lot area regulations and yard requirements will conform to those  
3 outlined for the B-2-2 Zoning District, as specified in Section 6.2-2  
4 of the Zoning Ordinance for Baltimore City.] BULK AND YARD  
5 REGULATIONS FOR THE C-1 ZONING DISTRICT ARE SPECIFIED IN  
6 TABLE 10-401 OF THE ZONING CODE OF BALTIMORE CITY.

7 [ii. The maximum floor area ration shall not exceed 1.5]

8 (F) STANDARDS

9 IF A PROVISION OF THIS URBAN RENEWAL PLAN CONCERNS THE SAME  
10 SUBJECT AS A PROVISION OF ANY ZONING, BUILDING, ELECTRICAL,  
11 PLUMBING, HEALTH, FIRE, OR SAFETY LAW OR REGULATION, THE  
12 APPLICABLE PROVISIONS MUST BE CONSTRUED TO GIVE EFFECT TO  
13 EACH. HOWEVER, IF THE PROVISIONS ARE FOUND TO BE IN  
14 IRRECONCILABLE CONFLICT, THE ONE THAT ESTABLISHES THE HIGHER  
15 STANDARD FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY  
16 PREVAILS.

17 [(3) Public

18 In the area designated as Public on the Land Use Plan Map, the uses shall  
19 be limited to off-street parking.]

20 (3) [4] [Non-Conforming] NONCONFORMING Use

21 A [non-conforming] NONCONFORMING use is any lawfully existing use of a  
22 [building or other] structure[,] or of land [which] that does not conform to  
23 the [applicable] use regulations APPLICABLE [of] to the district in which it  
24 is located according to the Zoning [Ordinance] CODE of Baltimore City.  
25 [Non-conforming] NONCONFORMING uses shall be permitted to continue,  
26 subject to the provisions of the Zoning [Ordinance] CODE of Baltimore  
27 City governing [non-conforming] NONCONFORMING uses.

28 (8) In the Plan, amend C.2. to read as follows:

29 C. Techniques to be Used to Achieve Plan Objectives

30 [2] Rehabilitation of Commercial Properties

31 The following additional standards shall be applied over and above the codes and  
32 ordinances of the City of Baltimore to all structures designated as [Community  
33 Business] NEIGHBORHOOD BUSINESS on the Land Use Plan Map, [7] Exhibit 1,  
34 other than those [which] THAT are scheduled for demolition:

35 a. Building Fronts and Sides Abutting Streets

36 .....  
37 (3) Windows:

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1 (a) Windows not in the front of buildings shall be kept properly repaired  
2 or[,with Fire Department approval,] may be closed, in which case sills,  
3 lintels, and frames must be removed and the opening properly closed  
4 to match the material design and finish of the adjacent wall.

5 (b) All windows must be tight-fitting and have sashes of proper size and  
6 design. Sashes with rotten wood, broken joints or loose mullions or  
7 muntins shall be replaced. All broken and missing windows shall be  
8 replaced with glass[, plexiglass or lexan]. All exposed wood shall be  
9 repaired and painted.

10 .....  
11 (6) Awnings

12 .....  
13 [(e) Rigid or fixed awnings, sun screens or permanent canopies are not  
14 permitted on any portion of the building front.]

15 .....  
16 c. Roofs

17 .....  
18 [(3) Television and radio antennae shall be located so as to be as  
19 inconspicuous as possible.]

20 (3) [(4)] Roofs shall be kept free of trash, debris, or any other element, which  
21 is not a permanent part of the building, or a functioning element of its  
22 mechanical or electrical system.

23 .....  
24 (9) In the Plan, amend D.1. by adding a third paragraph to read as follows:

25 .....  
26 D. Review of Developer's Plans

27 1. Department of Housing and Community Development Review AND  
28 APPROVAL PROCESS

29 .....  
30 THE DEPARTMENT SHALL SUBMIT TO THE MOUNT WASHINGTON  
31 IMPROVEMENT ASSOCIATION AND THE MOUNT WASHINGTON MERCHANTS'  
32 ASSOCIATION, OR THEIR SUCCESSORS OR ASSIGNEES, FOR REVIEW AND  
33 COMMENT, THE FORM AND CONTENT OF ALL PLANS AND PROPOSALS FOR NEW  
34 DEVELOPMENT OR SIGNIFICANT REHABILITATION OF ANY PROPERTY. THE  
35 MOUNT WASHINGTON IMPROVEMENT ASSOCIATION AND THE MOUNT  
36 WASHINGTON MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS OR  
37 ASSIGNEES, SHALL ADVISE THE DEPARTMENT OF THEIR RECOMMENDATIONS  
38 REGARDING THE ACCEPTABILITY AND/OR PRIORITY CONCERNS REGARDING ALL  
39 PLANS AND PROPOSALS. THE WRITTEN COMMENTS SHALL BE TRANSMITTED TO  
40 THE DEPARTMENT NO LATER THAN 30 DAYS AFTER THE PROPOSALS AND PLANS  
41 HAVE BEEN SUBMITTED TO THE MOUNT WASHINGTON IMPROVEMENT  
42 ASSOCIATION AND THE MOUNT WASHINGTON MERCHANTS' ASSOCIATION, OR  
43 THEIR SUCCESSORS OR ASSIGNEES.



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1 (10) In the Plan, delete E.1. in its entirety, and amend E.2. to read as follows:

2 E. Other Provisions Necessary to Meet Requirements of State and Local Laws

3 1. [2.] Zoning

4 All appropriate provisions of the Zoning [Ordinance] CODE of Baltimore City,  
5 other than herein provided, shall apply to properties in the [project area]  
6 PROJECT AREA, as shown on the Zoning Districts Map, Exhibit [4] 2. In order  
7 to execute the Urban Renewal Plan, zoning district changes as designated on  
8 Exhibit [4] 2 will be required. These changes will require amendments to the  
9 Zoning [Ordinance] CODE. Action to this effect will be initiated during the  
10 execution of the Plan.

11 2. [3.] Reasons for Various Provisions of this Plan

12 .....

13 (11) In the Plan, amend F. to read as follows:

14 F. Duration of Provisions and Requirements

15  
16 The provisions and requirements of this Plan shall be in effect for a period of not  
17 less than [twenty] 20 years [following] FROM the date [of the approval of this] THE  
18 URBAN RENEWAL PLAN IS LAST AMENDED by the Mayor and City Council of  
19 Baltimore.

20 (12) In the Plan, amend G.2. to read as follows:

21 G. Procedures for Changes in Approved Plan

22 .....

23 2. The Department of Housing and Community Development shall submit to the  
24 Mt. Washington Village Merchants' Association and Mt. Washington Village  
25 Improvement Association, or their successors, for their review and comments,  
26 all proposed amendments to the Urban Renewal Plan no later than the time the  
27 proposed amendments are submitted to the City Planning Commission by the  
28 Department of Housing and Community Development no later than [three (3)  
29 weeks] 60 DAYS after they have been submitted to the Mt. Washington Village  
30 Merchants' Association and Mt. Washington Village Improvement  
31 Association, or their successors Association[.]; otherwise, it is presumed the  
32 proposed changes are satisfactory. Prior to passage of any ordinance  
33 amending the Urban Renewal Plan, a public hearing shall be held, and the Mt.  
34 Washington Village Merchants' Association and Mt. Washington Village  
35 Improvement Association, or their successors, shall receive, at least [ten] 10  
36 days prior to [such] THE hearing, written notice of the time and place of [such]  
37 THE hearing.

38 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Mt.  
39 Washington Village Business Area, as amended by this Ordinance and identified as "Urban  
40 Renewal Plan, Mt. Washington Village Business Area, revised to include Amendment 1 dated  
41 July 17, 2017", is approved. The Department of Planning shall file a copy of the amended Urban

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1 Renewal Plan with the Department of Legislative Reference as a permanent public record,  
2 available for public inspection and information.

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

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

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

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

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