

**CITY OF BALTIMORE
COUNCIL BILL 06-0330
(First Reader)**

Introduced by: Councilmembers Spector, Rawlings Blake, President Dixon, Councilmember Holton

Introduced and read first time: January 23, 2006

Assigned to: Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Howard Park Business Area –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Howard Park Business Area to revise
5 the boundary description for the Project Area, authorize the acquisition by purchase or by
6 condemnation of certain properties for urban renewal purposes, close a certain right-of-way,
7 create an expanded disposition lot, and revise exhibits to reflect the changes in the Plan;
8 waiving certain content and procedural requirements; making the provisions of this
9 Ordinance severable; providing for the application of this Ordinance in conjunction with
10 certain other ordinances; and providing for a special effective date.

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

16 **Recitals**

17 The Urban Renewal Plan for Howard Park Business Area was originally approved by the
18 Mayor and City Council of Baltimore by Ordinance 79-1196 and last amended by Ordinance
19 04-837.

20 An amendment to the Urban Renewal Plan for Howard Park Business Area is necessary to
21 revise the boundary description for the Project Area, authorize the acquisition by purchase or by
22 condemnation of certain properties for urban renewal purposes, close a certain right-of-way,
23 create an expanded disposition lot, and revise exhibits to reflect the changes in the Plan.

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

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

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

6 (1) Amend A.1. of the Plan to read as follows:

7 A. Project Description

8 1. Boundary Description

9 Beginning for the same at a point formed by the intersection of the southern
10 right-of-way line of Liberty Heights Avenue and the western right-of-way line
11 of Howard Park Avenue; thence running in an easterly direction and binding
12 on the southern right-of-way line of Liberty Heights Avenue to a point of
13 intersection with the eastern property line of Lot 11, Block 8295; thence
14 running in a southerly direction and binding on the eastern property line of
15 said Lot 11 to a point of intersection with the northern right-of-way line of an
16 unnamed 15-foot alley; thence running in a westerly direction and binding on
17 the northern right-of-way line of said 15-foot alley, continuing in a straight
18 line crossing Howard Park Avenue to a point of intersection with the western
19 right-of-way line of said Howard Park Avenue; thence running in a southerly
20 direction and binding on the western right-of-way line of Howard Park
21 Avenue crossing Belleville Avenue to a point of intersection with an extended
22 straight line of the southern right-of-way line of an unnamed 20-foot alley;
23 thence running in an easterly direction crossing Howard Park Avenue and
24 binding on said extended straight line and the southern right-of-way line of
25 said 20-foot alley to a point of intersection with the western right-of-way line
26 of Woodbine Avenue; thence running in a southerly direction and binding on
27 the western right-of-way line of Woodbine Avenue crossing Gwynn Oak
28 Avenue to a point of intersection with an extended straight line of the
29 southern right-of-way line of an unnamed 10-foot alley; thence running in a
30 easterly direction crossing Woodbine Avenue and binding on said extended
31 straight line and the southern right-of-way line of said unnamed 10-foot alley
32 to a point of intersection with [an extended straight line of the western
33 property line of Lot 11, Block 8305 thence running in a northerly direction
34 and binding on said extended line and the western property line of said Lot 11
35 to a point of intersection with the southern right-of-way line of Maine
36 Avenue; thence running in an easterly direction and binding on said southern
37 right-of-way line of said Maine Avenue to a point of intersection with] the
38 eastern right-of-way line of Hillsdale Avenue; thence running in a northerly
39 direction crossing Maine Avenue and binding on the eastern right-of-way line
40 of Hillsdale Road to a point of intersection with the southern right-of-way line
41 of Liberty Heights Avenue; thence running in an easterly direction to a point
42 of intersection with an extended line of the eastern property line of Lot 2,
43 Block 8251; thence running in a northerly direction crossing Liberty Heights
44 Avenue and binding on said extended line and the eastern property line of said
45 Lot 2 to a point of intersection with the southern property line of Lot 11,
46 Block 8251; thence running in a westerly direction and binding on the

1 southern property line of said Lot 11 to a point of intersection with the
2 western property line of said Lot 11; thence running in a northerly direction
3 and binding on the western property lines of Lot 11 and Lot 10, Block 8251 to
4 a point of intersection with the northern right-of-way line of an unnamed 10-
5 foot alley; thence running in a westerly direction and binding on the northern
6 right-of-way line of said 10-foot alley and an extended straight line of the
7 northern right-of-way line of said 10-foot alley crossing Hillsdale Road to a
8 point of intersection with the western right-of-way line of Hillsdale Road;
9 thence running in a southerly direction and binding on the western right-of-
10 way line of Hillsdale Road to a point of intersection with the northern right-
11 of-way line of an unnamed 12-foot alley; thence running in a westerly
12 direction and binding on the northern right-of-way line of said 12-foot alley
13 and continuing on an extended straight line crossing Gwynn Oak Avenue to a
14 point of intersection with the western right-of-way line of Gwynn Oak
15 Avenue; thence continuing in a westerly direction and binding on the southern
16 property line of Lot 31, Block 8253 to a point of intersection with the western
17 property line of Lot 31; thence running in a northerly direction and binding on
18 the western property line of Lot 31 to a point of intersection with an extended
19 straight line of the northern right-of-way line of an unnamed 20-foot alley;
20 thence running in a westerly direction and binding on said extended straight
21 line and the northern right-of-way line of said unnamed 20-foot alley,
22 continuing in an extended straight line crossing Woodbine Avenue, and
23 binding on the northern right-of-way line of an unnamed 20-foot alley
24 continuing on an extended straight line crossing Howard Park Avenue to a
25 point of intersection with the western right-of-way line of Howard Park
26 Avenue; thence continuing in a southerly direction and binding on the western
27 right-of-way line of Howard Park Avenue, continuing on an extended straight
28 line crossing Liberty Heights Avenue to the point of beginning.

29 **SECTION 2. AND BE IT FURTHER ORDAINED,** That it is necessary to acquire, by purchase or
30 condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to
31 the following properties or portions thereof, together with all right, title, interest and estate that
32 the owner or owners of said property interests may have in all streets, alleys, ways or lanes,
33 public or private, both abutting the whole area described and/or contained within the perimeter
34 of said area, situate in Baltimore City, Maryland, and described as follows:

35 3402 Hillsdale Road
36 3404 Hillsdale Road

37 4603 Maine Avenue
38 4605 Maine Avenue
39 4607 Maine Avenue
40 4609 Maine Avenue

41 Approximately 310 ft. of Maine Avenue Right-of-way southeast of Gwynn Oak Avenue

42 **SECTION 3. AND BE IT FURTHER ORDAINED,** That Exhibit 1, "Land Use Plan", Exhibit 2,
43 "Property Acquisition", Exhibit 3, "Land Disposition", and Exhibit 4, "Zoning Districts", dated
44 January 10, 2006, are amended to reflect the changes in the Urban Renewal Plan.

1 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Howard Park
2 Business Area, as amended by this Ordinance and identified as “Urban Renewal Plan, Howard
3 Park Business Area, revised to include Amendment __, dated January 23, 2006”, is approved.
4 The Department of Planning shall file a copy of the amended Urban Renewal Plan with the
5 Department of Legislative Reference as a permanent public record, available for public
6 inspection and information.

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

12 **SECTION 6. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
13 application of this Ordinance to any person or circumstance is held invalid for any reason, the
14 invalidity does not affect any other provision or any other application of this Ordinance, and for
15 this purpose the provisions of this Ordinance are declared severable.

16 **SECTION 7. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
17 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
18 safety law or regulation, the applicable provisions shall be construed to give effect to each.
19 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
20 higher standard for the protection of the public health and safety prevails. If a provision of this
21 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
22 establishes a lower standard for the protection of the public health and safety, the provision of
23 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
24 conflict.

25 **SECTION 8. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
26 is enacted.