

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 20-0565**

---

Introduced by: Councilmember Middleton

At the request of: Park West Health Systems, Inc.

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South  
Charles Street, Suite 2115, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: July 20, 2020

Assigned to: Housing and Urban Affairs Committee

---

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: November 2, 2020

---

**AN ORDINANCE CONCERNING**

**Urban Renewal – Park Heights –  
Amendment 5**

1  
2  
3 FOR the purpose of amending the Urban Renewal Plan for Park Heights to amend certain exhibits  
4 to reflect the change of zoning, upon approval by separate ordinance, for the properties  
5 known as known as 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West  
6 Belvedere Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block  
7 4582, Lots 019 and 020), and 5100 Denmore Avenue (Block 4580, Lot 001), ~~and Block~~  
8 ~~4580, Lots 038 and 039-055,~~ and to revise certain exhibits to reflect the adoption of the  
9 Zoning District Map that became effective June 5, 2017, per Ordinance 16-581; waiving  
10 certain content and procedural requirements; making the provisions of this Ordinance  
11 severable; providing for the application of this Ordinance in conjunction with certain other  
12 ordinances; and providing for a special effective date.

13 BY authority of

14 Article 13 - Housing and Urban Renewal  
15 Section 2-6  
16 Baltimore City Code  
17 (Edition 2000)

**Recitals**

18  
19 The Urban Renewal Plan for Park Heights was originally approved by the Mayor and City  
20 Council of Baltimore by Ordinance 08-9 and last amended by Ordinance 18-194.

21 An amendment to the Urban Renewal Plan for Park Heights is necessary to amend certain  
22 exhibits to reflect the change of zoning, upon approval by separate ordinance, for the properties  
23 known as known as 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West

**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 20-0565**

1 Belvedere Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582,  
2 Lots 019 and 020), and 5100 Denmore Avenue (Block 4580, Lot 001),~~and Block 4580, Lots 038~~  
3 ~~and 039-055~~, and to revise certain exhibits to reflect the adoption of the Zoning District Map that  
4 became effective June 5, 2017, per Ordinance 16-581.

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

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

10 (1) Upon approval of rezoning by separate ordinance, amend Exhibit 1B, “Land Use  
11 Plan”, to reflect the change in use category for the properties known as known as  
12 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West Belvedere  
13 Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582,  
14 Lots 019 and 020), and 5100 Denmore Avenue (Block 4580, Lot 001),~~and Block~~  
15 ~~4580, Lots 038 and 039-055~~ from Residential to Office-Residential.

16 (2) Upon approval of rezoning by separate ordinance, amend Exhibit 4B, “Zoning  
17 Districts”, to reflect the change of zoning for the properties known as known as 3215  
18 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West Belvedere Avenue  
19 (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582, Lots  
20 019 and 020), and 5100 Denmore Avenue (Block 4580, Lot 001),~~and Block 4580,~~  
21 ~~Lots 038 and 039-055~~ from the R-6 Zoning District to the OR-1 Zoning District.

22 (3) Revise Exhibit 1B, “Land Use Plan”. and Exhibits 4, 4A, 4B, 4C, 4D, 4E, and 4F,  
23 “Zoning Districts”, to reflect the adoption of the Zoning District Map that became  
24 effective June 5, 2017, per Ordinance 16-581.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Park Heights,  
26 as amended by this Ordinance and identified as “Urban Renewal Plan, Park Heights, revised to  
27 include Amendment 5, dated July 20, 2020”, is approved. The Department of Planning shall file  
28 a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a  
29 permanent public record, available for public inspection and information.

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

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

39 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns  
40 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or  
41 safety law or regulation, the applicable provisions shall be construed to give effect to each.

**Council Bill 20-0565**

1 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the  
2 higher standard for the protection of the public health and safety prevails. If a provision of this  
3 Ordinance is found to be in conflict with an existing provision of any other law or regulation that  
4 establishes a lower standard for the protection of the public health and safety, the provision of  
5 this Ordinance prevails and the other conflicting provision is repealed to the extent of the  
6 conflict.

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

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City