



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland 21202

## Legislation Text

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**File #:** 14-0307, **Version:** 0

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

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INTRODUCTORY\*

CITY OF BALTIMORE  
COUNCIL BILL

Introduced by: Councilmember Cole  
At the request of: Somerset Memorial Partners, LLC  
Address: c/o Al Barry, AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore,  
Maryland 21202  
Telephone: 410-547-6900

A BILL ENTITLED

AN ORDINANCE concerning  
**Urban Renewal - Madison Park South - Amendment** \_\_

FOR the purpose of amending the Urban Renewal Plan for Madison Park South to modify project proposal requirements for a certain disposition lot and to revise a certain exhibit to the Plan to reflect the subdivision of this disposition lot; 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 Madison Park South was originally approved by the Mayor and City Council of Baltimore by Ordinance 61-912 and last amended by Ordinance 75-891.

An amendment to the Urban Renewal Plan for Madison Park South is necessary to modify project proposal requirements for a certain disposition lot and to revise a certain exhibit to the Plan to reflect the subdivision of this disposition lot.

The original development of Disposition Lot 10 by the Memorial Apartments Corporation, pursuant to a Land Disposition Agreement with the City, dated 1964, comprises 286 units of affordable housing for elderly persons and was financed by the Section 202 Program administered by the U.S. Department of Housing and Community Development (HUD). Disposition Lot 10 is located in a medium density residential area. The original project, which was completed in 1967, has not had any major renovations and has now reached the end of its useful life. The Memorial Apartments Corporation has designed and put together the financing that will preserve the units of housing for elderly low-income residents for another 40 years.

The Memorial Apartments Corporation has also subdivided Disposition Lot 10 pursuant to plans approved by the community as part of a Choice Neighborhoods planning process funded by HCD, creating a new parcel referred to as Lot 3A on the subdivision plat, which is to be developed as market-rate housing. The subdivision was approved by the Baltimore City Planning Department on June 13, 2013, and recorded in the Land Records of Baltimore City.

After conveyance of the original project to a new ownership entity, as required by the financing source for the new project, it will be situated on a smaller parcel of land, as a result of the subdivision, and may in this and other ways require relief from certain technical provisions of the Plan. Similarly, the new parcel, to be developed by an affiliate of the Memorial Apartments Corporation, may require certain modifications of the Urban Renewal Plan.

An amendment to the Madison Park South Urban Renewal Plan is necessary to resolve in favor of the new project and the new parcel any conflict between the design of the new project and the land use regulations of the Plan and to also enable the development of the new parcel with market rate rental housing and certain ground floor retail and commercial uses.

This proposed amendment to the Madison Park South Renewal Plan has been approved by the Director of Planning for conformity to the Master Plan, for the detailed location of any public improvements proposed in the amended Plan, and for conformity to existing and proposed zoning classifications. This proposed amendment has also been approved and recommended to the Mayor and City Council of Baltimore by the Commissioner of the Department of Housing and Community Development.

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 Madison Park South are approved:

(1) In the Plan, in D., add new subsections 5 and 6 to read as follows:

D. Project Proposals

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5. NOTWITHSTANDING ANY OTHER PROVISION OF THIS PLAN, THE PROJECT PROPOSAL FOR THE REDEVELOPMENT OF THE IMPROVED PORTION OF LOT 10, WHICH CONSISTS OF THE SUBDIVISION OF LOT 10 THAT HAS CREATED NEW LOT 3A AND THE SUBSTANTIAL RENOVATION OF THE EXISTING 12-STORY STRUCTURE REMAINING ON NEW SUBDIVISION LOT 4, AS DOCUMENTED IN THE BUILDING PERMIT APPLICATION THAT WAS FILED WITH BALTIMORE CITY ON AUGUST 16, 2013, INCLUDING ALL DRAWINGS AND MATERIALS SUBMITTED WITH IT, AS AMENDED BY THE PROJECT ARCHITECT FROM TIME TO TIME TO COMPLY WITH THE REQUIREMENTS OF THE BALTIMORE CITY BUILDING, FIRE, AND RELATED CODES AND OTHER CITY CODE REQUIREMENTS AND AS FINALLY CONSTRUCTED, SHALL BE DEEMED TO FULLY CONFORM WITH THIS PLAN.

6. THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MAY, AT ANY TIME, ISSUE A WAIVER FROM ANY PROVISION OF THE RENEWAL PLAN IF, AFTER CONSIDERATION, A WAIVER IS DETERMINED BY THE COMMISSIONER TO BE IN THE BEST INTEREST OF THE DEVELOPMENT OR REDEVELOPMENT OF THE LAND.

(2) In the Plan, revise Exhibit 5, “Land Disposition”, to reflect the subdivision of Lot 10.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Madison Park South, as amended by this Ordinance and identified as “Urban Renewal Plan, Madison Park South, revised to include Amendment \_\_, dated January 13, 2014”, 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.

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