URBAN RENEWAL PLAN

COLDSTREAM HOMESTEAD MONTEBELLO

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URBAN RENEWAL PLAN

COLDSTREAM HOMESTEAD MONTEBELLO

ORIGINALLY APPROVED BY

THE MAYOR AND CITY COUNCIL OF BALTIMORE

By Ordinance No. 289

February 28, 1977

REVISIONS SINCE ORIGINAL APPROVAL BY THE MAYOR AND CITY COUNCIL OF BALTIMORE:

I. Amendment No. 1, dated January 5, 1978, approved by the Mayor and City Council of Baltimore by Ordinance No. 698, dated April 17, 1978.

II. Amendment No. 2, dated May 12, 1982, was introduced to the City Council as Bill 1163 on May 17, 1982 but was never approved.

III. Amendment No. 3, dated January 22, 1986, approved by the Mayor and City Council of Baltimore by Ordinance No. 684, dated June 12, 1986.

IV. Amendment No. 4, dated August 27, 1987 and revised November 12, 1987, approved by the Mayor and City Council of Baltimore by Ordinance No. 1144, dated December 4, 1987.

V. Amendment No. 5, dated May 21, 1990, approved by the Mayor and City Council of Baltimore by Ordinance No. 646, dated January 25, 1991.

VI. Amendment No. 6, introduced May 18, 1998, approved by the Mayor and City Council of Baltimore by Ordinance No. 351, dated June 24, 1998.

VII. Amendment No. 7, dated ---------- , 2001, approved by the Mayor and City Council of Baltimore by Ordinance No. 01-177, dated June 6, 2001.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Baltimore, Maryland

COLDSTREAM HOMESTEAD MONTEBELLO

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EXHIBITS

1. Land Use Map, dated as revised May 31, 2001

2. Property Acquisition Map, dated as revised 8/27/87

3. Land Disposition Map, dated as revised 8/27/87

4. Zoning Districts Map, dated as revised May 31, 2001

URBAN RENEWAL PLAN

COLDSTREAM HOMESTEAD MONTEBELLO

A. PROJECT DESCRIPTION

1. Boundary Description

The Coldstream Homestead Montebello Urban Renewal Area is located in the City of Baltimore, State of Maryland, and is bounded as shown on the Land Use Plan, Exhibit No. 1, and is described as follows:

BEGINNING FOR THE SAME AT THE INTERSECTION OF THE SOUTH SIDE OF 25TH STREET AND THE EAST SIDE OF HARFORD ROAD; THENCE FROM SAID POINT OF BEGINNING AND BINDING ON THE SOUTH SIDE OF 25TH STREET WESTERLY TO INTERSECT THE WEST SIDE OF LOCH RAVEN BOULEVARD; THENCE BINDING ON THE WEST SIDE OF LOCH RAVEN BOULEVARD NORTHEASTERLY TO INTERSECT THE NORTH SIDE OF 33RD STREET; THENCE BINDING ON THE NORTH SIDE OF 33RD STREET EASTERLY TO INTERSECT THE EAST SIDE OF HILLEN ROAD; THENCE BINDING ON THE EAST SIDE OF HILLEN ROAD SOUTHERLY TO INTERSECT THE NORTH SIDE OF 32ND STREET; THENCE BINDING ON THE NORTH SIDE OF 32ND STREET EASTERLY TO INTERSECT THE EAST SIDE OF HARFORD ROAD; THENCE BINDING ON THE EAST SIDE OF HARFORD ROAD SOUTHWESTERLY TO THE DIVISION LINE BETWEEN LOT 10, BLOCK 4199, KNOWN AS 2555 HARFORD ROAD, AND THE BALTIMORE BELT RAILROAD PROPERTY; THENCE BINDING ON SAID DIVISION LINE EASTERLY TO A POINT FORMED BY EXTENDING THE EASTERN PROPERTY LINE OF LOT 34, BLOCK 4166-A, KNOWN AS 2501 HARFORD ROAD, IN A STRAIGHT LINE NORTHERLY TO INTERSECT SAID DIVISION LINE; THENCE BINDING ON SAID EASTERN PROPERTY LINE, AS EXTENDED, SOUTHERLY TO INTERSECT THE SOUTH SIDE OF THE FIRST 10 FOOT ALLEY NORTH OF 25TH STREET; THENCE BINDING ON THE SOUTH SIDE OF SAID ALLEY WESTERLY TO INTERSECT THE DIVISION LINE BETWEEN LOTS 1 AND 2, BLOCK 4166-A, KNOWN AS 1600 AND 1602 E. 25TH STREET; THENCE BINDING ON SAID DIVISION LINE, AS EXTENDED SOUTHERLY TO INTERSECT THE SOUTH SIDE OF 25TH STREET; THENCE BINDING ON THE SOUTH SIDE OF 25TH STREET WESTERLY TO THE POINT OF THE BEGINNING.

2. Urban Renewal Plan Objectives

a. To achieve a strong residential neighborhood including supporting commercial and public facilities in the Coldstream Homestead Montebello Area.

b. To provide, through acquisition of properties for clearance and redevelopment and for rehabilitation, a substantial number of housing units for low and moderate income families.

c. To remove substandard buildings and to eliminate blighting influences especially as they affect residential uses.

d. To keep to a minimum the involuntary displacement of individuals and families by providing, wherever possible, for residential rehabilitation.

e. To bring about a general physical improvement in the area by coordinated private and public improvements.

f. To encourage home ownership through the use of all applicable federal, state, and local programs.

g. To reduce density and overcrowding.

3. Types of Proposed Renewal Actions

a. Rehabilitation

b. Clearance and Redevelopment

c. Provision of public facilities and public improvements

B. LAND USE PLAN

1. Permitted Uses

Only the use categories shown on the Land Use Plan, Exhibit No. 1, shall be permitted within the Project Area. The use categories are Residential, Neighborhood Business, Community Business, Community Commercial, Community Commercial A, Public, and Industrial. Accessory uses including landscaping, off-street parking, and off-street loading will be permitted. In addition, certain uses, for the most part mixed uses, will be permitted to continue subject to the provisions governing non-conforming and non-complying uses set forth in Sections B.1.h. and B.1.i. below.

Notwithstanding any other provision of this Plan, the following uses are prohibited in the Coldstream Homestead Montebello Urban Renewal Area:

(1) after hours establishments;
(2) boats; sales, rental and repair;
(3) building and lumber materials; sales establishment with shops and yards;
(4) check cashing agencies;
(5) highway maintenance shop and yards;
(6) heliports;
(7) model slot car racing centers;
(8) palmists;
(9) restaurants and lunchrooms – including live entertainment and dancing;
(10) stables; and
(11) tattoo parlors.

a. Residential

In the area designated as Residential on the Land Use Plan, the permitted uses shall be dwellings, non-profit educational, cultural, and/or recreational facilities as defined in the Zoning Ordinance of Baltimore City, and other uses listed as conditional under the provisions for the applicable zoning district in said Zoning Ordinance, provided that such conditional uses are duly approved in the manner set forth in said Zoning Ordinance.

b. Neighborhood Business

In the area designated as Neighborhood Business on the Land Use Plan Map, the following uses shall be permitted:

Those uses permitted under the B-1 category of the Zoning Ordinance of Baltimore City. Business establishments are restricted to a maximum gross floor area of 2000 square feet each, except that food stores are restricted to a maximum gross floor area of 15,000 square feet each.

c. Community Business

In the area designated as Community Business on the Land Use Plan Map, the following uses shall be permitted:

Those uses permitted under the B-2 category of the Zoning Ordinance of Baltimore City.

d. Community Commercial

In the area designated as Community Commercial on the Land Use Plan Map, the following uses shall be permitted:

Those uses permitted under the B-3 category of the Zoning Ordinance of Baltimore City.

e. Community Commercial A

In the area designated Community Commercial A on the Land Use Plan Map, permitted uses shall be limited to those establishments and related accessory uses permitted within the B-3 Zoning District by the Zoning Ordinance of Baltimore City except the following:

amusement establishments; amusement arcades; amusement parks and carnivals; bakeries; barber shops; beauty shops; candy and ice cream stores; carryout food shops; clubs and lodges; community correction centers; convalescent, nursing and rest homes; day nurseries; drug abuse rehabilitation centers; dry cleaners; foster homes; furrier shops; gift and card shops; homeless shelters; housing for the elderly; hobby shops; jewelry stores; launderettes; laundries; liquor stores;

massage salons; newsstands; novelty shops; parole and probation offices; pawn shops; phonograph record stores; pool halls; racetracks; radio and television sales; second hand stores; shoe and hat repair stores; tailors; taverns with live entertainment; tobacco shops; toy stores; variety shops; wearing apparel shops; and wig shops.

f. Public

In the area designated as Public on the Land Use Plan Map, uses shall be limited to parks, playgrounds, plazas, and malls; active and passive recreation; schools and related educational facilities; neighborhood centers; public offices; libraries; fire houses; parking; other public facilities.

g. Industrial

In the area designated as Industrial on the Land Use Plan Map, the following uses shall be permitted:

Light manufacturing and related activities of a relatively nuisance-free nature, compatible with adjacent residential or commercial uses; warehousing and storage activities; the expansion of existing businesses in the area for additional building space; open off-street parking areas for the parking of four or more motor vehicles as a conditional use, provided that the conditional use is approved in the manner set forth in the Zoning Ordinance of Baltimore City. Industrial uses shall comply with the Performance Standards set forth in Chapter 7, Part B of the Zoning Ordinance of Baltimore City.

h. Non-Conforming

A non-conforming use is any lawfully existing use of a building or other structure, or of land which does not conform to the applicable use regulations of district in which it is located according to the Zoning Ordinance of Baltimore City. These non-conforming uses shall be permitted to continue subject to the provisions of Chapter 8 of said Zoning Ordinance, titled “Non-Conformance.”

i. Non-Complying

A non-complying structure, as set forth in Chapter 8 of the Zoning Ordinance of Baltimore City, is any lawfully existing structure which does not comply with the bulk regulations of the zoning district in which it is located. These non-complying structures shall be permitted to continue subject to the provisions of said Chapter 8.

In addition, a non-complying use – when such term is used herein – is any lawfully existing use of a building or other structure, or of land, which does not comply with the land use regulations of this Plan. These non-complying uses shall be permitted to continue for an indefinite period of time, except that:

(1) Any non-complying land use which is discontinued for a period exceeding 12 months shall not be re-established;

(2) No change in the permanent physical members of a structure, such as bearing walls, columns, beams, or girders, or no substantial change in the roof or in the exterior walls shall be made in or to a building or structure except those required by law or except to make the building and use thereof conform to the regulations of this Plan; and

(3) No non-complying land use shall be changed to any other non-complying land use.

2. Regulations, Controls, and Restrictions

a. Provisions Applicable to All Land and Property to be Acquired

The following regulations, controls, and restrictions will be implemented where applicable by covenants, or other provisions in the agreements for land disposition and instruments of conveyance executed pursuant thereto:

(1) General Provisions

(a) No buildings, structure, or parking area shall be constructed over an easement within the Project Area without the prior consent of the Commissioner of the Department of Housing and Community Development and the Director of Public Works.

(b) No materials shall be stored or permitted to remain outside buildings. No waste material, refuse, or garbage shall be permitted to remain outside buildings except as permitted by the Baltimore City regulations regarding containers for garbage; the areas for such containers shall be properly screened.

(c) No sign shall extend above the roof line or parapet wall of the building to which it is attached; no sign shall project more than 12 inches from the building to which it is attached. No free-standing signs shall be permitted. No animated or pulsating signs shall be permitted. The total area of exterior signs for each building shall not exceed in gross area one (1) foot times the street frontage, in feet, of the building; except that signs not exceeding six (6) square feet in area erected for the purpose of directing motorists to the entrance or exit points of off-street parking areas shall be permitted when attached to a fence, screening wall or building wall and shall not be included in the total area calculated for exterior signs.

(d) All land not covered by structures, paved parking, loading or related service areas, paved areas for pedestrian circulation, or decorative surface treatments shall be provided with landscape treatment. Landscape treatment encompasses the planting of any, all, or a combination of the following: trees, shrubs, ground cover, grass, flowers. The amount of landscape treatment should be determined by the nature of the development and should serve to improve the utility of the site, soften and relieve the effects of structure and pavement, and provide visual harmony.

(e) The setback areas abutting street rights-of-way, with the exception of driveways, sidewalks and other walkways, shall be used exclusively for the planting and growing of trees, shrubs, lawn and other ground covering material. These areas shall not be used for nor considered in computing the parking and/or loading space requirements.

(f) Exterior ventilation equipment or any mechanical equipment placed outside of a building, including on the roof, shall be effectively screened.

(2) Off-Street Parking Requirements

(a) Parking spaces shall be provided on all lots for development as established in the Zoning Ordinance of Baltimore City, or in such lesser amount as may be authorized by the Board of Municipal and Zoning Appeals as a Special Exception or Variance. In addition to these requirements, off-street parking areas shall be visually screened from public streets and adjacent properties.

(b) All required parking spaces shall be provided with proper ingress and egress to a public street or alley by means of access drives and aisles.

(c) All parking areas shall be effectively screened. Screening shall consist of a masonry wall or durable fence, or combination thereof, not less than four (4) feet in height; in lieu of such wall or fence, a compact evergreen hedge of not less than four (4) feet in height at the time of original planting may be used. Screening and landscaping shall be maintained in good condition and shall be designed and placed so as not to obstruct vehicle site (*sic!*) distances at entrances and exits.

(d) All exterior (surface) parking areas shall be paved with a hard, dust-free surface, and shall be properly illuminated.

(3) Redeveloper's Obligations

(a) The Redeveloper shall not enter into, execute, or be a party to any covenant, agreement, lease, deed, assignment, conveyance, or any other written instrument which restricts the sale, lease, use or occupancy of the property, or any part thereof of any improvements placed thereon, upon the basis of national origin, race, religion, sex or color. Such agreement or covenant

providing for this nondiscrimination provision shall be included in the instruments and the City of Baltimore shall be deemed a beneficiary of such covenants and shall be entitled to enforce it. The Redeveloper shall comply with all State and local laws, in effect from time to time, prohibiting discrimination or segregation.

(b) The Redeveloper shall devote the land to those uses specified in the Plan and to no other uses.

(c) The Redeveloper shall agree to retain the interest he acquires in the property transferred to him until he has completed the improvements, construction, and development in the area required by this Plan and the disposition instruments, and he shall further agree not to sell, lease or otherwise transfer the interest he acquired or any part thereof without the prior written consent of the Commissioner of the Department of Housing and Community Development or until the Department shall have certified in writing that the Redeveloper has completed the improvements, construction, and development in the area.

(4) Provisions applicable to land to be acquired for rehabilitation

(a) Properties to be acquired for rehabilitation shall be subject to the codes and ordinances of Baltimore City.

(5) Provisions applicable to land to be acquired for clearance and redevelopment.

Disposition Lots 1 and 2 – The use of these lots shall be public. Only play equipment, benches, trash containers, water fountains and other facilities necessary or appropriate for park and playground use shall be permitted.

b. Provisions Applicable to all Land and Property Not to be Acquired

(1) General Provisions

The provisions of Section B.1. (Permitted Uses) above shall apply to all properties not to be acquired within the project area. The provisions of Section B.2.a. shall apply as appropriate to properties not currently proposed to be acquired by this Plan if the owners thereof acquire adjacent project land made available by the Department of Housing and Community Development under the provisions of this Plan.

(2) Review of Plans for New Construction, Exterior Rehabilitation, or Change In Use

All plans for new construction (including parking lots), exterior rehabilitation or change in use on any property not to be acquired under the provisions of this Plan shall be submitted to the Department of Housing and Community Development for review. Only upon finding that the proposed plans are consistent with the

objectives of the urban renewal plan, shall the Commissioner of the Department of Housing and Community Development authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition to and not in lieu of all other applicable laws and ordinances relating to new construction.

(3) Demolition

All applications for demolition permits shall be submitted to the Department of Housing and Community Development for review and approval. Upon finding that the proposed demolition is consistent with the objectives of the urban renewal plan, the Commissioner of the Department of Housing and Community Development shall authorize the issuance of the necessary permit. If the Commissioner finds that the proposal is inconsistent with the objectives of the urban renewal plan and therefore denies the issuance of the permit, he shall within 90 days of such denial, seek approval of the Board of Estimates to acquire for and on behalf of the Mayor and City Council of Baltimore the property, in whole or in part, on which said demolition was to have occurred by purchase, lease, condemnation, gift or other legal means for the renovation, rehabilitation and disposition thereof. In the event that the Board of Estimates does not authorize the acquisition, the Commissioner shall, without delay, issue the demolition permit.

C. TECHNIQUES USED TO ACHIEVE PLAN OBJECTIVES

1. Acquisition

A Property Acquisition Map, which designates those properties to be acquired, is attached as Exhibit No. 2. Scattered properties to be acquired and disposed of for rehabilitation are listed in Appendix A.

a. Conditions Under Which Properties Not Designated for Acquisition May Be Acquired

(1) Non-Salvable and Non-Compliance with Provisions

It may be necessary to acquire by purchase or by condemnation for urban renewal purposes the fee simple interest or any lesser interest in and to such of the remaining properties or portions thereof in the Coldstream Homestead Montebello Project not specifically designated for acquisition on the Property Acquisition Map, Exhibit 2, as may be deemed necessary and proper by the Commissioner of the Department of Housing and Community Development to effect the proper implementation of the project. This may include:

(a) Any property in the Project Area containing a non-salvable structure, i.e., a structure which in the opinion of the Commissioner of the Department of Housing and Community Development cannot be economically rehabilitated.

(b) Any property the owner of which is unable or unwilling to comply or conform to the codes and ordinances of Baltimore City within 12 months from the date of written notice of the required improvements, the Department of Housing and Community Development, after due consideration that the property owner has failed to achieve substantial conformity with the codes and ordinances of Baltimore City may acquire such property pursuant to the Eminent Domain Law of this State as if the property had originally been planned for acquisition after 90 days written notice to the owner. The Department of Housing and Community Development reserves the right to acquire any such non-complying property for a period of two (2) years from the date of said written 90 days notice by the Department of Housing and Community Development.

(2) Rehabilitation by the Department of Housing and Community Development or others

It may be necessary to acquire by purchase or condemnation the fee simple interest, or any lesser interest in and to such of the remaining properties not specifically designated for acquisition on the Property Acquisition Map in order to carry out rehabilitation by the Department of Housing and Community Development or for resale.

These properties are being acquired because

(a) It is necessary to make residential structures available for use for low- and moderate-income families; or

(b) rehabilitation on a structure-by-structure basis is infeasible, and assemblage of a group of properties is required to carry out the objectives set forth in this Plan; or

(c) rehabilitation of individual, scattered properties is necessary in order to remove blighting influences from otherwise sound residential blocks.

b. Actions to be Followed by the Department of Housing and Community Development Upon Acquisition of Properties

Upon the acquisition of properties, the Department of Housing and Community Development will either:

(1) Demolish the structure or structures thereon and dispose of the land for redevelopment for uses in accordance with this Plan; or

(2) Sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City; or

(3) Rehabilitate the property in conformance with the codes and ordinances of Baltimore City and dispose of property in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, property may be rented pending continuing sale efforts.

2. Rehabilitation

a. Property Rehabilitation Standards

Property rehabilitation shall comply with the codes and ordinances of the City of Baltimore. Over and above the codes and ordinance of the City of Baltimore, cleaning of masonry façades by means of sandblasting shall not be permitted, except where sandblasting is determined by the Commissioner of the Department of Housing and Community Development to be the only feasible means of surface cleaning and where, in the Commissioner's opinion, it will not cause damage to historic building materials.

Rehabilitation within the Harford Road Commercial Area shall comply with the standards contained in Appendix B of this Plan entitled "Non-Residential Property Rehabilitation – Harford Road Commercial Area."

b. Design Review and Approval

Designs for all building improvements, modifications, repair, rehabilitation or painting of the exterior of the existing buildings, their yards or show windows, and for all signs, shall be submitted to and approved by the Department of Housing and Community Development before proceeding with the work.

3. Relocation

a. The Department of Housing and Community Development assures that before individuals or families are displaced from their dwelling units due to the requirements of the Plan, standard housing within the displacees' financial means shall be provided. Residents living within the Project Area, if displaced through the requirements of this Plan, shall be given a priority by the Department of Housing and Community Development to any housing within the Project Area over which the Department has direct control.

b. The Department of Housing and Community Development assures that before firms or individual businesses are displaced from their present location of operation due to the requirements of this Plan, standard commercial structures within the displacees' financial means, in or near the project area shall be identified. Businesses displaced because of the requirements of this Plan shall be given favorable consideration, but not necessarily priority, by the Department of Housing and Community Development in the review of commercial and industrial redevelopment proposals.

4. Review of Development

a. Department of Housing and Community Development Review

The Department of Housing and Community Development specifically reserves the right to review and approve the Redeveloper's plans and specifications for development or rehabilitation with respect to their conformance with the provisions of the renewal plan and in order to achieve harmonious development of the project area. The Department also reserves the right to refuse to approve any such drawings, plans or specifications that are not suitable or desirable, in its opinion, for aesthetic or functional reasons, and, in so passing upon such drawings, plans and specifications, it shall have the right to take into consideration, but shall not be limited to, the suitability of the site plan, architectural treatment, building plans, elevations, materials and color, construction details, access, parking, loading, landscaping, identification signs, exterior lighting, refuse collection details, streets, sidewalks and the harmony of the plans with the surroundings.

Under the provisions of Section B.2.b.(2), the Department of Housing and Community Development has the right to review all plans for new construction, exterior rehabilitation, change in use, or demolition of any property not to be acquired.

The Department of Housing and Community Development will fully utilize its Design Advisory Panel to work with developers in the achievement of high quality site, building, and landscape design.

b. Community Review

(1) The Department of Housing and Community Development shall submit to the Coldstream Homestead Montebello Community Corporation, or its successor, for its review and comment the form and content of all proposals to redevelop land to be disposed of. The Coldstream Homestead Montebello Community Corporation, or its successor, shall advise the Department of Housing and Community Development of its recommendations regarding the acceptability and priority of all proposals. The written comments shall be transmitted to the Department of Housing and Community Development no later than 3 weeks after the proposals have been submitted to the Coldstream Homestead Montebello Community Corporation, or its successor; otherwise, it is presumed that the proposals are acceptable. The Commissioner of the Department of Housing and Community Development, however, retains the final authority with respect to granting or withholding development priorities and shall dispose of redevelopment land through procedures established by the Department.

(2) The Department of Housing and Community Development shall submit to the Coldstream Homestead Montebello Community Corporation, or its successor, for its review and comment, the Preliminary Plans and the Proposed Final Construction Plans for each disposition lot designated in this Plan. The written

comments and recommendations from this review shall be transmitted to the Department of Housing and Community Development no later than three weeks after the plans have been submitted to the said Coldstream Homestead Montebello Community Corporation; otherwise, it is presumed that the plans are acceptable. The Commissioner of the Department of Housing and Community Development retains final authority to approve or disapprove all plans.

(3) Additional requirements regarding Community Review of plans and permits for the Harford Road commercial Area may be fund Appendix B of this Plan.

c. Statement of Proposals to Provide Low- and Moderate-Income Housing

On project land to be disposed of for residential uses, a predominant amount of all dwelling units permitted by this Plan shall be for low- and moderate-income families. The Department of Housing and Community Development, in overseeing the development of this low- and moderate-income housing, shall utilize all applicable Federal programs for assisting in its construction.

D. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

The following information is required by Ordinance No. 152 of the Mayor and City Council of Baltimore, approved June 28, 1968.

1. Land Disposition

a. Land and property interests acquired by the Mayor and City Council within the Project Area will be disposed of by sale, lease, conveyance, or transfer or other means available to the city, in accordance with the Land Disposition Map, Exhibit 3.

b. The parcels shown on the Exhibit 3 are schematic and approximate. The Department of Housing and Community Development shall have the right, in its discretion, to fix their precise boundaries and size. For purposes of disposition, the parcels, or lots, as shown on Exhibit 3 may be sub-divided or combined.

2. Zoning

All appropriate provisions of the Zoning Ordinance of Baltimore City shall apply to properties in the Coldstream Homestead Montebello Project Area. Any change in the Zoning Ordinance embodied in this Urban Renewal Plan and designated on Exhibit 4, Zoning Districts, shall be approved by ordinance in accordance with the procedural requirements of the Zoning Ordinance and Article 66-B of the Annotated Code of Maryland (1957 Edition, as amended).

3. Reasons for the Various Provisions of this Plan

   a. Existing land use within the project is predominantly residential. Renewal objectives can best be achieved by the rehabilitation and redevelopment of the area for residential use.

   b. Structures are proposed for rehabilitation where survey data have indicated that they are basically sound and in accordance with the Land Use Plan.

   c. Clearance and redevelopment areas are proposed in order to remove concentrations of blight and to curtail deteriorating influences.

E. DURATION OF PROVISIONS AND REQUIREMENTS

The Coldstream Homestead Montebello Urban Renewal Plan, as it may be amended from time to time, shall be in full force and effect for a period of not less than 40 years following the date of original adoption of this Plan by the Mayor and City Council of Baltimore.

F. PROCEDURES FOR CHANGES IN APPROVED PLAN

The Department of Housing and Community Development shall submit to the Coldstream Homestead Montebello Community Corporation, or its successor for its review and comments all proposed amendments to the urban renewal plan no later than at the time the proposed amendments are submitted to the Director of the Department of Planning by the Department of Housing and Community Development. The written comments and recommendations from this review shall be transmitted to the Department of Housing and Community Development no later than three weeks after they have been submitted to the Coldstream Homestead Montebello Community Corporation, or its successor; 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. The Coldstream Homestead Montebello Community Corporation, or its successor, shall receive, at least ten days prior to such hearing, written notice of the time and place of such hearing, With respect to any land in the Project Area previously disposed of by the City for use in accordance with the urban renewal plan, the then owner of such land whose interests therein are materially affected by such changes, shall receive at least ten days prior to such hearing written notice of the time and place of such hearing and information as to where a copy of the proposed amendments may be inspected.

G. SEPARABILITY

In the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Plan, or the application thereof to any person or circumstances is invalid the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, it being hereby declared that the remaining provisions of the Plan without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof, so held invalid would have been adopted and approved.

APPENDIX A

PROPERTIES FOR ACQUISITION & DISPOSITION FOR RESIDENTIAL REHABILITATION

1557 Abbotston Street

1612 Carswell Street*
1643 Carswell Street

1701 Carswell Street

2558 Garrett Avenue

2636 Garrett Avenue

2658 Harford Road

2812 Harford Road

1738 E. 28th Street

1727 E. 29th Street

* plus adjoining lot – Lot 5A, Block 4130 – described as on the northeast side of Carswell Street 240 feet northwest of Polk Street

APPENDIX B

IV NON-RESIDENTIAL PROPERTY REHABILITATION

HARFORD ROAD COMMERCIAL AREA

Over and above the codes and ordinances of the City of Baltimore, the following additional standards shall be applied to all non-residential properties, whether occupied or vacant, in the Harford Road Commercial Area, which comprises those properties fronting on Harford Road between 25th and 32nd Streets and those properties in the 2800 block of Hillen Road.

A. Property Rehabilitation Objectives

To rehabilitate non-residential buildings in the Harford Road Commercial Area so as to :

(1) relate the diverse building types and create a visually identifiable commercial area.

(2) preserve original façade and design characteristics of parts of buildings visible from the public streets.

B. Exterior Rehabilitation Standards

Over and above the codes and ordinances of the City of Baltimore, the following additional standards shall be applied to all non-residential properties within the Harford Road Commercial Area, whether occupied or vacant.

(1) Building Façades

(a) All defective structural and decorative elements of building fronts and sides, including storefronts, cornices, and porches, shall be repaired or replaced in a workmanlike manner.

(b) All brick walls and natural stone walls shall be kept clean, repaired, and repointed as required. Cleaning of masonry façades by means of sandblasting shall not be permitted. Brick walls shall be either preserved in their natural color or painted a color to be approved by the Department of Housing and Community Development.

(c) No new formstone, stucco, metal or wood finishes shall be permitted over brick wall surfaces. All such existing finishes that are defective over 10 percent of their area shall be repaired, over more than 50 percent defective shall be removed and the walls behind them restored.

(d) Existing metal siding which is undamaged, structurally sound, and permissible under the Baltimore City Building Code may be retained.

All metal siding that remains shall be kept clean, in a state of good repair, and in a color compatible with the colors of the neighboring structures.

(e) All miscellaneous elements on the exterior walls of the structures such as empty electrical boxes, conduits, pipes, unused sign brackets, etc., shall be removed.

Side walls, shall be finished in a manner that is harmonious with the front of the building.

(2) Storefronts

(a) New storefronts that project beyond the original property line of the commercial properties are not permitted.

(b) Show windows, entrances, signs, lighting, sun protection, security grilles, etc., shall be compatible, harmonious and consistent with the original scale and character of the structures.

(c) Enclosures and housing for security grilles and screens shall be as inconspicuous as possible and compatible with other elements of the façade.

(d) All exposed portions of the grille, screen or enclosure which are normally painted and all portions which require painting to preserve, protect or renovate the surface shall be painted.

(e) Show windows shall not be painted for advertising purposes, but may be painted for authorized identification of the place of business.

(f) Solid or permanently enclosed or covered storefronts shall not be permitted, unless treated as an integral part of the building façade using wall materials and window detailing compatible with the upper floors.

(g) Soft, retractable, flameproofed awnings are permitted. Aluminum awnings are not permitted.

(f) Enclosure of porch fronts to develop new storefronts is not permitted, after the date of the enactment of this ordinance.

(i) Conversion of basements under porches into storefronts is not permitted.

(3) Windows

All of the windows in a single façade, with the exception of show windows in a multi-story building, shall be of matching design. All window openings shall have the same heights and width they did at the time that the wall in which the openings are located was originally built. Filling in these openings at the top, bottom or sides is not permitted. The following additional requirements shall apply:

(a) 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 with glass or other approved transparent material. All exposed wood shall be repaired and painted.

(b) Window openings in upper floors of the front of the building, shall not be filled or boarded up on the exterior. Windows in unused area of the upper floors may be backed by a solid surface on the inside of the glass. Window panes shall not be painted.

(c) Window openings in sides of buildings that are filled or boarded on the date of enactment of this ordinance are permitted to remain for a period of one (1) year from that date at which time they must comply with the provisions of paragraph (B) (3) (a) and (b) above. During this period, the filled or boarded openings shall be treated in a manner that is compatible and harmonious with the façade in which they are located and shall be maintained in good condition.

(4) Roofs

(a) Chimneys or any other auxiliary structures on roofs shall be kept clean and in good repair.

(b) Roof mounted structures for the support of signs, billboards, etc., are not permitted.

(c) Any mechanical equipment placed on a roof shall be so located as to be hidden from view from Harford Road and to be as inconspicuous as possible from other viewpoints. Otherwise, such equipment shall be screened with suitable elements of a permanent nature finish. Where such screening is unfeasible, equipment shall be installed in a neat, presentable manner, and shall be painted so as to minimize its visibility.

(5) Signs

(a) Product advertising or supplier product signs shall be permitted provided such sign or signs in total are no larger than 25% of the area of the allowable sign for the building or 12 square feet, whichever is smaller.

All lighting and electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes shall be properly screened.

(b) Flat signs shall be placed parallel to the building face, shall not project more than 12" from the surface of the building and shall not exceed in area three times the width in feet of the frontage of the building. In the case of corner properties, each façade is to be calculated separately as to size allowed for each. Flat signs shall be placed no higher than the bottom of the second story window where windows exist or 13 feet above sidewalk grade, whichever is lower.

(c) Painted signs on building surfaces or use of separate cutout letters shall be permitted in accordance with the above limits for flat signs.

(d) Secondary signs on upper floors of a building shall not exceed three (3) square feet in area and shall not project more than one (1) inch beyond the surface of the building, nor shall they be placed higher than at the bottom of the second story window.

(e) Painted or inlaid signs on cloth awnings are not permitted.

(f) Flashing, pulsating or animating signs other than barber poles shall not be permitted.

(g) No temporary or permanent sign affixed or placed against the inside surface of a show window shall exceed 20% of the area of that show window.

(h) Secondary signs on the lower floors of porch front buildings shall not exceed twenty-four (24) square feet in area and shall not project more than one (1) inch beyond the surface of the building, nor shall they be placed higher than the top of the porch railing above.

(i) Signs attached at right angles to a building are not permitted.

(j) Future minor privilege permits for signs shall be issued only for those signs meeting project design criteria.

(k) No signs shall be permitted except as herein provided or as otherwise authorized by the Department of Housing and Community Development for temporary purposes not exceeding thirty (30) days.

(6) Refuse Storage

All outdoor refuse storage areas shall be screened from the view of adjacent properties and public rights-of-way on Harford Road. Screening shall consist of a masonry wall or opaque fence, or combination thereof, not less than four feet nor more than eight feet in height.

(7) Off-Street Parking, Outdoor General Storage Areas, Off-Street Parking – Areas, Vacant Lots as Visible From Harford Road

All such areas shall be effectively screened on property lines adjacent to public sidewalks in the following manner:

(a) Appropriate screening shall be provided at a minimum of 3’6” in height above the adjacent sidewalk. The screening shall consist of a masonry wall or opaque fence, or a combination with plant material of an acceptable design.

(b) It is the intent of this Plan that the screening shall extend over openings for access and be continuous along the entire property line adjacent to a public street and match as closely as possible the material and construction techniques of one of the adjacent structures.

(c) Screening and landscaping shall be designed and placed so as not to obstruct vehicle sight distances at entrances and exits.

(8) Compliance

No alteration or improvement work shall be undertaken which does not conform with the requirements herein unless the requirements have been waived by the Commissioner.

(9) Design Review and Approval

(a) Designs for all building improvement, modifications, repair, rehabilitation or painting concerning the exterior of the existing buildings, their show windows, and for all signs, shall be submitted to the Commissioner of the Department of Housing and Community Development and written approval by the Department shall be required before proceeding with the work.

(b) The Commissioner of the Department of Housing and Community Development shall be concerned with all aspects of the designs affecting exterior appearance and in particular with the following:

- colors to be uses on buildings and signs;

- Design of show windows and entrance area, including choice of materials and types of security devices;

- Design of signs, methods of illumination, colors, materials, methods of suspension.

(10) Community Review

The Department of Housing and Community Development shall submit to the Coldstream Homestead Montebello Community Corporation or its successor or its assignee for its review and comment, the form and content of all plans and proposals to redevelop land, all property rehabilitation plans, and all work and occupancy permits. The Coldstream Homestead Montebello Community Corporation or its successor or its assignee, shall advise the Department of Housing and Community Development of its recommendation regarding the acceptability and/or priority of all plans, proposals, and permits. The Commissioner of the Department of Housing and Community Development retains the final authority to approve or disapprove all plans and/or permits and to grant or withhold development priorities, disposing of redevelopment land through procedures established by the Department of Housing and Community Development.

Exhibit 1: Land Use

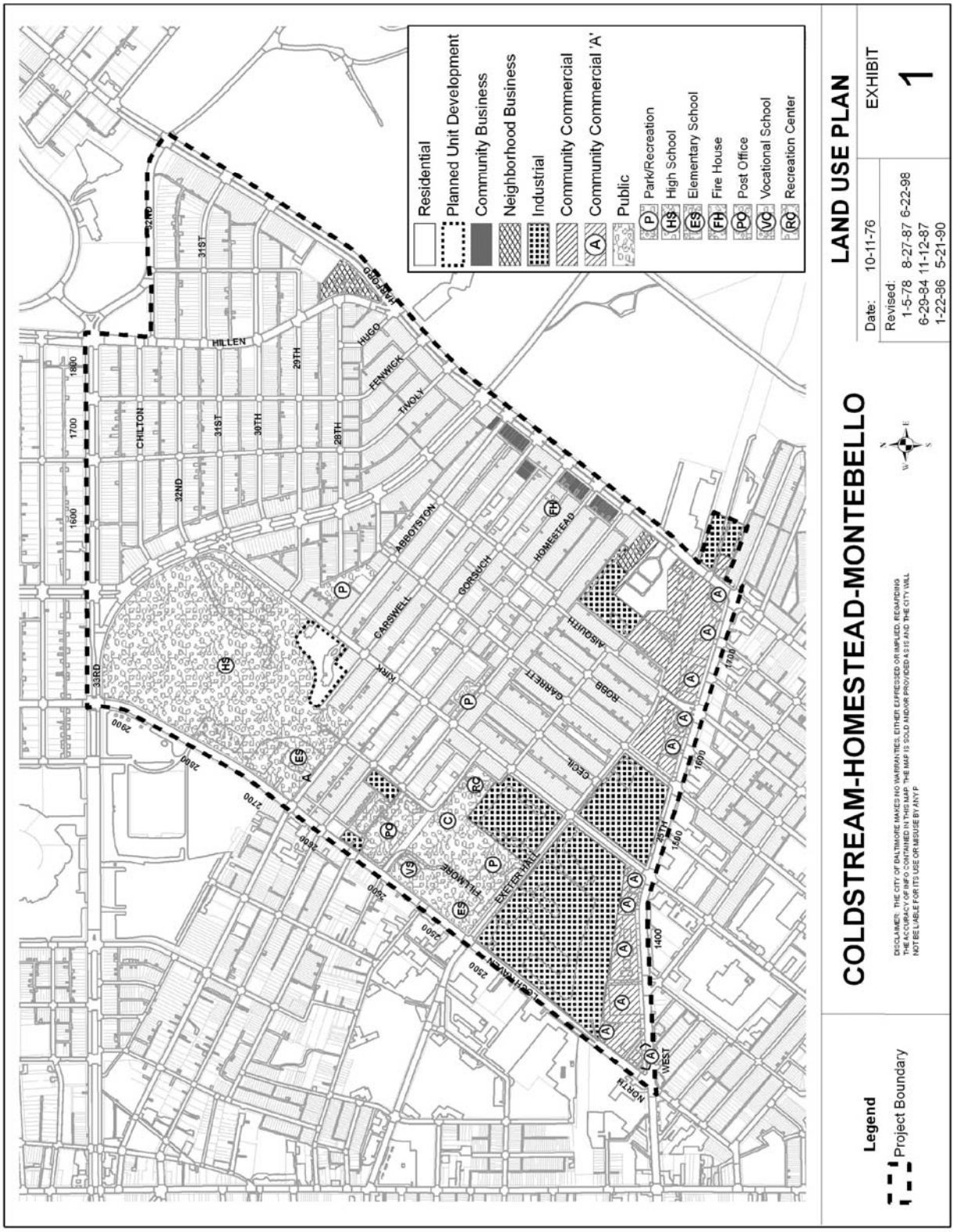

Exhibit 2: Property Acquisition

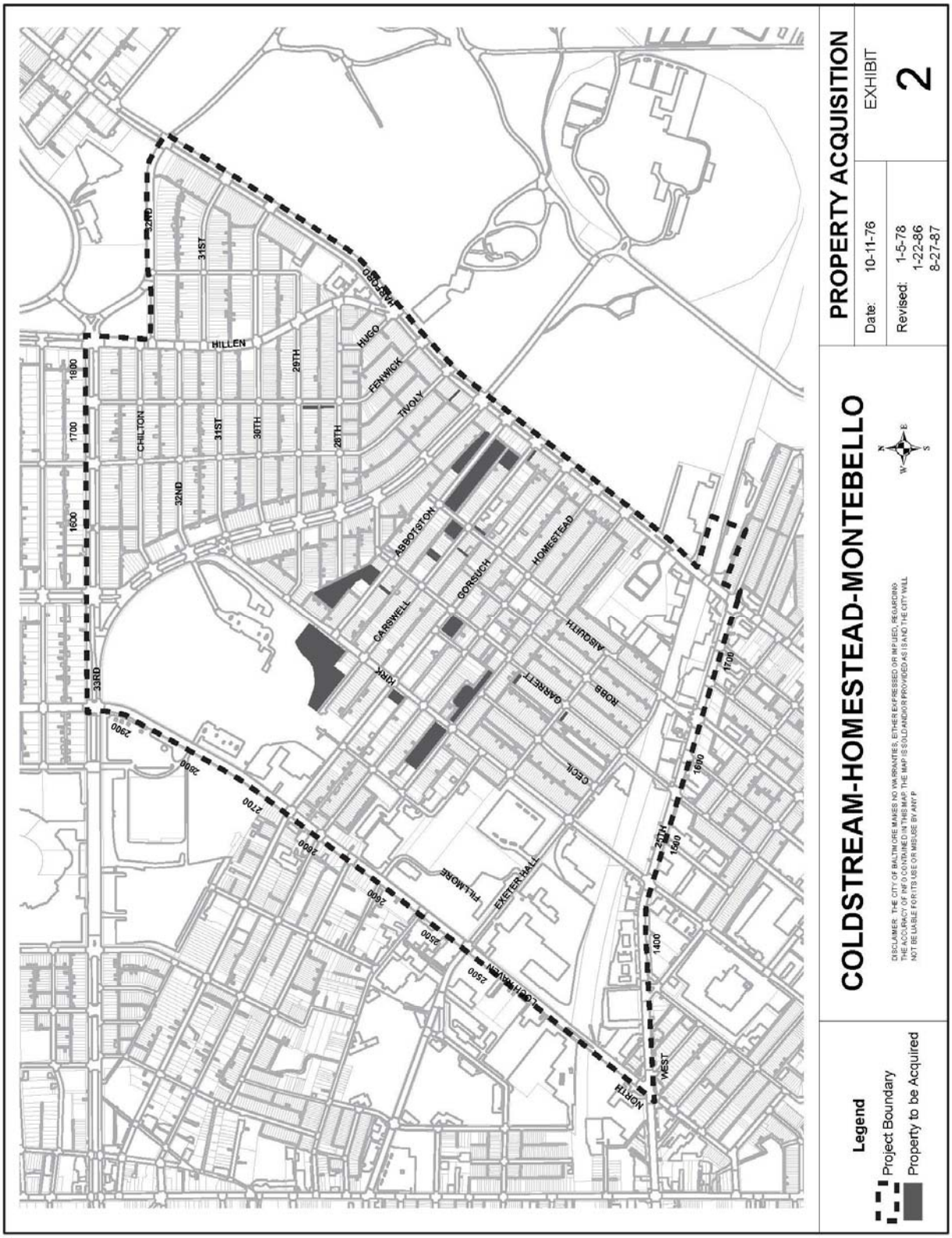

Exhibit 3: Land Disposition

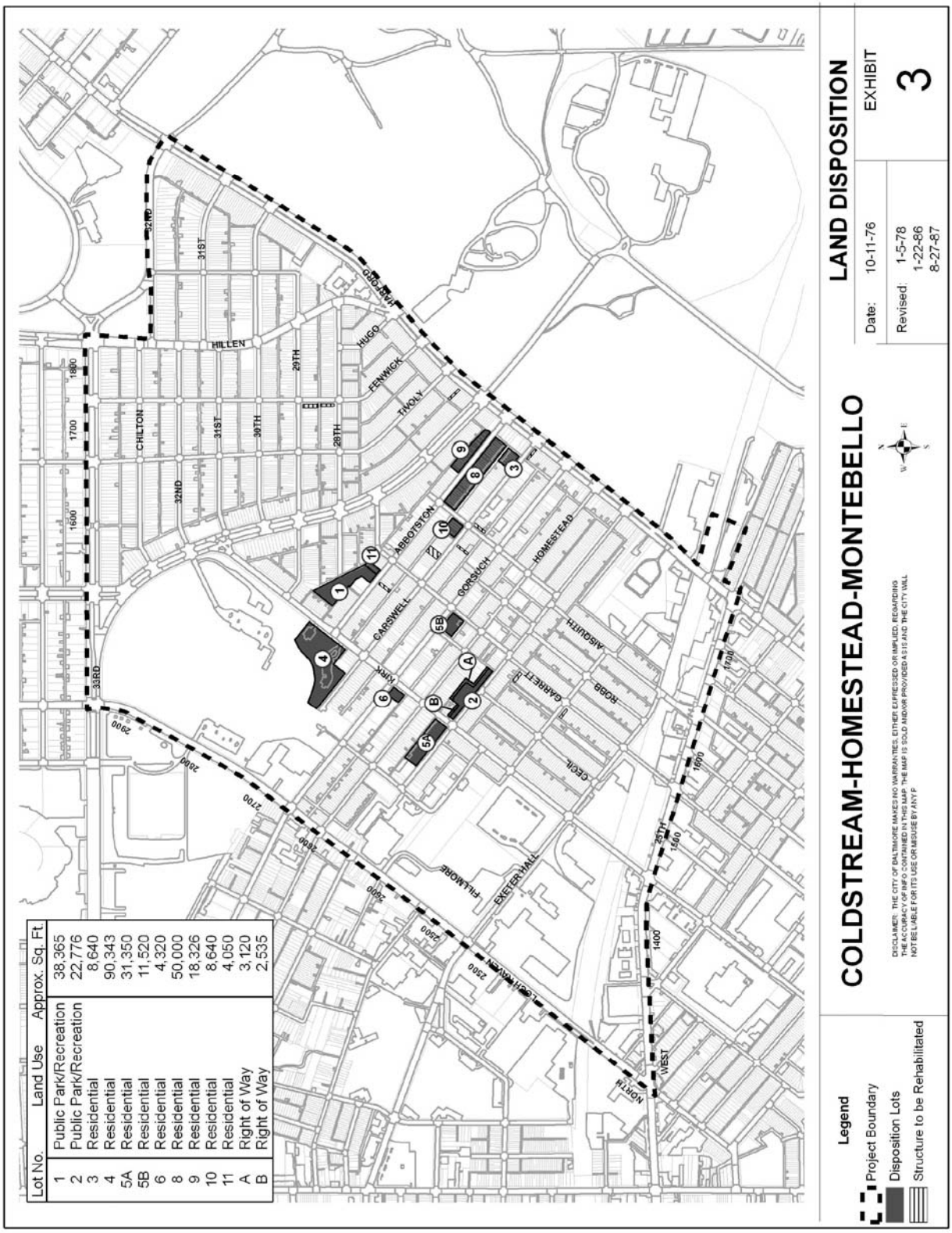
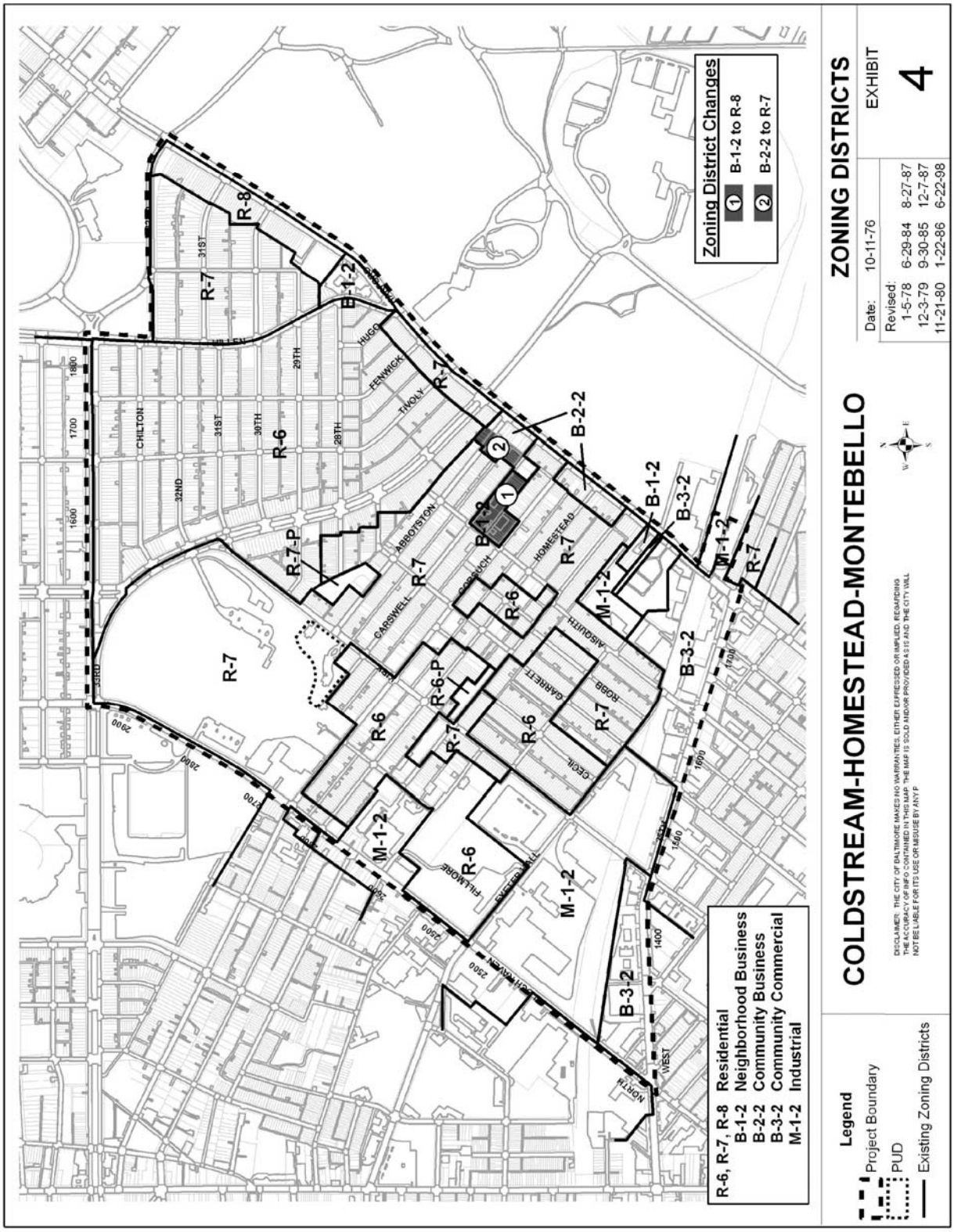
Exhibit 4: Zoning Districts