

URBAN RENEWAL PLAN

BARCLAY

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URBAN RENEWAL PLAN

BARCLAY

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BALTIMORE, MARYLAND

ORIGINALLY APPROVED BY

THE MAYOR AND CITY COUNCIL OF BALTIMORE

BY ORDINANCE NO. 927

DECEMBER 13, 1978

REVISIONS SINCE ORIGINAL APPROVAL BY THE MAYOR AND CITY COUNCIL:

- I. Amendment No. 1, dated June 2, 1982, approved by the Mayor and City Council of Baltimore by Ordinance No. 722, dated September 1, 1982.
- II. Amendment No. 2, dated September 1, 1988, approved by the Mayor and City Council of Baltimore by Ordinance No. 251, dated March 23, 1989.

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APPENDIX A: PROPERTIES FOR ACQUISITION AND DISPOSITION FOR REHABILITATION

EXHIBITS:

1. Land Use Plan, dated as revised 6/2/82
2. Property Acquisition Map, dated as revised 9/1/88
3. Land Disposition Map, dated as revised 9/1/88
4. Zoning Districts Map, dated as revised 6/2/82

BARCLAY
URBAN RENEWAL PLAN

A. PROJECT DESCRIPTION

1. Boundary Description

BEGINNING FOR THE SAME AT THE INTERSECTION OF THE SOUTH SIDE OF NORTH AVENUE AND THE EAST SIDE OF GREENMOUNT AVENUE; THENCE FROM SAID POINT OF BEGINNING AND BINDING ON THE SOUTH SIDE OF NORTH AVENUE WESTERLY TO INTERSECT AN EXTENSION OF THE DIVISION LINE BETWEEN LOTS 1 AND 18, WARD 12, SECTION 8, BLOCK 3801; THENCE BINDING ON SAID EXTENSION AND THE DIVISION LINE NORTHERLY TO INTERSECT THE SOUTH SIDE OF A 10-FOOT ALLEY; THENCE BINDING ON THE SOUTH SIDE OF SAID 10-FOOT ALLEY EASTERLY TO THE WESTERN PROPERTY LINE OF LOT 18, WARD 12, SECTION 8, BLOCK 3801; THENCE BINDING ON SAID PROPERTY LINE NORTHERLY TO INTERSECT THE SOUTH SIDE OF 20TH STREET; THENCE CROSSING 20TH STREET NORTHEASTERLY TO INTERSECT THE WEST SIDE OF HARGROVE STREET; THENCE BINDING ON THE WEST SIDE OF HARGROVE STREET NORTHERLY TO INTERSECT THE NORTH SIDE OF 25TH STREET; THENCE BINDING ON THE NORTH SIDE OF 25TH STREET EASTERLY TO INTERSECT THE EAST SIDE OF GREENMOUNT AVENUE; THENCE BINDING ON THE EAST SIDE OF GREENMOUNT AVENUE SOUTHERLY TO THE POINT OF BEGINNING.

2. Objectives and Reasons for the Various Provisions of this Plan

- a. To achieve a strong residential neighborhood, including supporting commercial and public facilities in the Barclay 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 use of all applicable federal, state, and local programs.

B. LAND USE PLAN

1. Permitted Land Use

Only the use categories shown on the Land Use Plan Map, Exhibit No. 1, shall be permitted within the project area. These are Residential, Community Business, Community Commercial, Office-Residential and Public. Accessory uses including landscaping, off-street parking and 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 uses set forth in Section B.1.f. below.

a. Residential

In the area designated Residential the principal permitted uses shall be as follows:

Dwellings; private schools, and other educational facilities; libraries; religious facilities of any denomination, sect, or rite; clubs and lodges; and public utility facilities. Subject to the regulations of the Zoning Ordinance of Baltimore City: convalescent homes; homes for the care of the aged; day nurseries and nursery schools; other public service uses; professional offices for not more than four physicians or dentists in a structure designed for residential use; housing for the elderly; and off-street parking facilities.

b. 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 including residential uses, but excluding taverns, liquor stores, dance halls, clubs and lodges. Drug stores, food stores, grocery stores and delicatessens will be permitted, but not including the sale of alcoholic beverages. A maximum floor area ratio of 5.0 will be permitted.

c. Community Commercial

In the area designated Community Commercial on the Land Use Plan Map, permitted uses shall be limited to those business establishments, and related accessory uses permitted within a B-3 District by the Zoning Ordinance of Baltimore City including residential uses, but excluding taverns, liquor stores, dance halls, amusement establishments, clubs and lodges. Drug stores, food stores, grocery stores and delicatessens will be permitted, but not including the sale of alcoholic beverages.

d. Office – Residential

In the area designated Office-Residential on the Land Use Plan Map, uses shall be limited to dwellings, business, governmental and professional offices, but not including sales and bulk storage of merchandise on the premises.

e. Public

In the area designated 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.

f. 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 the district in which it is located according to Article 30 of the Baltimore City Code (1976 Edition, as amended), titled “Zoning”. These non-conforming uses shall be permitted to continue, subject to the provisions of Chapter 8 of said Article 30, titled “Non-Conformance”.

g. Non – Complying

A non-complying structure, as set forth in Chapter 8 of Article 30 of the Baltimore City Code (1976 Edition, as amended), titled “Zoning” 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 reestablished;
- (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.
- (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

(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 from adjacent properties and public streets and alleys.
- (c) 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.
- (d) Exterior ventilation equipment or any mechanical equipment placed outside of a building, including on the roof, shall be effectively screened.
- (e) Except as otherwise provided in specific lot controls, no signs other than those identifying the structure upon which they are installed or identifying the use conducted therein shall be permitted. 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 sign shall be permitted.
- (f) Parking spaces and effective screening from public streets and adjacent properties shall be provided according to the requirements as established by the Zoning Ordinance of Baltimore City, or in such lesser amount as may be authorized by the Commissioner of the Department of Housing and Community Development and the Board of Municipal and Zoning Appeals as a Special Exception or Variance.

- (g) 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 or 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. 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) *(text missing)*

... 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, buy 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.

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 Barclay Project not specifically designated for acquisition on the Property Acquisition Map, Exhibit No. 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) *(text missing)*

- (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

Property rehabilitation shall comply with the codes and ordinances of the City of Baltimore.

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 this 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

(1) Land to be Acquired and Disposed of

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.

(2) Land not to be Acquired

Under the provisions of Sections B.2.b.(2) and B.2.b.(3), the Department of Housing and Community Development has the right to review all plans for new construction, exterior rehabilitation, change in use, or demolition on any property not to be acquired.

b. Community Review

The Department of Housing and Community Development shall submit to the Barclay-Greenmount Community Association, or its successor or assignee, for its review and comment, the form and content of all proposals to redevelop land to be disposed of and the

Preliminary and proposed Final Construction Plans for each disposition lot designated in this Plan. The Commissioner of the Department of Housing and Community Development may also, at his discretion, submit to the above-named Committee, or its successor or assignee, for its review and comment, the plans for development or rehabilitation on any property not to be acquired. The Barclay-Greenmount Community Association, or its successor or assignee, shall advise the Department of Housing and Community Development of its recommendations regarding the acceptability and/or priority of all plans and proposals. The written comments shall be transmitted to the Department of Housing and Community Development no later than 3 weeks after the proposals and/or plans have been submitted to the Barclay-Greenmount Community association, or its successor or assignee; otherwise, it is presumed that the proposals and/or plans are acceptable. The Commissioner of the Department of Housing and Community Development retains final authority to approve or disapprove all plans and to grant or withhold development priorities, disposing of redevelopment land through procedures established by the Department of Housing and Community Development.

5. Land Disposition

- a. Land and property interest 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 purpose of disposition, the parcels, or lots, as shown on Exhibit 3 may be subdivided or combined.

6. Zoning

All appropriate provisions of the Zoning Ordinance of Baltimore City shall apply to properties in the Barclay Project Area. In order to implement the Urban Renewal Plan, Zoning District changes, as designated on Exhibit 4, will be required. These changes require amendment to the Zoning Ordinance. Action to this effect will be initiated during the execution of this Plan.

D. DURATION OF PROVISIONS AND REQUIREMENTS

The land use provisions and building requirements of this Plan shall be in effect for a period of 40 years following the date of approval of this Plan by the Mayor and City Council of Baltimore.

E. PROCEDURES FOR CHANGES IN APPROVED PLAN

The Department of Housing and Community Development shall submit to the Barclay-Greenmount Community Association, 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 submitted to the Department of Housing and Community Development no later than 3 weeks after they have been submitted to the Barclay-Greenmount Community Association, 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 Barclay-Greenmount Community Association, 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.

F. 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 circumstance 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 AND DISPOSITION FOR REHABILITATION

In addition to certain properties in Disposition Lot 1, the following properties are being acquired and disposed for rehabilitation. Certain properties listed below may be used, in whole or in part, as rear or side yard space for adjacent property.

2000 Barclay Street	304 – 306 E. 20 th Street	317 – 321 E. 21-1/2 Street
2004 Barclay Street	316 E. 20 th Street	325 – 333 E. 21-1/2 Street
2012 Barclay Street	322 E. 20 th Street	
2018 Barclay Street	323 E. 20 th Street	216 E. 22 nd Street
	327 E. 20 th Street	224 E. 22 nd Street
2100 – 2102 Barclay Street	331 E. 20 th Street	
2111 Barclay Street	332 – 334 E. 20 th Street	312 E. 22 nd Street
2115 Barclay Street	335 E. 20 th Street	317 E. 22 nd Street
	341 E. 20 th Street	329 E. 22 nd Street
2204 – 2206 Barclay Street	342 E. 20 th Street	342 E. 22 nd Street
2223 – 2225 Barclay Street		343 E. 22 nd Street
	400 E. 20 th Street	
2311 Barclay Street	404 E. 20 th Street	411 E. 22 nd Street
2319 Barclay Street	407 – 411 E. 20 th Street	424 E. 22 nd Street
2326 Barclay Street	410 E. 20 th Street	428 E. 22 nd Street
	414 E. 20 th Street	
2423 Barclay Street	419 E. 20 th Street	312 E. 22-1/2 Street
2439 Barclay Street	420 E. 20 th Street	316 E. 22-1/2 Street
	425 – 427 E. 20 th Street	320 E. 22-1/2 Street
2018 N. Calvert Street	426 E. 20 th Street	324 – 326 E. 22-1/2 Street
	439 – 441 E. 20 th Street	
1915 – 1917 Guilford Avenue	440 E. 20 th Street	308 E. 23 rd Street
1927 Guilford Avenue		319 E. 23 rd Street
	300 – 306 E. 20-1/2 Street	
2003 Guilford Avenue	312 – 316 E. 20-1/2 Street	
2009 Guilford Avenue	320 – 322 E. 20-1/2 Street	
	328 E. 20-1/2 Street	
2229 – 2231 Guilford Avenue		
	301 E. 21 st Street	
400 – 402 E. North Avenue	310 E. 21 st Street	
430 – 432 E. North Avenue		
	408 E. 21 st Street	
422 – 424 Worsely Street	417 E. 21 st Street	
432 – 434 Worsely Street		

EXHIBIT 1



EXHIBIT 2



EXHIBIT 3



EXHIBIT 4

