

URBAN RENEWAL PLAN

MADISON PARK SOUTH

PROJECT NO. MD R-12

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URBAN RENEWAL PLAN

MADISON PARK SOUTH

PROJECT NO. MD R-12

ORIGINALLY APPROVED BY  
THE MAYOR AND CITY COUNCIL OF BALTIMORE  
BY ORDINANCE NO. 912  
JULY 3, 1961

AS  
PROJECT NO. 1

MOUNT ROYAL - FREMONT  
URBAN RENEWAL AREA

PROJECT NO. MD R-12

MARCH 1, 1960  
REVISED JUNE 12, 1961

REVISED TO INCLUDE ALL AMENDMENTS  
AS OF  
March 10, 2014

REVISIONS SINCE APPROVAL BY THE MAYOR AND CITY COUNCIL:

- I. Minor Amendment, dated November 5, 1965, approved by the Board of Estimates of the Mayor and City Council of Baltimore on December 1, 1965.
- II. Minor Amendment, dated November 17, 1966, approved by the Board of Estimates of the Mayor and City Council of Baltimore on December 14, 1966.
- III. Minor Amendment, dated April 17, 1967, approved by the Board of Estimates of the Mayor and City Council of Baltimore on January 10, 1968.
- IV. Amendment No. 4, dated March 17, 1972, approved by the Mayor and City Council of Baltimore by Ordinance No. 87, dated Jun 21, 1972.
- V. Amendment No. 5, dated November 22, 1974, approved by the Mayor and City Council of Baltimore by Ordinance No. 891, dated June 13, 1975.
- VI. Amendment No. 6, dated January 13, 2014, approved by the Mayor and City Council of Baltimore by Ordinance No. 14-207, dated March 10, 2014

	Paragraph Reference	Page
Properties within the project area will be acquired for the following purposes:	D.1.a.	17
Clearance and Redevelopment	D.1.a.(1)	17
Public Facilities	D.1.a.(2)	17
Rehabilitation	D.1.a.(3)	17
Conditions Under Which Properties Not Designated for Acquisition May be Acquired	D.1.b.	18
Non-Salvable	D.1.b.(1)	18
Property Not Complying with Provisions	D.1.b.(2)	18
Accessory Structure Not Complying with Provisions	D.1.b.(3)	18
Incompatible Use	D.1.b.(4)	18
Nonconforming Use	D.1.b.(5)	19
Rehabilitation and Conservation	D.2.	19
Redevelopers' Obligations	D.3.	20
IV New Construction in Areas Not Shown for Acquisition	D.4.	21
Permission of Redevelopment of Improved Lot 10	D.5.	21
Issuance of a Waiver	D.6.	21
OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS	E.	21
Land Disposition	E.1.	22
Zoning	E.2.	22
Reasons for Various Provisions of this Plan	E.3.	22
PROCEDURES FOR CHANGES IN APPROVED PLAN	F.	22
SEPARABILITY	G.	23
APPENDIX A - NONCONFORMING LAND USES		*
APPENDIX B - SCATTERED PROPERTIES FOR ACQUISITION AND DISPOSITION FOR RESIDENTIAL REHABILITATION		*

\* Item not available at the time of this reformatting.

EXHIBITS	No.	
Project Area Boundary Map, dated as revised 9/15/60	B.1.	1 *
Land Use Plan Map, dated as revised 11/22/74	C.1.	2
Zoning Districts Map, dated as revised 11/22/74	E.2.	3
Property Acquisition Map, dated as revised 11/22/74	D.I.	4
Land Disposition Map, dated as revised 11/22/74	E.1.	5

\* Item not available at the time of this reformatting.

B. DESCRIPTION OF PROJECT

1. Boundaries of Urban Renewal Area

Beginning for the same at a point formed by the intersection of the north side of Dolphin Street, 100 feet as widened, and the east side of Madison Avenue, 66 feet wide; and running thence binding northwesterly along the east side of said Madison Avenue 356.50 feet, more or less, to intersect the north side of Lanvale Street, 66 feet wide; thence binding southwesterly along the north side of said Lanvale Street 366 feet, more or less, to intersect the west side of McCulloh Street, 60 feet wide; thence binding northwesterly along the west side of said McCulloh Street 1983.43 feet, more or less, to intersect the north side of Laurens Street, 66 feet wide; thence binding northeasterly along the north side of said Laurens Street 1922 feet, more or less, to intersect the east side of Park Avenue, 66 feet wide; thence binding easterly along the north side of said Park Avenue 59 feet, more or less; thence continuing to bind southeasterly along the east side of said Park Avenue 751.18 feet, more or less, to intersect the north side of McMechen Street, 66 feet wide; thence binding northeasterly along the north side of said McMechen Street 125 feet, more or less, to intersect the east side of Brevard Street, 20 feet wide, as extended; thence binding reversely southeasterly along the east side of Brevard Street 462 feet, more or less, to intersect the south side of said Mosher Street, 66 feet wide; thence binding southwesterly along the south side of said Mosher Street 559 feet, more or less, to intersect the east side of Bolton Street, 66 feet wide; thence binding southeasterly along the east side of said Bolton Street 1135.50 feet, more or less, to intersect the north side of Dolphin Street, 66 feet wide; thence binding southwesterly along the north side of said Dolphin Street 386 feet, more or less, to intersect the east side of Linden Avenue, 66 feet wide; thence binding northwesterly along the east side of said Linden Avenue 100 feet, more or less, to intersect a line drawn parallel with said Dolphin Street; thence binding along said line southwesterly 212 feet, more or less, to intersect the west side of Jordan Street, 17 feet wide; thence binding southeasterly along the west side of said Jordan Street 38.35 feet, more or less, to intersect another line drawn parallel with said Dolphin Street; thence binding along the last mentioned line southwesterly 290 feet, more or less, to intersect the west side of Eutaw Place, 160 feet wide; thence binding southeasterly along the west side of said Eutaw Place 6 feet, more or less, to intersect a third line drawn parallel with said Dolphin Street; thence binding along the last mentioned line southwesterly 130 feet, more or less, to intersect the east side of Morris Street, 18 feet wide; thence binding northwesterly along the east side of said Morris Street 45 feet, more or less, to intersect a fourth line drawn parallel with said Dolphin Street; thence binding along the last mentioned line southwesterly 53 feet, more or less, to intersect a line drawn parallel with said Morris Street; thence binding southeasterly along said line 50 feet, more or less, to intersect the north side of said Dolphin Street; thence binding southwesterly along the north side of said Dolphin Street 97 feet, more or less, to the point of beginning.

A map illustrating project boundaries is given as Exhibit No. 1, Project Area Boundary.

2. Types of Renewal Actions

Actions proposed for the project area will consist of the following:

- a. Clearance and redevelopment.
- b. Rehabilitation.
- c. Provision of public improvements, such as schools, parks, fire houses, street widening, utility improvements, landscaped walkways, playgrounds, tree planting and street fixtures.

C. LAND USE PLAN

1. Land Use Plan Map

Exhibit No. 2, Land Use Plan, shows all easements, public rights-of-way and land use proposed for and existing to remain within the project area.

2. Land Use Provisions and Building Requirements

a. General Provisions

Hotels and transient housing shall not be permitted upon land to be acquired within the project area.

b. Permitted Uses

The following uses, as shown on the Land Use Plan, will be permitted within the project area:

(1) Residential

(a) Principal Uses

- i. Three types of residential areas are proposed for the project. These consist of:

- (a') Residential-High Density. Within this use category a maximum density of 120 families per net residential acre will be permitted. In addition, within this category, upon land to be acquired and redeveloped, ancillary commercial use will be permitted in order to provide retail and commercial facilities customarily related and ancillary to residential apartment use. The following will be permitted as ancillary commercial uses:

Barber shops, beauty shops, and similar personal service shops; book or stationery stores; clothing shops; drug stores; florist shops; food stores; gift shops; newsstands; restaurants, with or without liquor licenses.

(b') Residential-Medium Density. Within this use category a maximum density of 80 families per net residential acre will be permitted; except that for land not to be acquired within this category, the maximum number of families which may be housed on any lot shall not exceed the nearest integral number obtained by multiplying the acreage of such lot by 80. However, this density may be exceeded if (a) a property on any lot not to be acquired housed families in excess of this density on March 30, 1931, or, (b) when a variance has been or may be granted under the laws of the Mayor and City Council of Baltimore.

(c') Residential-Low Density. Within this use category a maximum density of 30 families per net residential acre will be permitted.

ii. The following uses will also be permitted:

Educational facilities; churches and church facilities; college, university, professional or other institutional clubs; convalescent homes and homes and clinics for the elderly; day nurseries and nursery schools; political clubs; professional societies; social agencies; and landscaping, parking, and loading facilities related to the above uses.

(b) Accessory Uses

i. Customary home occupations, operated only by a resident family or member thereof, shall be permitted as accessory uses provided one non-illuminated sign, not over 8" wide and 16" long, located inside of the building, shall be the only means of advertising permitted and provided further, that no equipment, stock or machinery, other than that used in an ordinary dwelling, shall be permitted.

ii. The office of a physician, dentist, architect, attorney or other professional person located in the bona fide residence of such professional person shall be permitted as an accessory use provided:

(a') that not more than two persons, not residents of the building in which such office is located, are employed;

- (b') that such office use shall be confined to not more than the first floor or the basement of the building;
- (c') that no parking of automobiles shall be permitted on or in the property so used except as hereinafter provided;
- (d') that no advertising sign or device shall be displayed except a flat, ornamental, non-illuminated sign not exceeding one square foot in area may be placed against the exterior of the building.

iii. Special Exceptions (Physicians' and Dentists' Offices)

Subject to the decision of the Board of Municipal and Zoning Appeals after public notice and hearing, the office of a physician or of a dentist may be permitted as a Special Exception. Such office need not be located in the bona fide residence of the physician or dentist applying for the Special Exception. Any Special Exception approved by the Board of Municipal and Zoning Appeals shall not be impressed with the status of a non-conforming use, but shall be further limited as follows:

- (a') It shall only be permitted in a building already erected for residential use, and there shall be no substantial change in the exterior of such building which would result in a lack of architectural harmony with adjacent residential buildings.
- (b') No advertising sign or device shall be displayed except a flat ornamental, non-illuminated sign, not exceeding one square foot in area may be placed against the exterior of the building.
- (c') The Special Exception shall be limited to the office of a physician and of a dentist and shall not be a clinic or a hospital.

iv. Garages

The use, without repair facilities and without storage or sale of inflammable liquids, of -

- (a') a building, covering not more than 660 square feet of a lot, for housing not more than three automobiles;
- (b') space, not exceeding 660 square feet in area, for housing not more than three automobiles within a building used as a dwelling.

In addition, the following will be permitted subject to decision of the Board of Municipal and Zoning Appeals after public notice and hearing. For clarification it is noted that the "garages" and "spaces to be used as garages" referred to in the following subparagraphs (a') through (d') may be substantially larger than those referred to above in subparagraph iv. Garages.

- (a') a garage, without repair facilities and without either storage or sale of inflammable liquids, in a rear yard;
- (b') a garage, without repair facilities and without either storage or sale of inflammable liquids, which is not within 75 feet of any street, and which is not in a rear yard;
- (c') a garage, without repair facilities and without either storage or sale of inflammable liquids, on or under the surface of a lot used as an apartment house;
- (d') a space, to be used as a garage, without repair facilities and without either storage or sale of inflammable liquids, within a building used as an apartment house.

NOTE: An accessory use shall be limited to the lot which the use, to which it is or is intended to be accessory, is established.

(2) Residential and Office

The following uses will be permitted within the residential and office use areas shown on the Land Use Plan.

- (a) Uses permitted within the residential-medium density use area set forth above: except that a density of 80 families per acre may also be exceeded on any lot if a building upon such lot was legally occupied before December 9, 1960, at a density in excess of 80 families per acre.

- (b) Business and professional offices will be permitted within existing buildings and within buildings hereafter constructed, reconstructed or altered for purposes permitted within the residential use areas, subject to the following conditions:
- i. That no building may be constructed with or altered to produce a store front, show windows, or display window.
  - ii. There shall be no display from windows or doors and no storage of merchandise in the building or on the premises.
  - iii. There shall be no machinery or equipment, other than machinery or equipment customarily found in professional offices and ordinary business offices, used or stored in the building or on the lot.
  - iv. There shall be no advertising sign or device on the lot, on the building or in or on any of the doors or windows of the building, except that for each office or professional person occupying the building there may be one non-illuminated name plate not exceeding one square foot in area attached to the exterior of the building.
  - v. Parking incidental to the authorized business office or professional use may be permitted on the rear of the lot between the rear line of the building and the rear lot line.

(3) Mixed Residential (Residential Containing Non-Conforming Use)

The uses tabulated below in Appendix A and identified as "mixed residential (non-conforming)" on the Land Use Plan, or such of those uses in existence at the time of the approval of this Plan by the Mayor and City Council of Baltimore, will be permitted to continue operations subject to the conditions listed below.

Such uses are small "neighborhood" commercial uses which now legally exist and which are located within predominantly residential structures upon land zoned for residential (or in one case residential and office) use.

- (a) The non-conforming use shall not be changed to any use except those permitted within the Residential Use Areas of the project area as specified above or to any of the following uses: barber shop; beauty shop; clothing store; drug store; food store; laundry and dry cleaning pick-up station; office, business or professional; shoe store; shoe repair shop; tailor shop.

- (b) The non-conforming use shall not be extended, expanded, enlarged, or added to in any manner.
- (c) No exterior sale or display of merchandise shall be permitted in connection with a non-conforming use.
- (d) One identification sign shall be permitted for each non-conforming use provided ...
  - i. that such identification sign shall be limited to the name or description of the business or nature of the non-conforming use;
  - ii. that only one such identification sign shall exist for each non-conforming use and shall not in gross area exceed one (1) foot times the frontage of the nonconforming use, or twenty (20) square feet, whichever is less, and further provided, however, that the aggregate gross area of all such signs on a building or structure containing more than one non-conforming use shall not exceed forty (40) square feet;
  - iii. that such identification sign shall be located flat against the building or structure containing the non-conforming use and project not more than twelve (12) inches from the building or structure; nor project higher than 15 feet above the mean level of the curb or one (1) foot above the floor level of the second story, whichever is lower;
  - iv. that no pulsating or animated signs shall be permitted.
- (e) In the event of discontinuance or abandonment of any of the non-conforming uses listed in Appendix A for a period of twelve (12) consecutive months, such non-conforming uses shall not be re-established; except that, within structures having store fronts, show windows, or display windows, any use specified above in Paragraph C-2-b-(3)-(a) may be established.

(4) Commercial

The following uses will be permitted within the commercial use areas shown on the Land Use Plan:

(a) The following retail stores and services:

Antique or gift shops; bakeries, where all products are sold at retail on the premises; barber shops, beauty shops, and similar personal service shops; book or stationery shops; clothing or dry goods shops; confectionery stores, including snack bars and sale of candy or ice cream; delicatessens; financial institutions or agencies; drug stores; florist shops; food stores; ice or ice cube dispensing - no manufacturing of ice on premises; jewelry shops; laundromats; laundry and dry cleaning pick-up stations; music and record shops; newsstands; offices, business and professional; restaurants with or without liquor licenses; shoe stores and shoe repair shops; sporting goods shops; tailor shops where spot cleaning, pressing and repairs only shall be permitted; taverns and package goods stores for the sale of alcoholic beverages; variety stores.

(5) Major Non-Conforming Commercial

The uses tabulated in Appendix A and identified as "Commercial" and as "Major Non-Conforming Uses" on the Land Use Plan, or such of these uses in existence at the time of the approval of this Plan by ordinance of the Mayor and City Council of Baltimore, will be permitted to continue operations subject to the conditions listed below. Such uses are substantial commercial uses (including hotels) which now legally exist and which are located within commercial structures upon land zoned for residential (or for residential and office) use, although non-conforming hotels are located within converted residential structures.

(a) Those major non-conforming uses located within residential use areas will be permitted to continue operations subject to the following conditions:

i. the non-conforming use shall not be changed to any use except those permitted within the Residential use areas of the project area as specified above in Section C-2-b-(1),

ii. the non-conforming use shall not be extended, expanded, enlarged, or added to in any manner.

iii. one identification sign shall be permitted for each non-conforming use provided:

(a') that such identification sign shall be limited to the name or description of the business or nature of the non-conforming use;

(b') that only one such identification sign shall exist for each building or structure containing a non-conforming use, or uses, and shall not in gross area exceed one (1) foot times the frontage of such building or structure or twenty (20) square feet, whichever is less; and

(c') that such identification sign shall be located flat against the front of the building or structure containing a non-conforming use and project not more than twelve (12) inches from the building or structure; nor project higher than fifteen (15) feet above the mean level of the curb, or one (1) foot above the floor level of the second story, whichever is lower;

(d') that no pulsating or animated signs shall be permitted.

(b) Those major non-conforming uses located within residential and office use areas will be permitted to continue operations subject to the conditions listed below:

i. The non-conforming use shall not be changed to any use except those permitted within the Residential and Office use areas of the project area and shall be subject to the conditions applicable to Residential and Office Use set forth above in Section C-2-b-(2).

ii. The non-conforming use shall not be extended, expanded, enlarged, or added to in any number.

(6) Public

Those public uses identified on the Land Use Plan will be permitted within the project area.

c. Regulations, Controls, and Restrictions on Land to be Acquired

The regulations, controls and restrictions specified herewith will be implemented where applicable by covenants or other provisions in the agreements for land disposition and conveyance executed pursuant thereto.

(1) General Provisions

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

- (b) The Department of Housing and Community Development specifically reserves the right to review and approve the Redevelopers' final working drawings and specifications for redevelopment or rehabilitation with respect to their conformance with the provisions of this Urban Renewal Plan.
- (c) The following will apply to all land to be acquired within the project area:
  - i. Minimum setback from all street rights-of-way 60 or more feet in width shall be 20 feet; minimum setback from all street rights-of-way less than 60 feet in width shall be 10 feet; minimum setback from all pedestrian easements shall be 10 feet. However, setback requirements set forth in this subparagraph shall not apply to the following uses for which specific setback requirements shall be imposed.
    - (a') firehouses (see Section C.2.c.(2)(f)iv).
    - (b') commercial use (see Section C.2.c.(2)(e)).
    - (c') properties to be rebuilt within rehabilitation areas (see Section C.2.c.(2)(d)).
    - (d') residential units along Eutaw Place on Lot No. 13 (no setback required).
  - ii. A minimum of twenty-five percent of all land not covered by structures shall be landscaped with trees, shrubbery, and plantings (e.g., grass, ground cover, flower beds). All land not covered by structures or by paved parking, loading or related service areas shall, as appropriate, be landscaped with trees, shrubbery, plantings, walkways, and/ or paving. All landscaping is to be maintained in first class condition by the property owner as specified by disposition instruments.
  - iii. All exterior (surface) parking areas shall be paved with a hard, dust-free surface; such areas shall be landscaped with trees planted at the minimum rate of one tree per 2500 square feet of gross parking area. Such trees shall be planted at appropriate intervals within and throughout the paved surface of the parking area.

- iv. Off-street parking shall be calculated on the basis of 180 square feet per automobile exclusive of access aisles, driveways, ramps and related service areas.
- v. Off-street loading spaces shall be not less than 12 feet wide and 40 feet deep. This space, plus adequate maneuvering space shall be provided entirely within lot lines.
- vi. No building shall be constructed over an easement within the project area without the prior written consent of the Department of Housing and Community Development.
- vii. All pedestrian easements shall be provided with a paved walkway and shall be landscaped with trees, shrubbery, and appropriate planting.
- viii. When a Redeveloper makes arrangements to place underground all utility services to be located within disposition lot or lots acquired by it, existing utility poles that are presently on said lot or lots, or are standing within an abutting street or alley at the side nearest said lot or lots, shall, when determined to be desirable by the Commissioner of the Department of Housing and Community Development, be relocated as an expense of the urban renewal project.

(2) Clearance and Redevelopment

(a) High Density Residential Areas

- i. Maximum residential density shall be 120 families per net residential acre.
- ii. Maximum land coverage shall not exceed 25%.
- iii. Maximum building height shall be 180 feet.
- iv. A minimum of one off-street parking space shall be provided for every dwelling unit constructed.
- v. A minimum of one off-street loading space shall be provided for each apartment building to be constructed. In addition, a minimum of one off-street loading space shall be provided for each 10,000 square feet, or fraction thereof, of gross floor area devoted to ancillary commercial use.
- vi. Maximum gross floor area to be devoted to ancillary commercial use shall not exceed 20,000 square feet.

- vii. A buffer strip not less than 20 feet in width shall be provided along the right-of-way of Mason Street from Dolphin Street to Lanvale Street. This buffer strip shall be provided with landscaping and planting consisting of grass and/or evergreen ground cover, as well as a minimum of two rows of trees. Such trees shall be planted so as to form a dense screen.
- (b) Medium Density Residential Areas (Disposition Lots 5, 8, 10, A, B, N and O)
- i. Maximum residential density shall be 80 families per net residential acre.
  - ii. Maximum land coverage shall not exceed 30%.
  - iii. Maximum building height shall be 105 feet.
  - iv. A minimum of one off-street parking space shall be provided for every dwelling unit constructed, except in the case of Lots Nos. 1, 5, 7, and 8, where off-street parking spaces shall be provided in an amount equal to 70% of the number of dwelling units constructed thereon. In the event that Lot No. 10 is used for Housing for the Elderly, parking spaces on Lot No. 10 shall be provided in an amount equal to 70% of the number of dwelling units constructed thereon or in such lesser amount as authorized by the Board of Municipal and Zoning Appeals as a Special Exception.
  - v. A minimum of one off-street loading space shall be provided for each apartment building containing 100 dwelling units or fraction thereof.
  - vi. A buffer strip not less than 20 feet in width shall be provided along the right-of-way of Mason Street between Mosher Street and McMechen Street. This buffer strip shall be provided with landscaping and planting consisting of grass and/or evergreen ground cover, as well as a minimum of two rows of trees. Such trees shall be planted so as to form a dense screen.
  - vii. On Disposition Lots N and O, use shall be limited to landscaping only and shall be maintained in a good condition, free from trash and debris. Any fence enclosure of the parcels must be in accordance with the standards and controls of the Baltimore City Code.

- (c) Low Density Residential Areas (Disposition Lots 1, 7, 11, 12, 12A and 13)
  - i. Maximum residential density shall be 30 families per net residential acre.
  - ii. Maximum land coverage shall not exceed 40%.
  - iii. Maximum building height shall be 35 feet, except on Disposition Lots 12A and 13 a maximum building height of 40 feet shall be permitted.
  - iv. A minimum of one off-street parking space shall be provided for every dwelling unit constructed.
  - v. No setback will be required along Dolphin Street on Lot 13.

(d) Properties Within Rehabilitation Areas to be Cleared and Redeveloped

Certain properties in rehabilitation areas may be found to contain structures in such poor condition that they can be treated feasibly only by clearance and redevelopment rather than by rehabilitation. Such properties may be acquired by the Mayor and City Council of Baltimore and sold to private redevelopers for redevelopment subject to the following controls:

- i. Imposition of covenants running with the land and appropriate to the property in question. Such covenants will include appropriate provisions to govern the use, occupancy, maintenance, number of dwelling units, design, and land coverage of the property in question.
- ii. Maximum permissible density for each lot shall be computed on the basis of 60 families per net residential acre.
- iii. Maximum land coverage for each lot shall not exceed 60%. In computing land coverage all accessory structures shall be included.
- iv. In the case of row housing, building height shall be determined by that of abutting structures; in the case of detached housing, building height shall not exceed that of adjacent structures.
- v. Each lot shall have a rear yard with a minimum depth of 20 feet.
- vi. Minimum setback shall be established by the setback of the majority of the structures in the block.

(e) Commercial Area

- i. Gross floor area shall not exceed 30,000 square feet, exclusive of basement storage area.
- ii. Maximum building height shall not exceed 25 feet.
- iii. Minimum setback from the right-of-way of McMechen Street shall be 20 feet; minimum setback from the rights-of-way of Wilson, Jordan, and Mason Streets shall be 90 feet.
- iv. Paved and landscaped off-street parking areas shall be provided at the rate of one parking space per every 300 square feet of gross floor area, exclusive of basement storage area.
- v. A minimum of one off-street loading space shall be provided for each 10,000 square feet of gross floor area, or fraction thereof, exclusive of basement storage area. Off-street loading spaces shall be not less than 12 feet wide and 40 feet deep. This space, plus adequate maneuvering space shall be provided entirely within lot lines.
- vi. Sign Control

(a') One exterior sign advertising the individual principal business shall be permitted for each business establishment. The total area of each sign shall not exceed two feet times the width in feet of the front of each business establishment. The total area of all signs shall not exceed two feet times the length in feet of the façade of the store group or structure.

In addition, however, one sign not to exceed three square feet in size may be installed at the service entrance of each individual establishment.

(b') All signs shall be installed upon the building so as not to project above its roof line or above its parapet, whichever is higher.

(c') One free standing single or multi-faced sign, not attached to any building and not to exceed 80 square feet in size per face, identifying the area as a neighborhood store group may be permitted. Such sign is to be located entirely within property lines and is to be installed so as not to constitute a traffic hazard. The height of such sign above curb level shall not exceed 25 feet.

(d') No animated or pulsating signs shall be permitted.

vii. No waste material or refuse shall be dumped upon or permitted to remain upon any land to be redeveloped for commercial use or outside of buildings constructed thereon, except as permitted by the Baltimore City regulations regarding containers for garbage. The location of all such containers shall be properly screened.

(f) Public Areas

i. Permitted Uses

Schools, fire houses, parks and playgrounds will be permitted upon land to be redeveloped for public use.

ii. General Provisions

There shall be no restrictions on building height.

iii. Parks and Playgrounds

Except for such accessory or ornamental structures as may be necessary or appropriate for park and playground operation, no building will be permitted on land to be redeveloped for parks and playgrounds.

iv. Controls

Controls governing land to be redeveloped for public use are set forth in the following table:

Use	Maximum Building Coverage	Minimum Set-Back	Off-Street Parking Spaces	Off-Street Loading Spaces
Fire House	60%	10 ft. from all property lines	18	None
Schools	40%	20 ft. from all property lines	1 per classroom	1
Parks and Playgrounds	See Sub-Paragraph (f)-iii above	-----	None	None

(3) Rehabilitation Areas

Certain properties may be acquired by the Mayor and City Council of Baltimore for resale for rehabilitation. These properties will be subject to the following controls:

- (a) Imposition of covenants running with the land and appropriate to the property in question to secure rehabilitation, remodeling, and/or improvement of the property in question. Such covenants will include appropriate provisions to govern the use, occupancy, maintenance, number of dwelling units, design, structural changes, and land coverage of the property in question.
- (b) Except where in the sole judgement of the Commissioner of the Department of Housing and Community Development, the physical layout of the structure under rehabilitation justifies greater density, the maximum permissible density for each lot shall be 60 families per net residential acre.
- (c) Except where in the sole judgement of the Department of Housing and Community Development the physical layout of the main structure on a lot within rehabilitation areas justifies greater land coverage, maximum land coverage shall not exceed 60%. In computing land coverage all accessory structures shall be included.
- (d) Maximum building height shall be that of the structure under rehabilitation.

- (e) All land of each lot not covered by structures shall be landscaped with trees, grass, shrubbery, flower beds, walkways, and/or paving as appropriate. All landscaping is to be maintained in good condition by the property owner as specified by disposition instruments.
- (f) All rehabilitation shall be in conformance with the codes and ordinances of Baltimore City and the standards as set forth in Section D.2. of this Plan.

d. Duration of Provisions and Requirements

The land use provisions and building requirements specified above in Paragraphs C-2-a, C-2-b, and C-2-c shall be in effect for a period of not less than 40 years following the date of the approval of this Plan by the Mayor and City Council of Baltimore upon which date the period of duration shall become effective.

e. Applicability of Provisions and Requirements to Property Not to Be Acquired

The provisions of Paragraph C-2-b shall apply to all properties not to be acquired within the project area.

D. PROJECT PROPOSALS

1. Land Acquisition

a. Properties within the project area will be acquired for the following purposes:

(1) Clearance and Redevelopment

Properties to be acquired for clearance and redevelopment are identified on the Property Acquisition Map submitted below as Exhibit No. 4.

(2) Public Facilities

Those properties to be acquired for provision of public facilities are also identified on the Property Acquisition Map, Exhibit No. 4.

(3) Rehabilitation

Properties to be acquired for rehabilitation are identified on the Property Acquisition Map, Exhibit No.4. Definitive determination as to acquisition of other properties for rehabilitation will be made during execution in accordance with the provisions of the Plan.

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

Acquisition of Property (including parts thereof or interests therein) will be determined during the execution of the Plan by the application of the following criteria:

- (1) Any property in the project area containing a non-salvable structure, i.e., a structure which in the opinion of the Department of Housing and Community Development cannot be rehabilitated because of its structural condition, will be acquired by the Mayor and City Council of Baltimore.
- (2) Any property in the project area may be acquired by the Mayor and City Council of Baltimore if 12 months have elapsed since receipt by the owner of such property of the initial notice from the Health Department of Baltimore City, Fire Department of Baltimore City or Department of Housing and Community Development requiring with respect to such property, compliance with the provisions of any ordinance or regulation of the City of Baltimore or with the standards set forth below in Section D-2 and the requirements set forth in said notice have not been met.
- (3) Any accessory structure in the project area will be acquired by the Mayor and City Council of Baltimore and removed if 12 months have elapsed since receipt by the owner of such structure of the initial notice from the Department of Housing and Community Development requiring rehabilitation of such structure in accord with the requirements as set forth below in Section D-2 and the requirements set forth in said notice have not been met. Land upon which these structures stand, however, will not be acquired.
- (4) Any property in the project area containing an incompatible use or uses will be acquired by the Mayor and City Council of Baltimore if 12 months have elapsed since receipt by the owner of such property of the initial notice from the Department of Housing and Community Development requiring with respect to such property the removal of such incompatible use or uses and the requirements as set forth in said notice have not been met.

An incompatible use is defined as a use which interferes with the public interest by adversely affecting the livability of the area and its rehabilitation and conservation, for predominantly residential use. An incompatible use, as defined herein, may have, but is not required to have, one or more of the following characteristics:

- (a) Creates excessive noise or vibration;
- (b) Creates glare or heat;

- (c) Causes atmospheric pollution through the emission of objectionable odors, smoke, dust, dirt, fly ash, cinders, soot, noxious or toxic gasses, vapors, or corrosive fumes;
  - (d) Causes a fire or safety hazard,
  - (e) Interferes with vehicular or pedestrian traffic patterns.
  - (f) Generates traffic conditions generally accepted as being objectionable in a residential neighborhood.
  - (g) Contains features which generate or cause the spread of unhealthful, unsanitary, unsafe or immoral conditions.
  - (h) As measured by a general preponderance of public opinion, is aesthetically displeasing to a residential neighborhood.
- (5) Any property in the project area containing a non-conforming use, or uses, will be acquired by the Mayor and City Council of Baltimore if 12 months have elapsed since receipt by the owner of such property [sic:] to enter into agreement with the Mayor and City Council of Baltimore to subject such property by covenants running with the land to the land uses as specified in Section C-2-b-(3), and in Section C-2-b-(5) of this Plan, and the requirements of such notice have not been met.

2. Rehabilitation and Conservation

Over and above minimum code requirements the following rehabilitation standards will apply to all structures to be rehabilitated within the project area.

- a. Every structure with any combination of three or more residential or non-residential units shall be provided with heating facilities capable of maintaining a temperature of at least 70 degrees Fahrenheit in sleeping, dining and living rooms, bath and toilet rooms, lobbies, operating offices and hallways, when the outside temperature is zero; and at least 55 degrees Fahrenheit in all other portions of such building.

Every owner or lessor of every structure containing any combination of three or more residential or non-residential units, except where the heating facilities of any residential unit or non-residential unit are under the exclusive control of its respective occupant, and every owner or operator of a rooming house, lodging house or hotel shall supply heat to every habitable room so as to provide a temperature of 70 degrees Fahrenheit three feet from the floor at all times during the period from October 1 to May 1, except on those calendar days when the minimum outside temperature exceeds 60 degrees Fahrenheit. Nothing in this sub-paragraph shall be construed to permit the use of an unvented, open flame gas heater.

- b. Every habitable room of every structure shall contain at least two separate duplex convenience electrical outlets except that any room with a perimeter of over 50 feet shall contain at least three separate duplex convenience electrical outlets. Every toilet room, bathroom, laundry room, furnace room, and public hall shall contain at least one supplied ceiling or wall-type electric light fixture and necessary outlets for such appliances as are used therein. Outlets shall be so located as reasonably to provide service to appliances in different parts of the room.
- c. No room in any basement or cellar shall be occupied as a habitable room unless 70% of the required window area for light and ventilation as set forth in Regulation 6 of "The Rules and Regulations Covering the Hygiene of Housing" of the Baltimore City Health Department shall be above the ground level.
- d. All windows must be tight fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints, or broken or loose mullions shall be replaced.
- e. Work performed in complying with this Plan, including but not limited to the requirements of the Baltimore City Health Department; Fire Department; and the Department of Housing and Community Development in respect to minimum housing standards, shall be done in a workmanlike manner and according to accepted standards of the building trades.
- f. Every structure, including accessory structures, and every residential unit and every nonresidential unit therein and every part thereof, including fences, shall be maintained in good repair by the owner, executor, administrator, trustee, guardian, or agent. Good repair shall include keeping properly painted all interior and exterior surfaces which are painted in normal practice. Any flaking paint shall be removed. All lead base paint shall be removed from interior surfaces before repainting.
- g. All of the provisions set forth above which apply to the exterior of a property shall be complied with whether the property is occupied or vacant.

### 3. Redevelopers' Obligations

- a. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the Department of Housing and Community Development or by a Redeveloper or any of his successors or assigns, whereby land in the Urban Renewal Area is restricted by the Department, the Redeveloper or any successor in interest, upon the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof.

Appropriate covenants running with the land forever, which prohibit such restrictions, shall be included in the disposition instruments.

- b. 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 acquires or any part thereof without the prior written consent 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.
- c. The Redeveloper shall begin and complete the development of land for the uses required in the Plan and the construction of the improvements agreed upon in the disposition instruments within a reasonable time as determined by said instruments.

4. New Construction in Areas Not Shown for Acquisition

All plans for new construction 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. Upon finding that the proposed plans are consistent with the objectives of the Urban Renewal Plan, the Commissioner of the Department of Housing and Community Development shall authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition and not in lieu of all other applicable laws and ordinances relating to new construction.

5. Permission of Redevelopment of Improved Lot 10

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, is permitted.

6. Issuance of a Waiver

The Commissioner of the Department of Housing and Community Development may, at any time, issue a waiver from any provision of section C 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.

Upon Receipt of a waiver request, the commissioner shall provide written notice and a copy of the waiver request to the Mount Royal Improvement Association, and the Eutaw Place Improvement Association, or their successor organizations. These organizations shall have 3 weeks from the date of notice to provide their comments on the waiver request to the commissioner before a waiver may be issued.

E. 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 Exhibit No. 5, Land Disposition Map.
- b. The parcels shown on Exhibit No. 5 as available for disposition 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 No. 5, may be subdivided or combined.

2. Zoning

All appropriate provisions of the Zoning Ordinance of Baltimore City shall apply to properties in the Madison-Park South Project Area as shown on the Zoning Districts Map, Exhibit 3. In order to implement the Urban Renewal Plan, Zoning District changes as designated on Exhibit 3 will be required. These changes require amendment to the Zoning Ordinance. Action to this effect will be initiated during the execution of the Plan

3. Reasons for the Various Provisions of this Plan

- a. Land use within the project area is clearly predominantly residential. Renewal objectives can best be achieved by the redevelopment, rehabilitation, and conservation of the area as residential.
- b. Clearance and redevelopment is proposed in order to remove high concentrations of blighting factors and to curtail deteriorating influences.
- c. Those buildings proposed for rehabilitation within the project area are structurally sound and are appropriate for rehabilitation and conservation for residential use.
- d. Housing market analysis has revealed a market for elevator apartment units and other housing types proposed for the project area.
- e. Land coverage is excessive throughout the project area.
- f. Open space and recreational facilities within the project area are deficient according to accepted standards for urban areas.
- g. A new elementary school is needed to serve both the project area and its environs as existing schools are inadequate to serve the school population.

F. PROCEDURES FOR CHANGES IN APPROVED PLAN

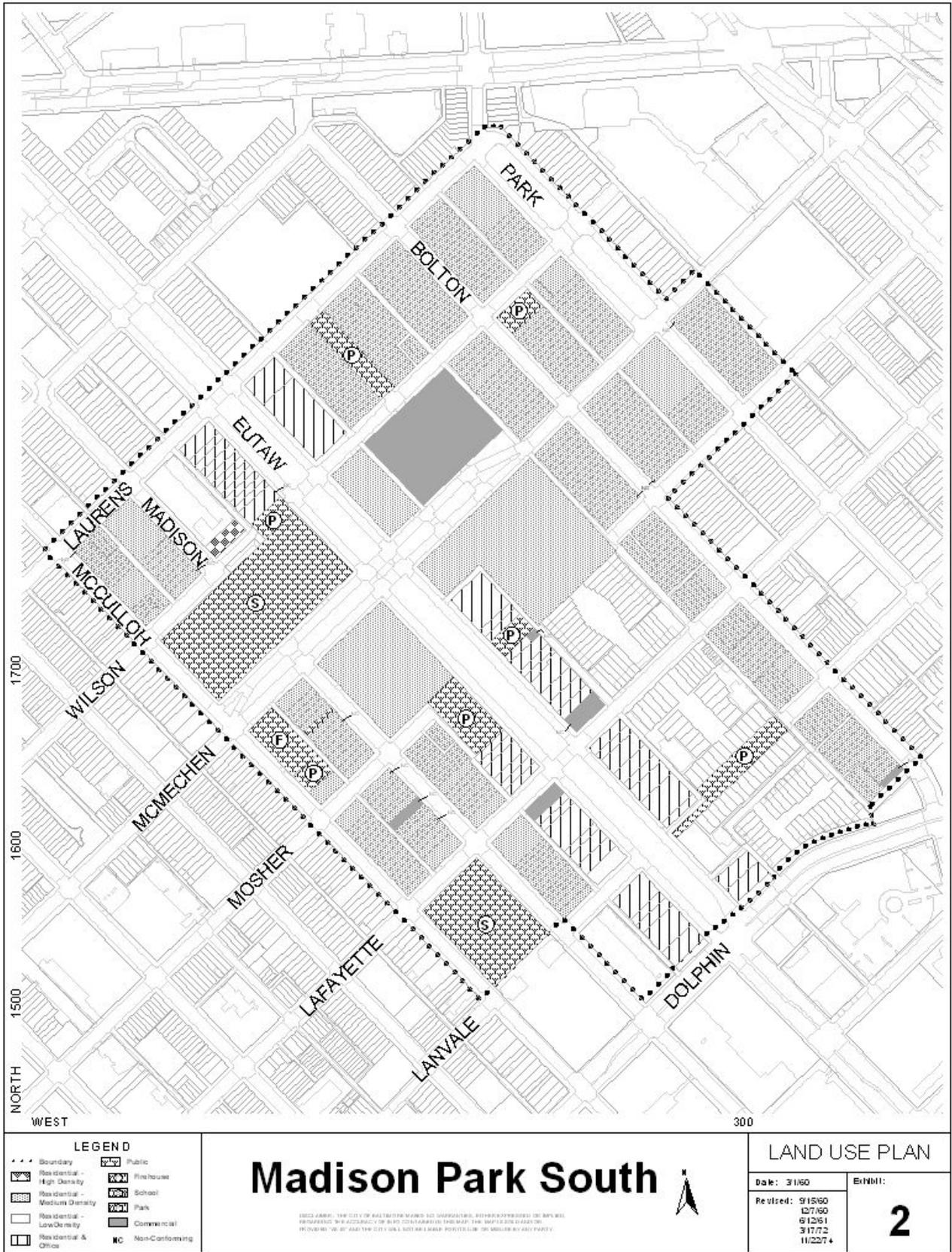
The Urban Renewal Plan may be amended from time to time upon compliance with the requirements of law, provided that with respect to any land in the project area previously disposed of by the Department for use in accordance with the Urban Renewal Plan, the Department receive the written consent of the then owner of such land whose interests therein are materially affected by such amendment.

G. SEPARABILITY

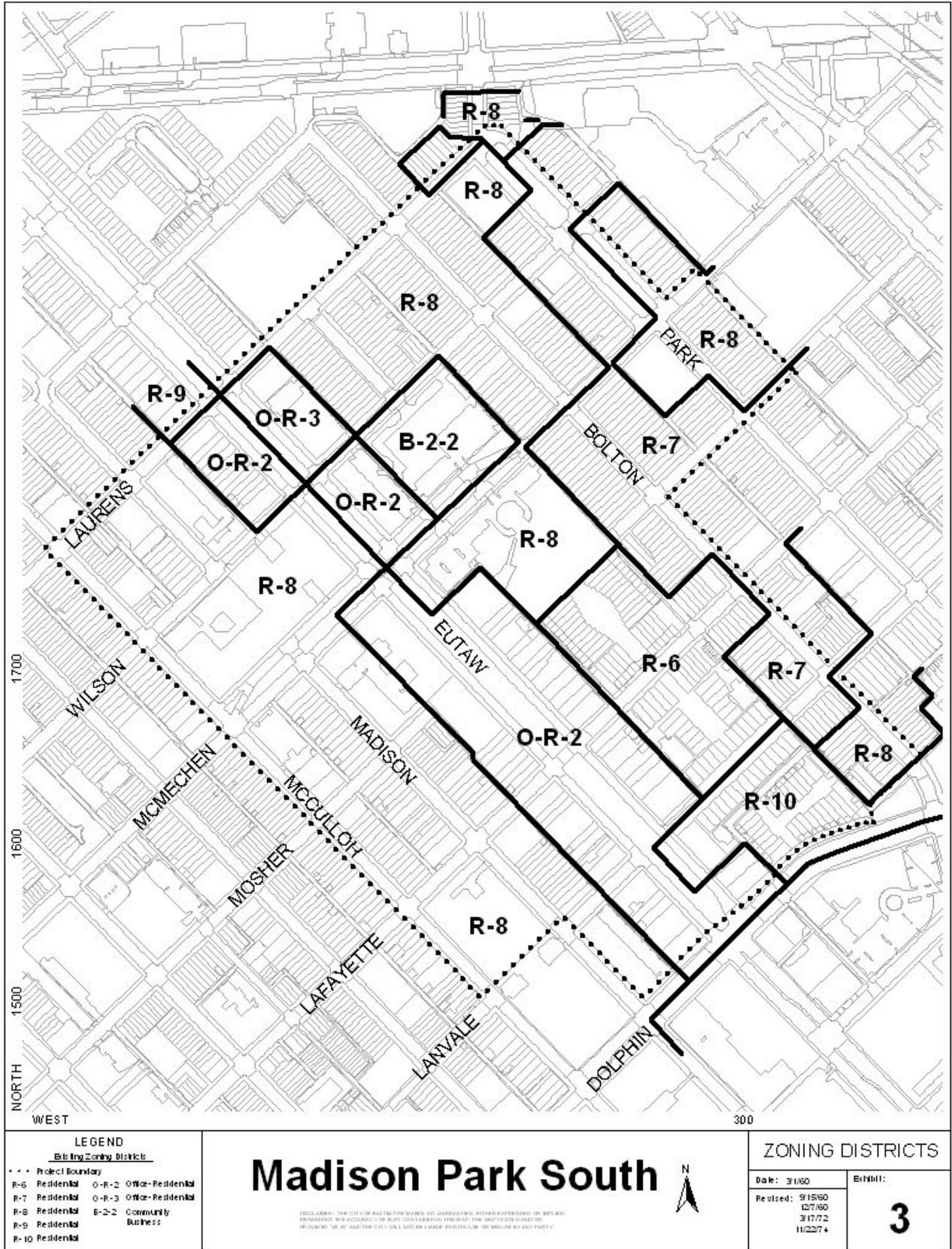
In the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Plan, or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall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

Reformatted 12/14/05 (1<sup>st</sup> Contents p. may be missing)

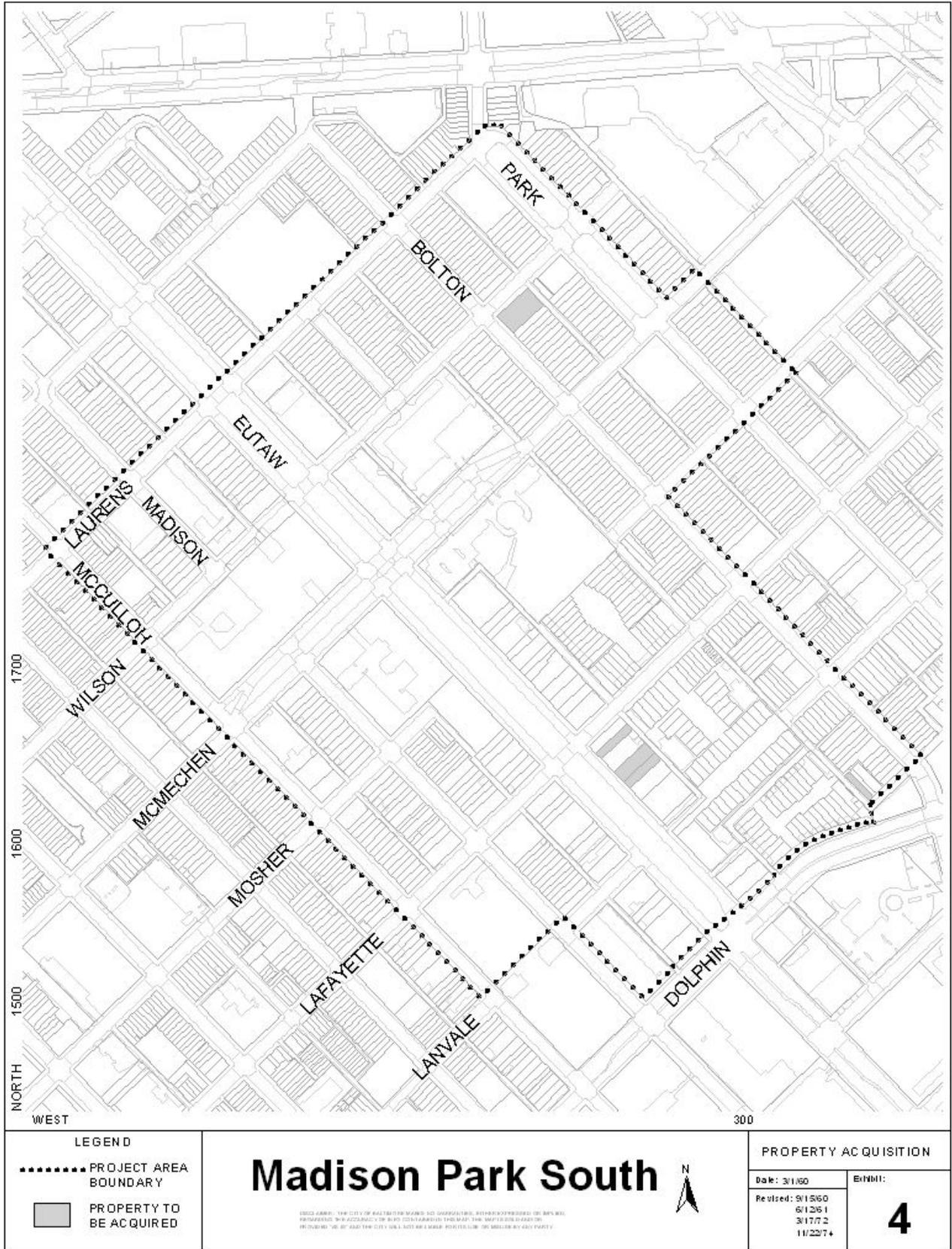
# Exhibit 2: Land Use Plan



# Exhibit 3: Zoning Districts



# Exhibit 4: Property Acquisition



LEGEND	
	PROJECT AREA BOUNDARY
	PROPERTY TO BE ACQUIRED

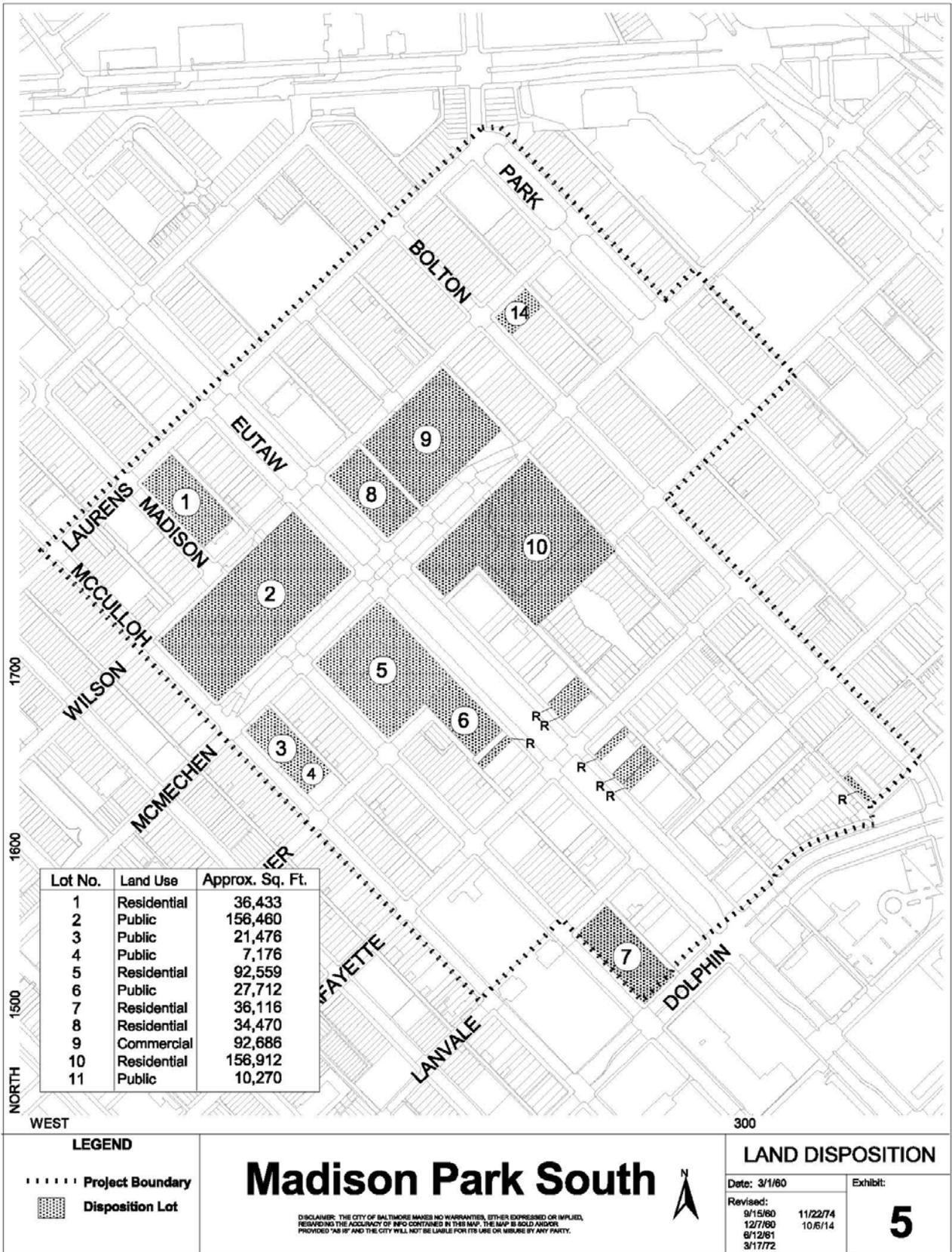
## Madison Park South

2022 APRIL: THE CITY OF BALTIMORE MAKES NO GUARANTEE, EITHER EXPRESSED OR IMPLIED, REGARDING THE ACCURACY OF ANY DATA SHOWN IN THIS MAP. THE MAP IS FOR CLARITY OF RECORDS. WE DO NOT GUARANTEE THE CITY WILL HOLD ANY LAND POSSESSIBLE TO BE ACQUIRED BY ANY PARTY.



PROPERTY ACQUISITION	
Date: 3/1/60	ENH1:
Revised: 5/15/60	
3/17/72	
11/22/74	
<b>4</b>	

# Exhibit 5: Land Disposition



## Madison Park South

DISCLAIMER: THE CITY OF BALTIMORE MAKES NO WARRANTIES, EITHER EXPRESSED OR IMPLIED, REGARDING THE ACCURACY OF INFO CONTAINED IN THIS MAP. THE MAP IS SOLD AS-IS AND THE CITY WILL NOT BE LIABLE FOR ITS USE OR MISUSE BY ANY PARTY.



### LAND DISPOSITION

Date: 3/1/80  
 Revised: 9/15/80  
 12/7/80  
 6/12/81  
 3/17/72

Exhibit:

**5**