

ELEVENTH DAY

T H I R D C O U N C I L M A N I C Y E A R - S E S S I O N O F 2 0 0 4 - 2 0 0 7

**JOURNAL
CITY COUNCIL OF BALTIMORE**

April 23, 2007

Dr. Donte Hickman, of Southern Baptist Church, led the Council in Prayer.

The President and members of the Council recited the Pledge of Allegiance to the Flag.

The City Council of Baltimore met pursuant to adjournment. Present: Stephanie Rawlings-Blake, President, and Councilmembers Kraft, D'Adamo, Curran, Harris, Spector, Middleton, Holton, Welch, Reisinger, Mitchell, Young, Crider, Clarke

Absent - Councilmember Conaway

SHOWCASE BALTIMORE

Dr. Fedder, Program Director, and Paulette Williams, Program Coordinator, of the ENABLE-MD Community Outreach Center, spoke about the programs and other resources that the Center has been providing for the past 16 years.

JOURNAL APPROVED

The Journal of April 16, 2007 was read and approved.

COMMUNICATIONS FROM THE MAYOR

APPROVED BY THE MAYOR

OFFICE OF THE MAYOR

April 19, 2007

Honorable Stephanie Rawlings-Blake, President
and Members of the City Council

Dear Council Members:

I am pleased to inform your Honorable Body that I have signed into law this day:

C.C. Bill 06-0559 - An Ordinance concerning - Urban Renewal – Poppleton – Amendment 11 - For the purpose of amending the Urban Renewal Plan for Poppleton to allow for certain land use changes in the Plan and to revise certain exhibits to reflect the changes in the Plan, to authorize the acquisition by purchase or by condemnation of certain properties for urban renewal purposes and to create new disposition lots, to amend certain objectives of the Plan, to amend the duration of the Plan, to clarify and conform certain references, to amend certain Appendices, and to clarify the relationships between the provisions of the Renewal Plan and any final development plans approved by the Planning Commission; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Sincerely,

Sheila Dixon
Mayor

INTRODUCTION AND READ FIRST TIME

The President laid before the City Council the following bills and Resolutions of the Mayor and City Council for first reading:

Bill No. 07-0654 - By President Rawlings-Blake, Councilmember Holton (The Administration):

An Ordinance postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to minority and women's business enterprises.

The bill was read the first time and referred to the City Solicitor, Office of Employment Development, Mayor's Office of Minority Business Development, Minority and Women's Business Opportunity Office, Baltimore Development Corporation, Taxation and Finance Committee.

Bill No. 07-0655 - By President Rawlings-Blake (The Administration):

An Ordinance altering the termination date applicable to the property tax credit granted against the local property tax imposed on certain newly constructed dwellings; providing for a special effective date; and generally relating to property tax credits for newly constructed dwellings.

The bill was read the first time and referred to the City Solicitor, Planning Commission, Department of Housing and Community Development, Department of Real Estate, Department of Finance, Baltimore Development Corporation, Taxation and Finance Committee.

Bill No. 07-0656 - By Councilmembers Clarke, D'Adamo, Curran, Spector, Young, Mitchell, Welch, Reisinger:

An Ordinance precluding the City from foreclosing on certain residential property under certain circumstances; and generally relating to the enforcement of municipal liens.

The bill was read the first time and referred to the City Solicitor, Department of Public Works, Department of Housing and Community Development, Department of Finance, Taxation and Finance Committee.

The President laid before the City Council the following Council Resolutions for first reading:

Bill No. 07-0287R - By Councilmembers Clarke, D'Adamo, Kraft, Curran, Holton, Middleton, Crider, President Rawlings-Blake, Councilmembers Harris, Young, Spector, Reisinger, Welch, Mitchell:

Introduced: April 23, 2007
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

Martin Luther King National Healthcare Month

FOR the purpose of expressing support for Representative John Conyers, Jr.'s legislation that seeks to ensure that guaranteed by law, all Americans, will have access to the highest quality, cost effective health care from birth to death regardless of an individual's employment, income, or health care status; and urging the Maryland State Delegation to the 112th Congress to secure final passage of the legislation.

Recitals

April is Martin Luther King National Health Care Month. The United States' health care system is currently in a state of crisis. The cost of private health insurance premiums is rising by more than 10% each year, which is much greater than the yearly increase in wages. Each year, more employers either drop health insurance benefits or shift more of the burden to the employees by requiring higher contributions or higher deductibles. Each year, more workers find they are unable to afford health insurance. When employees are required to pay more for health care, they forego needed preventive care and timely treatment of medical conditions.

The United States is the only industrialized country in the world without a national health care system. The United States ranks 37th in the world, at the bottom of all industrialized nations, in health outcomes. The U.S. has double the infant mortality and maternal mortality rates of other industrialized nations. The U.S. has a lower life expectancy than other industrialized nations.

Despite the fact that Maryland is the 2nd wealthiest state in the U.S., the number of uninsured has grown to 810,000, and Maryland ranks 32nd in the U.S. in health outcomes. The United States National Insurance Act (HR676) establishes a national health insurance program by creating a single payer health care system. The bill creates a publicly financed, privately delivered health care program that expands and improves upon the existing Medicare program and makes it available to all residents of the United States and the U.S. territories. Persons enrolled in the program would not be subject to co-pays or deductibles. The legislation addresses the needs of the over 46 million uninsured and over 40 million under-insured Americans who do not benefit from the current inefficient, costly, and fragmented health care delivery system.

It is expected that the United States National Health Insurance Act will reduce overall annual health care spending by \$109 billion. The average cost to an employer for an employee earning \$35,000 per year will be reduced to less than \$100 a month and a family who pays \$5-7,000 a year in health insurance will pay less than \$50 a month. Total household expenditures would drop from \$326.7 billion to \$65.9 billion annually. National Health Insurance will cover all medically necessary services, including primary care, preventive care, in-patient care, out-patient care, emergency room care, prescription drugs, durable medical equipment, long term care, mental health services, dentistry, eye care, chiropractic, and substance abuse treatment. Patients will have their choice of physicians, health care providers, hospitals, clinics, and group practices. To ensure conversion to a non-profit health care system, private health insurers will be prohibited from selling coverage that duplicates the benefits of the National Health Insurance program. They will not, however, be prohibited from selling coverage for any additional benefits not covered by the Act such as cosmetic surgery and other elective and medically unnecessary surgery and treatments.

The National Health Insurance Act will set annual reimbursement rates and provide an annual lump sum allotment to each existing Medicare region that will then administer the program. Payments to health care providers will include fee-for-service and global budgets. The

conversion to this not-for-profit health care system is expected to take place over a 15-year period and will be financed through the sale of U.S. Treasury bonds. The United States Congress will establish annual funding appropriations for basic operating costs of the program that will operate under the auspices of the Department of Health and Human Services and be administered by the former Medicare offices. All current expenditures for public health insurance programs will be enveloped by the National Health Insurance program. Other funding for the program will come from modest payroll taxes on employers and employees and a higher health income tax on the wealthiest 5% of Americans. There is no reason for anyone in this country to go without the basic health care coverage that sustains life.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body supports Representative John Conyers, Jr.'s legislation that seeks to ensure that guaranteed by law, all Americans, will have access to the highest quality, cost effective health care from birth to death regardless of an individual's employment, income, or health care status; and urging the Maryland State Delegation to the 112th Congress to secure final passage of the legislation.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the members of the Maryland State Delegation to the 112th United States Congress, the members of the Baltimore City Delegation to the 2007 Maryland General Assembly, the Baltimore City Health Commissioner, and the Mayor's Legislative Liaison to the City Council.

Councilmember Clarke made a motion, which was duly seconded, that the Rules be suspended.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Kraft, Curran, Harris, Spector, Middleton, Holton, Welch, Reisinger, Mitchell, Young, Crider, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmember D'Adamo - Total 1.

Absent - Councilmember Conaway - Total 1.

The President declared the Rules "Suspended".

Then Councilmember Clarke made a motion, which was duly seconded, that the Resolution be adopted.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Kraft, Curran, Harris, Spector, Middleton, Holton, Welch, Reisinger, Mitchell, Young, Crider, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmember D'Adamo - Total 1.

Absent - Councilmember Conaway - Total 1.

The President declared the Resolution "Adopted".

Bill No. 07-0288R - By Councilmembers Young, D'Adamo, Kraft, Curran, Holton, Crider, Middleton, Clarke, President Rawlings-Blake, Councilmembers Harris, Spector, Reisinger, Mitchell:

A Resolution requesting the Baltimore Police Commissioner to report to the City Council on the incidence of gun violence in Baltimore City; to discuss the factors that may be contributing to gun related crime and the nature of the perpetrators; and to share the crime reduction strategies that are planned to stem the tide of gun violence that threatens to overtake Baltimore's residential neighborhoods.

The bill was read the first time and referred to the Police Commissioner, Mayor's Office of Criminal Justice, Public Safety Subcommittee.

Bill No. 07-0289R - By Councilmembers Harris, D'Adamo, Kraft, Curran, Holton, Middleton, Crider, Clarke, President Rawlings-Blake, Councilmembers Young, Spector, Welch, Reisinger, Mitchell:

A Resolution inviting the Board of Directors of the Baltimore Education Network to share with the City Council the history of BEN's work in supporting families, youth, and the community in creating and implementing an agenda for improving schools in the Baltimore City Public School System.

The bill was read the first time and referred to the Baltimore City Public School System, Education Committee.

Bill No. 07-0290R - By President Rawlings-Blake, Councilmembers D'Adamo, Kraft, Curran, Holton, Middleton, Crider, Spector, Welch, Reisinger, Clarke, Mitchell:

A Resolution requesting the Baltimore City Police Commissioner, the Baltimore City Health Commissioner, and the Director of Recreation and Parks to combine the unique resources of

each agency to develop an interactive, inter-agency strategy to address health, criminal justice, recreation, employment, and other socio-economic issues confronting Baltimore City youth in a comprehensive response to the factors that contribute to or facilitate acts of violence by or upon our City's most vulnerable citizens.

The bill was read the first time and referred to the Police Commissioner, Health Department, Department of Recreation and Parks, Mayor's Office of Criminal Justice, Baltimore City State's Attorney's Office, Public Safety Subcommittee.

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 3549, 3550, 3551, 3552, 3553, 3554, 3555, 3556, 3557, 3558, 3559, 3560, 3561, 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, AND 3573 ADOPTED UNDER RULE 3-9.

The resolutions were read.

The roll was called on the adoption of the resolutions, resulting as follows:

Yeas - President and Councilmembers Kraft, Curran, Harris, Spector, Middleton, Holton, Welch, Reisinger, Mitchell, Young, Crider, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmember D'Adamo - Total 1.

Absent - Councilmember Conaway - Total 1.

The President declared the resolutions adopted under Rule 3-9.

Ceremonial Resolutions will be found at the end of the Journal.

COMMITTEE REPORTS

**BILL NO. 05-0108R REPORTED FAVORABLY
AND ADOPTED**

Councilmember Harris, for the Education, Housing, Health, and Human Services Committee, reported Bill No. 05-0108R favorably.

A COUNCIL RESOLUTION CONCERNING

Informational Hearing – Is Baltimore the City That Reads?

FOR the purpose of determining the status of adult literacy in Baltimore City, of calling upon adult literacy centers to share current factual and anecdotal information about the population they serve, of assessing Baltimore City's progress toward more closely approaching the optimistic moniker of *The City That Reads*, and of identifying what measures still need to be implemented to combat illiteracy and its attendant problems on a City-wide basis.

Recitals

According to the National Adult Literacy Survey (NALS) by the U.S. Department of Education, approximately 40 million adults have limited literacy skills, making tasks such as filling out an application or reading a food label difficult, and 10% of 4-year college graduates with full-time employment have low literacy skills. The U.S. Chamber of Commerce reports that only 25% of the nation's workforce can read a description of 2 kinds of employee benefits and explain the differences, and only 26% can use an eligibility pamphlet to calculate how much supplemental security income they would receive.

Illiteracy cuts across all racial and ethnic groups and severely impacts the quality of life that individuals are able to attain. Illiteracy creates a deficit of self-esteem that alienates the non-reader from the larger society. Disturbingly, 20% of high school graduates cannot read their diplomas; 85% of unwed mothers are illiterate; and 70% of Americans who are arrested cannot read. Illiteracy is a communicable affliction - an adult who cannot read is unable to provide the support that a child needs to succeed in school nor is the adult able to pass on to the child important life skills.

In 2002, Baltimore Reads, a literacy group, reported that 38% of the adult population in Baltimore, or nearly twice the statewide illiteracy rate, could not read. In this city, where the drop-out rate still approaches 50%, 200,000 adults, or 46% of the population over the age of 16, have not completed high school. About a third of Baltimore residents in this same age group are unable to fully comprehend a front-page news story. Such limitations are particularly catastrophic in a population seeking to make a livelihood in an old industrial city that has evolved into a cerebral-based center of commerce.

Thankfully, there are dedicated groups across the City who are fighting to eliminate the nemesis of illiteracy. In addition to Baltimore Reads, these groups, many staffed by selfless volunteers, include: Bon Secours Family Support Family Support Center; DRU Family Support Center; Greater Homewood Community Corporation Adult Literacy & ESOL Program; Harford Heights Elementary Even Start; Literacy Works, Inc.; Maryland Department of Education Even Start and Family Literacy; Park Heights Family Support Center; South Baltimore Learning Center; The Learning Bank of Coil, Inc.; Waverly Family Support Center; and Young Parent Support Center.

We hope to learn from representatives and participants in these and other programs what progress has been made and what needs there are still to be met to make Baltimore City not only the City that reads but the City that reads well.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body will hold an informational hearing to determine the status of adult literacy in Baltimore City, calling upon adult literacy centers to share current factual and anecdotal information about the population they serve, assessing Baltimore City's progress toward more closely approaching the optimistic moniker of *The City That Reads*, and identifying what measures still need to be implemented to combat illiteracy and its attendant problems on a City-wide basis.

AND BE IT FURTHER RESOLVED, That by copy of this Resolution, organizations mentioned in the recitals are cordially invited to share their knowledge, their triumphs, and their challenges with the City Council and are encouraged to bring recipients of their services to share first-person knowledge of the importance of their efforts to combat illiteracy.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Directors of the Literacy Programs listed in this Resolution, the CEO of Baltimore City Public Schools, the Director of Baltimore City Department of Social Services, the Director of the Mayor's Office of Neighborhoods, and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted, with Councilmember D'Adamo out of Chambers.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Kraft, Curran, Harris, Spector, Middleton, Holton, Welch, Reisinger, Mitchell, Young, Crider, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmember D'Adamo - Total 1.

Absent - Councilmember Conaway - Total 1.

The President declared the Resolution adopted.

**BILL NO. 06-0127R REPORTED FAVORABLY
AND ADOPTED**

Councilmember Harris, for the Education, Housing, Health, and Human Services Committee, reported Bill No. 06-0127R favorably.

A COUNCIL RESOLUTION CONCERNING

Investigational Hearing – Cameras In Schools

FOR the purpose of requesting the CEO of the Baltimore City Public School System and the Security Chief for the Baltimore City Public Schools to investigate and consider the creation and implementation of a security camera system for our public schools and report their findings to the City Council.

Recitals

Public school systems around the country have begun installing surveillance cameras outside the most used entrances and exits of their school buildings. According to reports, these camera systems have been useful in the prevention of vandalism, gang activity, fights, trespassing, and theft. Despite the obvious safety advantages to having a surveillance camera system in place, there are still many questions that should be brought to light before such a system is implemented.

There are many benefits to installing cameras around school buildings. First, the cameras help to provide school officials with information and evidence that would not be available if the cameras were not in place. In addition to this, the cameras also deter crime and may lead some students to confess infractions that may not have been caught by the security cameras. Cameras also give security personnel the opportunity to do more job-specific work that can save the school system time and money in the long run, as well as lower the cost of insurance premiums by reducing the chances of theft and vandalism.

In order to install these security measures, certain issues must be discussed and decided on in advance. First, the initial setup costs plus maintenance and personnel costs must be estimated. In addition, the school system must decide where cameras should be placed and how many should be placed at each school. The school system should also conduct research once the cameras are in place so that the new system can continue to be of a benefit to students and administrators. Hopefully, with an open discussion, proper security measures can be set up to protect our students and provide a safe learning environment for our children in the years to come.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body requests the CEO of the Baltimore City Public School System and the Security Chief for the Baltimore City Public Schools to investigate and consider the creation and implementation of a security camera system for our public schools and report their findings to the City Council.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the CEO of the Baltimore City Public School System, the Chief of Security for the Baltimore City Public School System, and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted, with Councilmember D'Adamo out of Chambers.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Kraft, Curran, Harris, Spector, Middleton, Holton, Welch, Reisinger, Mitchell, Young, Crider, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmember D'Adamo - Total 1.

Absent - Councilmember Conaway - Total 1.

The President declared the Resolution adopted.

**BILL NO. 06-0237R REPORTED FAVORABLY
AND ADOPTED**

Councilmember Harris, for the Education, Housing, Health, and Human Services Committee, reported Bill No. 06-0237R favorably.

A COUNCIL RESOLUTION CONCERNING

Pilot Program – Schools Buildings Open on Weekends and During the Summer

FOR the purpose of requesting that the City of Baltimore develop a pilot program to keep certain schools in Baltimore City open on weekends and during the summer, in order to provide young people who otherwise would be on the streets and potentially breaking curfew, with a safe place to have activities on the weekends and during the summer months.

Recitals

According to the nighttime curfew laws, no minor may remain in a public place or any establishment between the hours of 11 p.m. and 6 a.m. on weekdays and 12 a.m. and 6 a.m. on weekends. In Article 19 § 34-3 of the Baltimore City Code there is an exception that reads as follows:

attending or, without any detour or stop, going to or returning from an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Baltimore, a civic organization, or another similar entity that takes responsibility for the minor.

This exception provides an opportunity of which we should take full advantage. The fact is that many children do not have enough activities during the summer months and on weekends to occupy their time, and they find themselves spending time on public streets after curfew hours.

Many times parents work at night and are unable to supervise their children at all times.

Fortunately, we have many school buildings throughout our City that can be used to help solve this problem. If these schools were to stay open at times on weekends and during the summer, then these children would have a supervised place to go and spend their summer and weekend days and evenings. This program would not only help children remain safe and off City streets, but would also provide more summer work hours for those older students and school employees who wish to earn extra money over the summer months and on weekends.

The most important issue is that our children remain safe over the course of the summer months and on weekends when they need more stimulation due to the fact that they do not have wake up early for school the next day. If we can provide extended building access hours, then we would not only know where our children were spending their time, but also who they were with and what they were doing. With young children spending time on the streets and with curfew laws consistently being violated, it is more important than ever that we take action and make certain that the youth in our communities have proper resources available to provide educational and entertaining activities during the summer and on weekends, and that we further the decrease of curfew violations that currently burden our police department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body requests that the City of Baltimore develop a pilot program to keep certain schools in Baltimore City open on weekends and during the summer in order to provide young people who otherwise would be on the streets and potentially breaking curfew, with a safe place to have activities on the weekends and during the summer months.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Department of Recreation and Parks, the Baltimore City Board of School Commissioners, the Baltimore City Police Department, and the Mayor's Legislative Liaison to the Council.

Favorable report adopted, with Councilmembers D'Adamo and Holton out of Chambers.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Kraft, Curran, Harris, Spector, Middleton, Welch, Reisinger, Mitchell, Young, Crider, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmembers D'Adamo, Holton - Total 2.

Absent - Councilmember Conaway - Total 1.

The President declared the Resolution adopted.

**BILL NO. 05-0246 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use and Transportation Committee, reported that the Committee has complied with the requirements of Article 66B of the Maryland Code and recommends the adoption of the following Findings of Fact and the adoption of Bill No. 05-0246 favorably.

An Ordinance changing the zoning for the properties known as 1834 and 1841-1847 Jackson Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the R-8 Zoning District.

Findings of Fact

**City Council Bill No. 05-0246
Rezoning - 1834 and 1841-1847 Jackson Street**

1. Boundaries of the Neighborhood:

The boundaries of the neighborhood are approximately Fort Avenue on the north; Patapsco River on the south; Webster Street on the east; and Hanover Street on the west.

2. Population Change:

Since the enactment of the 1971 Zoning Code, the number of residents in the geographic area of Ward 24, Precinct 4, has decreased by .5% percent.

3. Availability of public facilities:

Adequate public facilities are available for residential activities.

4. Present and future transportation pattern:

Since the enactment of the 1971 Zoning Code, traffic patterns have not changed substantially and can accommodate residential activities.

5. Compatibility with existing and proposed development:

The rezoning is in conformance to the existing and proposed development being done throughout the surrounding area, which is residential.

6. Recommendations of the Planning Commission:

Approval ___X___

Disapproval _____

7. Recommendation of the BMZA:

Approval ___X___

Disapproval _____

8. Relation of the proposal to the City’s Master Plan:

Conforms ___X___

Does not conform _____

9. Changes in the character of the neighborhood:

The character of the neighborhood has changed because of changing standards for industrial development in the area; thus making the current industrial zoning inappropriate.

10. A mistake in the existing zoning classification:

The 1971 Zoning Code was correct.

Land Use Committee

Edward L. Reisinger
Chair

Rochelle Rikki Spector
Member

Sharon Green Middleton
Member

James B. Kraft
Member

Findings of Fact and favorable report adopted, with Councilmembers D'Adamo, Holton, and Young out of Chambers.

The bill was read the second time and ordered printed for third reading.

**BILL 05-0294, LISTED ON TONIGHT'S PRINTED AGENDA
FOR SECOND READING, IS RETURNED TO COMMITTEE**

Councilmember Kraft made a motion, which was seconded, to return Bill No. 05-0294 to Committee. It was so ordered.

**BILL NO. 06-0450 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use and Transportation Committee, reported that the Committee has complied with the requirements of Article 66B of the Maryland Code and recommends the adoption of the following Findings of Fact and the adoption of Bill No. 06-0450 favorably.

An Ordinance changing the zoning for the properties known as 1500 Woodall Street, 1605 Key Highway, a portion of 1801 Key Highway, and a portion of 1215 East Fort Avenue, as outlined in red on the accompanying plat, from the M-3 Zoning District to the B-2-2 Zoning District.

Finding of Facts

**City Council Bill No. 06-0450
Rezoning - 1500 Woodall Street, 1605 Key Highway,
a Portion of 1801 Key Highway, and a Portion of 1215 East Fort Avenue**

1. Boundaries of the Neighborhood:

The boundaries of the neighborhood are approximately Northwest Harbor on the north; Patapsco River on the south; Fort McHenry Avenue on the east; and Webster Street on the west.

2. Population Change:

Since the enactment of the 1971 Zoning Code, the number of residents in the geographic area of Ward 24, Precinct 05, has decreased by 10% percent.

3. Availability of public facilities:

Adequate public facilities are available for residential, office and retail activities.

4. Present and future transportation pattern:

Since the enactment of the 1971 Zoning Code, traffic patterns have not changed substantially and can accommodate residential, office and retail activities along with certain traffic improvements/mitigations.

5. Compatibility with existing and proposed development:

The rezoning conforms to the Locust Point Master Plan by providing a mixed-use development on the Chesapeake Paperboard site.

6. Recommendations of the Planning Commission:

Approval X

Disapproval

7. Recommendation of the BMZA:

Approval X

Disapproval

8. Relation of the proposal to the City’s Master Plan:

Conforms X

Does not conform

9. Changes in the character of the neighborhood:

The overall character of the neighborhood has changed.

10. A mistake in the existing zoning classification:

The 1971 Zoning Code was correct.

Land Use Committee

Edward L. Reisinger
Chair

Rochelle Rikki Spector
Member

Sharon Green Middleton
Member

James B. Kraft
Member

Findings of Fact and favorable report adopted, with Councilmember D’Adamo out of Chambers.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 06-0451 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use and Transportation Committee, reported Bill No. 06-0451 favorably, with amendments.

An Ordinance approving the application of Key Woodall, LLC, which is the owner or contract purchaser of 1500 Woodall Street, 1605 Key Highway, a portion of 1801 Key Highway, and a portion of 1215 East Fort Avenue (collectively, the “Property”) and Chesapeake Paperboard Centre, LLC, which is the developer of the Property, to have the Property designated a Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

Amendments to City Council Bill No. 06-0451

Amendment No. 1

On page 1, in lines 3 and 15, in each instance, strike “Key Woodall” and substitute “Chesapeake Paperboard Centre”; on page 1, in lines 3 and 4, strike “or contract purchaser” and substitute “and developer”; on page 1, in lines 4 and 16, and on page 2, in line 8, in each instance, strike “a portion of” and substitute “and”; on page 1, in line 5 and in lines 16 and 17, and on page 2, in line 8, in each instance, strike “, and a portion of 1215 East Fort Avenue”; and, on page 1, in lines 5 and 6, strike “and Chesapeake Paperboard Centre, LLC, which is the developer of the Property”.

Amendment No. 2

On page 1, in line 15, strike “or contract purchaser”; on page 1, in line 17, and on page 2, in line 9, in each instance, strike “9.4” and substitute “9.36”; and, in lines 17 and 18, strike “with Chesapeake Paperboard, LLC,”.

Amendment No. 3

On page 2, in lines 6 and 15 and 16, in each instance, strike “Key Highway, LLC, and”; on page 2, in lines 10 and 11, in line 11, in line 12, and in lines 12 and 13, in each instance, strike “May 31, 2006” and substitute “February 1, 2007”.

Amendment No. 4

On page 2, in line 31, strike beginning with “located” down through and including “feet”, in line 32; after line 34, insert “Banquet halls;”; in line 36, strike “stations and terminals” and substitute “turnarounds”; in line 37, after “cashing”, insert “agencies”; on page 3, in line 5, after “houses”, insert “: off-campus”; on page 3, strike lines 20, 27 through 29, and 35 in their entirety; and, on page 3, after line 35, insert “Taverns;”.

Amendment No. 5

On page 3, after line 42, insert

“(d) The following use is permitted as a principal use in the Planned Unit Development, subject to the following condition:

Liquor stores: package goods; with the condition that there be no more than 1.

(e) Microwave antennas (satellite dishes) in the Planned Unit Development shall not exceed 6 feet in diameter.”;

and, on page 3, in line 45, strike “35,000” and substitute “50,000”.

Amendment No. 6

On page 4, in line 3, strike “may not exceed” and substitute “must comply with”; in line 4, after “The”, strike “minimum”; and, in the same line, strike beginning with the period down through and including “feet”, in line 7, and substitute “nor exceed 13,000 square feet, with the exception of 1 food store or grocery use, which may occupy up to 55,000 square feet of net leasable area”.

Amendment No. 7

On page 4, after line 7, insert

“SECTION 6. AND BE IT FURTHER ORDAINED, That parking must be provided within the Planned Unit Development in accordance with the following conditions:

(a) Parking must be provided to meet the following minimum requirements:

(1) 2 spaces per residential dwelling unit.

(2) 3 spaces per 1,000 square feet of office use.

(3) 1 space per 300 square feet in excess of 1,000 square feet of retail use.

(b) Parking spaces required by this Planned Unit Development that are in excess of those required by the underlying zoning district may be satisfied with off-street and on-street parking spaces, with the exception of the Woodall Street parking spaces situated between the Key Highway project entrance and Fort Avenue.

(c) When reviewing plans for final design approval, the Planning Commission may take into consideration proposed uses that have different peak parking characteristics that complement each other, so that the parking spaces provided may reasonably be shared by proposed uses, and an excess of parking is not provided by strict cumulation of the parking requirements listed above.”.

Amendment No. 8

On page 4, after line 11, insert

“SECTION 8. AND BE IT FURTHER ORDAINED, That the developer must submit to the Locust Point Civic Association, or its successors or assigns, for review and comment, the form and content of all plans and proposals for development of the Planned Unit Development property at least 45 days prior to a Planning Commission hearing that is scheduled to review the plans.

SECTION 9. AND BE IT FURTHER ORDAINED, That the developer must submit to the Key Highway Beautification Project, Inc., for review and comment as to consistency with the Key Highway Master Plan, the form and content of all landscape plans for the Planned Unit Development property at least 30 days prior to a Planning Commission hearing that is scheduled to review the plans.

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SECTION 10. AND BE IT FURTHER ORDAINED, That signs are permitted within the Planned Unit Development, provided that all signs conform to a signage master plan that is subject to Final Design Approval by the Planning Commission and that they also are subject to the following conditions:

(a) Temporary Planned Unit Development signs, business signs, identification signs, and parking garage access signs may exceed the maximum square footage and 2 free-standing signs that may exceed the maximum permitted square footage.

(b) The following signs are prohibited in the Planned Unit Development:

Free standing pylon signs.

(c) A minor privilege permit is required for any sign that projects into the public right-of-way.

SECTION 11. AND BE IT FURTHER ORDAINED, That the City or the developer, at the developer's expense and with the approval of the Department of Transportation, must install the following traffic improvements:

(a) Traffic signal at Key Highway and Future Site Access intersection with appropriate hazard identification beacons;

(b) Southbound left turn lane from Key Highway to Future Site Access;

(c) Westbound left turn lane and right turn lane from Future Site Access to Key Highway;

(d) Traffic signal conduit and pole base at Fort Avenue and Woodall Street intersection;

(e) Pedestrian/bicycle concrete path, consistent with Baltimore City Bicycle Plan, at least 8 feet in width along Key Highway frontage.

(f) Pedestrian crosswalks along east and west sides of Woodall Street at Fort Avenue; and

(g) Concrete "chokers" on 1400 block of Woodall Street.

Baltimore City Department of Transportation approval is required prior to completion and/or installation of the improvements, and the developer shall use all reasonable efforts to obtain Department of Transportation approval; if obtained, the developer must

complete the improvements prior to the issuance of occupancy permits for new development on the site.”.

Amendment No. 9

On page 4, in lines 6, 12, 15, and 23, strike “6”, “7”, “8”, and “9”, respectively, and substitute “7”, “12”, “13”, and “14”, respectively.

The amendments were read and adopted, with Councilmember D’Adamo out of Chambers.

Then Councilmember Reisinger made a motion, which was seconded, to offer an additional amendment to the bill.

Amendment to Bill No. 06-0451

Amendment No. 1

On page 3, after line 42, insert

“(f) No gambling is permitted in the Planned Unit Development.”.

The amendment was read and adopted, with Councilmember D’Adamo out of Chambers.

Favorable report, as amended, adopted, with Councilmember D’Adamo out of Chambers.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 06-0464 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use and Transportation Committee, reported that the Committee has complied with the requirements of Article 66B of the Maryland Code and recommends the adoption of the following Findings of Fact and the adoption of Bill No. 06-0464 favorably, with amendments.

An Ordinance changing the zoning for certain properties in Historic Southeast Baltimore: as outlined in yellow on the accompanying plats, from the B-1-1 Zoning District to the R-8 Zoning District, from the B-1-3 Zoning District to the R-8 Zoning District, from the B-2-2 Zoning District to the R-8 Zoning District, from the B-2-3 Zoning District to the R-8 Zoning District, from the B-3 Zoning District to the R-8 Zoning District, from the B-3-2 Zoning District to the R-8 Zoning District, from the B-3-3 Zoning District to the R-8 Zoning District, from the M-1-3 Zoning District to the R-8 Zoning District, from the M-2-2 Zoning District to the R-8 Zoning District, from the M-3 Zoning District to the R-8 Zoning District, from the R-9 Zoning District

to the R-8 Zoning District, from the R-10 Zoning District to the R-8 Zoning District, from the B-2-3 and R-8 Zoning Districts to the R-8 Zoning District, and from the B-3-3 and R-8 Zoning Districts to the R-8 Zoning District; as outlined in purple on the accompanying plats, from the B-1-3 Zoning District to the B-1-2 Zoning District, from the B-2-2 Zoning District to the B-1-2 Zoning District, from the B-2-3 Zoning District to the B-1-2 Zoning District, from the B-3-2 Zoning District to the B-1-2 Zoning District, from the B-3-3 Zoning District to the B-1-2 Zoning District, from the M-2-2 Zoning District to the B-1-2 Zoning District, and from the M-3 Zoning District to the B-1-2 Zoning District; as outlined in orange on the accompanying plats from the B-1-3 Zoning District to the B-2-2 Zoning District, from the B-2-3 Zoning District to the B-2-2 Zoning District, from the B-3-3 Zoning District to the B-2-2 Zoning District, from the M-2-2 Zoning District to the B-2-2 Zoning District, from the M-3 Zoning District to the B-2-2 Zoning District, and from the B-3-3 and R-8 Zoning Districts to the B-2-2 Zoning District; as outlined in brown on the accompanying plats from the B-2-2 Zoning District to the B-2-1 Zoning District; as outlined in red on the accompanying plats from the B-2-2 Zoning District to the B-3-2 Zoning District, from the B-3-3 Zoning District to the B-3-2 Zoning District, from the M-3 Zoning District to the B-3-2 Zoning District, and from the B-3-3 and B-2-3 Zoning Districts to the B-3-2 Zoning District; as outlined in blue on the accompanying plats from the B-2-3 Zoning District to the O-R-2 Zoning District, from the B-3-3 Zoning District to the O-R-2 Zoning District, and from the R-8 Zoning District to the O-R-2 Zoning District; as outlined in green on the accompanying plats from the M-2-2 Zoning District to the B-1-1 Zoning District, and from the M-3 Zoning District to the B-1-1 Zoning District.

Amendments to City Council Bill No. 06-0464

Amendment No. 1

On page 6, strike lines 12 through 43, in their entirety; on page 6, strike beginning with line 45, down through and including line 24, on page 7, in their entirety; and on page 7, strike beginning with line 27, down through and including line 3, on page 8, in their entirety.

Amendment No. 2

On page 8, after line 8, insert

“128 South Broadway
126 South Broadway
124 South Broadway
122 South Broadway
120 South Broadway
118 South Broadway
116 South Broadway
114 South Broadway
112 South Broadway

108 South Broadway
100 South Broadway
200 South Broadway
206 South Broadway
208 South Broadway
210 South Broadway
216 South Broadway
218 South Broadway
220 South Broadway
222 South Broadway
224 South Broadway
226 South Broadway
228 South Broadway
230 South Broadway
232 South Broadway
234 South Broadway
238 South Broadway
240 South Broadway
242 South Broadway
244 South Broadway
246 South Broadway
248 South Broadway
250 South Broadway
330 South Broadway
328 South Broadway
326 South Broadway
324 South Broadway
322 South Broadway
318 South Broadway
316 South Broadway
314 South Broadway
312 South Broadway
310 South Broadway
308 South Broadway
306 South Broadway
300 South Broadway
133 South Broadway
131 South Broadway
129 South Broadway
127 South Broadway
125 South Broadway
123 South Broadway
121 South Broadway

119 South Broadway
117 South Broadway
113 South Broadway
111 South Broadway
109 South Broadway
107 South Broadway
105 South Broadway
103 South Broadway
101 South Broadway
201 South Broadway
203 South Broadway
205 South Broadway
207 South Broadway
209 South Broadway
211 South Broadway
219 South Broadway
225 South Broadway
227 South Broadway
229 South Broadway
233 South Broadway
235 South Broadway
237 South Broadway
239 South Broadway
241 South Broadway
243 South Broadway
245 South Broadway
247 South Broadway
249 South Broadway
251 South Broadway
321 South Broadway
317 South Broadway
313 South Broadway
311 South Broadway
309 South Broadway
307 South Broadway
303 South Broadway
301 South Broadway”.

Amendment No. 3

On page 14, strike lines 47 and 48 in their entirety; and, on page 9, after line 15, insert

“504 South Ann Street
506 South Ann Street”.

Amendment No. 4

On page 16, strike line 15 in its entirety; on page 40 strike lines 8 and 9 in their entirety; on page 1, before the period, insert “; as outlined in pink on the accompanying amended plats from the M-2-2 Zoning District to the B-2-3 Zoning District; and as outlined in brown on the accompanying amended plats from the B-3-3 Zoning District to the M-2-2 Zoning District”; and on page 44, after line 8, insert

“Properties to be rezoned from the M-2-2 Zoning District to the B-2-3 Zoning District, as outlined in pink:

510 South Eden Street
511 South Central Avenue

Properties to be rezoned from the B-3-3 Zoning District to the M-2-2 Zoning District, as outlined in brown:

400 South Caroline Street”.

Amendment No. 5

On page 4, strike lines 3, 4, and 5, in their entirety; and, on page 1, in line 23, strike beginning with “as” down through and including the semi-colon in line 24.

Amendment No. 6

On page 39, strike lines 4 through 9 in their entirety; on the same page, strike lines 14, 15, and 18, in their entirety; on the same page, after line 11, insert

“710 South Bond Street”;

and, on page 1, in line 31, after “plats”, strike the rest of the line.

Amendment No. 7

On page 41, strike lines 11, 12, 13, and 29 in their entirety; and on page 41, after line 31, insert

“2039 Aliceanna Street
705 South Wolfe Street
Block 1847 Lot 019A
Block 1847 Lot 016”;

and, on the same page, strike lines 5, 6, 7, 16, and 17 in their entirety.

Amendment No. 8

On page 30, strike lines 38 through 50 in their entirety; and, on page 16, after line 15, insert

“2034 Eastern Avenue
2032 Eastern Avenue
2030 Eastern Avenue
2028 Eastern Avenue
2026 Eastern Avenue
2022 Eastern Avenue
2020 Eastern Avenue
2018 Eastern Avenue
2016 Eastern Avenue
2012 Eastern Avenue
2010 Eastern Avenue
2008 Eastern Avenue
2006 Eastern Avenue”.

Amendment No. 9

On page 33, strike lines 33 through 37 in their entirety; and, on page 16, after line 48, insert

“2010 Fleet Street
2008 Fleet Street
2006 Fleet Street
2004 Fleet Street
2002 Fleet Street”.

Amendment No. 10

On page 37, strike lines 33 through 51 in their entirety; on page 18, after line 43, insert

“2009 Fleet Street
2011 Fleet Street
2013 Fleet Street
2015 Fleet Street
2017 Fleet Street
2019 Fleet Street
2021 Fleet Street
2023 Fleet Street
2025 Fleet Street
2027 Fleet Street
2029 Fleet Street
2031 Fleet Street
2033 Fleet Street
2035 Fleet Street
2037 Fleet Street”;

and, on page 18, after line 45, insert

“2043 Fleet Street
2045 Fleet Street
2047 Fleet Street
2049 Fleet Street”.

Amendment No. 11

On page 1, in lines 4, 14, 19, 25, 28, and 31, in each instance, after “accompanying”, insert “amended”.

Amendment No. 12

On page 13, strike line 23 in its entirety; and, on page 9, after line 23, insert “1704 Gough Street”.

The amendments were read and adopted, with Councilmember Clarke Passing and with Councilmembers D’Adamo and Welch out of Chambers.

Findings of Fact

City Council Bill No. 06-0464
Rezoning - Certain Properties in Historic Southeast Baltimore

1. Boundaries of the Neighborhood:

The boundaries of the neighborhood are approximately Fayette Street on the north; Harbor on the south; Patterson Park Avenue on the east; and Central Avenue on the west.

2. Population Change:

Since the enactment of the 1971 Zoning Code, the number of residents in the Historic Southeast Baltimore geographic area has increased by 16% percent.

3. Availability of public facilities:

Adequate public facilities are available for residential and commercial/retail activities.

4. Present and future transportation pattern:

Since the enactment of the 1971 Zoning Code, traffic patterns have not changed substantially and can accommodate residential and commercial/retail activities.

5. Compatibility with existing and proposed development:

The rezoning is consistent with the Comprehensive Master Plan and the recommendations outlined in the South Baltimore Area Zoning Study.

6. Recommendations of the Planning Commission:

Approval X

Disapproval _____

7. Recommendation of the BMZA:

Approval X

Disapproval _____

8. Relation of the proposal to the City's Master Plan:

Conforms X

Does not conform _____

9. Changes in the character of the neighborhood:

The character of the neighborhood has changed.

10. A mistake in the existing zoning classification:

The 1971 Zoning Code was correct.

Land Use Committee

Edward L. Reisinger
Chair

James B. Kraft
Member

Bernard Jack Young
Member

Rochelle Rikki Spector
Member

Findings of Fact and favorable report, as amended, adopted, with Councilmember Clarke Passing and with Councilmembers D'Adamo and Welch out of Chambers.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 07-0578 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use and Transportation Committee, reported that the Committee has complied with the requirements of Article 66B of the Maryland Code and recommends the adoption of the following Findings of Fact and the adoption of Bill No. 07-0578 favorably.

An Ordinance changing the zoning for the property known as Block 7762, Lots 1-7 (1700 Block of Letitia Avenue), as outlined in red on the accompanying plat, from the R-4 Zoning District to the R-6 Zoning District.

Finding of Facts

**City Council Bill No. 07-0578
Rezoning - Block 7762, Lots 1-7**

1. Boundaries of the Neighborhood:

The boundaries of the neighborhood are approximately Monroe Street on the north; Patapsco Avenue on the south; B&O Railroad on the east; and Wilkens Avenue on the west.

2. Population Change:

Since the enactment of the 1971 Zoning Code, the number of residents in the geographic area of Ward 25, Precinct 4, has increased by 35% percent.

3. Availability of public facilities:

Adequate public facilities are available for residential activities.

4. Present and future transportation pattern:

Since the enactment of the 1971 Zoning Code, traffic patterns have not changed substantially and can accommodate residential activities.

5. Compatibility with existing and proposed development:

The rezoning is in conformance to the existing residential development that is current in the area.

6. Recommendations of the Planning Commission:

Approval X

Disapproval _____

7. Recommendation of the BMZA:

Approval X

Disapproval _____

8. Relation of the proposal to the City's Master Plan:

Conforms X

Does not conform _____

9. Changes in the character of the neighborhood:

The character of the neighborhood has not changed.

10. A mistake in the existing zoning classification:

The 1971 Zoning Code was **incorrect** in this particular instance. According to the findings, the underlying assumptions for this property were incorrect due to the previously approved subdivision plat that is inconsistent with the R-4 zoning standards. The existence of attached dwellings directly across the street in an R-6 zoning district only reinforce the argument and also eliminates the “spot zoning” issue as well.

*Please see the attachment.

Land Use Committee

Edward L. Reisinger
Chair

James B. Kraft
Member

Bernard Jack Young
Member

Mary Pat Clarke
Member

Rochelle Rikki Spector
Member

Findings of Fact and favorable report adopted, with Councilmember D’Adamo and Welch out of Chambers.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 07-0587 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use and Transportation Committee, reported Bill No. 07-0587 favorably, with amendments.

An Ordinance approving the application of South Broadway Properties, LLC, owner of 600, 606, 610, 616, 622, 607, 609, 611, 617, 619, 621, 623, 625, and 627 South Broadway, 611, 613, 615, 617, 619, 621, and 623 South Bethel Street, 1621, 1625-1631, and 1641 Fleet Street, and 608 and 614 South Register Street; John E. Demirjian, the owner of 602 South Broadway; and the Mayor and City Council of Baltimore, the owner of 1640 and 1641 Aliceanna Street and 1641 Lancaster Street (collectively the “Property”), to have that Property designated a Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

Amendments to City Council Bill No. 07-0587

Amendment No. 1

On page 2, in line 19, strike the first “January 30” and substitute “March 7”; in the same line, strike the second “January 30” and substitute “April 13”; and, on page 2, in line 20, strike “January 30” and substitute “March 20”.

Amendment No. 2

On page 2, in line 23, strike “paragraph” and substitute “paragraphs”; and, in the same line, before “below”, insert “and (d)”.

Amendment No. 3

On page 2, after line 35, insert

“Amusement arcades as provided in § 6-308(2)
Amusement devises as provided in § 6-207(2)”;

and, after line 37, insert

“Animal facilities as provided in § 6-207(3)
Animal hospitals that are odor-proofed and sound-proofed
Athletic fields
Automobile accessory stores - including related repair and installation services
Bingo halls: charitable
Blood donor centers
Bus and transit passenger stations and terminals
Bus and transit turnarounds”;

and, after line 38, insert

“Clinics: health care
Clothes pressing establishments
Clubs and lodges: private and nonprofit”;

and, after line 39, insert

“Dance halls
Display rooms for mail order sales
Drug stores and pharmacies: drive-in - but not including the sale of alcoholic beverages
or tobacco products
Dry cleaning establishments: drive-in
Dry cleaning establishments - no more than 4 employees plus 1 owner or manager on the
premises
Employment agencies”;

and strike line 41 in its entirety and insert

“Firearm sales, ammunition sales, or both as provided in § 308(11)
Foster homes for children”.

Amendment No. 4

On page 3, after line 1, insert

“Garages, other than accessory, for storage, repair, and servicing of motor vehicles not
over 1½ tons capacity - but not including body repair painting, painting, or engine
rebuilding
Gasoline service stations
Helistops
Homes for the rehabilitation of non-bedridden alcoholics and for the care and custody of
homeless persons
Hospitals
Launderettes - no more than 2 employees plus 1 owner or manager on the premises
Laundries: hand - no more than 2 employees plus 1 owner or manager on the premises
Marinas: accessory
Marinas: recreational
Marinas: recreational boat launch/tie up
Massage salons
Massage therapists’ offices
Multi-purpose neighborhood centers
Novelty shops”;

and, after line 3, insert

“Photograph printing and developing establishments: drive-in
Pool halls and billiard parlors”;

and, after line 4, insert

“Printing establishments - no more than 10 employees plus 1 owner or manager on the
premises
Public utility service centers
Public utility uses as provided in § 6-208(13)
Radio and television antennas and towers that extend no more than 25 feet above the
building on which they are mounted - but not including microwave antennas (satellite
dishes)
Radio and television antennas as provided in § 6-208(13)
Recreation buildings and community centers
Restaurants: drive-in - but not including pick-up drives with window service
Rooming houses
Schools: elementary and secondary
Schools: trade - other than industrial
Second-hand stores”;

and, after line 5, insert

“Skating rinks
Structures on piers, other than water-dependent facilities”;

and, after line 6, insert

“Telephone exchanges
Trading stamp redemption centers”;

and, after line 10, insert

“Vending machines for retail sale of ice or milk”.

Amendment No. 5

On page 3, after line 11, insert

“(d) The following uses are conditional uses that require approval by Ordinance:

Liquor stores: package goods
Taverns - but not including live entertainment and dancing.

(e) Notwithstanding anything in this Plan to the contrary, the 2 existing alcoholic beverage licenses located at 300 South Broadway and 606 South Broadway may be continued to be used anywhere within the Planned Unit Development area as taverns and/or restaurants.”.

Amendment No. 5

On page 3, in line 12, strike beginning with “temporary” down through and including “Commission”, in line 15 and substitute “off-street parking requirements for the Planned Unit Development are as follows: (1) residential - 1.5 spaces per dwelling unit; (2) office - 1 space per 800 square feet in excess of 2,000 square feet of office use; (3) retail including restaurants - 1 space per 600 square feet in excess of 4,000 square feet of retail use; and (4) all other uses - as required by the underlying zoning”.

Amendment No. 6

On page 3, in line 22, after the period, insert

“When reviewing the plans for final design approval, the Planning Commission shall determine the location of the parking garage entrance, taking into consideration the results of the traffic study completed pursuant to Ordinance 06-345.”.

Amendment No. 7

On page 3, after line 22, insert

“SECTION 7. AND BE IT FURTHER ORDAINED, That if this Planned Unit Development is enacted prior to the enactment of the Fells Point Local Historic and Architectural Preservation District, the height and massing guidelines for this Planned Unit Development shall govern future development. The Commission for Historical and Architectural Preservation shall review and approve the building design within the prior approved massing. Its approval is required prior to Planning Commission final design approval.”.

Amendment No. 8

On page 3, in lines 23, 26, and 34, strike “7”, “8”, and “9”, respectively, and substitute “8”, “9”, and “10”, respectively.

The amendments were read and adopted, with Councilmembers D’Adamo, Spector, and Young out of Chambers.

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Favorable report, as amended, adopted, with Councilmembers D'Adamo, Spector, and Young out of Chambers.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 07-0598 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Holton, for the Taxation and Finance Committee, reported Bill No. 07-0598 favorably.

An Ordinance increasing the maximum aggregate principal amount of revenue obligations that may be issued by the City under Ordinance 04-687; and providing for a special effective date.

Favorable report adopted, with Councilmembers Harris and Clarke voting Nay and with Councilmembers D'Adamo and Young out of Chambers.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 07-0599 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Holton, for the Taxation and Finance Committee, reported Bill No. 07-0599 favorably.

An Ordinance increasing the maximum aggregate principal amount of revenue obligations that may be issued by the City under Ordinance 02-332; and providing for a special effective date.

Favorable report adopted, with Councilmembers Harris and Clarke voting Nay and with Councilmembers D'Adamo and Young out of Chambers.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 07-0601 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Holton, for the Taxation and Finance Committee, reported Bill No. 07-0601 favorably.

An Ordinance altering the process under which the frequency of the distribution of retirement benefits is determined; requiring retirement dates to be on a certain day of the month;

recodifying certain provisions dealing with member contributions; consolidating and altering the accounting procedures for certain funds; providing for a sunset date for certain existing post-retirement benefit provisions; altering certain retirement payment options; altering certain post-retirement increases to periodic benefits; authorizing the Board, under certain circumstances, to serve in a fiduciary capacity for other City trust funds; making the provisions of this Ordinance severable; correcting, clarifying, and conforming certain language; and generally relating to the administration of retirement benefits.

Then Councilmember Clarke made a motion, which was seconded, to offer a floor amendment to the bill.

Amendment to Bill No. 07-0601

Amendment No. 1

On page 1, strike beginning in line 4 with “altering” through the semicolon in line 5.

Amendment No. 2

On page 2, in line 15, strike “MONTH” and substitute “day”; and, in line 17, strike “TRUSTEES” and substitute “Estimates”; and, in line 17, before “to”, strike the bracket; and, in line 18, after “employees”, strike the bracket; and, in line 19, strike “MONTHLY” and substitute “daily”; and, in line 20, strike “12” and substitute “365”.

Amendment No. 3

On page 14, in line 9, strike “MONTH” and substitute “day”; and, in line 11, strike “TRUSTEES” and substitute “Estimates”; and, in line 11, before “to”, strike the bracket; and, in line 12, after “employees”, strike the bracket; and, in line 12, strike “MONTHLY” and substitute “daily”; and, in line 13, strike “12” and substitute “365”.

By voice vote, the amendment failed for lack of a majority.

Favorable report adopted, with Councilmember Middleton Passing and with Councilmembers D’Adamo and Young out of Chambers.

The bill was read the second time and ordered printed for third reading.

THIRD READING

The President laid before the City Council:

BILL NO. 06-0560 - An Ordinance changing the zoning for certain properties in the Poppleton Area, as outlined in red on the accompanying plat, from the R-8 Zoning District to the R-9 Zoning District, as outlined in green on the accompanying plat, from the B-3-2 Zoning District to the R-9 Zoning District, as outlined in yellow on the accompanying plat, from the R-8 Zoning District to the B-2-3 Zoning District, as outlined in blue on the accompanying plat, from the B-1-2 Zoning District to the B-2-3 Zoning District, as outlined in orange on the accompanying plat, from the R-9 Zoning District to the B-2-3 Zoning District, and as outlined in purple on the accompanying plat, from the M-1-2 Zoning District to the R-9 Zoning District.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Kraft, Curran, Harris, Spector, Middleton, Holton, Reisinger, Mitchell, Young, Crider, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmembers D'Adamo, Welch - Total 2.

Absent - Councilmember Conaway - Total 1.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 06-0561 - An Ordinance approving the application of Poppleton Development I, LLC, owner of certain properties generally bordered on the north by West Mulberry Street, on the west by North Stockton Street, on the south by West Fairmount Avenue, and on the east by North Poppleton Street, to have that property designated a Residential/Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Kraft, Curran, Harris, Spector, Middleton, Holton, Reisinger, Mitchell, Young, Crider, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmembers D'Adamo, Welch - Total 2.

Absent - Councilmember Conaway - Total 1.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 07-0581- An Ordinance creating a community benefits district, to be known as the Waterfront Management District; specifying the boundaries of the District; creating an Authority and providing for its rights, duties, and powers; designating the initial interim board of the Authority and providing for the selection and approval of a full board; providing for an Administrator for the Authority; mandating the financial responsibilities of the Authority and the City in conjunction with the operation of the District; providing for the assessment, collection, and enforcement of a supplemental tax to be collected by and for the Authority; specifying the City's role in maintaining and enhancing existing services; encouraging the creation of partnerships among the Authority, the City, the State, the Federal Government, and property owners not subject to the supplemental tax; designating the Board of Estimates as the agency charged with reviewing and approving various matters relating to the District and the Authority; providing for the renewal, expiration, termination, and approval of the District and the Authority; providing for a special effective date; and generally relating to the existence, operation, and control of the Waterfront Management District and Authority.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Kraft, Curran, Harris, Middleton, Holton, Welch, Reisinger, Mitchell, Young, Crider, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmembers D'Adamo, Spector - Total 2.

Absent - Councilmember Conaway - Total 1.

The bill was read and approved, and the bill was declared "Passed".

Journal of the City Council

MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3 WITH REGARD TO BILL NO. 07-0641

Councilmember Kraft made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 07-0641.

The motion carried without exception, and the President declared the rules suspended with regard to the bill. Then Councilmember Kraft announced a hearing date for the bill.

MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3 WITH REGARD TO BILL NO. 07-0650

Councilmember Curran made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 07-0650.

The motion carried without exception, and the President declared the rules suspended with regard to the bill. Then Councilmember Curran announced a hearing date for the bill.

CITY COUNCIL COMMITTEES AND THEIR MEMBERSHIP

President Rawlings-Blake announced a new list of City Council Committees and their membership. Published below is the list.

Budget and Appropriations

Bernard C. "Jack" Young - Chair
Nicholas D'Adamo, Jr. - Vice Chair
Robert Curran
Edward Reisinger
Vernon E. Crider

Judiciary and Legislative

Investigations

James B. Kraft - Chair
Robert Curran - Vice Chair
Mary Pat Clarke
Vernon E. Crider
Keiffer Jackson Mitchell, Jr.

Taxation and Finance

Helen Holton - Chair
Keiffer Jackson Mitchell, Jr. -
Vice Chair
Belinda K. Conaway
Rochelle Rikki Spector
Agnes Welch

Subcommittee:

Labor Subcommittee

Edward Reisinger - Chair
Robert Curran
Bernard C. "Jack" Young

Subcommittee:

Public Safety

Robert Curran - Chair
James B. Kraft
Keiffer Jackson Mitchell, Jr.

Urban Affairs and Aging

Agnes Welch - Chair
Sharon Green Middleton - Vice
Chair
Nicholas D'Adamo, Jr.
Kenneth N. Harris
Rochelle "Rikki" Spector

Education

Mary Pat Clarke - Chair
Kenneth N. Harris, Sr. - Vice-Chair
Vernon E. Crider
Keiffer Jackson Mitchell, Jr.
Agnes Welch

Land Use and Transportation

Edward Reisinger - Chair
James B. Kraft - Vice Chair
Sharon Green Middleton
Kenneth N. Harris, Sr.
Rochelle "Rikki" Spector
Mary Pat Clarke
Bernard C. "Jack" Young

Subcommittee:

Housing, Health, and Human Services

Kenneth N. Harris, Sr. -
Chair
Sharon Green Middleton
Rochelle "Rikki" Spector

Executive Appointments

Robert Curran - Chair
Belinda Conaway - Vice Chair
Bernard C. "Jack" Young
Edward Reisinger
Helen Holton

Subcommittee:

Highways and Franchises

Kenneth N. Harris, Sr. - Chair
Mary Pat Clarke
Rochelle "Rikki" Spector

REASSIGNMENT OF BILLS

President Rawlings-Blake announced the following reassignment of bills:

From the Education, Housing, Health and Human Services Committee to the Education Committee

06-0167R, 06-0186R, 06-0206R, 06-0211R, 06-0222R, 06-0223R, 07-0251R, 07-0262R, 07-0279R, 07-0285R

From the Education, Housing, Health, and Human Services Committee to the Housing, Health and Human Services Subcommittee

05-0053R, 05-0116R, 06-0144R, 06-0184R, 06-0235R, 06-0238R, 06-0315, 07-0247R, 07-0266R, 07-0267R, 07-0272R, 07-0273R, 07-0278R, 07-0283R

ADJOURNMENT

On motion of Councilmember Curran, duly seconded, the City Council adjourned to meet on Monday, April 30, 2007, at 5:00 p.m.

Consent Calendar

- CR 3549 Welch**
A City Council RESOLUTION on the death of Peggy McCoy.
- CR 3550 Curran**
A City Council RESOLUTION congratulating Mamie Cooper, Yetunde Fabiyi, Shahab Khan, Kingsley Ugoji, Tynetta Davis, Tiffany Nelson, Donat Ntigoheka, Charles Armstrong, Richard Lindsey, Joseph Lo Grande, Maduka Noadozie, Stephon Smith and Dionne Saucier on their Formal Induction into the W.E.B. Dubois Chapter National Honor Society.
- CR 3551 President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Sergeant Richard P. Wokittel on his retirement after 25 years of service with the Baltimore City Police Department.
- CR 3552 President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Officer Leah Hamm on her retirement after 9 years of service with the Baltimore City Police Department.
- CR 3553 President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Wilberforce University Alumni Association on the occasion on its conference being held July 18 – 22, 2007.
- CR 3554 President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Reverend Dr. Cleveland T.A. Mason, II on his 15th Pastoral Anniversary at Perkins Square Baptist Church.
- CR 3555 President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating The National Center on Institutions and Alternatives (NCIA) on the celebration of its 30th Anniversary.
- CR 3556 President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Dorothy M. Jamison on the celebration of her 75th birthday.
- CR 3557 President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Clinton Coleman, Daisey Jones, Daisey McFaddan, Lula Mae Pinkett, James Harris, Joan Keller, Lenora Pullan, Edna Smith, Pearl Fisher, Pat Manning, and Lula Mae Johnson on their hard work and dedication, “Bon Secour Liberty Village”.
- CR 3558 Young**
A City Council RESOLUTION congratulating Theresa Williams on being inducted into the Sigma Theta Tau Nursing Honor Society on Sunday, April 22, 2007.

- CR 3559** **President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Lila J. Shelton on the celebration of her 80th birthday and the lives she's touched along the way.
- CR 3560** **Conaway**
A City Council RESOLUTION congratulating the Greater Baltimore Chapter Justice Unity Generosity Service, Inc. on its 1st Charity Luncheon and Fashion Show Extraordinaire.
- CR 3561** **D'Adamo**
A City Council RESOLUTION on the death of James P. Lazzati.
- CR 3562** **President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Deborah "Ms. Deb G." Gasque, God's Gifted Servant, on the celebration of her birthday, February 2, 2007.
- CR 3563** **President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Carol Joyner, God's Gifted Servant, on the celebration of her birthday, March 29, 2007.
- CR 3564** **President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Jean A. Weaver, God's Gifted Servant, on the celebration of her birthday.
- CR 3565** **President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Cyndi Boehm, God's Gifted Servant, on the celebration of her birthday.
- CR 3566** **President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Debbie Nelson-Shelton, God's Gifted Servant, on the celebration of her birthday.
- CR 3567** **Crider**
A City Council RESOLUTION congratulating David Bruce on the caring and sharing that he's rendered to family and friends through the years and the celebration of his birthday on June 8, 2007.
- CR 3568** **Welch**
A City Council RESOLUTION on the death of Deacon Thomas Yorkshire.
- CR 3569** **Welch**
A City Council RESOLUTION congratulating Sigma Gamma Rho Sorority, Inc. on the occasion of its 65th Northeastern Regional Conference and its annual public meeting.

- CR 3570** President Rawlings-Blake, All Members
A City Council RESOLUTION congratulating 2007 Kids Being Healthy Expo on outstanding dedication to the health, safety, and well-being of our children through smart eating and exercise.
- CR 3571** Crider
A City Council RESOLUTION on the death of Maliyah Dasia Regis.
- CR 3572** President Rawlings-Blake, All Members
A City Council RESOLUTION congratulating Wombworks Productions, Inc. on 10 years of empowering youth, their families, and communities through inspirational performing arts.
- CR 3573** Harris, All Members
A City Council RESOLUTION on the death of Mazie (Mother) Parker.