

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0645

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: January 31, 2011
Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 9, 2011

AN ORDINANCE CONCERNING

**Urban Renewal – Johnston Square –
Amendment 10**

1
2
3 FOR the purpose of amending the Urban Renewal Plan for Johnston Square to reauthorize the
4 acquisition of properties within the Project Area, to remove a certain property from the list in
5 Appendix A and to remove a certain property from the list in Appendix B, and to correct and
6 clarify certain language; waiving certain content and procedural requirements; making the
7 provisions of this Ordinance severable; providing for the application of this Ordinance in
8 conjunction with certain other ordinances; and providing for a special effective date.

9 By authority of
10 Article 13 - Housing and Urban Renewal
11 Section 2-6
12 Baltimore City Code
13 (Edition 2000)

Recitals

14
15 The Urban Renewal Plan for Johnston Square was originally approved by the Mayor and
16 City Council of Baltimore by Ordinance 77-357 and last amended by Ordinance 02-456.

17 An amendment to the Urban Renewal Plan for Johnston Square is necessary to reauthorize
18 the Plan's powers of acquisition and condemnation so that these actions may legally continue, in
19 compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to
20 remove a certain property from the list in Appendix A and to remove a certain property from the
21 list in Appendix B, and to correct and clarify certain language.

22 Under Article 13, § 2-6 of the Baltimore City Code, no ~~substantial~~ change may be made in
23 any approved renewal plan unless the change is approved in the same manner as that required for
24 the approval of a renewal plan.

25 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
26 following changes in the Urban Renewal Plan for Johnston Square are approved:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

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1 (1) In the Plan, amend the first paragraph of C.1. to read as follows:

2 C. Techniques Used to Achieve Plan Objectives

3 1. Acquisition

4 A Property Acquisition Map, which designates those properties to be acquired
5 BY PURCHASE OR BY CONDEMNATION, is attached as Exhibit 2.

6 (2) In the Plan, add new C.1.c. to read as follows:

7 C. Techniques Used to Achieve Plan Objectives

8 1. Acquisition

9

10 C. THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA
11 IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING
12 DECEMBER 31, 2014.

13 (3) In the Plan, amend the first paragraph of Appendix A to read as follows:

14 Appendix A

15 Properties for Acquisition and Disposition for Rehabilitation

16 In addition to those groups of properties to be acquired and disposed of for
17 rehabilitation (designated with disposition lot numbers on Exhibit 3), the
18 following properties are being acquired and disposed of for rehabilitation.
19 Certain properties listed below may be used, in whole or in part, as rear or side
20 yard space for adjacent property, AS SHOWN LYING WITHIN THE PERIMETER OF THE
21 PROPERTY LAND DISPOSITION MAP. THE ACQUISITION PROPERTIES ADJACENT TO
22 OR ABUTTING STREETS AND ALLEYS BEING CLOSED WILL ALSO INCLUDE ALL
23 RIGHTS, TITLE AND INTEREST, OR ANY PRIVATE RIGHTS OF USE IN AND TO THE
24 ADJACENT STREETS, RIGHTS-OF-WAY, OR ALLEYS AS SHOWN LYING WITHIN THE
25 PERIMETER OF THE LAND DISPOSITION MAP.

26 (4) In the Plan, amend the first paragraph of Appendix B to read as follows:

27 Appendix B

28 Properties for Acquisition and Disposition for Rehabilitation

29 In addition to those groups of properties to be acquired and disposed of for
30 rehabilitation redevelopment (designated with disposition lot numbers on Exhibit
31 3, in Appendix A and in Appendix B), the following properties are being acquired
32 and disposed of for rehabilitation. Certain properties listed below may be used, in
33 whole or in part, as rear or side yard space for adjacent property, AS SHOWN LYING
34 WITHIN THE PERIMETER OF THE PROPERTY LAND DISPOSITION MAP. THE
35 ACQUISITION PROPERTIES ADJACENT TO OR ABUTTING STREETS AND ALLEYS BEING
36 CLOSED WILL ALSO INCLUDE ALL RIGHTS, TITLE AND INTEREST, OR ANY PRIVATE

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1 RIGHTS OF USE IN AND TO THE ADJACENT STREETS, RIGHTS-OF-WAY, OR ALLEYS AS
2 SHOWN LYING WITHIN THE PERIMETER OF THE LAND DISPOSITION MAP.

3 (5) In the Plan, in Appendix A, delete the following from the list of properties:

4 1022 Valley Street

5 (6) In the Plan, in Appendix B, delete the following from the list of properties:

6 9. 1016 North Eden Street

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Johnston
8 Square, as amended by this Ordinance and identified as “Urban Renewal Plan, Johnston Square,
9 revised to include Amendment 10, dated January 31, 2011”, is approved. The Department of
10 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
11 Legislative Reference as a permanent public record, available for public inspection and
12 information.

13 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
14 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
15 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
16 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
17 Ordinance is exempted from them.

18 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
19 application of this Ordinance to any person or circumstance is held invalid for any reason, the
20 invalidity does not affect any other provision or any other application of this Ordinance, and for
21 this purpose the provisions of this Ordinance are declared severable.

22 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
23 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
24 safety law or regulation, the applicable provisions shall be construed to give effect to each.
25 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
26 higher standard for the protection of the public health and safety prevails. If a provision of this
27 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
28 establishes a lower standard for the protection of the public health and safety, the provision of
29 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
30 conflict.

31 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
32 is enacted.

Council Bill 11-0645

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City

URBAN RENEWAL PLAN

JOHNSTON SQUARE

DISCLAIMER:

The following document has been prepared in an electronic format which permits direct printing of the document on 8.5 by 11 inch dimension paper.

If the reader intends to rely upon provisions of this Urban Renewal Plan for any lawful purpose, please refer to the ordinances, amending ordinances and minor amendments relevant to this Urban Renewal Plan.

While reasonable effort will be made by the Baltimore City Department of Planning to maintain current status of this document, the reader is advised to be aware that there may be an interval of time between the adoption of any amendment to this document, including amendment(s) to any of the exhibits or appendix contained in the document, and the incorporation of such amendment(s) in the document.

By printing or otherwise copying this document, the reader hereby agrees to recognize this disclaimer.

URBAN RENEWAL PLAN

JOHNSTON SQUARE

ORIGINALLY APPROVED BY

THE MAYOR AND CITY COUNCIL OF BALTIMORE

BY ORDINANCE NO. 357

JUNE 27, 1977

REVISIONS SINCE ORIGINAL APPROVAL BY THE MAYOR AND CITY COUNCIL:

- I. Amendment No. 1, dated January 25, 1978 and revised March 29, 1978, approved by the Mayor and City Council of Baltimore by Ordinance No. 703, dated April 25, 1978.
- II. Amendment No. 2, dated April 9, 1979, approved by the Mayor and City Council of Baltimore by Ordinance No. 1110, dated June 27, 1979.
- III. Amendment No. 3, dated December 16, 1980 and revised April 6, 1981, approved by the Mayor and City Council of Baltimore by Ordinance No. 342, dated June 19, 1981.
- IV. Amendment No. 4, dated July 19, 1982, approved by the Mayor and City Council of Baltimore by Ordinance No. 771, dated September 1, 1982.
- V. Amendment No. 5, dated September 24, 1985 and revised November 1, 1985, approved by the Mayor and City Council of Baltimore by Ordinance No. 569, dated December 13, 1985.
- VI. Amendment No. 6, dated March 3, 1988, and revised June 9, 1988, approved by the Mayor and City Council of Baltimore by Ordinance No. 146, dated July 6, 1988.
- VII. Amendment No. 7, dated June 11, 1990, approved by the Mayor and City Council of Baltimore by Ordinance No. 702, dated May 13, 1991.
- VIII. Amendment No. 8, dated April 27, 1993, approved by the Mayor and City Council of Baltimore by Ordinance No. 294, dated February 14, 1994.
- IX. Amendment No. 9, dated December 5th, 2002, approved by the Mayor and City Council of Baltimore by Ordinance No. 456, dated December 19, 2002.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BALTIMORE, MARYLAND

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APPENDIX A: PROPERTIES FOR ACQUISITION & DISPOSITION FOR REHABILITATION

APPENDIX B: PROPERTIES FOR ACQUISITION & DISPOSITION FOR REHABILITATION

APPENDIX D: EAST BALTIMORE REVITALIZATION AREA DESIGN GUIDELINES

EXHIBITS

1. Land Use Plan Map, revised 6/11/90/ dated 3-17-04
2. Property Acquisition Map, revised 12/05/02/ dated 3-16-04
3. Land Disposition Map, revised 12/05/02/ dated 3-16-04
4. Zoning Districts Map, revised 12/27/85/ dated 3-23-04
5. Unanimous Written Consent of the Board of Directors of East Baltimore Development, Inc. (EBDI) Relative to Relocation, dated November 8, 2002
6. Unanimous Written Consent of the Board of Directors of East Baltimore Development, Inc. (EBDI) Relative to Eligible Business Concerns Initiative and Community Reinvestment, dated November 8, 2002
7. Agreement for Minority Inclusion in the East Baltimore Housing/ Biotech Park Development Project, dated April 15, 2002

“The contents of Exhibits 5, 6, and 7 reflect the intent of EBDI as it participates in the redevelopment process. The inclusion of these Exhibits in this Ordinance does not confer any powers or duties on EBDI that would violate the Charter, including but not limited to Article II, Section 15 (g) or any other law. The powers in Article II, Section 15 (g) have been vested in the Department of Housing and Community Development by Article 13, Subtitle 2 of the Baltimore City Code.”

URBAN RENEWAL PLAN

JOHNSTON SQUARE

A. PROJECT DESCRIPTION

1. Boundary Description

Beginning for the same at the intersection of the south side of Eager Street and the east side of Fallsway; thence binding on the east side of Fallsway northerly to intersect the north side of Eager Street; thence binding on the north side of Eager Street easterly to intersect the western boundary of Lot No. 2 Block 1179-B; thence binding on the western boundary of Lot No. 2 northerly to intersect the south side of Chase Street; thence crossing Chase Street northerly to the north side of Chase Street; thence binding on the north side of Chase Street easterly to intersect the western boundary of Lot No. 1 Block 1165-B; thence binding on the western boundary of Lot No. 1, Lot No. 2 Block 1165-B and an existing three-foot alley northerly to intersect the southern boundary of Lot No. 26 Block 1165-B; thence binding on the southern boundary of Lot No. 26 easterly to intersect the division line between Lot No. 25 and Lot No. 26 Block 1165-B; thence binding on said division line northerly and crossing Biddle Street to intersect the north side of Biddle Street; thence binding on the north side of Biddle Street westerly to intersect the western boundary of Lot No. 40 Block 1152; thence binding on the boundary of Lot No. 40 northwesterly, and northerly to intersect the southern boundary of Lot No. 57/59 Block 1152; thence binding on the boundary of Lot No. 57/59 easterly, northerly, and easterly to intersect the division line between Lot No. 57/59 and 55/56 Block 1152; thence binding on said division line northerly and crossing Preston Street to intersect the west side of an existing twenty-foot alley; thence binding on the west side of said alley and the boundary of Lot No. 54 Block 1128 northeasterly, and continuing on the boundary of Lot No. 54, northeasterly, easterly, northerly, and continuing on said boundary and the southern boundary of Lot No. 53 Block 1128 easterly to intersect the northwestern boundary of Lot No. 16 Block 1128; thence binding on the division line between Lot No. 53 and Lot No. 16, northeasterly and easterly; thence continuing on the southern boundary line of Lot No. 53 easterly crossing a twenty-foot alley and continuing easterly to intersect the west side of Greenmount Avenue; thence binding on the west side of Greenmount Avenue northerly to intersect the southern boundary of Lot No. 30 Block 1128; thence crossing Greenmount Avenue easterly to intersect the north side of Hoffman Street; thence binding on the north side of Hoffman Street easterly to intersect the west side of Ensor Street; thence binding on the extension of the west side of Ensor Street and continuing on the west side of Ensor Street southerly to intersect the south side of Biddle Street; thence binding on the extension of the south side of Biddle Street and continuing on the south side of Biddle Street easterly to intersect the west side of Eden Street; thence binding on the west side of Eden Street southerly to intersect the north side of Eager Street; thence binding on the north side of Eager Street westerly to intersect the west side of Aisquith Street; thence binding on the extension of the west side of Aisquith Street southerly to intersect the south side of Eager Street; thence binding on the south side of Eager Street westerly to intersect the east side of Homewood Avenue; thence binding on the extension of the east side of Homewood Avenue northerly to intersect the north side of Eager Street; thence binding on the north side of Eager Street westerly to intersect the west side of Greenmount Avenue; thence binding on the extension of the west side of Greenmount Avenue southerly to intersect the south side of Eager Street; thence binding on the south side of Eager Street westerly to the point of beginning.

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

- a. To curtail blighting influences within the project area through clearance and redevelopment of concentrations of blighting and deteriorating influences;
- b. To provide housing resources for mixed-income households through rehabilitation of basically sound structures in residential areas and new construction;
- c. To facilitate the development of public and private facilities;
- d. To achieve safe and sanitary living conditions; and
- e. To support the East Baltimore Revitalization Area Master Plan.

B. LAND USE PLAN

1. Permitted Land Use

Only the use categories shown on the Land Use Plan Map, Exhibit No. 1, shall be permitted within the project area. These are Residential, Industrial, Neighborhood Business, Community Business, Community Commercial, and Public. Accessory uses including landscaping, off-street parking and loading will be permitted. In addition, certain uses will be permitted to continue subject to the provisions governing non-conforming and non-complying uses set forth below.

a. Residential

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

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

b. Industrial

In the area designated Industrial on the Land Use Plan Map, permitted uses shall be limited to those light manufacturing warehousing and storage activities, and related accessory uses permitted within a M-1 District by the Zoning Ordinance of Baltimore City.

c. Neighborhood Business

In the area designated Neighborhood Business on the Land Use Plan Map, permitted uses shall be limited to those business establishments and related accessory uses permitted within a B-1 District by the Zoning Ordinance of Baltimore City, except establishments selling food which are open between the hours of 2 a.m. and 6 a.m.

d. Community Business

In the area designated Community Business on the Land Use Plan Map, permitted uses shall be limited to those business establishments and related accessory uses permitted within a B-2 District by the Zoning Ordinance of Baltimore City, except dance halls, taverns and liquor stores, except establishments selling food which are open between the hours of 2 a.m. and 6 a.m.

e. Community Commercial

In the area designated Community Commercial on the Land Use Plan Map, permitted uses shall be limited to those business establishments, and related accessory uses permitted within a B-3 District by the Zoning Ordinance of Baltimore City, except dance halls, taverns and liquor stores, except establishments selling food, which are open between the hours of 2 a.m. and 6 a.m.

f. Public

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

g. Non-Conforming

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

h. Non-Complying

A non-complying structure, as set forth in Chapter 8 of Article 30 of the Baltimore City Code (1976 Edition, as amended), titled "Zoning", is any lawfully existing structure which does not comply with the bulk regulations of the zoning district in which it is located. These non-complying structures shall be permitted to continue, subject to the provisions of said Chapter 8.

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

- (1) Any non-complying land use which is discontinued for a period exceeding twelve (12) months shall not be reestablished.
- (2) No change in the permanent physical members of a structure, such as bearing walls, columns, beams, or girders, or no substantial change in the roof or in the exterior walls shall be made in or to a building or structure except those required by law or except to make the building and use thereof conform to the regulations of this Plan.
- (3) No non-complying land use shall be changed to any other non-complying use.

2. Regulations, Controls and Restrictions

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

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

(1) General Provisions

- (a) All development not limited to new construction and including rehabilitation of structures shall comply with the design guidelines provided in this Plan as Appendix D and should optimize the preservation of existing historic buildings and the unique historic character of the East Baltimore Redevelopment Area.
- (b) No buildings, structure, or parking area shall be constructed over an easement within the Project Area without the prior consent of the Commissioner of the Department of Housing and Community Development and the Director of the Department of Public Works.
- (c) No materials shall be stored or permitted to remain outside buildings. No waste material, refuse, or garbage shall be permitted to remain outside buildings except as permitted by the Baltimore City regulations regarding containers for garbage; the areas for such containers shall be properly screened from adjacent properties and public streets and alleys.
- (d) All land not covered by structures, paved parking, loading or related service areas, paved areas for pedestrian circulation, or decorative surface treatments, shall be provided with landscape treatment. Landscape treatment encompasses the planting of any, all, or a combination of the following: trees, shrubs, ground cover, flowers. The amount of landscape treatment should be determined by

the

nature of the development and should serve to improve the utility of the site, soften and relieve the effects of structure and pavement, and provide visual harmony.

(2) Redeveloper's Obligations

The Redeveloper shall not enter into, execute, or be a party to any covenant, agreement, lease, deed, assignment, conveyance, or any other written instrument which restricts the sale, lease, use or occupancy of the property, or any part thereof or any improvements placed thereon, upon the basis of national origin, race, religion, sex or color. Such agreement or covenant providing for this nondiscrimination provision shall be included in the instruments and the City of Baltimore shall be deemed a beneficiary of such covenants and shall be entitled to enforce it. The Redeveloper shall comply with all State and local laws in effect from time to time, prohibiting discrimination or segregation.

(a) Disposition Lot 1

The use of Disposition Lot 1 shall be limited to private schools and related facilities, and such accessory or ornamental structures as may be necessary or appropriate for recreation use.

(b) Disposition Lot 12

- i. Use – The use of Disposition Lot 12 shall be Community Business, limited to medical clinic, a pharmacy associated with a medical clinic and a minor ambulatory surgical unit.
- ii. Building coverage – Maximum building coverage shall not exceed 60%. In computing building coverage, land occupied by open pavilions, cabanas, canopies, and covered or weatherproof walkways shall not be included; however, all other structures, including accessory structures shall be included. Underground garages which do not project above the surrounding grade level and are appropriately treated by landscaping and other surface treatment shall not be included.
- iii. Building height – Maximum building height shall not exceed forty (40) feet.
- iv. Vehicular access – It is the intent of this Plan that all vehicular access to this site be from Stirling Street.

- v. Signs – One free-standing sign, not to exceed three (3) square feet, to designate the entrance to or access from the parking area shall be permitted. The total area of exterior signs shall not exceed ten (10) square feet per elevation of the building to be constructed on this property.
- vi. Parking and Loading – All exterior (surface) parking areas shall be paved with a hard, dust-free surface; such areas shall be appropriately screened from all adjacent streets, and shall be landscaped with trees, planted at the minimum rate of one tree per 2,500 square feet of gross parking area. Such trees shall be planted at appropriate intervals around the paved surface of the parking area.

Off-street parking spaces shall be calculated on the basis of 180 square feet per automobile exclusive of access aisles, driveways, ramps and related service areas, and shall be provided entirely within lot lines.

A minimum of one off-street loading space shall be provided.

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

(1) General Provisions

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

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

All plans for new construction (including parking lots), exterior rehabilitation, or change in use on any property not to be acquired under the provisions of this Plan shall be submitted to the Department of Housing and Community Development for review. Only upon finding that the proposed plans are consistent with the objectives of the Urban Renewal Plan, shall the Commissioner of the Department of Housing and Community Development authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition to and not in lieu of all other applicable laws and ordinances relating to new construction.

(3) Demolition

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

C. TECHNIQUES USED TO ACHIEVE PLAN OBJECTIVES

1. Acquisition

A Property Acquisition Map, which designates those properties to be acquired, is attached as Exhibit 2.

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

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

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

- (a) Any property in the Project Area containing a non-salvable structure, i.e., a structure which, in the opinion of the Commissioner of the Department of Housing and Community Development, cannot be economically rehabilitated.
- (b) Any property the owner of which is unable or unwilling to comply or conform to the codes and ordinances of Baltimore City within 12 months from the date of written notice of the required improvements, the Department of Housing and Community Development, after due consideration that the property owner has failed to achieve substantial conformity with the codes and ordinances of Baltimore City may acquire such property pursuant to the Eminent Domain

Law of this State as if the property had originally been planned for acquisition after 90 days written notice to the owner. The Department of Housing and Community Development reserves the right to acquire any such non-complying property for a period of two (2) years from the date of said written 90 days notice by the Department of Housing and Community Development.

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

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

These properties are being acquired because:

- (a) It is necessary to make residential structures available for use for low- and moderate-income families; or
- (b) rehabilitation on a structure-by-structure basis is infeasible, and assemblage of a group of properties is required to carry out objectives set forth in this Plan; or
- (c) rehabilitation of individual, scattered properties is necessary in order to remove blighting influences from otherwise sound residential blocks.

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

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

- (1) Demolish the structure or structures thereon and dispose of the land for redevelopment for uses in accordance with this Plan; or
- (2) sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City; or
- (3) rehabilitate the property in conformance with the codes and ordinances of Baltimore City and dispose of property in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, property may be rented pending continuing sale efforts.

2. Rehabilitation

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

3. Relocation

- a. The Department of Housing and Community Development assures that before individuals or families are displaced from their dwelling units due to the requirements of this Plan, standard housing within the displacees' financial means shall be provided. Residents living within the Project Area, if displaced through the requirements of this Plan, shall be given a priority by the Department of Housing and Community Development to any housing within the Project Area over which the Department has direct control.
- b. The Department of Housing and Community Development assures that before firms or individual businesses are displaced from their present location of operation due to the requirements of this Plan, standard commercial structures within the displacees' financial means, in or near the Project Area shall be identified. Businesses displaced because of the requirements of this Plan shall be given favorable consideration, but not necessarily priority, by the Department of Housing and Community Development in the review of commercial and industrial redevelopment proposals.

4. Review of Development

a. Department of Housing and Community Development Review

(1) Land to be Acquired and Disposed of

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

(2) Land Not to be Acquired

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

b. Community Review

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

5. Land Disposition

- a. Land and property interests acquired by the Mayor and City Council within the Project Area will be disposed of by sale, lease, conveyance, or transfer or other means available to the City, in accordance with the Land Disposition Map, Exhibit 3.
- b. The parcels shown on Exhibit 3 are schematic and approximate. The Department of Housing and Community Development shall have the right, in its discretion, to fix their precise boundaries and size. For purposes of disposition, the parcels or lots, as shown on Exhibit 3, may be subdivided or combined.

6. Zoning

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

D. DURATION OF PROVISIONS AND REQUIREMENTS

The Johnston Square Urban Renewal Plan, as it may be amended from time to time, shall be in full force and effect for a period of forty (40) years from the date of original adoption of this Plan by ordinance of the Mayor and City Council of Baltimore.

E. PROCEDURES FOR CHANGES IN APPROVED PLAN

The Department of Housing and Community Development shall submit to the Johnston Square Project Area Committee, or its successor, for its review and comments all proposed amendments to this Urban Renewal Plan no later than at the time the proposed amendments are submitted to the Director of the City Planning Department by the Department of Housing and Community Development. The written comments and recommendations from this review shall be submitted to the Department of Housing and Community Development no later than 3 weeks after they have been submitted to the Johnston Square Project Area Committee, or its successor; otherwise it is presumed the proposed changes are satisfactory. Prior to passage of any ordinance amending the Urban Renewal Plan, a public hearing shall be held. The Johnston Square Project Area Committee, or its successor, shall receive, at least ten days prior to such hearing, written notice of the time and place of such hearing. With respect to any land in the Project Area previously disposed of by the City for use in accordance with the urban renewal plan, the then owner of such land, whose interests therein are materially affected by such changes, shall receive, at least ten days prior to such hearing, written notice of the time and place of such hearing and information as to where a copy of the proposed amendments may be inspected.

F. SEPARABILITY

In the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Plan, or the application thereof to any person or circumstances is invalid, the remaining provisions and the applications 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.

G. CONDITIONS UNDER WHICH PROPERTY DESIGNATED FOR ACQUISITION MAY BE REMOVED FROM THE APPROVED LIST.

Properties designated for acquisition on the Property Acquisition Map, Exhibit 2, and located within the urban renewal area, may be deleted from the acquisition list by the Commissioner of the Department of Housing and Community Development, as may be deemed appropriate and proper, provided such action is in accord with the goals of the

project. This may include: any residential property the owner of which agrees to rehabilitate and bring into compliance with the codes and ordinances of Baltimore City and the provisions of this plan. The owner may apply to the Commissioner of Housing and Community Development for a provisional stay of the acquisition of such property. The Commissioner, after a review of the plans and specifications of such work and of the financial ability of the owner to timely complete such work may grant a provisional stay of acquisition upon such conditions as the Commissioner may impose. Upon the timely completion of all work on the Property and fulfillment of all the conditions imposed by the Commissioner as aforesaid, the Commissioner may permanently delete the Property from Acquisition as part of the project. Any such action of the Commissioner shall be in writing and a copy of such action will be forwarded to the Department of Planning for incorporation or attachment to the Plan. The Department of Planning shall file a copy of such action with the Department of Legislative Reference.

APPENDIX A

PROPERTIES FOR ACQUISITION AND DISPOSITION FOR REHABILITATION

In addition to those groups of properties to be acquired and disposed of for rehabilitation (designated with disposition lot numbers on Exhibit 3), the following properties are being acquired and disposed of for rehabilitation. Certain properties listed below may be used, in whole or in part, as rear or side yard space for adjacent property.

1101/05 Aisquith Street
1125 Aisquith Street

1104 Barclay Street
1106 Barclay Street

702 E. Biddle Street
703 E. Biddle Street
704 E. Biddle Street
706 E. Biddle Street
708 E. Biddle Street
709 E. Biddle Street
710 E. Biddle Street
712 E. Biddle Street
714 E. Biddle Street
716 E. Biddle Street
718 E. Biddle Street
719 E. Biddle Street
720 E. Biddle Street
722 E. Biddle Street
724 E. Biddle Street
732 E. Biddle Street

902 E. Biddle Street
904 E. Biddle Street
906 E. Biddle Street
920 E. Biddle Street
924 E. Biddle Street
926 E. Biddle Street
938 E. Biddle Street

1305 E. Biddle Street
1307 E. Biddle Street
1323 E. Biddle Street
1325 E. Biddle Street

1010 through 1016 Brentwood Avenue
1038 Brentwood Avenue
1040 Brentwood Avenue
1050 Brentwood Avenue

1104 through 1116 N. Central Avenue

700 E. Chase Street
707 E. Chase Street
713 E. Chase Street
715 E. Chase Street
717 E. Chase Street
719 E. Chase Street
725 E. Chase Street

801 E. Chase Street
803 E. Chase Street
813 E. Chase Street
815 E. Chase Street
817 E. Chase Street
819 E. Chase Street
829 E. Chase Street
835 E. Chase Street
839 E. Chase Street
841 E. Chase Street

1222 E. Eager Street
1238 E. Eager Street
1240 E. Eager Street

1306 E. Eager Street
1308 E. Eager Street
1312 E. Eager Street

1022 N. Eden Street
1024 N. Eden Street
1026 N. Eden Street
1028 N. Eden Street
1030 N. Eden Street

1114 N. Eden Street

1302 Ensor Street

1209 Greenmount Avenue
1211 Greenmount Avenue
1225 through 1233 Greenmount Avenue

1316 Greenmount Avenue
1319 through 1325 Greenmount Avenue

1302 Hillman Street

1108 Homewood Avenue
1112 Homewood Avenue
1122 Homewood Avenue
1124 Homewood Avenue
1126 Homewood Avenue
1132 Homewood Avenue
1136 Homewood Avenue

1202 Homewood Avenue
1214 Homewood Avenue
1216 Homewood Avenue

1315 Homewood Avenue
1317 Homewood Avenue

702 Mura Street
705 Mura Street
707 Mura Street
711 Mura Street
713 Mura Street
715 Mura Street
721 Mura Street
727 Mura Street
732 Mura Street

701 E. Preston Street
705 E. Preston Street
714 E. Preston Street
718 E. Preston Street
719 E. Preston Street
721 E. Preston Street
723 E. Preston Street
725 E. Preston Street
740 E. Preston Street
742 E. Preston Street

743 E. Preston Street
745 E. Preston Street
747 E. Preston Street
749 E. Preston Street
751 E. Preston Street

800 E. Preston Street
802 E. Preston Street
836 E. Preston Street
838 E. Preston Street
rear of 838 E. Preston Street
(Block 1143, Lot 34A)

907 E. Preston Street
909 E. Preston Street
911 E. Preston Street
913 E. Preston Street
915 E. Preston Street
916 E. Preston Street
917 E. Preston Street
921 E. Preston Street
936 E. Preston Street

1000 Valley Street
1007 through 1015 Valley Street
1012 Valley Street
1014 Valley Street
1019 Valley Street
1021 Valley Street
1022 Valley Street
1029 Valley Street
1030 Valley Street
1040 Valley Street

1203 Valley Street
1207 Valley Street
1209 Valley Street
1211 Valley Street
1213 Valley Street

1201 Wilcox Street
1202 Wilcox Street
1203 Wilcox Street
1204 Wilcox Street
1205 Wilcox Street
1206 Wilcox Street

1207 Wilcox Street
1208 Wilcox Street
1209 Wilcox Street
1210 Wilcox Street
1211 Wilcox Street
1212 Wilcox Street
1213 Wilcox Street
1214 Wilcox Street
1215 Wilcox Street
1216 Wilcox Street
1217 Wilcox Street
1218 Wilcox Street
1219 Wilcox Street
1221 Wilcox Street
1223 Wilcox Street
1225 Wilcox Street

1305 Wirton Street

Lot 86, Block 1157, Section 4, Ward 10

j1yo

APPENDIX B

PROPERTIES FOR ACQUISITION AND DISPOSITION FOR REHABILITATION

In addition to those groups of properties to be acquired and disposed of for redevelopment (designated with Disposition Lot numbers on Exhibit 3, in Appendix A and in Appendix C), the following properties are also being acquired and disposed of for rehabilitation or redevelopment. Certain properties listed below may be used in whole or in part, as rear or side yard space for adjacent property.

[1 – deleted by Amendment IX]

2. 1002 North Eden Street
3. 1004 North Eden Street
4. 1006 North Eden Street
5. 1008 North Eden Street
6. 1010 North Eden Street
7. 1012 North Eden Street
8. 1014 North Eden Street
9. 1016 North Eden Street
10. 1018 North Eden Street
11. 1020 North Eden Street

[12 – deleted by Amendment IX]

13. 1024 North Eden Street
14. 1026 North Eden Street
15. 1028 North Eden Street
16. 1030 North Eden Street
17. 1032 North Eden Street
18. 1034 North Eden Street
19. 1036 North Eden Street
20. 1038 North Eden Street
21. 1040 North Eden Street
22. 1042 North Eden Street
23. 1044 North Eden Street
24. 1046 North Eden Street
25. 1048 North Eden Street
26. 1050 North Eden Street
27. 1112 North Eden Street
28. 1114 North Eden Street
29. 1116 North Eden Street
30. 1118 North Eden Street
31. 1120 North Eden Street
32. 1122 North Eden Street
33. 1124 North Eden Street

Table of Contents

1. Introduction

2. New Construction Guidelines

- a. Residential Design Guidelines**
- b. Other Property Guidelines**

3. Property Rehabilitation Guidelines

- a. Residential Property Rehabilitation Standards**
- b. Non-Residential Property Rehabilitation Standards**

1. Introduction

The purpose of these guidelines is to support the principles and goals of the East Baltimore Revitalization Plan. The guidelines are organized in two sections: New Construction and Rehabilitation of Existing Properties.

The over-riding goal of the plan is to bring about the revitalization of East Baltimore as a vital and stable community within the City. The proposed investment in creating a biotechnology center will make it possible to attract investment and funding for neighborhood revitalization. The revitalization of the neighborhood and the development of the biotechnology complex must be coordinated to mutually reinforce each other. Therefore the design of buildings and public spaces should conform to a set of guidelines with the following objectives:

- A Guide the orderly development of a mixed-use urban center for the growing biotechnology industry and related businesses and services.
- B Ensure a quality of residential development that will revitalize surrounding neighborhoods with a combination of new construction and property rehabilitation.
- C Create a continuous pedestrian-friendly and stable environment for businesses and residents.
- D Provide convenient, sufficient and inconspicuous parking to serve the new businesses.
- E Strengthen and reinforce Broadway as a unique urban boulevard by preserving its historical and architectural character and its role as the spine from Fells Point to North Avenue.

These guidelines are included in the five Urban Renewal Area Plans that make up the East Baltimore Revitalization Area. They include Broadway East, Middle East, Oliver, Johnston Square and Gay Street I.

The sections apply to the areas indicated on the plan:

Residential and Non-Residential New Construction and Property Rehabilitation Standards

Waivers

These guidelines may only be waived by the Commissioner of the Department of Housing and Community Development (DHCD), after review and comment of East Baltimore Development Incorporated (EBDI).

Full waivers to these guidelines will not be granted. Waivers to specific provisions will only be considered on a case-by-case basis. Requests for waivers must be submitted in writing to the Department of Housing and Community Development and EBDI. They must include adequate drawings and explanations in support of the waiver request.

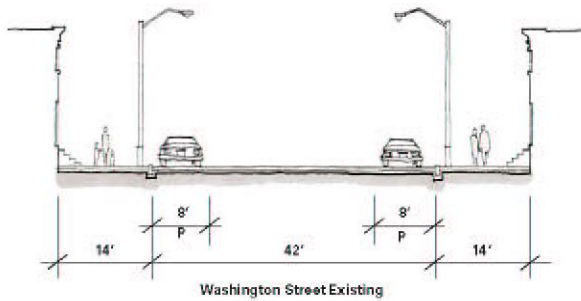
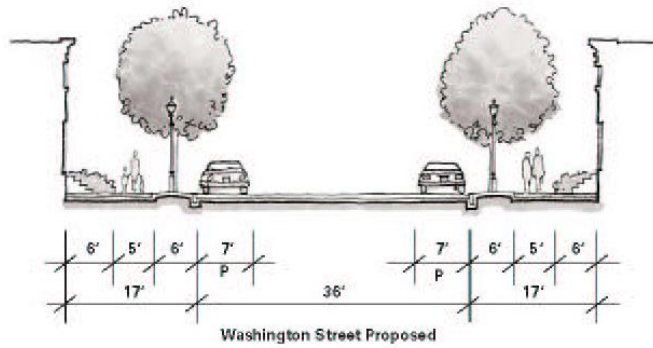
2. New Construction

a. Residential New Construction Guidelines

The East Baltimore Revitalization Plan calls to transform the image of East Baltimore into a traditional, stable, safe neighborhood with Baltimore-style architecture, street patterns, landscaping and public open space. This strategy proposes a mixed-use, mixed-income neighborhood that integrates new construction with renovation to provide a wide variety of housing types. It reinforces Broadway as a landscaped boulevard and establishes strong residential addresses. Most importantly, the East Baltimore Revitalization Plan intends to preserve and celebrate the architectural, cultural and social history of Historic East Baltimore.

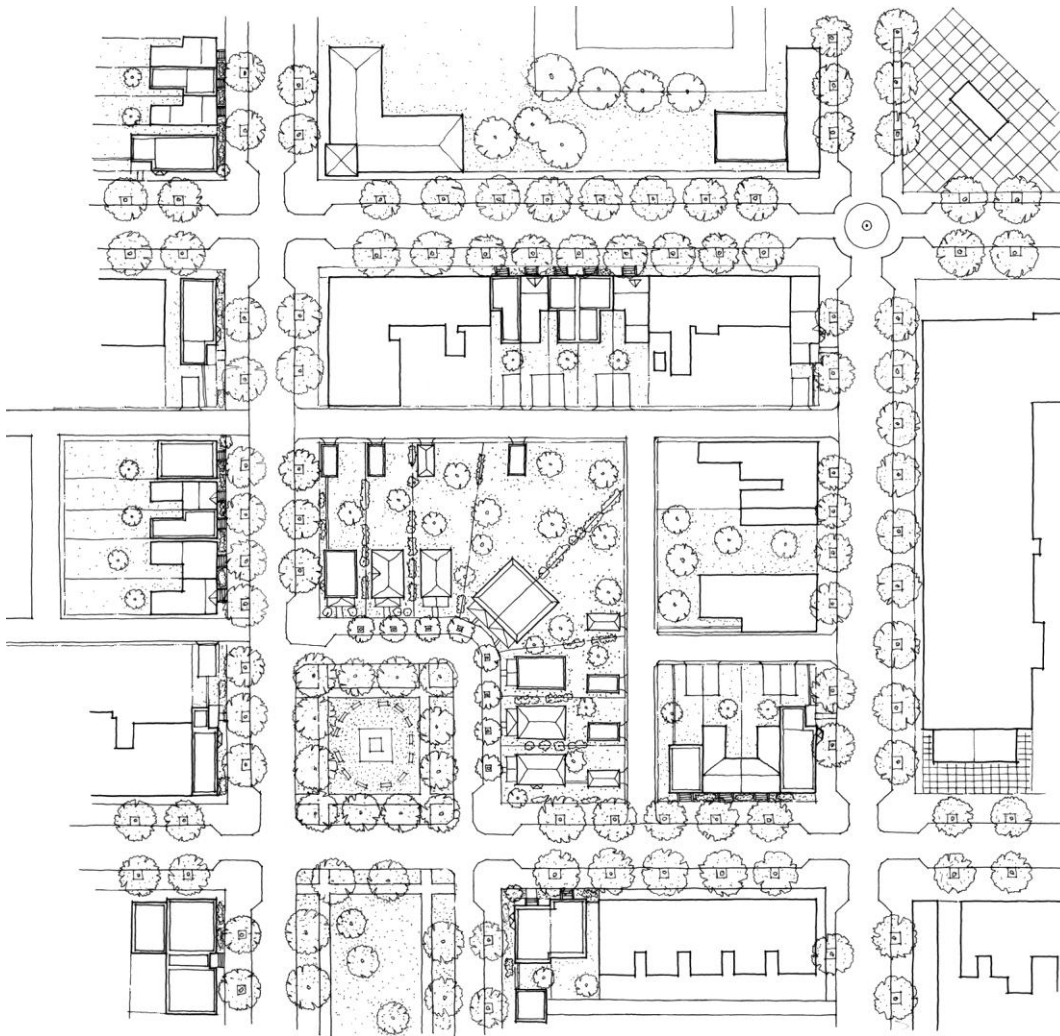
The creation of a marketable environment for new residential development is based on the following principles:

- Buildings should completely enclose each block to enhance the urban character of the neighborhood.
- As part of developing the urban character envisioned in the East Baltimore Revitalization Plan, streets should be narrowed.
 - Washington, Wolfe and Chester Streets from Madison to Biddle will be narrowed to a 36-foot cartway to create a new streetscape while maintaining a free flow regional through street.
 - Ashland, Eager and Chase Streets from Broadway to Collington Street or the railroad tracks will be narrowed to a 28-foot cartway to create slow flow local streets.
 - McDonough, Rutland and Castle Streets from Madison to Biddle will be narrowed to a 24-foot cartway to create yield flow neighborhood streets.
- All public and private spaces must be defined, avoiding empty spaces where uses are unclear.
- Buildings must be designed to enhance the public realm, with emphasis on well-defined and properly oriented pedestrian entrances. Separate auto access to any interior parking should be provided at limited points for each block.
- Buildings should be finished in materials that evoke masonry construction. Brick is required for façades visible from the street.
- New buildings must blend with the traditional architectural character of the city.



1 Building Placement

Setbacks vary from zero to ten feet, depending on several factors. New houses immediately adjacent to existing units will match the setback line. In all other conditions, a maximum setback of 10 feet is permitted. A setback of 6 feet or more allows adequate space for a stoop, steps, and plantings to soften the character of the streets. With a setback of 10 feet, porches may be provided as indicated in the plan diagram below.



2 Street Façade Guidelines

Street façade guidelines ensure that streets are lined with buildings that have sufficient windows and doors to create a safe and animated public realm. Front doors must face the street, not side yards. 40-60% of the lineal horizontal dimension of the façade of each floor shall be windows or openings. Dark tinted or mirrored glass is not permitted.

3 Building Height Guidelines

Building heights shall be similar to the surrounding houses to ensure that new houses fit in with the existing neighborhood fabric. The maximum height is four stories.

4 Curb Cuts and Servicing

All curb cuts shall be designed to minimize impact on the pedestrian environment. One curb cut per block is permitted on typical block fronts of up to 350 feet in length; two curb cuts per block for longer blocks.

Servicing areas such as dumpsters must be internal to the blocks and accessed through alleys, and not through the neighborhood streets. Trash collection should always be accommodated on alleys.

Alleys shall be screened from the pedestrian view as much as possible, with building façades and/or site walls with landscaping. Openings shall be limited to the vehicular cartway and minimum pedestrian access.

5 Parking

All off-street parking must be accessed from rear alleys. At least one space per unit shall be provided. All parking must be accommodated on the property associated with the unit.

6 Architectural Guidelines

Architectural guidelines ensure that new homes will be integrated into the fabric of the historic neighborhood.

Massing: Buildings should have simple massing with an articulated base, middle, and top, and fit with the urban context.

Roofs: Roofs can be flat or sloped in traditional Baltimore styles.

Materials and Colors: All street-facing façades must be standard modular clay brick. Brick colors should be consistent with Baltimore traditions and may vary from building to building to create variety. The brick color must be consistent within a given façade. Accent brick trim in a different color is permitted. Façades interior to the block may be stucco or siding.

Openings: Openings must be vertical in proportion and consistent with historic traditional styles. Occasional use of special windows such as bays, boxes, dormers, and pairs as illustrated in the perspective drawings is encouraged.



b. Non-Residential New Construction Guidelines

Non-residential new construction guidelines apply to all mixed use, commercial, and institutional buildings and additions. Mixed-use buildings are encouraged throughout the neighborhood along main streets, including Wolfe, Washington, and Rutland, and at main intersections throughout the neighborhood. The goal is to create safe and stable streets with active street fronts and to provide an articulated context for the various parts of the redevelopment of the neighborhood in the context of existing historic buildings.

Institutional buildings and additions must comply with the non-residential new construction guidelines with the exception of building placement requirements. Institutional buildings should build on and complement the historic character of the neighborhood and should relate to public open space.



1 Building Placement

Objective: The East Baltimore Revitalization Plan encourages a variety of related buildings integrated into the urban context on pedestrian-oriented streets. The guidelines establish build-to lines to create street façades that define public space. This ensures that the streets are animated and safe.

New buildings immediately adjacent to existing buildings will match the setback line. Other new non-residential buildings shall have no setback from the public right of way.

New institutional buildings and additions setbacks can vary from these guidelines.

2 Street Façade Guidelines

Objective: Street facade guidelines ensure that streets are lined with buildings that have sufficient windows and active ground floor uses to create a safe, secure, humane, and animated public realm. The guidelines require that:

- All businesses must have active uses on the ground floor on street-facing façades. Active uses can include retail businesses, cafes, or offices with windows facing the street.
- On the ground floor, at least 70% of the lineal horizontal dimension of the façade must be windows or doors. Glass on the ground floor must be clear vision glass; no dark tinted or mirrored glass is permitted.
- Upper floors must have street-facing windows to provide “eyes on the street.” 40-60% of the lineal horizontal dimension of the façade of each floor shall be windows or openings. Dark tinted or mirrored glass is discouraged.
- Main entrances shall face the street, not back alleys or parking lots.

3 Building Height Guidelines

In order to integrate non-residential uses into the neighborhood, buildings must be compatible in height and scale with adjacent buildings. All building heights are measured from the curb adjacent to the building. The maximum height is four stories, except where specifically permitted by zoning.

4 Curb Cuts and Servicing Guidelines

Objective: To minimize the impact of parking lot entrances, service, and loading areas on the pedestrian environment; and to provide an efficient and effective servicing environment to fulfill the needs of all neighborhood uses.

Curb Cuts: All curb cuts shall be designed to minimize impact on the pedestrian environment. One curb cut per block is permitted on typical block fronts of up to 350 feet in length; two curb cuts per block for longer blocks.

Loading and Servicing: Loading and servicing areas must be internal to the blocks and accessed through alleys, and not through the neighborhood streets. No service doors shall face any streets or parks.

Alleys: Alleys shall be screened from the pedestrian view as much as possible, with building façades and/or site walls with landscaping. Openings shall be limited to the vehicular cartway and minimum pedestrian access.

5 **Parking Guidelines**

Objective: To minimize the impact of parking on the character of pedestrian spaces and the residential neighborhood, while providing sufficient and convenient parking for all neighborhood uses.

Surface Parking: Surface parking shall not front on neighborhood streets. All surface parking lots shall adhere to the following guidelines:

Screening: where surface parking lots are visible from any street, 24 inch to 36 inch high solid masonry construction is required to screen bumpers, tires, and headlights. Any screening above 36 inches must be metal picket style on the masonry base. The solid screening area may be substituted with masonry pilasters with dense planting areas and a metal picket style fence.

Lighting of parking lots should be controlled enough to not disturb surrounding residences. Lighting should be of a scale compatible with the residential character of the neighborhood. Lighting fixtures should be decorative, dark colored lampposts, compatible with the architecture of the neighborhood.

6 **Architectural Guidelines**

Objective: architectural guidelines ensure that new buildings will be integrated into the urban fabric of East Baltimore, and complement the historic character of the neighborhood while allowing for architectural variety.

Massing: Buildings should be designed to have an articulated base, middle, and top.

Roofline articulation: rooflines must be articulated.

Openings: Openings shall be vertically proportioned; where grouped they should have substantial muntins to create vertical appearance.

Materials: All street-facing façades must be standard modular clay brick. Brick colors should be consistent with Baltimore traditions and may vary from building to building to create variety. Façades interior to the block may be stucco or siding.

7 **Sign Guidelines**

General requirements:

All new and replacement signs must follow the guidelines.

- All signs shall be designed to be compatible with the individual building design.
- When any existing signs are removed, any holes or other damage shall be patched and painted as necessary to match the existing wall surface, and all unused brackets and conduits shall be removed.
- All lighting and electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes must be concealed from view.

Size/ Placement:

- The total area of signs for a building façade may not exceed 2 square feet per linear foot of building frontage. This total area includes window signs, awning signs, logos, product signs, temporary signs or any other signage.
- Signs may be placed with the top edge of the sign no higher than the bottom of the second story window where windows exist, or 20 feet above grade level if no windows exist.
- Signs must be placed to fit within the architectural modules of the building.
- Signs shall not be placed so as to obstruct windows, storefronts, or cornices.
- In no case shall a sign extend above a roofline.
- A sign shall be permitted at secondary entrance doors but shall not exceed six square feet in size.

Flat Signs:

- Flat signs shall be placed parallel to the building face and shall not project more than 12 inches from the surface of the building.

Painted Signs and Cutout Letters:

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

Lighting

- Internally lit box signs are prohibited.
- Lit awning signs are prohibited.
- Individual letter lit signs are permitted.

Projecting Signs:

- Projecting signs shall not extend more than five feet beyond the building surface.
- Signs may be placed with the top edge of the sign no higher than the bottom of the second story window where windows exist, or 20 feet above grade level if no windows exist.
- All signs shall be double-faced with a maximum thickness of 12 inches.
- All sign and mounting hardware (including brackets, hanging mechanisms, and frames) must be painted black or a neutral color (gray or tan).

Window Signs:

- No temporary or permanent sign affixed or placed against the inside surface of a show window shall exceed 20% of the area of that show window.
- Lettering applied to ground floor show windows or entrance doors shall be permitted providing that characters do not exceed two and one-half inches in height.

Awning Signs:

- Painted, flat, or inlaid signs on awnings and canopies are permitted.

Prohibited Signs:

- No free standing signs.
- Flashing or moving signs other than barber poles shall not be permitted.
- Roof top signs, signs above the parapet of a building, billboards, or outdoor advertising signs painted or mounted on structures shall not be permitted.
- Temporary rooftop signs or building mounted banners may be used for the purpose of employment, recruitment or leasing subject to the provisions of the Zoning Ordinance of Baltimore City.

3. Rehabilitation Guidelines**a. Residential Property Rehabilitation Guidelines**

East Baltimore's distinct architectural character should be upheld and strengthened in the revitalization of the neighborhood. The objective of the rehabilitation guidelines is to provide guidance in strengthening the historic legacy of the neighborhood while meeting market demands. In order to build on the architectural heritage of the neighborhood, maintenance and restoration projects should strive to be compatible with their historic context.

The property rehabilitation guidelines apply to all residential properties designated for rehabilitation over and above the codes and ordinances of the City of Baltimore.

1 Exterior Walls

- All exterior front and/or sidewalls that have not been wholly or partially resurfaced or built over, shall be repaired, cleaned or painted in an acceptable manner. Brick walls shall be pointed where necessary. Painted masonry walls shall have loose material removed and painted a single color except for trim (cornice, window frames, door, etc.) which may be another color. Patched walls shall match the existing adjacent surfaces as to material, color, bond, and joining.
- Resurfacing of existing brick façades must be done in standard modular clay brick; resurfacing with materials such as formstone, wood siding, structural glass veneer, aluminum siding, etc. shall not be permitted. Rear and sidewalls may be resurfaced with stucco-like materials in neutral colors.
- Existing siding and unpainted formstone may remain if it is in good condition and needing minimal repair. It may not be painted.
- Chimneys, elevator penthouses or any other auxiliary structures on the roofs shall be repaired and cleaned as required for rear and side walls. Any construction visible from the street or from other buildings shall be finished so as to be harmonious with other visible building walls.
- Chimneys must be standard modular clay brick.
- Foundations must be patched with like materials.
- Cleaning of masonry façades by means of sandblasting shall not be permitted, except where sandblasting is determined by the Commissioner of the Department of Housing and Community Development to be the only feasible means of surface cleaning and where, in the Commissioner's opinion, it will not cause damage to historic building materials.



2 **Windows and Doors**

- All windows must be tight fitting and have sashes of proper size and design for their historic context. Sashes with rotten wood, broken joints, or broken or loose mullions or muntins shall be replaced.
- Replacement windows must use the entire existing opening. Wood is preferred as replacement material, vinyl is acceptable.
- Selecting correct replacement windows is key to maintaining the architectural integrity of the neighborhood. Replacement windows should match the historic windows they are replacing, in pattern, mullion and frame size.
- Existing masonry openings may not be enlarged except to accommodate contemporary door dimensions. If necessary to enlarge an opening, the entire masonry opening, door and transoms must be enlarged. The opening must be cut cleanly and finished as appropriate.
- Window and door openings in the front of the building shall not be filled or boarded.
- Enclosures or security grilles and screens should be as inconspicuous as possible and compatible with other elements of the façade. Solid or perforated metal security devices are not permitted.
- Dormer windows on roofs sloping toward the street shall be retained and repaired or replaced in an appropriate manner to preserve their original architectural design.
- Special windows, such as bays, boxes and dormers, should be refurbished when possible, and when necessary replaced with quality facsimiles.
- Historic wood front doors may be replaced with steel doors, but must harmonize with the historic context. Both wood and metal doors should have a panelized appearance. Glazing is encouraged.

3 **Trim**

- All structural and decorative elements shall be repaired or replaced in a workmanlike manner to match as closely as possible the existing materials and construction. All cornices shall be made structurally sound, and rotted or weakened portions shall be removed and repaired or replaced to match as closely as possible the existing cornice. All exposed wood shall be painted.
- Existing cornices that have been covered with aluminum or vinyl siding and are in good repair may remain. No new installations of siding to cover cornices will be acceptable. Damaged or worn cornices must be repaired or replaced with wood or specially made molded exterior trim.
- Unique trim on many homes in East Baltimore is difficult to replicate and should be preserved and restored when possible.

4 **Lighting**

- Residential lighting outside the public right-of-way should be the minimum required to provide at least some illumination on all walks and porches. Decorative, dark colored lampposts, compatible with the architecture of the house, are encouraged on single-family lots. Similar porch lights or wall lanterns are encouraged on all buildings.

5 **Properties/ Yards/ Fencing**

- **Ancillary structures:** Such as trash enclosures, are to be integrated into the landscape and screened from public view with shrubs, hedges, fences, walls, or a combination of these elements. Trash enclosures and screening should blend in with the landscape and surrounding environment.
- **Mechanical Units:** Air conditioning units and other mechanical equipment should also be screened from public view using similar methods.
- **Mobility Impaired Ramps:** When mobility impaired ramps are necessary, they should be attached to the back or side of a residence. Side ramps that are visible from the street should incorporate the same architectural vocabulary as front porches. Two sets of rails should be provided – a grab rail parallel to the ramp to assist the user, and a level handrail to relate the addition to its context.
- **Front and side yard fencing:** Is recommended primarily on corner lots adjacent to the sidewalk. These fences should be black metal pickets and shall not exceed 36 to 42 inches in height. Brick or stone piers are encouraged at 90-degree transitions and street intersections. A brick or stone base can also be used in combination with the transparent metal pickets. Front and side yard fences can be located adjacent to the sidewalk with landscaping planted between the fence and the façade of the house.
- **Front yard / back yard fencing:** Is recommended to extend between a building and an alley or garage and between adjacent buildings. These fences shall be a transparent style with pickets 36 to 48 inches in height. Low hedges may be planted to the street side of these fences to soften their appearance.
- **Screening (privacy fencing)** is permitted around back yards. It may be opaque to a maximum of 48 inches. There may be up to an additional 24 inches of fence in a lattice or picket style.

6 **Additions/ garages**

- Additions and garages visible from any street must be designed to blend with the architecture of the existing residence. Garages shall be accessed from rear alleys.

b. Non- Residential Property Rehabilitation Guidelines

East Baltimore's distinct architectural character extends beyond its homes to its businesses, institutions, and industrial buildings. This character should be upheld and strengthened in the revitalization of the neighborhood. The objective of the rehabilitation guidelines is to animate the streets of this traditionally mixed-use area. In order to build on the architectural heritage of the neighborhood, maintenance and restoration projects should strive to be compatible with their historic context.

The property rehabilitation guidelines apply to all non-residential properties designated for rehabilitation over and above the codes and ordinances of the City of Baltimore.

In the non-residential rehabilitation, all the residential guidelines apply plus the following additional requirements.



1 Exterior Walls

- The use of formstone, non-ceramic brick, woodshakes, simulated woodshakes, pebble board, plywood, aluminum lap siding, and vinyl siding shall be prohibited in the future on façades of buildings facing any street.
- Awnings are permitted, and must be designed to be compatible and harmonious with the architectural character of the existing and surrounding buildings. Lettering on awnings is considered signage. See signage guidelines.
- Existing miscellaneous elements on facades visible from any street, such as empty electrical or other conduits, unused sign brackets, etc., shall be eliminated.
- Chimneys, elevator penthouses or any other auxiliary structures on the roofs shall be repaired and cleaned as required for rear and side walls. Any construction visible from the street or from other buildings shall be finished so as to be harmonious with other visible building walls.

2 Windows and Doors

- Windows not visible from the street shall be kept properly repaired or, with Fire Department approval, the openings may be properly closed to match the material, design and finish of the adjacent wall.
- A show window as a part of the building façade shall be defined to include the building face and the entrance area leading to the door, the door and sidelights and transoms and all display platforms and devices including lighting and signing designed to be viewed from the public right-of-way and/or the areas visible to the public prior to entering the interior portion of the structure. Show windows and entrances shall be designed to be compatible and harmonious and consistent with the scale and character of the existing structures.
- Security grilles and screens shall be designed to be compatible and harmonious and consistent with the scale and character of the existing structures. Enclosures and housings for security grilles and screens should be as inconspicuous as possible and compatible with other elements of the façade. All new and existing screens and grilles visible from streets must be constructed so they can be opened or removed. Such screens and grilles shall be opened or removed during the normal operating hours of the business.
- Windows shall not be dark tinted or mirrored.
- Solid or permanently enclosed or covered store fronts shall not be permitted, unless treated as an integral part of the building façade using wall materials and window detailing compatible with the upper floors.
- All damaged, sagging or otherwise deteriorated storefronts, show windows or entrances shall be repaired when possible. If restoration is not feasible, replacements shall be designed to be complementary and harmonious with the architectural character of the building.
- Dormer windows on roofs sloping toward the shopping street shall be treated in accordance with the same criteria as building fronts.

3 Properties/ Yards/ Fencing

- Any mechanical equipment placed on a roof shall be located as to be hidden from view from the streets, and to be as inconspicuous as possible from other viewpoints. Equipment shall be screened with suitable elements of a permanent nature and finished so as to harmonize with the rest of the building. Where such screening is impossible or impractical, equipment shall be installed in a neat, presentable manner and shall be painted in such a manner as to minimize its visibility.
- Television and radio antennae shall be located so as to be as inconspicuous as possible.
- Roofs shall be kept free of trash, debris, or any other element that is not a permanent part of the building or a functioning element of its mechanical or electrical system.
- Where a rear yard exists or is created through the demolition of structures, the rear yard shall be enclosed along the sides and rear property lines by a wall or fence that is opaque to a minimum height of 48 inches with 24 inches of transparent fencing (lattice) above.
- Screening is required around all outdoor refuse storage areas. These fences must be opaque to a minimum height of 48 inches with 24 inches of transparent fencing (lattice) above. Screening must be stained or painted a very dark color to blend in with the surrounding landscape.

- Ancillary structures: Ancillary structures, such as trash enclosures, are to be integrated into the landscape and screened from public view with shrubs, hedges, fences, walls, or a combination of these elements. Trash enclosures and screening must blend in with the landscape and surrounding environment.
- Mechanical Units: Air conditioning units and other mechanical equipment should also be screened from public view using similar methods.

4 Additions/ Garages

- Additions and garages visible from any street must be designed to blend with the architecture of the existing residence. Garages shall be accessed from rear alleys.

5 Parking/ Servicing

- All parking and servicing shall be accessed from rear alleys.
- No service doors shall face any streets or parks.

Exhibit 1: Land Use

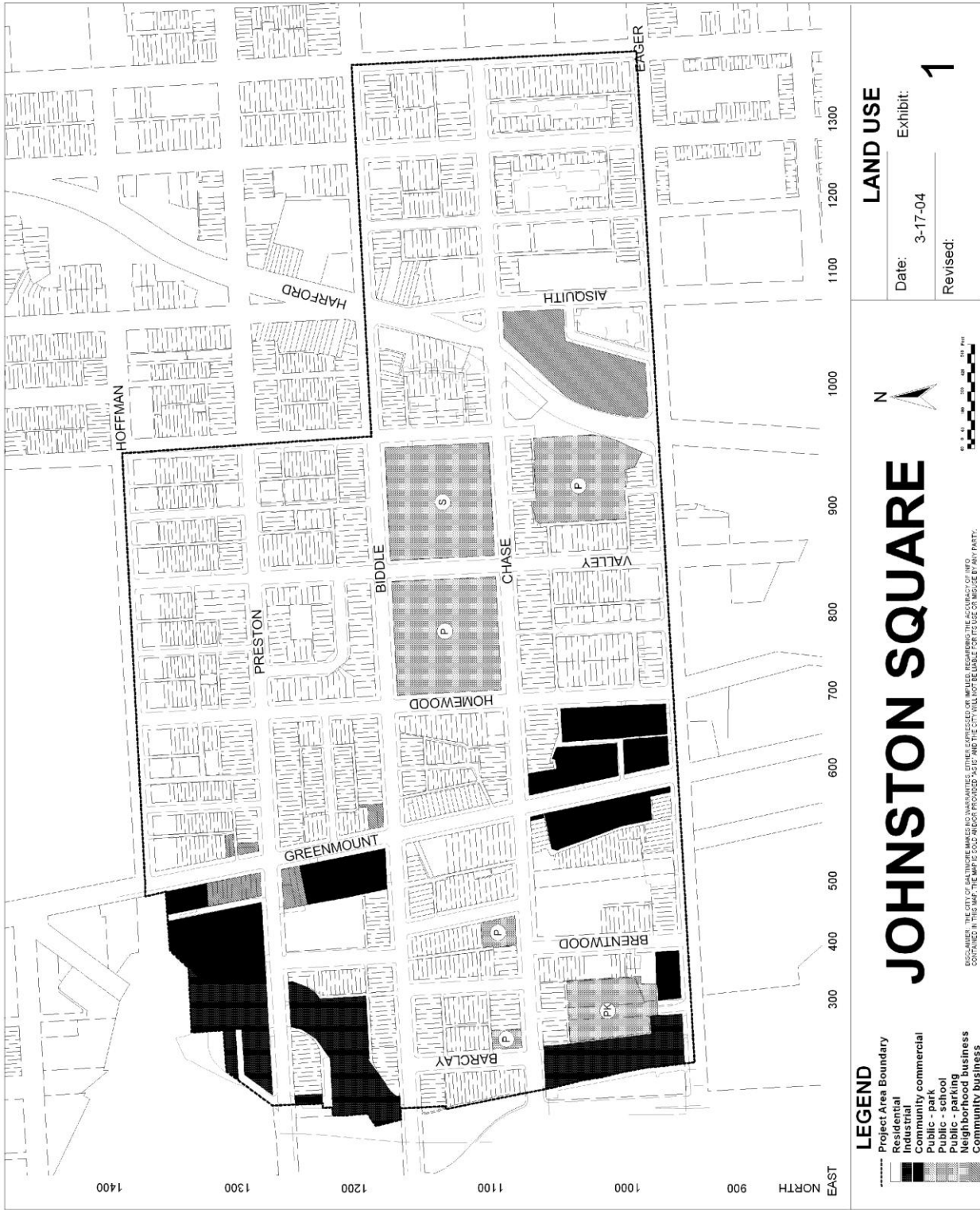


Exhibit 2: Property Acquisition

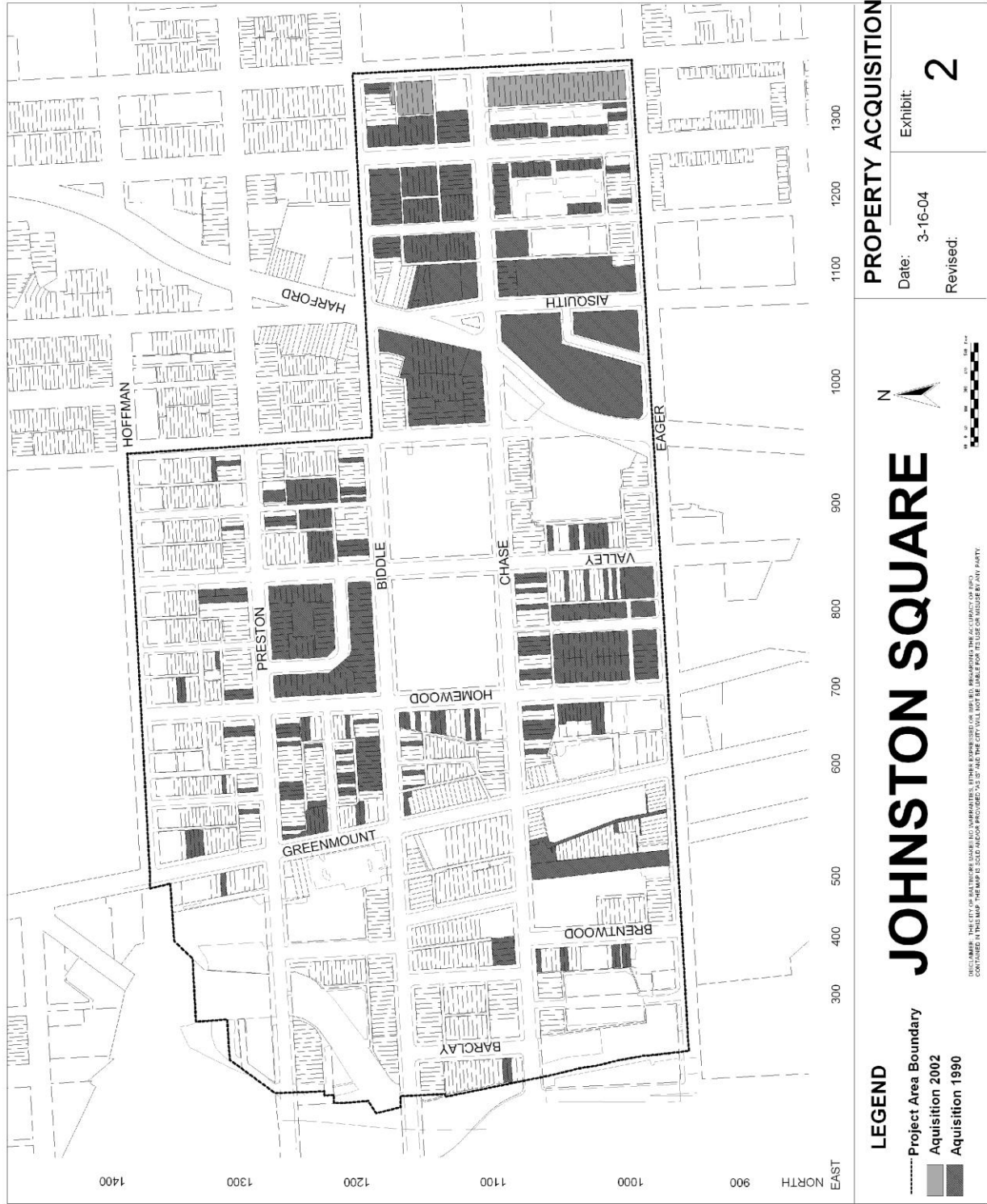


Exhibit 3: Land Disposition

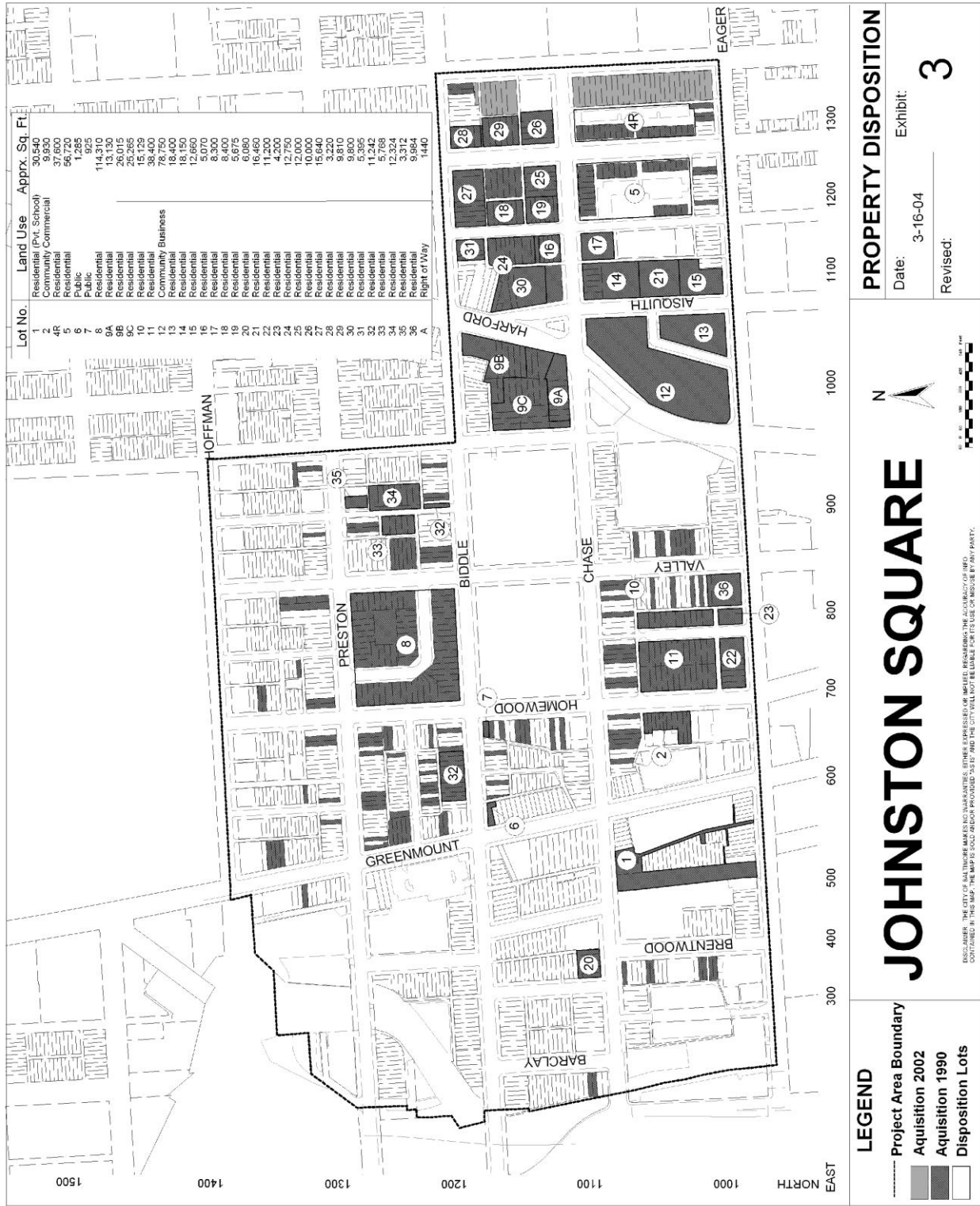


Exhibit 4: Zoning Districts

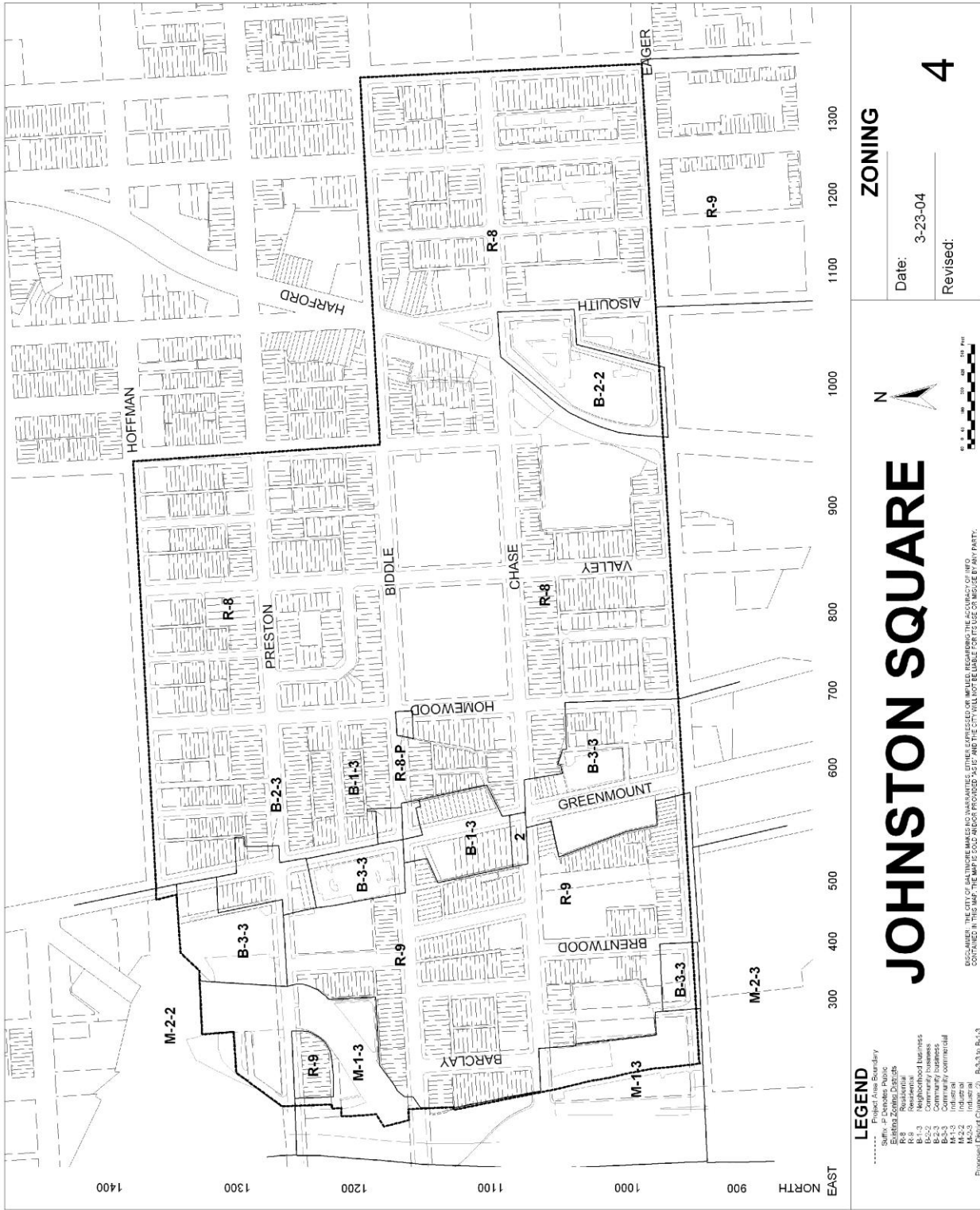


Exhibit 5

UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF
EAST BALTIMORE DEVELOPMENT, INC. ("EBDI")

November 8, 2002

The undersigned, being all the Directors of EBDI, a Maryland non-stock corporation, in accordance with Sections 2-408(c) of the Corporations and Associations Article of the Annotated Code of Maryland, do hereby jointly take the actions set forth in lieu of holding a formal meeting of the Directors, and to evidence their waiver of any right to dissent from such actions, do hereby consent as follows effective as of the date noted above:

WHEREAS, EBDI was organized for the purpose of, among other things, coordinating and implementing the development and integration of a state-of-the-art, scientific, high technology, research and business biotech facility and incubator park north of the Johns Hopkins Medical Campus in the City of Baltimore as part of a comprehensive physical redevelopment and community reinvestment plan to preserve, improve, revitalize and rebuild the urban infrastructure and quality of life for the residential and business communities of East Baltimore (the "Project"); and

WHEREAS, one of the tasks of EBDI is to assist the City, including the Department of Housing and Community Development, in administering community relocation benefits for the Project, which will enable eligible residents in affected neighborhoods whose properties have been acquired for the proposed redevelopment to relocate to comparable housing through disbursement of public and private relocation funds, rental vouchers and moving expenses, and to provide relocation services and counseling attendant thereto, all with the objective of improving quality of life, improving living conditions, and increasing economic and social opportunities for families affected by relocation; and

WHEREAS, in furtherance of the preceding recitals, EBDI is developing a relocation plan (the "Relocation Plan") which is designed to provide residents in the Project area with a clear and concise description of the relocation benefits available, benefit eligibility requirements, the timing of various activities associated with the relocation program, the availability of counseling and advocacy services, and other critical information necessary for affected individuals, families and businesses to make timely and informed decisions regarding relocation; and

WHEREAS, it is EBDI's desire that the purposes and principals espoused herein and incorporated in the Relocation Plan be reduced to writing and adopted in a resolution by the Board of Directors of EBDI, to be used as a guide by EBDI in the implementation of the Relocation Plan, to build greater trust between EBDI and residents of the Project area, and to provide a measure of accountability with respect to EBDI's activities, and that such resolution be made available to members of the community affected by the Project and the public at-large.

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NOW THEREFORE, BE IT RESOLVED: that EBDI shall coordinate and implement the Relocation Plan in a manner which seeks out and incorporates the views and preferences of community residents, provides families and individuals with a genuine choice of quality, appropriate and healthy relocation options and offers such options at the same time that relocation offers are presented, ensures that the vast majority of families and individuals will not be involuntarily required to relocate multiple times, ensures that young children's education is minimally disrupted by the relocation process, provides individuals and families with transitional counseling both before and after their relocation, helps families and individuals avoid predatory lending practices and support efforts that prevent such practices from taking place, ensures that all individuals and families have access to objective information about services, organizations, and resources in their new neighborhoods, and ensures that families relocating to communities other than East Baltimore receive help in acclimating to their new neighborhoods; and

FURTHER RESOLVED, that EBDI shall endeavor to disseminate core information about the relocation initiative and its implementation in a manner that is clear, concise and understandable to the affected residents. The Relocation Plan shall specify, for example, when the relocation process shall begin, the timing of relocation phases, the amount of time families will have to assess information, consider their options and make decisions, the availability of new and renovated housing in the Project area, and the logistics of physical relocation. The Plan shall also address such issues as the benefits available under the Plan (including the availability of supplemental benefits to owners and renters within the Project area who owned or rented their residence at the time of the introduction of the most recent bills amending the Urban Renewal Plans for the affected neighborhoods), geographic restrictions (if any), considerations for the elderly and other populations with special circumstances, homeowners who become interim renters, relocated families who choose to move back to the Project area, adapting benefits for owners who have paid off mortgages, defining eligibility requirements for owners and renters, and supporting rent-to-own initiatives; and

FURTHER RESOLVED, that EBDI shall not proceed with involuntary, occupied property acquisition or resident relocation until the Relocation Plan has been formalized following legal and community review and adoption by the Board of Directors of EBDI by special majority vote; and

FURTHER RESOLVED, that EBDI shall develop a comprehensive database in order to assist in the implementation of the Relocation Plan, which is based on quantitative and qualitative data concerning the affected communities and its (*sic!*) residents. The database shall include, at a minimum, information about the number of families and others affected by their relocation, their demographics, and relevant family circumstances. The database shall also include information about the physical characteristics of existing housing opportunities, including the amount and condition of available housing, and a current and complete profile of newly constructed and recently rehabbed housing, as well as the availability of necessary neighborhood family support services. The database shall also include qualitative information that provides insight into issues such as family housing preferences, resident's knowledge about the relocation program, and particular concerns and circumstances that may influence the direction of the Relocation Plan. From this comprehensive database, family and neighborhood profiles should be created in order to help EBDI and others involved in the implementation of the Relocation Plan understand, anticipate and predict family needs, issues and desires; and

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FURTHER RESOLVED, that EBDI shall assure the provision of counselors who can provide families with advice and assistance concerning a variety of issues likely to arise during the relocation process. This counseling, which shall be provided free of charge, shall include such areas as financial advice (e.g., purchasing and selling homes, real estate appraisals, mortgage lending, repairing credit, etc.), health and personal counseling (e.g., special assistance to the elderly and other segments of the population with specialized needs), legal counseling (e.g., title searches, deed transfers, avoiding predatory lending practices, etc.) and professional relocation counseling (moving logistics, moving contracts, etc.). EBDI shall work with local community groups and residents to locate and retain the services of qualified counseling and advocacy entities capable of providing these services; and

FURTHER RESOLVED, that EBDI shall create a centralized comprehensive human development agenda to help resident families access a range of strengthened economic, social, educational and family supports that can help ensure that they will become measurably better off as a result of the relocation and neighborhood revitalization effort. The components and objectives of the human development agenda shall address, at a minimum, job training and placement, income security and asset development, education, health and child care. EBDI shall also work with community residents to identify an organization with the credibility and capacity to engage the necessary partners (including family service providers and agencies currently serving East Baltimore) and through the establishment of a local resource center, coordinate the information and resources necessary to implement the human development agenda.

IN WITNESS WHEREOF, we have hereunto set our hand on the date set forth above.

 /s/
Stanford R. Britt

 /s/
Earl Linehan

 /s/
Dr. William R. Brody

 /s/
Sally MacConnell

 /s/
Eddie C. Brown

 /s/
Kieyasien Moore, Esquire

 /s/
Gene Lynch

 /s/
Douglas W. Nelson

 /s/
Joseph P. Haskins

 /s/
Jacques R. Rubin

 /s/
Richard C. Lewin

Exhibit 6

UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF
EAST BALTIMORE DEVELOPMENT, INC. ("EBDI")

November 8, 2002

The undersigned, being all the Directors of EBDI, a Maryland non-stock corporation, in accordance with Sections 2-408(c) of the Corporations and Associations Article of the Annotated Code of Maryland, do hereby jointly take the actions set forth in lieu of holding a formal meeting of the Directors, and to evidence their waiver of any right to dissent from such actions, do hereby consent as follows effective as of the date noted above:

WHEREAS, under its charter filed and recorded with the Maryland State Department of Assessments and Taxation on September 5, 2002 (the "Charter"), EBDI has been formed and organized as a tax-exempt Maryland non-stock corporation. All capitalized terms used and not otherwise defined shall have the meanings assigned under the Charter; and

WHEREAS, under its Charter, EBDI is committed to target, secure, allocate and regulate investments in and resources made available for the Project, whether public or private, to insure the maximum practical utilization of minority and women-owned businesses with direct ties to the Renewal Areas in terms of residency or employment opportunities (collectively "eligible business concerns" or "EBCs"), as a means to fulfill the objectives and to comply with its continuing obligations under the Inclusion Agreement (the "EBC Initiative"); and

WHEREAS, the Board believes that EBCs certified under the Minority Business Enterprise Program of the Maryland Department of Transportation, pursuant to Title 14, Subtitle 3 of the State Finance and Procurement Article of the Annotated Code of Maryland, and 49 Code of Federal Regulations Part 26, should be included as eligible to bid and participate as local EBCs; and

WHEREAS, the Board desires to establish a program that defines and targets business initiatives that locate operations in and substantially employ residents from the Renewal Areas; and

WHEREAS, the Board desires to establish a program that defines and targets prime contractor and large business initiatives to enhance the competitive viability of EBCs; and

WHEREAS, the Board takes notice that the "bundling" or combination of contracts and other procurement devices may be used to evade or minimize compliance with the EBC Initiative; and

WHEREAS, the Board believes it necessary to establish a standing committee to advise the Board and to clarify and further the means by which EBDI shall fulfill and comply with the EBC Initiative and its continuing obligations under the Inclusion Agreement.

NOW THEREFORE, BE IT RESOLVED:

SECTION 1: The Board hereby adopts the following as its policy with regard to the EBC Initiative:

A. Business Development and Procurement Committee, EBC Utilization Plan and Certification:

1. Business Development and Procurement Committee. The Board hereby establishes, as a standing committee of the Board, the Business Development and Procurement Committee to review and make recommendations to the Board on (a) best practices for maximizing EC opportunities in furtherance of the EBC Initiative, (b) each request for proposals (including, without limitation, any unsolicited bid, offer or contracting opportunity, collectively "RFPs") prior to issuance by or on behalf of EBDI so as to assure compliance with the EBC Initiative, (c) each submission resulting from an RFP so as to evaluate the response of the applicant to the EBC Initiative, (d) the means and methods to finance and make distributions from the community reinvestment program and similar initiatives undertaken in furtherance of the EBC Initiative, and (e) potential EBC concerns, CDCs, and other community oriented programs and partners or firms to further the EBC Initiative. The membership of the Business Development and Procurement Committee shall be appointed by the Board, upon recommendation of the Chairman of the Board, provided that the committee shall include a member of the Board that has been selected as noted in the Charter to represent constituents in the Renewal Areas. The Board recognizes the need to include in its budget funds for staff to implement and accomplish the EBC Initiative.
2. EBC Utilization Plan Required. Guided by Applicable Laws and the recommendation of the Business Development and Procurement Committee, EBDI shall, subject to Board approval, establish procedures by which the EBC Initiative will be achieved. These procedures shall include, without limitation, the requirement of the inclusion of an EBC Utilization Plan in response to all RFPs that are issued by or on behalf of EBDI for development of any portion of the Project or Project Area or for the provision of goods and services. Each responding entity to an RFP must include in their Response an EBC Utilization Plan that describes in detail how the applicant intends to satisfy the EBC Initiative in form and substance acceptable to EBDI. EBDI shall evaluate each applicant and make an award based in part on an evaluation of the applicant's EBC Utilization Plan with due consideration for the recommendations of the Business Development and Procurement Committee.
3. Certification. EBDI may consider a business enterprise certified either by the City under Article 5, Subtitle 28 of the Baltimore City Code, codified as the "Minority and Women's Business Program" (as amended, modified or replaced, the "MBP Act") or under the Minority Business Enterprise Program of the Maryland Department of Transportation pursuant to Title 14, Subtitle 3 of the State Finance and Procurement Article of the Annotated Code of Maryland, or in accordance with 49 Code of Federal Regulations Part 26, in accordance with the EBC Initiative.

B. Community Reinvestment and Financial Assistance:

1. Community Reinvestment. Subject to Board approval, EBDI shall establish procedures and dedicate resources by which the community reinvestment obligations under the Inclusion Agreement are achieved, with due consideration for the recommendations of the Business Development and Procurement Committee. The Finance Committee and the Business Development and Procurement Committee will prepare and recommend joint guidelines for approval by the Board to determine the means and methods by which the community reinvestment obligations under the Inclusion Agreement are met both generally and on a transactional level.
2. Assistance to EBC Concerns. Subject to Board approval, EBDI shall establish goals and procedures to dedicate resources by which loans and other financial accommodations or assistance can be provided to EBC concerns in furtherance of the EBC Initiative, with due consideration for the recommendations of the Business Development and Procurement Committee. Among the initiatives to be considered are programs undertaken or promoted by EBDI that target EBCs or community development initiatives contemplated under the Charter or the Inclusion Agreement.

C. Policy Guidelines, Compliance and Reports:

1. Policy Guidelines. Subject to Board approval, EBDI shall establish guidelines and procedures by which each Project Area targeted for land use, investment and development and each contract award furthers the EBC Initiative, with due consideration for the recommendations of the Business Development and Procurement Committee. The Business Development and Procurement Committee recommendations may address the means and methods by which the implementation of such guidelines and procedures are achieved and measured.
2. Compliance. The Board recognizes that the “bundling” or combination of contracts can be used to evade or minimize compliance with the EBC Initiative. Subject to Board approval, EBDI shall establish guidelines and procedures by which evasion of the EBC Initiative can be minimized, with due consideration for the recommendations of the Business Development and Procurement Committee. To maximize EBC opportunities in furtherance of the EBC Initiative, the Business Development and Procurement Committee should consider:
 - (a) firms that locate in and employ a significant percentage of their employees from within areas impacted by the Project or similarly distressed communities in the City of Baltimore, (b) the creation of “mentor-protégé” relationships between EBC and non-EBC firms, and (c) subcontracting arrangements.
3. Reports. EBDI will require any developers or redevelopers of property in each Project Area, and will itself, regularly report to the City and to the community at large on the degree to which the objectives of the EBC Initiative are being achieved.

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SECTION 2: Subject to Board approval, EBDI shall, in conjunction with the development of a Master Plan for the Project Area, and in the course of negotiating agreements with the City and redevelopers of properties in each Project Area, establish more specific goals and objectives, in furtherance of the EBC Initiative, with due consideration for the recommendations of the Business Development and Procurement Committee.

SECTION 3: The Board confirms that the EBC Initiative furthers its exempt purposes and is to be the policy of EBDI, notwithstanding any decisions by a court of law or the City on the content or applicability of the MBP Act. The Board shall not avoid or seek to avoid the observance or performance of these resolutions, and will at all times in good faith use its best judgment in the carrying out of these resolutions and in the taking of all such actions as may be necessary or appropriate in order to further the EBC Initiative.

IN WITNESS WHEREOF, we have hereunto set our hand on the date set forth above.

/s/
Stanford R. Britt

/s/
Earl Linehan

/s/
Dr. William R. Brody

/s/
Sally MacConnell

/s/
Eddie C. Brown

/s/
Kieyasien Moore, Esquire

Gene Lynch

/s/
Douglas W. Nelson

/s/
Joseph P. Haskins

/s/
Jacques R. Rubin

/s/
Richard C. Lewin

Exhibit 7

AGREEMENT FOR MINORITY INCLUSION IN THE EAST BALTIMORE
HOUSING/ BIOTECH PARK DEVELOPMENT PROJECT

Preamble

An unparalleled revitalization opportunity exists for East Baltimore. The neighborhoods surrounding one of the foremost medical institutions in the world – Johns Hopkins Hospital – have experienced a sharp decline in population over the past 20 years, resulting in significant blight and vacancy. Yet, there are residents there who have lived in the community for a long time and have contributed great value to the city. This kind of decline needs intervention, but a new approach to intervention. The East Baltimore Development has enormous opportunity for Baltimore City. We have developed a plan that builds on strengths – the history of East Baltimore as a first-class neighborhood and the reputation of Johns Hopkins as a world-renowned institution – and is bold and market-driven; more so than any other previous revitalization project. The East Baltimore Development will provide up to 2 million square feet of biotechnology space and not just create 8,000 new jobs, but careers for residents of East Baltimore and the entire City. There will be employment opportunities for a range of skill levels: one-third for high school graduates, one-third for college graduates and one-third for post-graduates. Along with this commercial development, there will be up to 2,000 new and rehabilitated housing units created – low income, market rate and affordable housing, for rental and homeownership. The relocation plan will be a fair one with the objective of improving quality of life and providing opportunities for families to improve their living conditions. With this site as the epicenter for biotech commercial development, our biotechnology communities in the biomedical, environmental, marine biology, and agricultural sciences will coalesce into a cohesive industry. Due to Baltimore’s unique and diverse intellectual, commercial, and community assets, we are far better positioned than any other city in the country for a successful venture of this magnitude.

While during this decade, Mayor O’Malley penned the first inclusion commitment ever in Baltimore, given the magnitude of this project, the East Baltimore Development commitment to inclusion will extend even further in its reach. Throughout the prior decades, one, perhaps two, revitalization initiatives of this magnitude have occurred in Baltimore’s history (Inner Harbor and Charles Center). There is one critical element that will differentiate the East Baltimore Development from previous large-scale developments: inclusiveness. Strengthening partnerships is critical to realizing this opportunity. Johns Hopkins has agreed to join hands with its neighbors, Morgan State University, and the city to create opportunity for all.

The Inclusion Commitment

Overall Development

Objective: To dramatically increase contracting and procurement dollars spent with minority businesses in all aspects of the East Baltimore Development project, as well as spur greater involvement of minority businesses in identified growth sectors of the City’s economy, including but not limited to retail, technology, and real estate development; and to dramatically increase the number, magnitude and success rate of minority businesses in Baltimore City, at all levels of the Development Project. To that end, the City will ensure that:

- For all development Request for Proposals (“RFPs”), developers must commit in writing to meeting the requirements of Ordinance #211 and the Mayor’s Executive Order during the pre-development and construction phases of the project, which are both incorporated by reference in this document.

- All major documents and RFPs associated with East Baltimore Development, Inc. (hereinafter referred to as “EBDI”, including any of its successor organizations or entities or assignees or subsidiaries) or the East Baltimore Incubator (hereinafter referred to as “EBI”, including any of its successor organizations or entities or assignees or subsidiaries), including, but not limited to, urban renewal amendments, articles of incorporation, organizational mission statement, by-laws, and real estate property disposition agreements, sale agreements, lease agreements, and development agreements shall include a commitment to diversity and the utilization of minority-owned firms at all levels, consistent with this document.

Equity Ownership

Objective: To increase existing opportunities for minority equity participation including real estate development and expanding start up businesses.

- For any projects proposed by developers that receive public assistance including, but not limited to, buying land below market-value, receiving direct financial assistance, PILOTs, TIFs, or other forms of tax credits, with all other things being equal, the development project proposal with the most minority participation will be given favorable consideration.
- The City shall strongly encourage that developers receiving public assistance make “shares” available to minority investors, with return provided to investors commensurate with their risk.
- The Director of Minority Business Development, the Baltimore Development Corporation (BDC), Greater Baltimore Committee, the President’s Roundtable, Morgan State University, and East Baltimore Development, Inc. will establish and broker connections between majority and minority-owned businesses and minority-owned venture capital firms.

Organizational Diversity

Objective: To ensure compliance with the Mayor’s commitment, there must be diversity throughout the organizational structure, there must be clear accountability, persistent follow-up, measurement and reporting of progress.

- There will be two governing boards for the East Baltimore Biotech Project whose membership will be diverse.
 1. The city will establish a 501(c)(3) corporation, East Baltimore Development, Inc. (hereinafter referred to as “EBDI”, including any of its successor organizations or entities or assignees). EBDI will have an eleven member Board of Directors which will be composed of three (3) members appointed by the Mayor, two (2) members appointed by Johns Hopkins, two (2) members appointed by the community [method of selection to be determined subsequently], (1) member appointed by the Governor, and three (3) at large members appointed by the Board based on recommendations by the Mayor in consultation with the City Council President. The role of EBDI will be as follows:

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- To complete planning for East Baltimore Development
 - To complete the financial plan and budget for redevelopment
 - To hire necessary staff and/or consultants to help implement the plan
 - To coordinate acquisition, relocation and demolition
 - To oversee site assemblage and issuance of RFPs to attract developers
 - To ensure compliance with all appropriate government processes
 - To communicate to multiple constituencies and build support for project
 - To establish new image for East Baltimore
 - To market redevelopment area to tenants, businesses, residents, etc.
2. The City will support the establishment of a 501(c)(3) corporation, East Baltimore Incubator, Inc. (hereinafter referred to as “EBI”, including any of its successor organizations or entities or assignees). EBI will have a five (5) member Board of Directors which will be comprised of one (1) cross-over member from EBDI, one (1) member appointed by government (city/state combined), one (1) member appointed by Johns Hopkins, one (1) member appointed by Morgan State University, and one (1) member appointed by the Community. The role of EBI will be as follows:
- To recruit commercial tenants for the Biotech Park
 - To create a biotech incubator nationally
 - To create a support system of legal, accounting and other services to assist incubating companies’ growth
 - To establish ties with university faculty research
- There will be a commitment to professional staff diversity, with at least one, qualified minority senior level staff person in each of the organizations associated with the East Baltimore Biotech Project to include, but not limited to, EBDI and EBI.
 - The EBDI will report to the Mayor and City Council its progress and results in implementation of the terms of this Minority Inclusion Agreement on a quarterly basis, and will also specifically report, on a monthly basis, the MBE/WBE participation through Citistat to proactively track minority business participation throughout the development process.
 - The Mayor’s Office of Minority Business Development will issue a written annual report to the Baltimore City Council and members of the Baltimore City Delegation to the State Legislature that will include a status report on the implementation of this Minority Inclusion Agreement.
 - EBDI will support the operation of a community portal to be hosted by the East Baltimore Community Corporation in partnership with Morgan State University, which will serve as an information link to the broader community about this project. Information and updates on project progress will be available for public review seven (7) days per week, twenty-four (24) hours per day.

Contracting

Objective: To engage minorities in all aspects of contracting, construction, professional services, commodities, manufacturing and services. This project will move forward in phases, that will facilitate the easy identification of where opportunities exist to engage minority firms (see Appendix 1). To this end,

The East Baltimore Development Inc. will subdivide the phases of development to allow for large and small development opportunities. The City will then assist in identifying minority developers to ensure access to these opportunities. In all phases of this project, the goals, subject to the annual disparity study, shall be:

Planning 13.5%
 Design and Architecture 17%
 Engineering 17%
 Legal 13.5%
 Accounting 13.5%
 Real Estate: Appraisals, Title, Relocation Services, Tenant representation/Site Selection 13.5%
 Financing 13.5%
 Investment/Capital 13.5%
 Project Management 13.5%
 Demolition 30.5%
 Rehabilitation 30.5%
 New Construction – Housing and biotech space 30.5%
 Property and equipment financing 13.5%
 Some Business Attraction – Biotech 13.5%
 Facilities Management/ Maintenance/ Engineering Services 13.5%
 Property Management 13.5%
 Laboratory and Office Supplies 9%
 Disposition Services 13.5%
 Reprographics 13.5%
 Delivery Services 13.5%
 Light Manufacturing 13.5%
 Research & Development 13.5%

- For all development RFPs, the selection criteria shall include the extent to which the proposal includes minority participation in all aspects of the development project, including equity/ ownership and on-going operations/management of the project. These criteria will be given 20% weight in the scoring process.
- All other things being equal, bonus consideration will be given to those developers and contractors who have an effective partnership with community or faith-based organizations (i.e. for employment, training and social service opportunities), and/or the minority business community.

- **First Source Hiring Initiative:** The Administration will direct contractors who are awarded contracts to work with the Mayor's Office of Employment Development's Employ Baltimore, working in partnership with "The Chance Center", to interview City residents, and displaced residents from the Biotech Park site first, to place qualified applicants with jobs created by the award.

Contracting

Objective: To increase the number of significant minority-owned retail businesses, high-tech and biotechnology firms.

The identification of opportunities will likely occur in Phase Two of the project. This agreement will be amended at that time to provide specific goals and objectives for this category of business. However, the commitment is as follows:

- The East Baltimore Development, Inc. (EBDI), in collaboration with the Mayor's Office of Minority Business Development and a Morgan State University small business consortium, will recruit and provide technical and financial assistance to minorities owning and operating significant retail establishments within the East Baltimore Biotech Park area (i.e., restaurants, dry cleaners, and other neighborhood-related retail establishments).
- The Mayor's Office of Minority Business Development and Morgan State University will assist the East Baltimore Incubator, Inc. (EBI) Board in recruiting minority-owned high-tech/biotech companies and encourage start-ups, through the East Baltimore incubator program. The Mayor's Office of Minority Business Development will work with these companies and encourage them to fully utilize City, State, and federal business development resources.
- The City and/or EBDI will provide incentives to minority biotech/high tech companies that relocate and/or expand to Baltimore.
- Hopkins-affiliated, retail and biotechnology companies locating within the biotechnology park will contract with minority-owned companies for supplies, commodities and services.

Developing a Technical Workforce

Objective: The East Baltimore Development project will create 8,000 new jobs: 1/3 of which will be for workers holding a high school degree or GED, 1/3 for college graduates and 1/3 for post-graduates. The City will utilize collective resources to provide high-tech employment opportunities for Baltimore residents.

- Multiple entities and significant resources will be dedicated to help deliver the appropriate levels of workforce development training that will be required to ensure that the biotechnology park is a success. This includes Empower Baltimore Management Corporation, Baltimore City Community College, University of Maryland Biotechnology Institute, Morgan State University, Hopkins-Dunbar Project, the Baltimore Workforce Investment Board, Mayor's Office of Employment Development and community-based workforce development programs, including the Gate Program and The Chance Center.

- Qualified displaced residents shall be given a preference for job training opportunities over other qualified applicants that are not former residents of the biotechnology park site.

Incubator and Laboratory Space for Startups

Objective: To make laboratory and office incubator space available to minority startup ventures.

The identification of opportunities will likely occur in Phase Three of the project. This agreement will be amended to provide specific goals and objectives for this category of business at that time. However, the commitment is as follows:

- Space will be provided for minority-owned business startups, and related research, patent, licensing and commercial development.
- The Administration will encourage universities, including Morgan State University, to establish technology transfer programs with the East Baltimore Biotech Park. This will include, but not be limited to, exchange of professors and research faculty, provision of incubator-related services through applied technology centers, and brokering biotechnology business opportunities for students and recent graduates.

Outreach

Objective: The Administration will help minority entrepreneurs take advantage of the economic development initiatives underway, as well as future initiatives, by providing a user-friendly point of contact for information and ensuring access to relevant agencies. It is City government's responsibility to facilitate effective outreach to the minority business community.

- The Administration will reach out to established minority business people in the community for assistance in building capacity, so that minority entrepreneurs can take advantage of these development opportunities.
- The Administration will sponsor several forums, to provide information on business opportunities, as well as networking opportunities for minority investors, developers and contractors to interact with their non-minority counterparts.
- Throughout the lease out period, national outreach efforts will be made to identify minority biotech firms and suppliers to recruit to the center.

Community Reinvestment

Objective: To ensure that the economic success of the biotechnology park benefits not only the tenants and participants of the park itself, but also provides ongoing benefits to the surrounding community of East Baltimore residents.

- Not less than three percent (3%) of all eligible public funds appropriated for the East Baltimore Biotech Project shall be reserved for the purpose of making equity or equity type investments in businesses to be located in the biotech park and other business opportunities that would flow from the biotech park. It is the intention of EBDI that these funds be managed by a minority owned and controlled Community Development Corporation (“CDCs”), Community Development Entity (“CDEs”), or a Certified Community Development Financial Institution Fund (“CDFIs”), whose principal managers have had at least ten years experience making equity and equity type investments in Baltimore distressed communities. The selected investment partner shall be provided ample opportunities by the EBDI and EBI Boards to review and participate in commercial investment opportunities that would flow from the biotech park and its tenants, and other business opportunities that would flow from the biotech park provided such investor agrees to reinvest a portion of the return of their investments in East Baltimore community institutions, commercial or residential developments, or infrastructure improvements.
- EBDI, Inc. (including any of its successor organizations or entities or assignees) will commit to ensure community reinvestment. Subsequent to the formation of the EBDI Board of Directors, a community reinvestment process will be developed to ensure that the East Baltimore Community (bounded by Aisquith Street on the West, Edison Highway on the East, Fayette Street on the South, and North Avenue on the North) receives a significant recurring stream of revenue to be used to facilitate the development of East Baltimore’s community institutions, commercial or residential developments, or infrastructure improvements. One or both of the following scenarios will be used to achieve that goal.
 - It is the intention of EBDI that between .5% - 2% of all net income generated by EBDI from commercial leases in the Biotech Park (approximately 2 million square feet) be distributed annually to an experienced minority owned and controlled certified Community Development Financial Institution (CDFI) approved by the EBDI Board. The CDFI must have substantial experience in making equity and equity type investments in Baltimore distressed communities. The selected CDFI shall be provided ample opportunities by EBDI and EBI boards to review and to participate in commercial investment opportunities presented by the biotech park and its tenants, and other business opportunities that would flow from the biotech park.
 - It is the intention of EBDI to distribute between 4% - 6% of all net proceeds generated from the sale of commercial land in the Biotech Park to an experienced minority owned and controlled certified Community Development Financial Institution (CDFI) approved by the EBDI Board. The CDFI must have substantial experience in making equity and equity type investments in Baltimore distressed communities. The selected CDFI shall be provided ample opportunities by EBDI and EBI boards to review and participate in commercial investment opportunities presented by the biotech park and its tenants, and other business opportunities that would flow from the biotech park.

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In either scenario, the selected CDFI shall manage and award the community reinvestment funds to recognized Community Development Corporations (CDCs) located in East Baltimore to be used to facilitate the development of East Baltimore community institutions, commercial or residential development, or infrastructure improvements for the surrounding community.

This document will be reviewed at the end of each year. Addendums will be added as each phase of the East Baltimore Development matures and begins new phases.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Minority Inclusion in the East Baltimore Housing/Biotech Park Development Project on 4/15/02.

Witness:

MAYOR AND CITY COUNCIL

By:

/s/

Alternate Custodian of City Seal

/s/

Martin O'Malley, Mayor

Witness:

JOHNS HOPKINS UNIVERSITY

By:

/s/

William R. Brody, M.D., Ph.D.
President

Witness:

JOHNS HOPKINS HEALTH
SYSTEM CORPORATION

By:

/s/

Edward D. Miller, M.D.
Vice Chairman and CEO of
Johns Hopkins Medicine

Witness:

By:

/s/

Ronald R. Peterson, President

Witness:

EAST BALTIMORE DEVELOPMENT, INC.

/s/

Joseph Haskins, Chairman of the Board

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Attachment 1

Opportunities for Inclusion in the East Baltimore Development

Phase 1: Acquisition, Relocation and Site Preparation and establishment of corporation

Planning 13.5%
MBE Design and Architecture 17%
Engineering 17%
Legal 13.5%
Accounting 13.5%
Real Estate: Appraisals, Title, and Relocation Services 13.5%
Financing 13.5%
Investments/Capital 13.5%
Demolition 30.5%

Phase 2: Continued Site Preparation, Rehabilitation and Construction of Housing/Biotechnology Park

Planning 13.5%
MBE Design and Architecture 17%
Engineering 17%
Legal 13.5%
Accounting 13.5%
Real Estate: Appraisals, Title, Relocation Services, Tenant representation/Site selection
13.5%
Financing 13.5%
Investments/Capital 13.5%
Project Management 13.5%
Demolition 30.5%
Rehabilitation 30.5%
New Construction – Housing and Biotech space 30.5%
Property and equipment financing 13.5%
Facilities Management/ Maintenance/ Engineering Services 13.5%
Property Management 13.5%
Laboratory and Office Supplies 9%
Parking 13.5%

Phase 3: Continued construction of housing and biotechnology space, business attraction/recruitment

Planning 13.5% MBE
Design and Architecture 17%
Engineering 17%
Legal 13.5%
Accounting 13.5%
Real Estate: Appraisals, Title, Relocation Services, Tenant representation/Site selection
13.5%
Financing 13.5%
Investments/Capital 13.5%

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Project Management 13.5%
Demolition 30.5%
Rehabilitation 30.5%
New Construction – Housing and Biotech space 30.5%
Property and equipment financing 13.5%
Facilities Management/ Maintenance/ Engineering Services 13.5%
Property Management 13.5%
Laboratory and Office Supplies 9%
Disposition Services 13.5%
Reprographics 13.5%
Delivery Services 13.5%
Light Manufacturing 13.5%
Research & Development 13.5%