

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)

Prepared by: Department of Legislative Reference **Date:** April 17, 2018

Referred to: HOUSING AND URBAN AFFAIRS Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 18-0225

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing –
Eastbourne Avenue and a Portion of Savage Street**

FOR the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat 337-A-27A in the Office of the Department of Transportation; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

No. _____

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

Department of Public Works	Baltimore City Public School System
Department of Real Estate	Baltimore Development Corporation
Department of Recreation and Parks	City Solicitor
Department of Transportation	Comptroller's Office
Fire Department	Department of Audits
Health Department	Department of Finance
Mayor's Office of Employment Development	Department of General Services
Mayor's Office of Human Services	Department of Housing and Community Development
Mayor's Office of Information Technology	Department of Human Resources
Office of the Mayor	Department of Planning
Police Department	Other:
Other:	Other:
Other:	Other:
Other:	Other:
Environmental Control Board	Board of Estimates
Fire & Police Employees' Retirement System	Board of Ethics
Labor Commissioner	Board of Municipal and Zoning Appeals
Parking Authority Board	Comm. for Historical and Architectural Preservation
Planning Commission	Commission on Sustainability
Wage Commission	Employees' Retirement System
Other:	Other:
Other:	Other:
Other:	Other:

Boards and Commissions

Department of Public Works	Baltimore City Public School System
Department of Real Estate	Baltimore Development Corporation
Department of Recreation and Parks	City Solicitor
Department of Transportation	Comptroller's Office
Fire Department	Department of Audits
Health Department	Department of Finance
Mayor's Office of Employment Development	Department of General Services
Mayor's Office of Human Services	Department of Housing and Community Development
Mayor's Office of Information Technology	Department of Human Resources
Office of the Mayor	Department of Planning
Police Department	Other:
Other:	Other:
Other:	Other:
Other:	Other:
Environmental Control Board	Board of Estimates
Fire & Police Employees' Retirement System	Board of Ethics
Labor Commissioner	Board of Municipal and Zoning Appeals
Parking Authority Board	Comm. for Historical and Architectural Preservation
Planning Commission	Commission on Sustainability
Wage Commission	Employees' Retirement System
Other:	Other:
Other:	Other:
Other:	Other:

CITY OF BALTIMORE
ORDINANCE **18-206**
Council Bill 18-0225

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: April 23, 2018
Assigned to: Housing and Urban Affairs Committee

Committee Report: Favorable
Council action: Adopted
Read second time: November 19, 2018

AN ORDINANCE CONCERNING

1 City Streets – Closing –
2 Eastbourne Avenue and a Portion of Savage Street

3 FOR the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street
4 and Savage Street, and a portion of Savage Street, extending from the north side of Holabird
5 Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat
6 337-A-27A in the Office of the Department of Transportation; and providing for a special
7 effective date.

8 BY authority of
9 Article I - General Provisions
10 Section 4
11 and
12 Article II - General Powers
13 Sections 2, 34, 35
14 Baltimore City Charter
15 (1996 Edition)

16 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the
17 Department of Transportation shall proceed to condemn and close Eastbourne Avenue, lying
18 between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the
19 north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of
20 it, and more particularly described as follows:

21 Beginning for Parcel No. 1 at the point formed by the intersection of the east side
22 of Rappallo Street variable width and the south side of Eastbourne Avenue 60 feet
23 wide, the point of beginning being distant Northerly 370 feet measured along the
24 east side of Rappallo Street from the north side of Holabird Avenue 70 feet wide;
25 thence binding on the east side of Rappallo Street Northerly 60 feet to the north
26 side of Eastbourne Avenue; thence binding on the north side of Eastbourne
27 Avenue Easterly 204.5 feet, more or less, to intersect the west side of Savage
28 Street 60 feet wide; thence binding on the west of Savage Street Southerly 60 feet,

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.

Council Bill 18-0225

1 to the south side of Eastbourne Avenue, and thence binding on the south side of
2 Eastbourne Avenue Westerly 204.5 feet, more or less, to the place of beginning.

3 Containing 12,270 square feet or 0.281 acres, more or less.

4 Beginning for Parcel No. 2 at the point formed by the intersection of the west side
5 of Savage Street 60 feet wide, and the north side of Holabird Avenue 70 feet wide,
6 the point of beginning being distant Easterly 204.5 feet measured along the north
7 side of Holabird Avenue from the east side of Rappallo Street variable width;
8 thence leaving the north side of Holabird Avenue and binding on the west side of
9 Savage Street, Northerly 370 feet, to the south side of Eastbourne Avenue; thence
10 binding on the south side of Eastbourne Avenue, so projected easterly Easterly 60
11 feet to the east side of Savage Street; thence binding on the east side of Savage
12 Street Southerly 370 feet to intersect the north side of Holabird Avenue and
13 thence binding on the north side of Holabird Avenue Westerly 60 feet to the place
14 of beginning.

15 Containing 22,200 square feet or 0.509 acres, more or less.

16 Beginning for Parcel No. 3 at the point formed by the intersection of the west side
17 of Savage Street 60 feet wide, and the south side of Eastbourne Avenue 60 feet
18 wide, the point of beginning being distant Easterly 204.5 feet measured along the
19 south side of Eastbourne Avenue from the east side of Rappallo Street variable
20 width; thence binding on the west side of Savage Street Northerly 289 feet, more
21 or less, to the northernmost extremity of it; thence binding on the northernmost
22 extremity of it, so projected easterly, Easterly 60 feet to the east side of Savage
23 Street; thence binding on the east side of Savage Street Southerly 289 feet, more
24 or less, to the south side of Eastbourne Avenue, so projected easterly, and thence
25 binding on the south side of Eastbourne Avenue so projected easterly, Westerly 60
26 feet to the place of beginning.

27 Containing 17,340 square feet or 0.398 acres, more or less.

28 As delineated on Plat 337-A-27A, prepared by the Survey Section and filed on January 17, 2018,
29 in the Office of the Department of Transportation.

30 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
31 closing of Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of
32 Savage Street and the rights of all interested parties shall be regulated by and in accordance with
33 all applicable provisions of state and local law and with all applicable rules and regulations
34 adopted by the Director of Transportation and filed with the Department of Legislative
35 Reference.

36 **SECTION 3. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
37 subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore
38 continue to be the property of the Mayor and City Council, in fee simple, until their use has been
39 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with
40 them, that person must first obtain permission from the Mayor and City Council and, in the
41 application for this permission, must agree to pay all costs and expenses, of every kind, arising
42 out of the removal, alteration, or interference.

Council Bill 18-0225

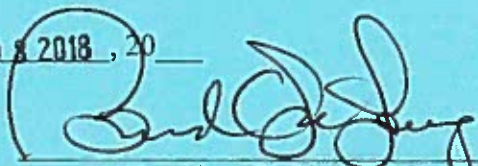
1 SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind
2 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
3 the street closed under this Ordinance until all subsurface structures and appurtenances owned by
4 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
5 or, at the expense of the person seeking to erect the building or structure, have been removed and
6 relaid in accordance with the specifications and under the direction of the Director of
7 Transportation of Baltimore City.

8 SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all
9 subsurface structures and appurtenances owned by any person other than the Mayor and City
10 Council of Baltimore shall be removed by and at the expense of their owners, promptly upon
11 notice to do so from the Director of Public Works.

12 SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this
13 Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized
14 representatives, shall have access to the subject property and to all subsurface structures and
15 appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining,
16 repairing, altering, relocating, or replacing any of them, without need to obtain permission from
17 or pay compensation to the owner of the property.

18 SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is
19 enacted.

Certified as duly passed this _____ day of DEC 03 2018, 20____



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of DEC 03 2018, 20____



Chief Clerk

Approved this 13 day of December, 2018



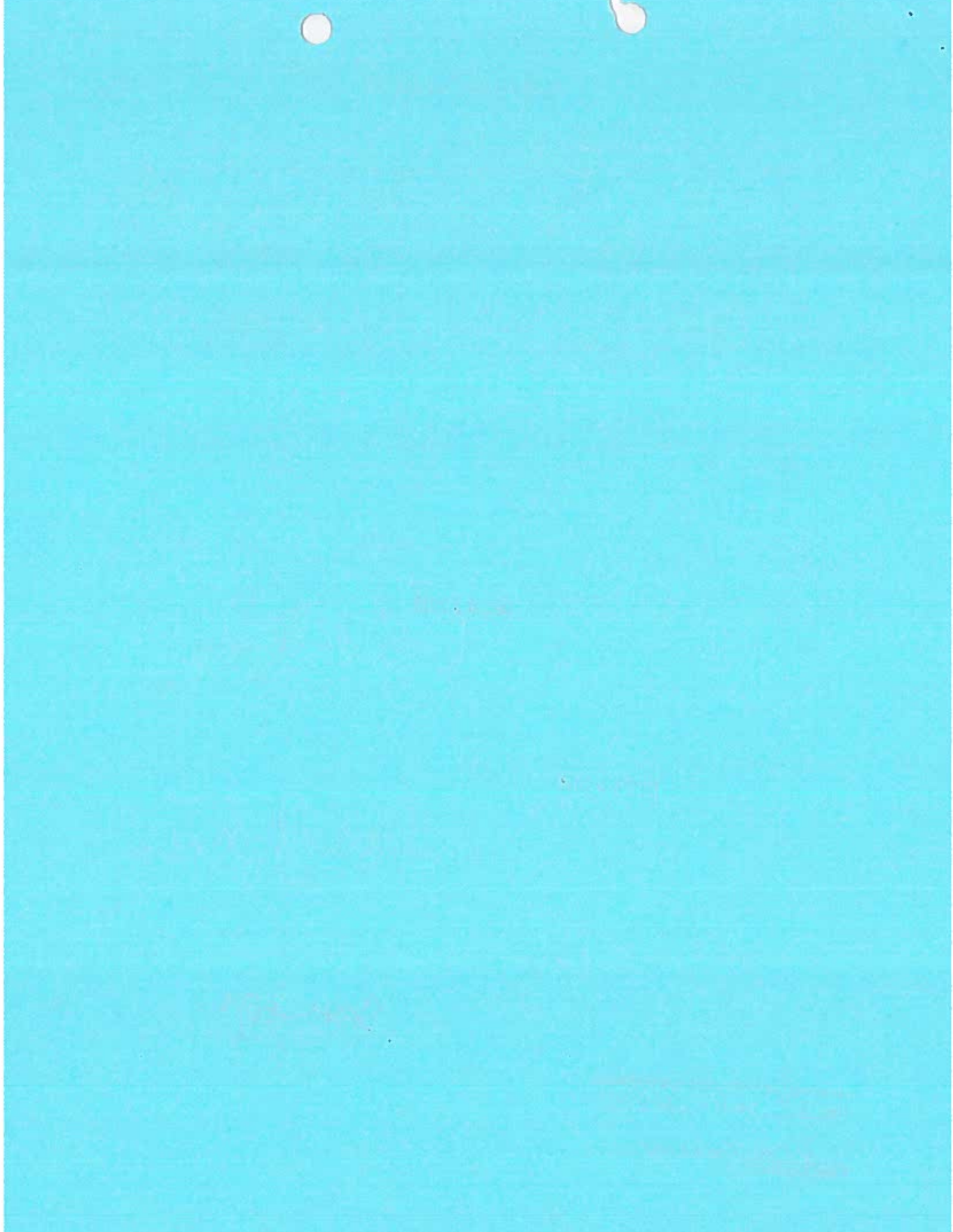
Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 11th Day of December 2018



Chief Solicitor

18-0225-3rd/sdr



BALTIMORE CITY COUNCIL
Housing And Urban Affairs Committee
VOTING RECORD

DATE: 11-13-18

BILL#CC: 18- 0225 BILL TITLE: Ordinance – City Streets - Closing – Eastbourne Avenue and a Portion of Savage Street

MOTION BY: Burnett **SECONDED BY:** Henry

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Bullock, J. Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schleifer, I. Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burnett, K.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed ,S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cohen, Z	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, R.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	10	0	0	0

CHAIRPERSON: [Signature]
COMMITTEE STAFF: Richard G. Krummerich, Initials: RK

The Baltimore City Department of
HOUSING & COMMUNITY
DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner *MB*

Date: November 5, 2018

Re: City Council Bill 18-0225, City Streets – Closing – Eastbourne Avenue and a Portion of Savage Street

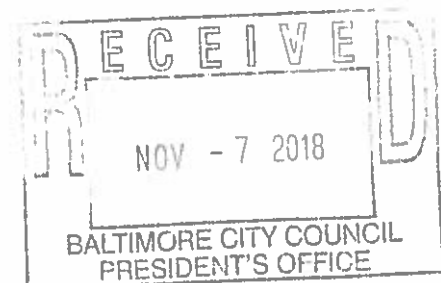
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0225, for the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat 337-A-27A in the Office of the Department of Transportation; and providing for a special effective date.

If enacted, this bill would allow for the consolidation of the subject parcels with 5300 Holabird Avenue. The site is being redeveloped for multiple warehouse operations, with no adverse effects to other property owners.

The Department of Housing and Community Development does not object to the passage of City Council Bill 18-0225.


MB:sd

cc: Mr. Kyron Banks, Mayor's Office of Government Relations



Does not object

TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	City Council Bill #18-0225 - Closing – A Portion of Eastbourne Avenue and a Portion of Savage Street		

TO

DATE:

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

May 10, 2018

The Planning Department is in receipt of City Council Bill 18-0225, which is for the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat 337-A-27A in the Office of the Department of Transportation; and providing for a special effective date.

The petitioner, Relp Holabird, LLC, requested the opening, closing, and sale of the subject parcels to consolidate the streets with the property known as 5300 Holabird Avenue, an industrial site that is being redeveloped for multiple warehouse operations. The subject streets are "paper streets" and lie within the redevelopment area. Although they are indistinguishable from the operations of the site, it is necessary for them to be formally condemned and sold so that the property can be consolidated. No other property owner should be negatively affected by the action.

The Planning Commission considered this request at a preliminary hearing on July 6, 2017 and voted in support of action. For this reason, the Planning Department has no objection to City Council Bill 18-0225 and request that favorable consideration is given by City Council.

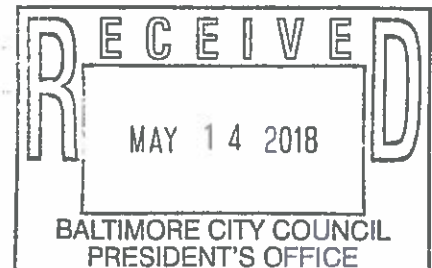
If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

TJS/ewt

Attachment

Favorable

- cc: Mr. Pete Hammen, Chief Operating Officer
- Mr. Jim Smith, Chief of Strategic Alliances
- Ms. Karen Stokes, Mayor's Office
- Mr. Colin Tarbert, Mayor's Office
- Mr. Kyron Banks, Mayor's Office
- The Honorable Edward Reisinger, Council Rep. to Planning Commission
- Mr. William H. Cole IV, BDC
- Mr. Derek Baumgardner, BMZA




Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Ms. Katelyn McCauley, DOT
Ms. Natawna Austin, Council Services
Ms. Caroline Hecker, Esq., RGM, Petitioner's representative



MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna B. Austin, Executive Secretary

FROM: William H. Cole, President & CEO 

DATE: May 9, 2018

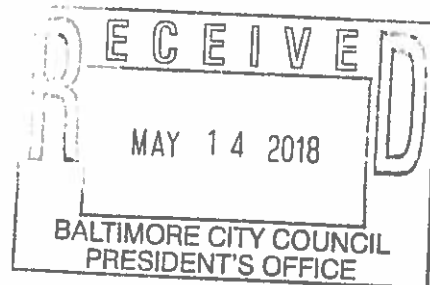
SUBJECT: City Council Bill No. 18-0225
City Streets – Closing– Eastbourne Avenue and a Portion of Savage Street

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0225, a bill for the purpose of condemning and closing Eastbourne Avenue, lying between Rappollo Street and Savage Street, and a portion of Savage Street extending from the north side of Holabird Avenue.


The closing of this street (and portion of Savage Street) is necessary for the expansion of a local business.

BDC supports business expansion and respectfully requests that Bill No. 18-0225 be given favorable consideration by the City Council.

cc: Kyron Banks



F

FROM	NAME & TITLE	Michelle Pourciau, Director <i>MP</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill Report 18-0225		

TO: Mayor Catherine E. Pugh

DATE: May 4, 2018

TO: Respective City Council Housing and Urban Affairs Committee

FROM: Department of Transportation

POSITION: Support

RE: Council Bill 18-0225 – City Streets - Closing - Eastbourne Avenue and a Portion of Savage Street

INTRODUCTION – For the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat 337-A-27A in the Office of the Department of Transportation; and providing for a special effective date.

PURPOSE/PLANS – This bill will allow for developer RELP Holabird, LLC to consolidate their lots and enlarge an existing Peterbilt Trucking franchise.

BRIEF HISTORY – The portion of streets to be closed bisect the properties and the closings will allow for consolidation of the lots, this closing will formally and legally allow this to occur. The opening and closing of streets and alleys are covered under Article 26, Subtitle 3 –Opening, Widening, Closing Streets of the Baltimore City Code.

AGENCY/DEPARTMENT POSITION – The Department of Transportation supports City Council Bill 18-0225, and respectfully requests a favorable report.

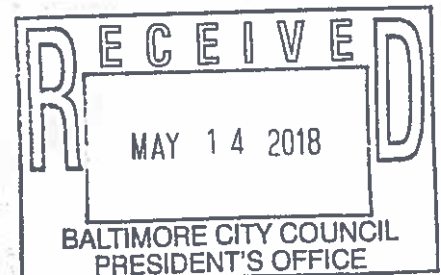
If you have any questions, please do not hesitate to contact Mr. David Framm, he may be reached at david.framm@baltimorecity.gov or 410-396-5023.

Sincerely,



Michelle Pourciau
Director

Favorable



**CITY OF BALTIMORE
COUNCIL BILL 18-0225
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of Transportation)

Introduced and read first time: April 23, 2018

Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **Eastbourne Avenue and a Portion of Savage Street**

4 FOR the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street
5 and Savage Street, and a portion of Savage Street, extending from the north side of Holabird
6 Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat
7 337-A-27A in the Office of the Department of Transportation; and providing for a special
8 effective date.

9 BY authority of
10 Article I - General Provisions
11 Section 4
12 and
13 Article II - General Powers
14 Sections 2, 34, 35
15 Baltimore City Charter
16 (1996 Edition)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
18 Department of Transportation shall proceed to condemn and close Eastbourne Avenue, lying
19 between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the
20 north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of
21 it, and more particularly described as follows:

22 Beginning for Parcel No. 1 at the point formed by the intersection of the east side
23 of Rappallo Street variable width and the south side of Eastbourne Avenue 60 feet
24 wide, the point of beginning being distant Northerly 370 feet measured along the
25 east side of Rappallo Street from the north side of Holabird Avenue 70 feet wide;
26 thence binding on the east side of Rappallo Street Northerly 60 feet to the north
27 side of Eastbourne Avenue; thence binding on the north side of Eastbourne
28 Avenue Easterly 204.5 feet, more or less, to intersect the west side of Savage
29 Street 60 feet wide; thence binding on the west of Savage Street Southerly 60 feet,

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 18-0225

1 to the south side of Eastbourne Avenue, and thence binding on the south side of
2 Eastbourne Avenue Westerly 204.5 feet, more or less, to the place of beginning.

3 Containing 12,270 square feet or 0.281 acres, more or less.

4 Beginning for Parcel No. 2 at the point formed by the intersection of the west side
5 of Savage Street 60 feet wide, and the north side of Holabird Avenue 70 feet wide,
6 the point of beginning being distant Easterly 204.5 feet measured along the north
7 side of Holabird Avenue from the east side of Rappallo Street variable width;
8 thence leaving the north side of Holabird Avenue and binding on the west side of
9 Savage Street, Northerly 370 feet, to the south side of Eastbourne Avenue; thence
10 binding on the south side of Eastbourne Avenue, so projected easterly Easterly 60
11 feet to the east side of Savage Street; thence binding on the east side of Savage
12 Street Southerly 370 feet to intersect the north side of Holabird Avenue and
13 thence binding on the north side of Holabird Avenue Westerly 60 feet to the place
14 of beginning.

15 Containing 22,200 square feet or 0.509 acres, more or less.

16 Beginning for Parcel No. 3 at the point formed by the intersection of the west side
17 of Savage Street 60 feet wide, and the south side of Eastbourne Avenue 60 feet
18 wide, the point of beginning being distant Easterly 204.5 feet measured along the
19 south side of Eastbourne Avenue from the east side of Rappallo Street variable
20 width; thence binding on the west side of Savage Street Northerly 289 feet, more
21 or less, to the northernmost extremity of it; thence binding on the northernmost
22 extremity of it, so projected easterly, Easterly 60 feet to the east side of Savage
23 Street; thence binding on the east side of Savage Street Southerly 289 feet, more
24 or less, to the south side of Eastbourne Avenue, so projected easterly, and thence
25 binding on the south side of Eastbourne Avenue so projected easterly, Westerly 60
26 feet to the place of beginning.

27 Containing 17,340 square feet or 0.398 acres, more or less.

28 As delineated on Plat 337-A-27A, prepared by the Survey Section and filed on January 17, 2018,
29 in the Office of the Department of Transportation.

30 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
31 closing of Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of
32 Savage Street and the rights of all interested parties shall be regulated by and in accordance with
33 all applicable provisions of state and local law and with all applicable rules and regulations
34 adopted by the Director of Transportation and filed with the Department of Legislative
35 Reference.

36 **SECTION 3. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
37 subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore
38 continue to be the property of the Mayor and City Council, in fee simple, until their use has been
39 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with
40 them, that person must first obtain permission from the Mayor and City Council and, in the
41 application for this permission, must agree to pay all costs and expenses, of every kind, arising
42 out of the removal, alteration, or interference.

Council Bill 18-0225

1 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
2 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
3 the street closed under this Ordinance until all subsurface structures and appurtenances owned by
4 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
5 or, at the expense of the person seeking to erect the building or structure, have been removed and
6 relaid in accordance with the specifications and under the direction of the Director of
7 Transportation of Baltimore City.

8 **SECTION 5. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
9 subsurface structures and appurtenances owned by any person other than the Mayor and City
10 Council of Baltimore shall be removed by and at the expense of their owners, promptly upon
11 notice to do so from the Director of Public Works.

12 **SECTION 6. AND BE IT FURTHER ORDAINED,** That at all times after the closing under this
13 Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized
14 representatives, shall have access to the subject property and to all subsurface structures and
15 appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining,
16 repairing, altering, relocating, or replacing any of them, without need to obtain permission from
17 or pay compensation to the owner of the property.

18 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
19 enacted.

CALL TO ORDER

INTRODUCTIONS

ROLL CALL

Present 5 - Member John T. Bullock, Member Kristerfer Burnett, Member Bill Henry, Member Shannon Sneed, and Member Zeke Cohen

Absent 2 - Member Isaac "Yitzy" Schleifer, and Member Ryan Dorsey

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0225

City Streets - Closing - Eastbourne Avenue and a Portion of Savage Street
For the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat 337-A-27A in the Office of the Department of Transportation; and providing for a special effective date.

Sponsors: City Council President (Administration)

A motion was made by Member Burnett, seconded by Member Henry, that this Ordinance be Recommended Favorably . The motion carried by the following vote:

Yes: 5 - Member Bullock, Member Burnett, Member Henry, Member Sneed, and Member Cohen

Absent: 2 - Member "Yitzy" Schleifer, and Member Dorsey

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

CATHI RINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: CC 18-0225

Ordinance – City Streets – Closing– Eastbourne Avenue and a Portion of Savage Street

Committee: Housing and Urban Affairs
Chaired By: Councilmember John Bullock

Hearing Date: November 13, 2018
Time (Beginning): 3:40 PM
Time (Ending): 3:43 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: 19
Committee Members in Attendance:
John Bullock Shannon Sneed
Kristofer Burnett
Bill Henry
Zeke Cohen

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Certification of advertising/posting notices in the file?.....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Burnett		
Seconded by:	Councilmember Henry		
Final Vote:	Favorable		

Major Speakers

(This is not an attendance record.)

- David Framm - Department of Transportation
-
-

Major Issues Discussed

1. The 330 PM Hearing continued and the Chair announced that bill 18-0224 and 18-0225 would be heard simultaneously
 2. These bills are designed to transfer a tiny piece of property in southeast Baltimore for private development.
 3. The Bill passed on a 5-0 vote with 2 Members absent.
-

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

J. Bullock:..... Yea
 K. Burnett: Yea
 S. Sneed: Yea
 Z. Cohen: Yea
 B. Henry: Yea
 :
 :
 :
 :
 :
 :
 :
 :
 :
 :
 :

Richard G. Krummerich, Committee Staff

Date: 11-14-18

cc: Bill File
 OCS Chrono File



**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Committee: * Housing and Urban Affairs

Chairperson: * Jo

Date: November 13, 2018

Time: 3:40 PM

Place: * Council Chambers

Subject: * - Ordinance – City Streets – Closing – Eastbourne Avenue and a Portion of Savage Street

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS
John	Doe	100	North Charles Street	21202	Johndoebmore@yahoo.com
DD010	Kawm	200	W. 16th St		DAVID.KAWM@BALTIMORE.GOV
Caroline	Hecker		25 S. Charles. 21 st Fl.	21201	checker@msb.org
Tyrrell	Dixon		HCPD		

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY BOARD OF ETHICS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730. FAX: 410-396-8483.



Faint, illegible text running vertically down the center of the page, possibly bleed-through from the reverse side.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Housing and Urban Affairs Committee

Tuesday, November 13, 2018

3:40 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0225

CALL TO ORDER

INTRODUCTIONS

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0225

City Streets - Closing - Eastbourne Avenue and a Portion of Savage Street
For the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat 337-A-27A in the Office of the Department of Transportation; and providing for a special effective date.

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



BILL SYNOPSIS

Committee: Housing and Urban Affairs

Bill CC 18-0225

Ordinance – City Streets – Closing - Eastbourne Avenue and a Portion of Savage Street

Sponsor: President Young (The Administration) *

Introduced: April 23, 2018

Purpose:

For the purpose of condemning and closing Eastbourne Avenue lying between Rappollo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it- as shown on Platt 337-A-27A in the Office of the Department of Transportation: and providing for a special effective date.

Effective: Upon enactment

Hearing Date/Time/Location: November 13, 2018 at 3:40 PM in the Council Chambers

Agency Reports

Department of Law	
Planning Commission	Favorable
Department of Housing and Community Development	No Objection
Department of Transportation	Favorable
Baltimore Development Corporation	Favorable

Analysis

Current Law

Article II Sections 2, 34 and 35 of the Baltimore City Charter establish a process for condemning streets. The final step in the process is enactment of an Ordinance of the Mayor and City Council.

Background

This is the companion legislation to CC 18-0244 and is designed to aid development in Southeast Baltimore. Three small lots are being transferred to an existing business. They are described as follows:

1. An approximately $\frac{1}{4}$ acre parcel near the intersection of Rappollo Street and Eastbourne Avenue.
2. An approximately $\frac{1}{2}$ acre parcel near the intersection of Savage Street and Holabird Avenue.
3. An approximately $\frac{2}{5}$ th acre parcel near the intersection of Savage Street and Eastbourne Avenue.

CC. 18-0225 condemns and closes the above described properties. Transfer will be made by separate Ordinance.

Additional Information

Fiscal Note: Not Available

Information Source(s): Bill File

Analysis by: Richard G. Krummerich *RL* Direct Inquiries to: 410-396-1266
Analysis Date: 11-8-18

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

APPROVED FOR FORM STYLE AND TEXTUAL SUFFICIENCY
4-17-18
DPT LEGISLATIVE REFERENCE

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing –
Eastbourne Avenue and a Portion of Savage Street**

FOR the purpose of condemning and closing Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, as shown on Plat 337-A-27A in the Office of the Department of Transportation; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Transportation shall proceed to condemn and close Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street, extending from the north side of Holabird Avenue northerly 659 feet, more or less, to the northernmost extremity of it, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Rappallo Street variable width and the south side of Eastbourne Avenue 60 feet wide, the point of beginning being distant Northerly 370 feet measured along the east side of Rappallo Street from the north side of Holabird Avenue 70 feet wide; thence binding on the east side of Rappallo Street Northerly 60 feet to the north side of Eastbourne Avenue; thence binding on the north side of Eastbourne Avenue Easterly 204.5 feet, more or less, to intersect the west side of Savage Street 60 feet wide; thence binding on the west of Savage Street Southerly 60 feet, to the south side of Eastbourne Avenue, and thence binding on the south side of Eastbourne Avenue Westerly 204.5 feet, more or less, to the place of beginning.

Containing 12,270 square feet or 0.281 acres, more or less.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

Beginning for Parcel No. 2 at the point formed by the intersection of the west side of Savage Street 60 feet wide, and the north side of Holabird Avenue 70 feet wide, the point of beginning being distant Easterly 204.5 feet measured along the north side of Holabird Avenue from the east side of Rappallo Street variable width; thence leaving the north side of Holabird Avenue and binding on the west side of Savage Street, Northerly 370 feet, to the south side of Eastbourne Avenue; thence binding on the south side of Eastbourne Avenue, so projected easterly Easterly 60 feet to the east side of Savage Street; thence binding on the east side of Savage Street Southerly 370 feet to intersect the north side of Holabird Avenue and thence binding on the north side of Holabird Avenue Westerly 60 feet to the place of beginning.

Containing 22,200 square feet or 0.509 acres, more or less.

Beginning for Parcel No. 3 at the point formed by the intersection of the west side of Savage Street 60 feet wide, and the south side of Eastbourne Avenue 60 feet wide, the point of beginning being distant Easterly 204.5 feet measured along the south side of Eastbourne Avenue from the east side of Rappallo Street variable width; thence binding on the west side of Savage Street Northerly 289 feet, more or less, to the northernmost extremity of it; thence binding on the northernmost extremity of it, so projected easterly, Easterly 60 feet to the east side of Savage Street; thence binding on the east side of Savage Street Southerly 289 feet, more or less, to the south side of Eastbourne Avenue, so projected easterly, and thence binding on the south side of Eastbourne Avenue so projected easterly, Westerly 60 feet to the place of beginning.

Containing 17,340 square feet or 0.398 acres, more or less.

As delineated on Plat 337-A-27A, prepared by the Survey Section and filed on January 17, 2018, in the Office of the Department of Transportation.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of Eastbourne Avenue, lying between Rappallo Street and Savage Street, and a portion of Savage Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Transportation and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

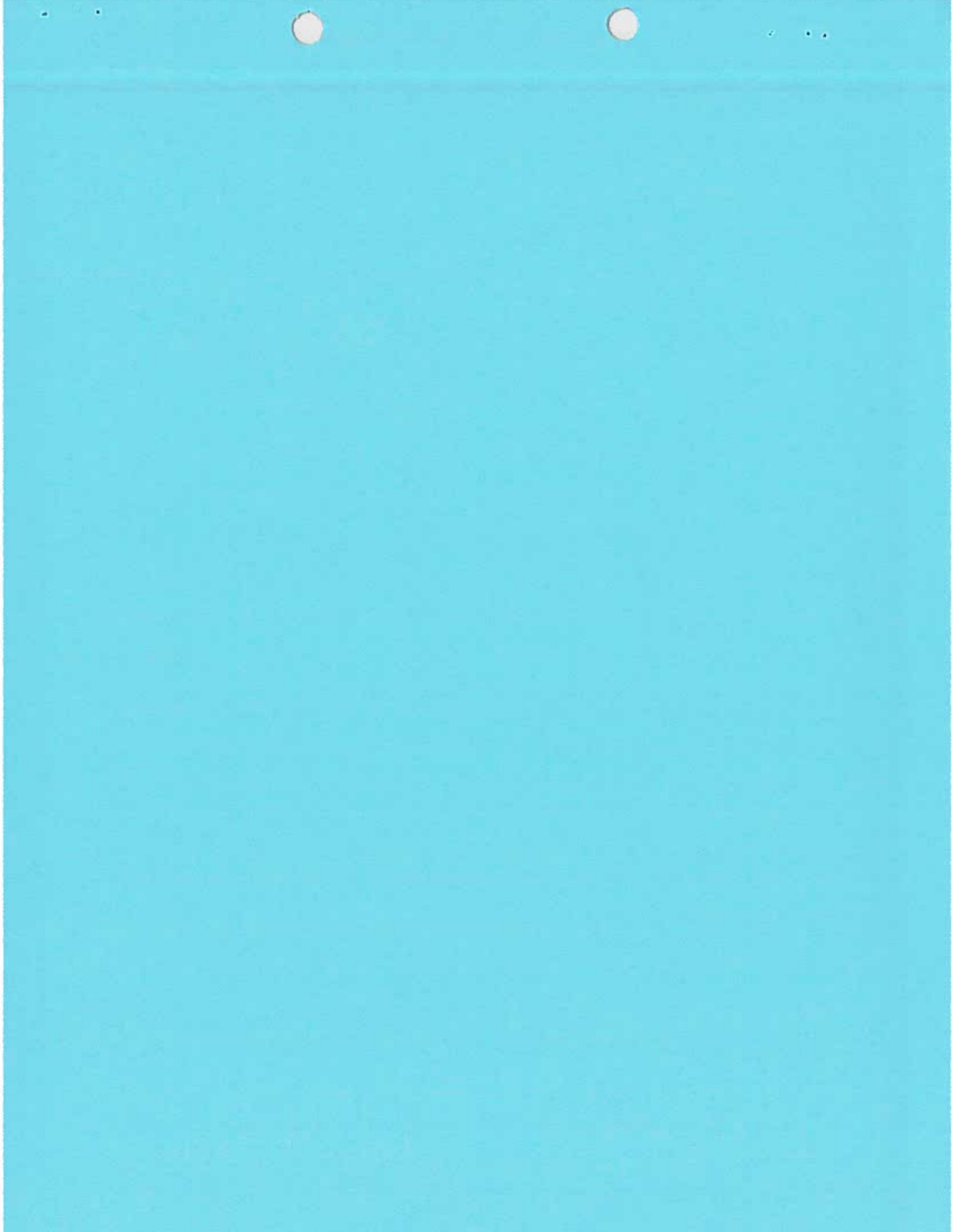
SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and

relaid in accordance with the specifications and under the direction of the Director of Transportation of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.



ACTION BY THE CITY COUNCIL

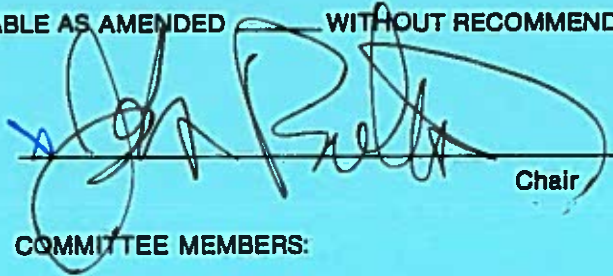
APR 23 2018

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON 11-13 _____ 20 18

COMMITTEE REPORT AS OF 11-19 _____ 20 18

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION


Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

NOV 19 2018

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ DEC 03 2018

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

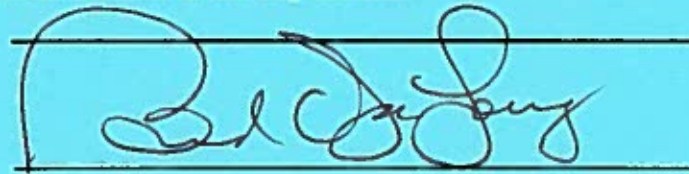
THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

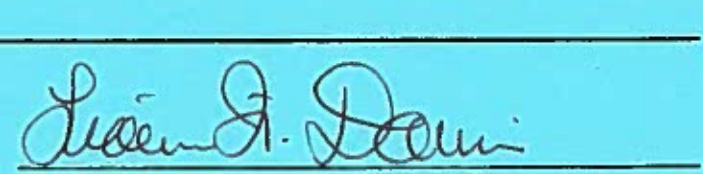
THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.



President



Chief Clerk