


<b>FROM</b>	<b>NAME &amp; TITLE</b>	<b>THOMAS J. STOSUR, DIRECTOR</b>	CITY of <b>BALTIMORE</b> <b>MEMO</b>	
	<b>AGENCY NAME &amp; ADDRESS</b>	<b>DEPARTMENT OF PLANNING 8<sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET</b>		
	<b>SUBJECT</b>	<b>CITY COUNCIL BILL#15-0598/ CITY STREETS – CLOSING – THE BEDS OF BERLIN STREET, ONTARIO AVENUE, WEST HAMBURG STREET, AND 2 10-FOOT ALLEYS</b>		

**TO**

DATE:

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

January 22, 2016

At its regular meeting of January 21, 2016, the Planning Commission considered City Council Bill #15-0598, for the purpose of condemning and closing the beds of Berlin Street, Ontario Avenue, West Hamburg Street, and 2 10-foot alleys lying between the Gwynns Falls, Wicomico Street, Little Market Street, and Berlin Street in Mount Winans, as shown on Plat 101-C-60A in the Office of the Department of Transportation; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #15-0598 and adopted the following resolution, nine members being present (nine in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #15-0598 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA/ch

Attachment

- cc: Ms. Kaliopé Parthemos, Chief of Staff  
 Mr. Colin Tarbert, Deputy Mayor for Economic and Neighborhood Development  
 Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development  
 Ms. Angela Gibson, Mayor's Office  
 The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission  
 Mr. David Tanner, BMZA  
 Mr. Geoffrey Veale, Zoning Administration  
 Ms. Sharon Daboin, DHCD  
 Ms. Elena DiPietro, Law Dept.  
 Mr. David Framm, DOT  
 Ms. Natawna Austin, Council Services



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

**January 21, 2016**

**REQUEST:** City Council Bill #15-0598- City Streets – Closing – The Beds of Berlin Street, Ontario Avenue, West Hamburg Street, and 2 10-Foot Alleys

**RECOMMENDATION:** Approval

**STAFF:** Christina Hartsfield

**COMPREHENSIVE PLANNER:** Brent Flickinger

**PETITIONER:** The Administration (Department of Transportation)

**OWNER(S):** Decker Salvage Co., Inc.

#### **SITE AREA**

**Site Conditions:** The subjects of this bill are six parcels, identified as Parcels 1-6 on the accompanying plat, that are improved as either a city street or an alley. These parcels include two portions of Ontario Avenue, portions of West Hamburg Street and Berlin Street, and two alleys. They are publicly accessible streets but in some areas are indistinguishable from the property and operations of Decker's Salvage Co., Inc., which is effectively a scrap recycling facility.

#### **ANALYSIS**

The subject parcels are sited among Decker's Salvage Co., Inc., which controls all of the properties abutting the street parcels. Since property lines were drawn to the centerline of the streets when the property plats were recorded, Decker's Salvage effectively already owns the street beds. However, the streets have remained open and publicly accessible.

Decker's Salvage has posed significant environmental dangers because of the nature of its operations and its location in the Chesapeake Bay Critical Area and the Floodway. The company was also cited for illegal dumping. For these reasons, the City has been working with the owner to clean the site, remediate the environmental hazards, and relocate the operations out of the Critical Area and Floodway. On October 11, 2012, the City and Decker Salvage Co., Inc. entered into a Memorandum of Understanding (MOU) to facilitate the improvement of the site.

The proposed street closings are consistent with agreements in the MOU, whereas the City agreed to initiate and seek approval for the closing of portions of Ontario, Hamburg and Berlin Streets that would result in conveyance of said streets to Decker and/or for any interim license agreement. Closing and conveying these parcels would allow the owner to consolidate the entire site and execute the development plan as outlined in the MOU. This action would also add the properties back to the City's tax roll.

It is staff's finding that since Decker's Salvage Co., Inc. is the owner of all of the properties abutting the subject streets and alleys, those parcels are no longer needed to provide public access or for public purposes. The City will maintain the right to service existing utilities beneath the street beds. Staff recommends that the Planning Commission support legislation for the street closures.

### **CONFORMITY TO PLANS**

**Comprehensive Master Plan:** This proposed street closing is compatible with the Comprehensive Master Plan for Baltimore City, specifically:

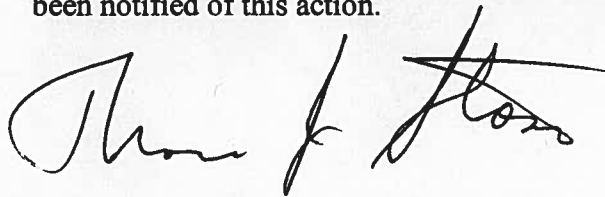
LIVE

Goal 2: Elevate the Design and Quality of the City's Built Environment

*Objective 5:* Improve Water Quality and the Environmental Sustainability of the Chesapeake Bay

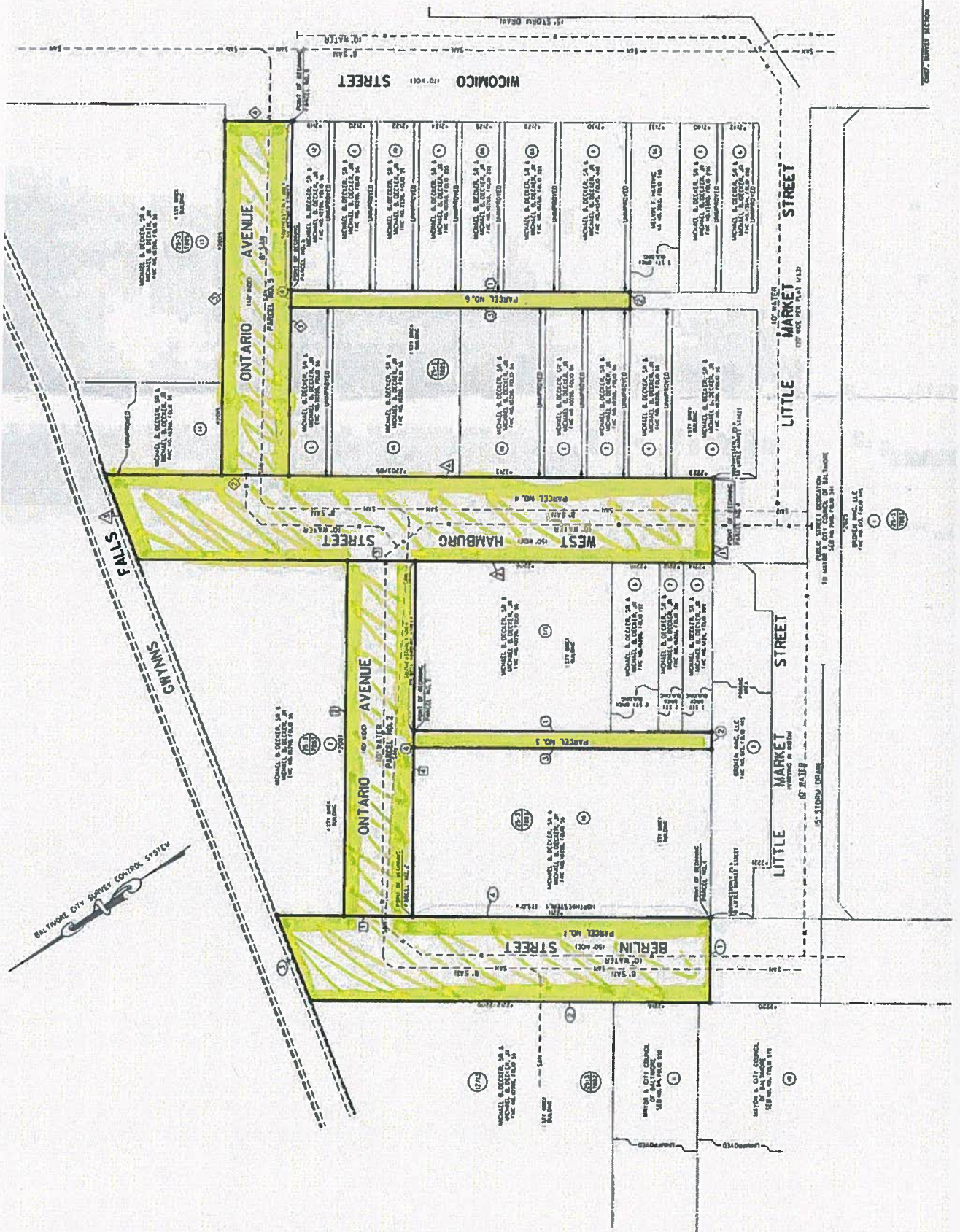
### **COMMUNITY NOTIFICATION**

The owners of 2132 Wicomico Street, 2121 Wicomico Street, and 2025 Little Market Street have been notified of this action.



**Thomas J. Stosur**  
**Director**

Figure 1. Plat Map with Street Parcels Highlighted



CCB #15-0598/ City Streets – Closing – The Beds of Berlin Street, Ontario Avenue, West Hamburg Street, and 2 10-Foot Alleys