


TJS

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #14-0320/ ACQUISITION OF PROPERTY - BALTIMORE RED LINE TRANSIT PROJECT		

**TO**

DATE: April 4, 2014

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

At its regular meeting of April 3, 2014, the Planning Commission considered City Council Bill #14-0320, for the purpose of authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain property or portions of property, together with all right, title, interest, and estate that the owner or owners of the property have in all streets, alleys, ways, or lanes, public or private, contained within or abutting the whole area described or contained within the perimeter of the area, being situated in Baltimore City, and needed for the Baltimore Red Line Transit Project; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #14-0320 and adopted the following resolution; eight members being present (eight in favor).

**RESOLVED**, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #14-0320 be amended and 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

**Attachment**

- cc: Ms. Kaliope Parthemos, Deputy Chief for Economic and Neighborhood Development
- Mr. Alex Sanchez, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
- Mr. William Johnson, DOT
- Ms. Barbara Zektick, DOT
- Ms. Sharon Daboin, DHCD
- Ms. Elena DiPietro, Law Dept.
- Ms. Karen Randle, Council services
- Mr. Henry Kay, MTA



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

**April 3, 2014**

#### **REQUEST:**

- City Council Bill #14-0319 - Franchise - Baltimore Red Line
- City Council Bill #14-0320 - Acquisition of Property - Baltimore Red Line Transit Project

#### **RECOMMENDATIONS:**

- City Council Bill #14-0319 (Franchise): Approval
- City Council Bill #14-0320 (Acquisition of Property): Amendment and approval.
  - Amend to include reference to property acquisition map drawings dated July 2013.

**STAFF:** Kyle Leggs

**PETITIONER(S):** The Administration (Baltimore City Department of Transportation)

#### **SITE/GENERAL AREA**

##### Site /General Area:

The general project area covers an approximate 14 mile east-west alignment corridor that extends from western Baltimore County through the downtown central business district to the eastern edge of Baltimore City. Approximately 10 miles of the project is located in Baltimore City and approximately 4 miles in Baltimore County.

#### **CONFORMITY TO PLANS**

The proposed Red Line Light Rail Transit project is consistent with the goals and objectives of the Baltimore City Comprehensive Master Plan, specifically:

- LIVE Goal 3 - Improve transportation access, accessibility and choice for residents.
- LIVE Goal 2, Objective 3: Promote transit oriented development (TOD) and mixed-use development to reinforce neighborhood centers and main streets.
- EARN Goal 3 - Improve access to jobs and transportation linkages between businesses.
- PLAY Goal 1, Objective 3: Enhance accessibility to historical and cultural resources through transportation improvements.
- LEARN Goal 4 - Ensure safe and convenient transportation to and from educational facilities; and Objective 2: Encourage the use of public transit to travel to schools.

The Red Line Light Rail Transit project is also consistent with the City of Baltimore's Sustainability Plan and Climate Action Plan where in, "Effective and efficient public transportation can reduce living costs, create jobs, clean the environment, foster energy independence, and improve quality of life." Also by..."Capitalizing on Baltimore's existing network, targeting improvements, and redeveloping in a transit-oriented fashion will allow Baltimore to meet the transportation needs of residents in a sustainable way."

## **ANALYSIS**

The Red Line light rail transit (LRT) line is a proposed east-west line that would connect the Centers for Medicare & Medicaid Services in Woodlawn, Edmondson Village, West Baltimore, downtown Baltimore, Inner Harbor East, Fell's Point, Canton, and the Johns Hopkins Bayview Medical Center campus. The Red Line would operate parallel to, or on or under Interstate Highway 70 and U.S. Route 40 on the west, several arterial streets in Downtown Baltimore, and the Norfolk Southern railroad right-of-way on the east end of the route. Most of the alignment is proposed to be a dedicated transit way in the median of existing streets, with major elements of the project to include approximately 4 miles of tunnel through downtown and 1 mile of tunnel under Cooks Lane. The project will also include a dedicated and fixed guideway, with 19 stations (15 Stations of which are to be located in Baltimore City), 5 of which are underground, and an operations and maintenance facility. There will be 14 at-grade stations, 5 park- and-ride facilities with 2,900 spaces, and approximately 26 light rail vehicles. Service is to be provided 20 hours per day every 10 minutes during peak periods and every 15 minutes during off-peak periods.

The Red Line project is intended to improve system connectivity, transportation choices, mobility in the corridor, support economic development efforts, and help improve regional air quality.

The Red Line project is proposed to:

- Improve transit efficiency by reducing travel times for transit trips
- Increase transit accessibility by providing improved transit access to major employment and activity centers
- Provide transportation choices for east-west commuters by making transit a more attractive option
- Enhance connections among existing transit routes
- Support community revitalization and economic development opportunities
- Help the region improve air quality by increasing transit use and promote environmental stewardship

### **City Council Bill #14-0319 (Franchise)**

This bill will grant franchise rights to the Maryland Transit Administration (MTA) of the Department of Transportation of the State of Maryland for the location, construction,

operation, and maintenance of a Red Line Light Rail System within the boundaries of the City of Baltimore. This will authorize the MTA to make use of certain streets and other public areas within the City of Baltimore, in accordance with the franchise agreement limits prepared by the MTA of the State of Maryland and filed with the Department of Transportation of Baltimore City on January 13, 2014.

Franchise rights will authorize the MTA to build, locate and construct a Red Line with one or more tracks with stations and station platforms, switches, overhead structures and catenary systems, traction power substations, tunnels, underground stations with street level access, portals, ventilation structures, etc. in the City right-of-way.

This ordinance is also a requirement of the Federal Transit Administration (FTA) wherein the Mayor and City Council of Baltimore acknowledges that pursuant to grant requirements for funding, the MTA must demonstrate and retain satisfactory continuing control over rights-of way upon which the Red Line - Light Rail Line, will operate. Additionally, this ordinance will grant the MTA the ability to advertise construction packages and issue the required Notices to Proceed for construction. Construction on the Red Line is planned to start in 2015, and the start of revenue operations is planned for 2022 with full service.

**City Council Bill #14-0320 (Acquisition of Property)**

This ordinance authorizes the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain property or portions of property, together with all right, title, interest, and estate that the owners of the property have in all streets, alleys, ways, or lanes, public or private, contained within or abutting the whole area described or contained within the perimeter of the area, being situated in Baltimore City, and needed for the Baltimore Red Line Transit Project. Specific properties within the Red Line Corridor are identified in Exhibit A as listed in City Council Bill #14-0320.

The Red Line Transit Project is a major construction project that requires additional property to widen certain roadways, establish construction staging areas, construct stations and underground tunnels, guideways, power stations, and an operations and maintenance facility. Some locations will require the purchase of private property, and in many cases, the property will only be a few feet wide. There are ten acquisitions of commercial or industrial properties in their entirety. The majority of the property as identified in Exhibit A, (in the bill text starting on pages 4-26 ) will fall into the category of either a subterranean easement, temporary construction easement, or partial property acquisition & temporary construction (Front/Rear/Side of Property). Any damaged property is to be repaired or replaced. Improvements will also include streetscapes and roadway resurfacing to restore and enhance neighborhoods aesthetics.

There has been ongoing public involvement in the Red Line process since 2007. In October of 2013, impacted property owners were notified of the proposed acquisition(s). Most recently, a public information meeting was held by the MTA and the Baltimore City Department of Transportation on March 26<sup>th</sup> in the office of the Baltimore City Department of Planning for any and all property owners who received a notice regarding property acquisition.

All property acquisition costs are to be paid by the MTA, and not the City of Baltimore. Property acquisitions will also be reviewed by the Housing and Land Resources Division of the Baltimore Housing Department. In instances where negotiations fail, and the property is needed for either the MTA, or to expand the City right-of-way, property files will be transferred to the City of Baltimore and the City's Law Department and Department of Housing will move forward with "quick take" proceedings. This will enable title acquisition while negotiations continue with property owners as to compensation, and at the same time protecting the Red Line project schedule and cost. More importantly, by State law, there will be no involuntary residential displacements to build the Red Line.

It should be further noted that in order for the Maryland Transit Administration (MTA) to secure final approval to advertise the Red Line for construction, federal law requires that the MTA demonstrate "satisfactory continuing control", such as fee simple ownership, perpetual easement, and other property interests for all property necessary to construct and operate the line. The MTA will also need to demonstrate control of the right-of-way for favorable action from the FTA on the Full Funding Grant Agreement.

As part of this action, staff recommends that City Council Bill #14-320 be amended to include reference to the property acquisition map drawings dated July 2013. This will provide increased clarity for property owners.

**Notifications:**

The Baltimore City Department of General Services in conjunction with the Maryland Transit Administration notified all property owners affected by this action of the informational meeting, this hearing and the city council hearing.

In addition, the following community organizations have been notified of this hearing: Bayview Community Association, Greektown Community Development Association, Brewer's Hill Community Association, Fells Point Task Force, Canton Community Association, Westside Renaissance Association, Market Center Merchants Association, Downtown Partnership of Baltimore, Harlem Park Neighborhood Association, Poppelton People United, Hollins Round House, UMAB Bio Park, Midtown Edmondson Improvement Association, West Baltimore Strategic Alliance, Fayette Street Outreach Organization, Rosemont Homeowners and Tenants Association, Franklinton Road Neighborhood Association, Evergreen Protective Association, West Baltimore MARC TOD Transportation Inc., Edmondson Village Community Association, Lower Edmondson Village Community Association, Edgewood Community Association, Lyndhurst Community Association, Allendale Community Association, Rognel Heights Community Association, Uplands Community Association and Southwest Development Committee, Hunting Ridge Community Assembly, Ten Hills Community Association, Greater West Hills Community Association, Westgate Community Association, Franklinton Community Association.



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