

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

Prepared by: Department of Legislative Reference **Date:** January 2, 2018

Referred to: **HOUSING AND URBAN AFFAIRS** Committee

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

CITY COUNCIL 18-0175

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing –
All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue,
East Chase Street, and Fallsway**

FOR the purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A 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

<input type="checkbox"/> Baltimore City Public School System	<input checked="" type="checkbox"/> Baltimore Development Corporation
<input checked="" type="checkbox"/> City Solicitor	<input checked="" type="checkbox"/> Department of Real Estate
<input type="checkbox"/> Comptroller's Office	<input type="checkbox"/> Department of Recreation and Parks
<input type="checkbox"/> Department of Audits	<input checked="" type="checkbox"/> Department of Transportation
<input type="checkbox"/> Department of Finance	<input type="checkbox"/> Fire Department
<input type="checkbox"/> Department of General Services	<input type="checkbox"/> Health Department
<input checked="" type="checkbox"/> Department of Housing and Community Development	<input type="checkbox"/> Mayor's Office of Employment Development
<input type="checkbox"/> Department of Human Resources	<input type="checkbox"/> Mayor's Office of Human Services
<input checked="" type="checkbox"/> Department of Planning	<input type="checkbox"/> Mayor's Office of Information Technology
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Office of the Mayor
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Police Department
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Boards and Commissions

<input type="checkbox"/> Board of Estimates	<input type="checkbox"/> Board of Ethics
<input type="checkbox"/> Board of Municipal and Zoning Appeals	<input type="checkbox"/> Board of Police Employees' Retirement System
<input type="checkbox"/> Comm. for Historical and Architectural Preservation	<input type="checkbox"/> Labor Commissioner
<input type="checkbox"/> Commission on Sustainability	<input type="checkbox"/> Parking Authority Board
<input type="checkbox"/> Employees' Retirement System	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Wage Commission
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Council Bill 18-0175

1 south side of East Biddle Street and thence binding on the south side of East
2 Biddle Street Easterly 66.0 feet, more or less, to the point of beginning.

3 Containing 21,054 square feet or 0.483 acres of land, more or less.
4 Beginning for Parcel No. 2 at the point formed by the intersection of the west side
5 of Brentwood Avenue 60 feet wide, and the north side of a 10-foot alley, the point
6 of beginning being distant Southerly 78.0 feet, more or less, measured along the
7 west side of Brentwood Avenue from the point formed by the intersection of the
8 west side of Brentwood Avenue and the south side of East Biddle Street 66 feet
9 wide; thence binding on the west side of Brentwood Avenue, Southerly 10.0 feet,
10 more or less, to intersect the south side of the 10-foot alley; thence binding on the
11 south side of the 10-foot alley Westerly 168.0 feet, more less, to intersect the east
12 side of Barclay Street 66 feet wide; thence binding on the east side of Barclay
13 Street Northerly 10 feet, more or less, to intersect the north side of the 10-foot
14 alley and thence binding on the north side of the 10-foot alley Easterly 168.0 feet,
15 more or less, to the point of beginning.

16 Containing 1,680 square feet or 0.039 acres of land, more or less.

17 Beginning for Parcel No. 3 at the point formed by the intersection of the east side
18 of a 10-foot alley and the south side of a second 10-foot alley, the point of
19 beginning being distant Westerly 84.0 feet, more or less, measured along the south
20 side of the second 10-foot alley from the point formed by the intersection of the
21 south side of the second 10-foot alley and the west side of Brentwood Avenue 60
22 feet wide; thence binding on the east side of the first 10-foot alley Southerly 131.0
23 feet, more or less, to intersect the north side of a third 10-foot alley; thence
24 binding on the north side of the third 10-foot alley Westerly 10.0 feet, more less,
25 to intersect the west side of the first 10-foot alley; thence binding on the west side
26 of the first 10-foot alley Northerly 131.0 feet, more or less, to intersect the south
27 side of the second 10-foot alley and thence binding on the south side of the second
28 10-foot alley Easterly 10.0 feet, more or less, to the point of beginning.

29 Containing 1,310 square feet or 0.030 acres of land, more or less.

30 Beginning for Parcel No. 4 at the point formed by the intersection of the west side
31 of Brentwood Avenue 60 feet wide, and the south side of a 10-foot alley, the point
32 of beginning being distant Northerly 90.0 feet, more or less, measured along the
33 west side of Brentwood Avenue from the point formed by the intersection of the
34 west side of Brentwood Avenue and the north side of East Chase Street 66 feet
35 wide; thence binding on the south side of the 10-foot alley Westerly 168.0 feet,
36 more or less, to intersect the east side of Barclay Street 66 feet wide; thence
37 binding on the east side of Barclay Street Northerly 10 feet, more or less, to
38 intersect the north side of the 10-foot alley; thence binding on the north side of the
39 10-foot alley Easterly 168.0 feet, more or less, to intersect the west side of
40 Brentwood Avenue and thence binding on the west side of Brentwood Avenue,
41 Southerly 10.0 feet, more or less, to the point of beginning.

42 Containing 1,680 square feet or 0.039 acres of land, more or less.

Council Bill 18-0175

1 Beginning for Parcel No. 5 at the point formed by the intersection of the south
2 side of East Biddle Street 66 feet wide, and the west side of Brentwood Avenue
3 60 feet wide, the point of beginning being distant Easterly 168.0 feet, more or
4 less, measured along the south side of East Biddle Street from the point formed by
5 the intersection of the south side of East Biddle Street and the east side of Barclay
6 Street 66 feet wide; thence binding on the south side of East Biddle Street Easterly
7 60.0 feet, more or less, to intersect the east side of Brentwood Avenue; thence
8 binding on the east side of Brentwood Avenue Southerly 324.2 feet, more or less,
9 to intersect the north side of East Chase Street 66 feet wide; thence binding on the
10 north side of East Chase Street Westerly 60.0 feet, more or less, to intersect the
11 west side of Brentwood Avenue and thence binding on the west side of
12 Brentwood Avenue Northerly 324.2 feet, more or less, to the point of beginning.

13 Containing 19,454 square feet or 0.447 acres of land, more or less.

14 Beginning for Parcel No. 6 at the point formed by the intersection of the south
15 side of a 10-foot alley and the east side of Brentwood Avenue 60 feet wide, the
16 point of beginning being distant Northerly 115.0 feet, more or less, measured
17 along the east side of Brentwood Avenue from the point formed by the
18 intersection of the east side of Brentwood Avenue and the north side of East
19 Chase Street 66 feet wide; thence binding on the east side of Brentwood Avenue,
20 Northerly 10.0 feet, more or less, to intersect the north side of the 10-foot alley;
21 thence binding on the north side of the 10-foot alley, Easterly 74.3 feet, more or
22 less, to intersect the west side of a 10-foot Alley; thence binding on the west side
23 of the second 10-foot alley Southerly 10.0 feet, more or less, to intersect the south
24 side of the first 10-foot alley and thence binding on the south side of the first 10-
25 foot alley, Westerly 75.0 feet, more or less, to the point of beginning.

26 Containing 747 square feet or 0.017 acres of land, more or less.

27 Beginning for Parcel No. 7 at the point formed by the intersection of the east side
28 of a 10-foot alley and the south side of East Biddle Street 66 feet wide, the point
29 of beginning being distant Westerly 60.0 feet, more or less, measured along the
30 south side of East Biddle Street from the point formed by the intersection of the
31 south side of East Biddle Street and the west side of Forrest Street 50 feet wide;
32 thence binding on the east side of the 10-foot alley Southerly 252.8 feet, more or
33 less, to the southernmost extremity of the 10-foot alley thereof; thence binding on
34 the southernmost extremity of the 10-foot alley Westerly 10 feet, more or less, to
35 intersect the west side of the 10-foot alley; thence binding on the west side of the
36 10-foot alley Northerly 252.8 feet, more or less, to intersect the south side of East
37 Biddle Street and thence binding on the south side of East Biddle Street Easterly
38 10.0 feet, more or less, to the point of beginning.

39 Containing 2,528 square feet or 0.058 acres of land, more or less.

40 Beginning for Parcel No. 8 at the point formed by the intersection of the west side
41 of Forrest Street 50 feet wide and the south side of East Biddle Street 66 feet
42 wide, the point of beginning being distant Easterly 131.0 feet, more or less,
43 measured along the south side of East Biddle Street from the point formed by the
44 intersection of the south side of East Biddle Street and the east side of Brentwood

Council Bill 18-0175

1 Avenue 60 feet wide; thence binding on the south side of East Biddle Street
2 Easterly 50.6 feet, more or less, to intersect the east side of Forrest Street; thence
3 binding on the east side of Forrest Street Southerly 328.1 feet, more or less, to
4 intersect the north side of East Chase Street 66 feet wide; thence binding on the
5 north side of East Chase Street Westerly 50.6 feet, more or less, to intersect the
6 west side of Forrest Street and thence binding on the west side of Forrest Street
7 Northerly 328.1 feet, more or less, to the point of beginning.

8 Containing 16,405 square feet or 0.377 acres of land, more or less.

9 Beginning for Parcel No. 9 at the point formed by the intersection of the east side
10 of Forrest Street 50 feet wide, and the north side of a 10-foot alley, the point of
11 beginning being distant Southerly 75.0 feet, more or less, measured along the east
12 side of Forrest Street from the point formed by the intersection of the east side of
13 Forrest Street and the south side of East Biddle Street 66 feet wide; thence binding
14 on the north side of the 10-foot alley Easterly 93.4 feet, more or less, to intersect
15 the west side of Nursery Place varying in width; thence binding on the west side
16 of Nursery Place Southerly 10.1 feet, more less, to intersect the south side of the
17 10-foot alley; thence binding on the south side of the 10-foot alley Westerly 93.4
18 feet, more or less, to intersect the east side of Forrest Street and thence binding on
19 the east side of Forrest Street Northerly 10.1 feet, more or less, to the point of
20 beginning.

21 Containing 934 square feet or 0.021 acres of land, more or less.

22 Beginning for Parcel No. 10 at the point formed by the intersection of the east side
23 of Nursery Place, varying in width, and the south side of East Biddle Street 66 feet
24 wide, the point of beginning being distant Westerly 120.0 feet, more or less,
25 measured along the south side of East Biddle Street from the point formed by the
26 intersection of the south side of East Biddle Street and the west side of
27 Greenmount Avenue 66 feet wide; thence binding on the east side of Nursery
28 Place Southerly 328.1 feet, more or less, to intersect the north side of East Chase
29 Street 66 feet wide; thence binding on the north side of East Chase Street
30 Westerly 12.1 feet, more or less, to intersect the west side of Nursery Place;
31 thence binding on the west side of Nursery Place the 7 following courses and
32 distances Northerly 205.9 feet, more or less, Westerly 6.6 feet, more or less,
33 Northerly 7.2 feet, more or less, Easterly 1.6 feet, more or less, Northerly 15.0
34 feet, more or less, Westerly 1.6 feet, more or less, Northerly 100.0 feet, more or
35 less, to intersect to the south side of East Biddle Street and thence binding on the
36 south side of East Biddle Street Easterly 18.7 feet, more or less, to the point of
37 beginning.

38 Containing 4,711 square feet or 0.108 acres of land, more or less.

39 As delineated on Plat 331-A-14A, prepared by the Survey Section and filed on June 21, 2017, in
40 the Office of the Department of Transportation.

41 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
42 closing of all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase
43 Street, and Fallsway and the rights of all interested parties shall be regulated by and in

Council Bill 18-0175

1 accordance with all applicable provisions of state and local law and with all applicable rules and
2 regulations adopted by the Director of Transportation and filed with the Department of
3 Legislative Reference.

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

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

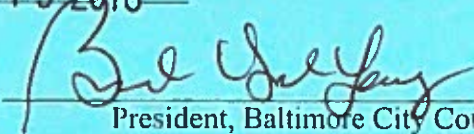
18 **SECTION 5. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
19 subsurface structures and appurtenances owned by any person other than the Mayor and City
20 Council of Baltimore shall be removed by and at the expense of their owners, promptly upon
21 notice to do so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

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

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

Council Bill 18-0175

Certified as duly passed this _____ day of NOV 19 2018



President, Baltimore City Council

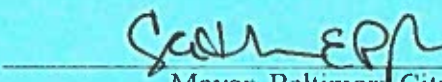
Certified as duly delivered to Her Honor, the Mayor,

this _____ day of NOV 19 2018



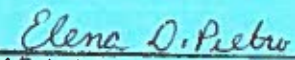
Chief Clerk

Approved this 13 day of December, 2018



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 6th Day of December 2018



Chief Solicitor

BALTIMORE CITY COUNCIL
Housing And Urban Affairs Committee
VOTING RECORD

DATE: 10-23-18


BILL#CC: 18- 0175 BILL TITLE: Ordinance – City Streets - Closing – All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway

MOTION BY: SNEED **SECONDED BY:** BURNETT

- 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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TOTALS	<u>7</u>	<u>0</u>		

CHAIRPERSON: John Bullock
COMMITTEE STAFF: Richard G. Krummerich, Initials: RK

F R O M	NAME & TITLE	Michelle Pourciau, Director <i>MP</i>	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 18-0175		

TO Mayor Catherine E. Pugh

DATE: 10/23/18

TO: Housing and Urban Affairs Committee
 FROM: Department of Transportation
 POSITION: Support
 RE: Council Bill – 18-0175

INTRODUCTION – City Streets – Closing – All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway.

PURPOSE/PLANS – For the purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Play 331-A-14A in the Office of the Department of Transportation; and providing for a special effective date.

AGENCY/DEPARTMENT POSITION –
 The Department of Transportation **SUPPORTS** City Council 18-0175

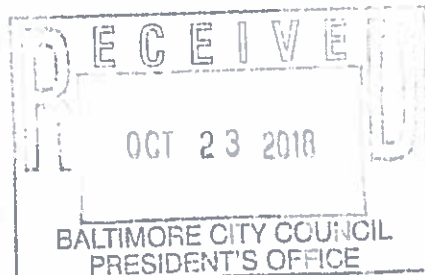
If you have any questions, please do not hesitate to contact Josh Taylor at Josh.Taylor@baltimorecity.gov, 443-604-3352.

Sincerely,

Michelle Pourciau

Michelle Pourciau
 Director

A



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, CITY SOLICITOR
100 N. Holliday Street
Suite 101, City Hall
Baltimore, Maryland 21202

October 16, 2018

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 18-0175 – City Streets – Closing – All Streets and Alleys
Bounded by East Biddle Street, Greenmount Avenue, East Chase Street,
and Fallsway

Dear President and City Council Members:

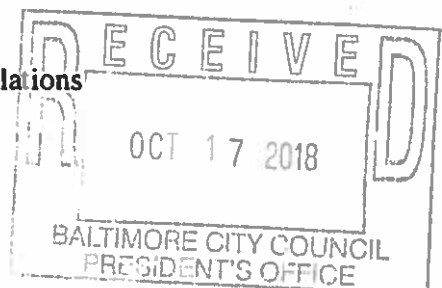
The Law Department has reviewed City Council Bill 18-0175 for form and legal sufficiency. The bill would allow the City to condemn and close all streets and alleys Bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A in the Office of the Department of Transportation. The bill also provides for a special effective date.

Section (34)(a) of Article II of the City Charter grants the Mayor and City Council the power to “construct, open, extend, widen, straighten or close streets, bridges, tunnels or approaches to them and other public ways of every kind within the bounds of the City.” Section 116(b)(2) of Article VII of the City Charter requires the Department of Transportation to prepare all ordinances for the opening and closing of streets. As this bill conforms to the applicable sections of the Charter, the Law Department approves it for form and legal sufficiency.

Sincerely,

Ashlea H. Brown
Assistant Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Tervalva, Chief Solicitor



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: June 11, 2018

Re: City Council Bill 18-0175 - City Streets – Closing – All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway

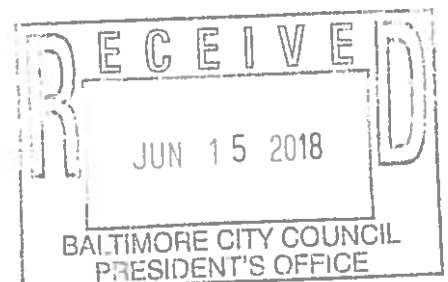
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0175, for the purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A in the Office of the Department of Transportation; and providing for a special effective date.

If enacted, this bill would support the consolidation of properties to assist with blight elimination efforts in the Johnston Square neighborhood. The streets and alleys that are proposed for closing are surrounded by properties that are currently owned by the City, in the process of being purchased by the City and/or are vacant lots or unoccupied structures that no longer serve a need for use by the public.


The Department of Housing and Community Development strongly encourages the passage of City Council Bill 18-0175.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



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 #18-0175 / CITY STREETS - STREETS AND ALLEYS BOUND BY BIDDLE, GREENMOUNT, CHASE, AND FALLSWAY		

DATE: February 2, 2017

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

At its regular meeting of February 1, 2018, the Planning Commission considered City Council Bill City #18-0175, for the purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A 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 #18-0175 and adopted the following resolution, seven members being present (seven in favor).

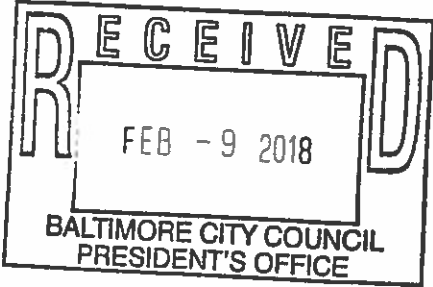
RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #18-0175 be passed by the City Council.

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


TJS/ET

Attachment

- 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
- The Honorable Edward Reisinger, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Mr. Patrick Fleming, DOT
- Ms. Elena DiPietro, Law Department
- Ms. Natawna Austin, Council Services
- Mr. Francis Burnszynski, PABC
- Ms. Catherine Zoppo, Real Estate



F

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	Street Closing/ Closing of Several Streets and Alleys Lying in Blocks 1165B, 1166, 1167, 1168 - Johnston Square		

TO

DATE:

Ms. Michelle Pourciau, Director
 Department of Transportation
 417 East Fayette Street, Benton Building

September 29, 2017

This is to inform you that on September 28, 2017, the Planning Commission, finding no further public need, recommended approval to close several streets and alleys lying in blocks 1165B, 1166, 1167, 1168 within the Johnston Square neighborhood. The specific streets and alleys are identified in the attached staff report.

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: Mr. Pete Hammen, Chief Operations Officer
 Mr. Jim Smith, Chief of Strategic Alliances
 Ms. Karen Stokes, Mayor's Office
 Mr. Kyron Banks, Mayor's Office
 The Honorable Edward Reisinger, Council Rep. to Planning Commission
 Ms. Marcia Collins, DPW
 Mr. David Framm, DOT
 Mr. Francis Burnszynski, PABC



*Catherine E. Pugh
Mayor*

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



*Thomas J. Stosur
Director*

September 28, 2017

REQUESTS: Street Closing/Closing of Several Streets and Alleys Lying in Blocks 1165B, 1166, 1167, and 1168 (Barclay St., Brentwood Ave., Forrest St., Nursery Pl., and associated alleyways between E. Biddle St. and E. Chase St.)

RECOMMENDATION: Approval

STAFF: Matthew DeSantis, AICP

PLANNING DISTRICT: Eastern

PETITIONER: Baltimore Housing (DHCD)

OWNER: The Mayor and City Council

SITE/GENERAL AREA

Site Conditions: The majority of the properties adjacent to these proposed streets and alleys to be closed are vacant lots. There are extant, vacant rowhomes on E. Biddle Street between Barclay Street and Brentwood Avenue and also between Forrest Street and Nursery Place. There are also three extant rowhomes located on Brentwood Avenue.

General Area: The streets/alleys proposed to be closed are located in the Johnston Square neighborhood in East Baltimore. The area is roughly bounded by the Jones Falls Expressway to the west, E. Biddle Street to the north, Greenmount Avenue to the west, and E. Chase Street to the south.

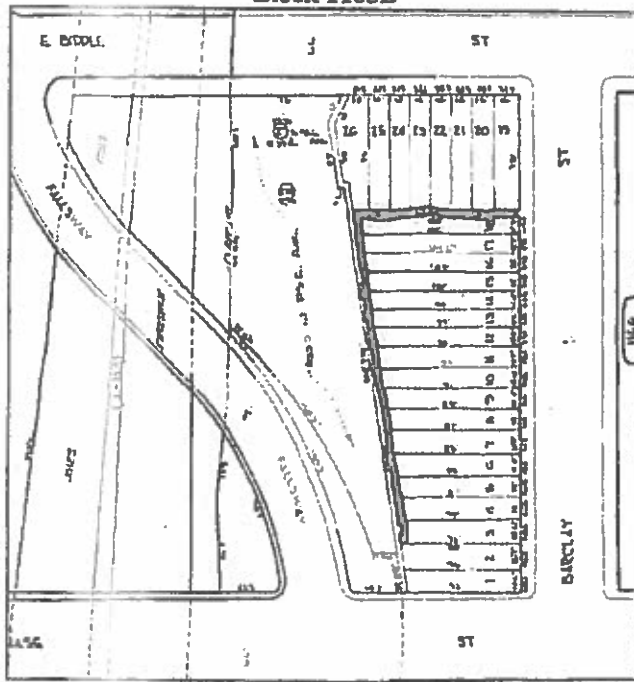
HISTORY

~~There are no previous legislative or Planning Commission actions regarding this site.~~

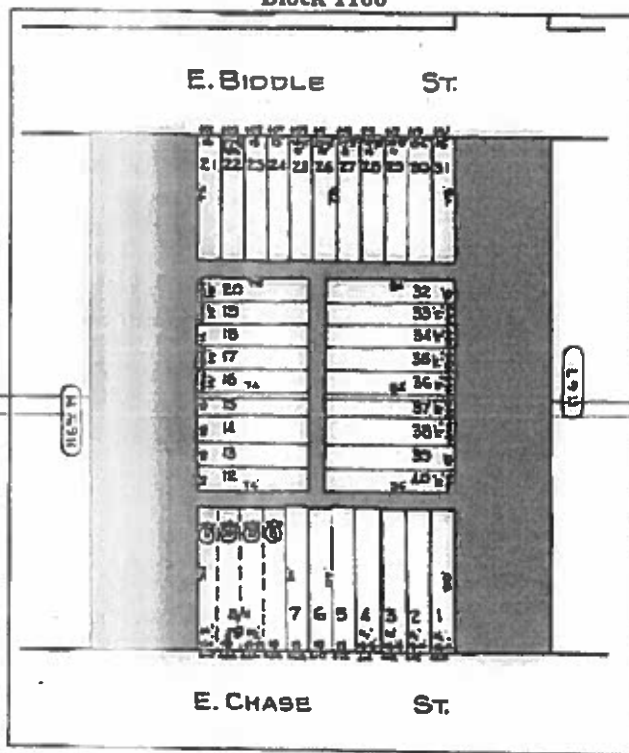
ANALYSIS

Proposal: The Department of Housing and Community Development (DHCD) has requested the Department of Transportation to close several streets and alleys lying in blocks 1165B, 1166, 1167, and 1168 as indicated on the plats below:

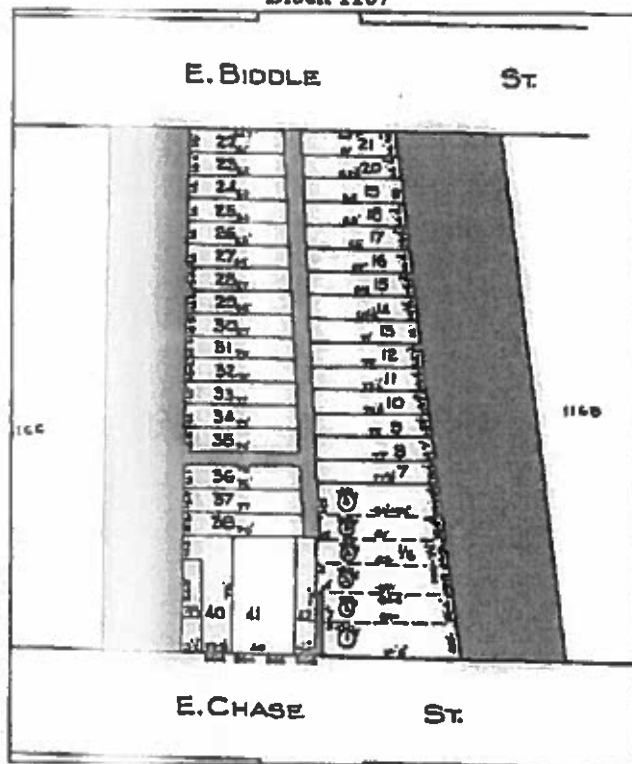
Block 1165B



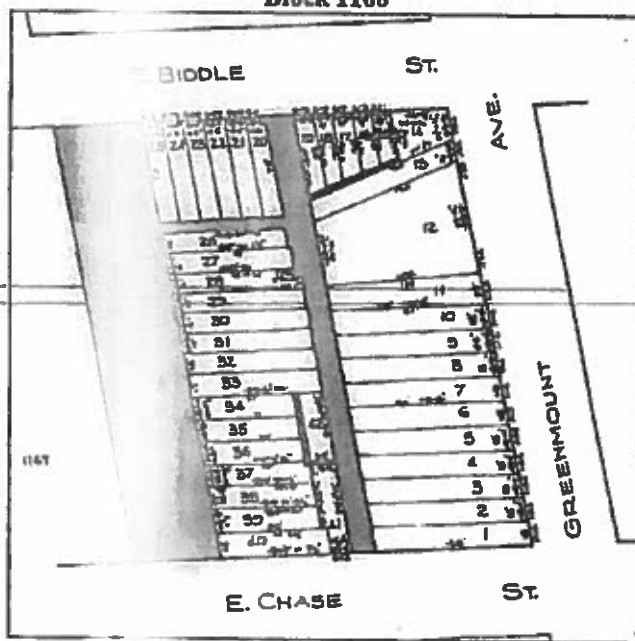
Block 1166



Block 1167



Block 1168



The majority of the properties adjacent to the streets and alleys proposed to be closed are owned by the Mayor and City Council. This is the result of many years of active acquisition on the part of the City in effort to reduce blight and consolidate parcels for future redevelopment. The Johnston Square neighborhood has seen much recent redevelopment activity, from the completed Lillian Jones apartment building, the recent closing of Proctor Street in order to facilitate a future residential project, and the closing of alleyways in the proximity of Ambrose Kennedy Park in order to enable its renovation and expansion.

The City has been actively pursuing the outstanding adjacent properties that it does not currently own. Eleven of these properties are either vacant lots or unoccupied structures. The other three properties in question are currently occupied. DHCD has been working with the owners/occupants of these properties throughout this entire acquisition process. Due to the length of the property acquisition and street closure processes, DHCD has requested that this proposal be considered by the Planning Commission at this time. The property owners of all of these non City-owned properties have been notified of this Planning Commission hearing.

This action has been referred to the Planning Commission for review as an extension of the Master Plan review authority assigned by the City Charter, Art. VII, §§72 and 74. Given that the streets proposed for closure are overwhelmingly surrounded by Mayor and City Council properties and as this request is consistent with years worth of blight removal and property acquisition, staff recommends that the Planning Commission find that there is no further need for public use of the streets and alleys and that they can be closed. Needless to say, a resolution will need to be had between the City and any private property owners – especially any occupants – before any of the proposed streets or alleys are legally closed through the City Council Ordinance process.

Community Notification: The Rebuilding Johnston Square community association has been notified of this action.

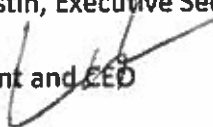


Thomas J. Stosur
Director



MEMORANDUM

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

FROM: William H. Cole, President and CEO 

DATE: January 29, 2018

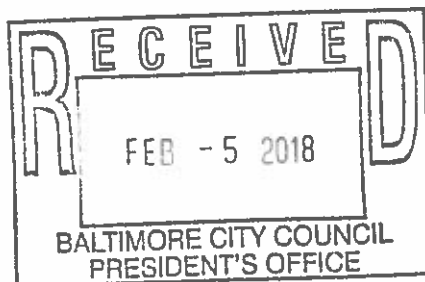
SUBJECT: City Council Bill No. 18-0175
City Streets – Closing – All Streets and Alleys Bounded by East Biddle Street,
Greenmount Avenue, East Chase Street, and Fallsway

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0175, an ordinance for the purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A in the Office of the Department of Transportation; and providing for a special effective date.

This Bill is necessary to facilitate the redevelopment of this area. The street and alley closings will allow the Department of Housing and Community Development to prepare a consolidated site that will be made available for future redevelopment.

BDC has reviewed the Ordinance and is in support of Bill No. 18-0175.

cc: Kyron Banks



F

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 7 - Member John T. Bullock, Member Isaac "Yitzy" Schleifer, Member Kristerfer Burnett, Member Bill Henry, Member Shannon Sneed, Member Zeke Cohen, and Member Ryan Dorsey

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0175

City Streets - Closing - All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway

For the purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A 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 Sneed, seconded by Member Burnett, that this Ordinance be Recommended Favorably . The motion carried by the following vote:

Yes: 7 - Member Bullock, Member "Yitzy" Schleifer, Member Burnett, Member Henry, Member Sneed, Member Cohen, and Member Dorsey

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



HEARING NOTES

Bill: CC 18-0175

Ordinance – City Streets – Closing – All Streets and Alleys, Bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway

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

Hearing Date: October 23, 2018
Time (Beginning): 2:05 PM
Time (Ending): 2:17 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: 16
Committee Members in Attendance:
John Bullock Ryan Dorsey
Isaac "Yitzy" Schleifer Bill Henry
Kristerfer Burnett
Sharon Sneed
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 Sneed		
Seconded by:	Councilmember Burnett		
Final Vote:	Favorable		

Major Speakers

(This is not an attendance record.)

• David Framm

Department of Transportation



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

Committee: * Housing and Urban Affairs Chairperson: * Jo
 Date: October 23, 2018 Time: 2:05 PM Place: * Council Chambers
 Subject: * - Ordinance – City Streets – Closing – All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway

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	Johndoenbmore@yahoo.com
MICA	FETZ		BDC		
Josia	Taylor		Do7		
DAVID	Kalman		Do7		
Shawn	Dobson		HEP		
Tyrell	Dixon		HEP		

(* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER. REGISTRATION IS A SIMPLE PROCESS. 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.

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, October 23, 2018

2:05 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0175

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0175

City Streets - Closing - All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway
For the purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A 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 18-0175

Ordinance City Streets - Closing - All Streets And Alleys Bounded By Est Biddle Street, Greenmount Avenue, East Chase Street, And Fallsway

Sponsor: *President Young, (The Administraton)*

Introduced: *January 8, 2018*

Purpose:

For the Purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 131-A-14A in the Office of the Department of Transportation; and providing for a special effective date.

Effective: Upon enactment

Hearing Date/Time/Location: October 23, 2018 at 2:05 PM in the Council Chambers

Agency Reports

Department of Law	Favorable
Planning Commission	Favorable
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable
Department of Transportation	

Analysis

Current Law

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

Background

CC 18-0175 is part of a package of legislation designed to aid development in the Johnston Square Community of East Baltimore. 10 small parcels are being closed for the purpose of being transferred. They are:

1. An approximately 1/2 acre portion of Brentwood Avenue near Biddle Street.
2. An approximately 1/25th acre portion Barclay Street near Biddle Street.
3. An approximately 1/35th acre portion of Brentwood Avenue near Chase Street.
4. An approximately 1/25th acre portion of Brentwood Avenue opposite from parcel#3.
5. An approximately 2/5th acre portion of Biddle Street near Brentwood Avenue.
6. An approximately 1/6th of an acre portion of a 10 Foot alley between Brentwood Avenue and Chase Street.
7. An approximately 1/17th of an acre portion of a 10 Foot Alley between Biddle Street and Forrest Street.
8. An approximately 1/3rd of an acre portion of Forrest Street between Biddle Street and Chase Street.
9. An approximately 1/50th of an acre portion of Forrest Street between Biddle Street and Nursery Place.
10. An approximately 1/9 of an acre portion of Nursery Place between Biddle Street and Chase Street.

Sale will be made by separate Ordinance.

**CITY OF BALTIMORE
COUNCIL BILL 18-0175
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: January 8, 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 **All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue,**
4 **East Chase Street, and Fallsway**

5 FOR the purpose of condemning and closing all streets and alleys bounded by East Biddle Street,
6 Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A in the
7 Office of the Department of Transportation; and providing for a special 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 all streets and alleys bounded
18 by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, and more
19 particularly described as follows:

20 Beginning for Parcel No. 1 at the point formed by the intersection of the east side
21 of Barclay Street 66 feet wide, and the south side of East Biddle Street 66 feet
22 wide, the point of beginning being distant Westerly 168.0 feet, more or less,
23 measured along the south side of East Biddle Street from the point formed by the
24 intersection of the south side of East Biddle Street and the west side of Brentwood
25 Avenue 60 feet wide; thence binding on the east side of Barclay Street Southerly
26 319.0 feet, more or less, to intersect the north side of East Chase Street 66 feet
27 wide; thence binding on the north side of East Chase Street Westerly 66.0 feet,
28 more or less, to intersect the west side of Barclay Street; thence binding on the
29 west side of Barclay Street Northerly 319.0 feet, more or less, to intersect the

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

Council Bill 18-0175

1 south side of East Biddle Street and thence binding on the south side of East
2 Biddle Street Easterly 66.0 feet, more or less, to the point of beginning.

3 Containing 21,054 square feet or 0.483 acres of land, more or less.
4 Beginning for Parcel No. 2 at the point formed by the intersection of the west side
5 of Brentwood Avenue 60 feet wide, and the north side of a 10-foot alley, the point
6 of beginning being distant Southerly 78.0 feet, more or less, measured along the
7 west side of Brentwood Avenue from the point formed by the intersection of the
8 west side of Brentwood Avenue and the south side of East Biddle Street 66 feet
9 wide; thence binding on the west side of Brentwood Avenue, Southerly 10.0 feet,
10 more or less, to intersect the south side of the 10-foot alley; thence binding on the
11 south side of the 10-foot alley Westerly 168.0 feet, more less, to intersect the east
12 side of Barclay Street 66 feet wide; thence binding on the east side of Barclay
13 Street Northerly 10 feet, more or less, to intersect the north side of the 10-foot
14 alley and thence binding on the north side of the 10-foot alley Easterly 168.0 feet,
15 more or less, to the point of beginning.

16 Containing 1,680 square feet or 0.039 acres of land, more or less.

17 Beginning for Parcel No. 3 at the point formed by the intersection of the east side
18 of a 10-foot alley and the south side of a second 10-foot alley, the point of
19 beginning being distant Westerly 84.0 feet, more or less, measured along the south
20 side of the second 10-foot alley from the point formed by the intersection of the
21 south side of the second 10-foot alley and the west side of Brentwood Avenue 60
22 feet wide; thence binding on the east side of the first 10-foot alley Southerly 131.0
23 feet, more or less, to intersect the north side of a third 10-foot alley; thence
24 binding on the north side of the third 10-foot alley Westerly 10.0 feet, more less,
25 to intersect the west side of the first 10-foot alley; thence binding on the west side
26 of the first 10-foot alley Northerly 131.0 feet, more or less, to intersect the south
27 side of the second 10-foot alley and thence binding on the south side of the second
28 10-foot alley Easterly 10.0 feet, more or less, to the point of beginning.

29 Containing 1,310 square feet or 0.030 acres of land, more or less.

30 Beginning for Parcel No. 4 at the point formed by the intersection of the west side
31 of Brentwood Avenue 60 feet wide, and the south side of a 10-foot alley, the point
32 of beginning being distant Northerly 90.0 feet, more or less, measured along the
33 west side of Brentwood Avenue from the point formed by the intersection of the
34 west side of Brentwood Avenue and the north side of East Chase Street 66 feet
35 wide; thence binding on the south side of the 10-foot alley Westerly 168.0 feet,
36 more or less, to intersect the east side of Barclay Street 66 feet wide; thence
37 binding on the east side of Barclay Street Northerly 10 feet, more or less, to
38 intersect the north side of the 10-foot alley; thence binding on the north side of the
39 10-foot alley Easterly 168.0 feet, more or less, to intersect the west side of
40 Brentwood Avenue and thence binding on the west side of Brentwood Avenue,
41 Southerly 10.0 feet, more or less, to the point of beginning.

42 Containing 1,680 square feet or 0.039 acres of land, more or less.

Council Bill 18-0175

1 Beginning for Parcel No. 5 at the point formed by the intersection of the south
2 side of East Biddle Street 66 feet wide, and the west side of Brentwood Avenue
3 60 feet wide, the point of beginning being distant Easterly 168.0 feet, more or
4 less, measured along the south side of East Biddle Street from the point formed by
5 the intersection of the south side of East Biddle Street and the east side of Barclay
6 Street 66 feet wide; thence binding on the south side of East Biddle Street Easterly
7 60.0 feet, more or less, to intersect the east side of Brentwood Avenue; thence
8 binding on the east side of Brentwood Avenue Southerly 324.2 feet, more or less,
9 to intersect the north side of East Chase Street 66 feet wide; thence binding on the
10 north side of East Chase Street Westerly 60.0 feet, more or less, to intersect the
11 west side of Brentwood Avenue and thence binding on the west side of
12 Brentwood Avenue Northerly 324.2 feet, more or less, to the point of beginning.

13 Containing 19,454 square feet or 0.447 acres of land, more or less.

14 Beginning for Parcel No. 6 at the point formed by the intersection of the south
15 side of a 10-foot alley and the east side of Brentwood Avenue 60 feet wide, the
16 point of beginning being distant Northerly 115.0 feet, more or less, measured
17 along the east side of Brentwood Avenue from the point formed by the
18 intersection of the east side of Brentwood Avenue and the north side of East
19 Chase Street 66 feet wide; thence binding on the east side of Brentwood Avenue,
20 Northerly 10.0 feet, more or less, to intersect the north side of the 10-foot alley;
21 thence binding on the north side of the 10-foot alley, Easterly 74.3 feet, more or
22 less, to intersect the west side of a 10-foot Alley; thence binding on the west side
23 of the second 10-foot alley Southerly 10.0 feet, more or less, to intersect the south
24 side of the first 10-foot alley and thence binding on the south side of the first 10-
25 foot alley, Westerly 75.0 feet, more or less, to the point of beginning.

26 Containing 747 square feet or 0.017 acres of land, more or less.

27 Beginning for Parcel No. 7 at the point formed by the intersection of the east side
28 of a 10-foot alley and the south side of East Biddle Street 66 feet wide, the point
29 of beginning being distant Westerly 60.0 feet, more or less, measured along the
30 south side of East Biddle Street from the point formed by the intersection of the
31 south side of East Biddle Street and the west side of Forrest Street 50 feet wide;
32 thence binding on the east side of the 10-foot alley Southerly 252.8 feet, more or
33 less, to the southernmost extremity of the 10-foot alley thereof; thence binding on
34 the southernmost extremity of the 10-foot alley Westerly 10 feet, more or less, to
35 intersect the west side of the 10-foot alley; thence binding on the west side of the
36 10-foot alley Northerly 252.8 feet, more or less, to intersect the south side of East
37 Biddle Street and thence binding on the south side of East Biddle Street Easterly
38 10.0 feet, more or less, to the point of beginning.

39 Containing 2,528 square feet or 0.058 acres of land, more or less.

40 Beginning for Parcel No. 8 at the point formed by the intersection of the west side
41 of Forrest Street 50 feet wide and the south side of East Biddle Street 66 feet
42 wide, the point of beginning being distant Easterly 131.0 feet, more or less,
43 measured along the south side of East Biddle Street from the point formed by the
44 intersection of the south side of East Biddle Street and the east side of Brentwood

Council Bill 18-0175

1 Avenue 60 feet wide; thence binding on the south side of East Biddle Street
2 Easterly 50.6 feet, more or less, to intersect the east side of Forrest Street; thence
3 binding on the east side of Forrest Street Southerly 328.1 feet, more or less, to
4 intersect the north side of East Chase Street 66 feet wide; thence binding on the
5 north side of East Chase Street Westerly 50.6 feet, more or less, to intersect the
6 west side of Forrest Street and thence binding on the west side of Forrest Street
7 Northerly 328.1 feet, more or less, to the point of beginning.

8 Containing 16,405 square feet or 0.377 acres of land, more or less.

9 Beginning for Parcel No. 9 at the point formed by the intersection of the east side
10 of Forrest Street 50 feet wide, and the north side of a 10-foot alley, the point of
11 beginning being distant Southerly 75.0 feet, more or less, measured along the east
12 side of Forrest Street from the point formed by the intersection of the east side of
13 Forrest Street and the south side of East Biddle Street 66 feet wide; thence binding
14 on the north side of the 10-foot alley Easterly 93.4 feet, more or less, to intersect
15 the west side of Nursery Place varying in width; thence binding on the west side
16 of Nursery Place Southerly 10.1 feet, more less, to intersect the south side of the
17 10-foot alley; thence binding on the south side of the 10-foot alley Westerly 93.4
18 feet, more or less, to intersect the east side of Forrest Street and thence binding on
19 the east side of Forrest Street Northerly 10.1 feet, more or less, to the point of
20 beginning.

21 Containing 934 square feet or 0.021 acres of land, more or less.

22 Beginning for Parcel No. 10 at the point formed by the intersection of the east side
23 of Nursery Place, varying in width, and the south side of East Biddle Street 66 feet
24 wide, the point of beginning being distant Westerly 120.0 feet, more or less,
25 measured along the south side of East Biddle Street from the point formed by the
26 intersection of the south side of East Biddle Street and the west side of
27 Greenmount Avenue 66 feet wide; thence binding on the east side of Nursery
28 Place Southerly 328.1 feet, more or less, to intersect the north side of East Chase
29 Street 66 feet wide; thence binding on the north side of East Chase Street
30 Westerly 12.1 feet, more or less, to intersect the west side of Nursery Place;
31 thence binding on the west side of Nursery Place the 7 following courses and
32 distances Northerly 205.9 feet, more or less, Westerly 6.6 feet, more or less,
33 Northerly 7.2 feet, more or less, Easterly 1.6 feet, more or less, Northerly 15.0
34 feet, more or less, Westerly 1.6 feet, more or less, Northerly 100.0 feet, more or
35 less, to intersect to the south side of East Biddle Street and thence binding on the
36 south side of East Biddle Street Easterly 18.7 feet, more or less, to the point of
37 beginning.

38 Containing 4,711 square feet or 0.108 acres of land, more or less.

39 As delineated on Plat 331-A-14A, prepared by the Survey Section and filed on June 21, 2017, in
40 the Office of the Department of Transportation.

41 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
42 closing of all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase
43 Street, and Fallsway and the rights of all interested parties shall be regulated by and in

Council Bill 18-0175

1 accordance with all applicable provisions of state and local law and with all applicable rules and
2 regulations adopted by the Director of Transportation and filed with the Department of
3 Legislative Reference.

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

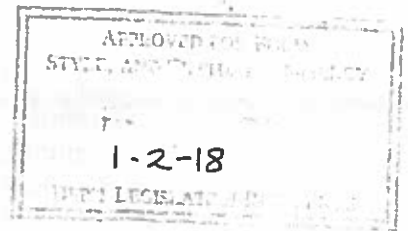
11 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
12 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
13 the street closed under this Ordinance until all subsurface structures and appurtenances owned by
14 the Mayor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

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

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

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

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



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

A BILL ENTITLED

AN ORDINANCE concerning

City Streets – Closing –
All Streets and Alleys Bounded by East Biddle Street, Greenmount Avenue,
East Chase Street, and Fallsway

FOR the purpose of condemning and closing all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, as shown on Plat 331-A-14A 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 all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Barclay Street 66 feet wide, and the south side of East Biddle Street 66 feet wide, the point of beginning being distant Westerly 168.0 feet, more or less, measured along the south side of East Biddle Street from the point formed by the intersection of the south side of East Biddle Street and the west side of Brentwood Avenue 60 feet wide; thence binding on the east side of Barclay Street Southerly 319.0 feet, more or less, to intersect the north side of East Chase Street 66 feet wide; thence binding on the north side of East Chase Street Westerly 66.0 feet, more or less, to intersect the west side of Barclay Street; thence binding on the west side of Barclay Street Northerly 319.0 feet, more or less, to intersect the south side of East Biddle Street and thence binding on the south side of East Biddle Street Easterly 66.0 feet, more or less, to the point of beginning.

Containing 21,054 square feet or 0.483 acres of land, 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 Brentwood Avenue 60 feet wide, and the north side of a 10-foot alley, the point of beginning being distant Southerly 78.0 feet, more or less, measured along the west side of Brentwood Avenue from the point formed by the intersection of the west side of Brentwood Avenue and the south side of East Biddle Street 66 feet wide; thence binding on the west side of Brentwood Avenue, Southerly 10.0 feet, more or less, to intersect the south side of the 10-foot alley; thence binding on the south side of the 10-foot alley Westerly 168.0 feet, more or less, to intersect the east side of Barclay Street 66 feet wide; thence binding on the east side of Barclay Street Northerly 10 feet, more or less, to intersect the north side of the 10-foot alley and thence binding on the north side of the 10-foot alley Easterly 168.0 feet, more or less, to the point of beginning.

Containing 1,680 square feet or 0.039 acres of land, more or less.

Beginning for Parcel No. 3 at the point formed by the intersection of the east side of a 10-foot alley and the south side of a second 10-foot alley, the point of beginning being distant Westerly 84.0 feet, more or less, measured along the south side of the second 10-foot alley from the point formed by the intersection of the south side of the second 10-foot alley and the west side of Brentwood Avenue 60 feet wide; thence binding on the east side of the first 10-foot alley Southerly 131.0 feet, more or less, to intersect the north side of a third 10-foot alley; thence binding on the north side of the third 10-foot alley Westerly 10.0 feet, more or less, to intersect the west side of the first 10-foot alley; thence binding on the west side of the first 10-foot alley Northerly 131.0 feet, more or less, to intersect the south side of the second 10-foot alley and thence binding on the south side of the second 10-foot alley Easterly 10.0 feet, more or less, to the point of beginning.

Containing 1,310 square feet or 0.030 acres of land, more or less.

Beginning for Parcel No. 4 at the point formed by the intersection of the west side of Brentwood Avenue 60 feet wide, and the south side of a 10-foot alley, the point of beginning being distant Northerly 90.0 feet, more or less, measured along the west side of Brentwood Avenue from the point formed by the intersection of the west side of Brentwood Avenue and the north side of East Chase Street 66 feet wide; thence binding on the south side of the 10-foot alley Westerly 168.0 feet, more or less, to intersect the east side of Barclay Street 66 feet wide; thence binding on the east side of Barclay Street Northerly 10 feet, more or less, to intersect the north side of the 10-foot alley; thence binding on the north side of the 10-foot alley Easterly 168.0 feet, more or less, to intersect the west side of Brentwood Avenue and thence binding on the west side of Brentwood Avenue, Southerly 10.0 feet, more or less, to the point of beginning.

Containing 1,680 square feet or 0.039 acres of land, more or less.

Beginning for Parcel No. 5 at the point formed by the intersection of the south side of East Biddle Street 66 feet wide, and the west side of Brentwood Avenue 60 feet wide, the point of beginning being distant Easterly 168.0 feet, more or less, measured along the south side of East Biddle Street from the point formed by the intersection of the south side of East Biddle Street and the east side of Barclay Street 66 feet wide; thence binding on the south side of East Biddle Street Easterly 60.0 feet, more or less, to intersect the east side of Brentwood Avenue; thence binding on the east side of Brentwood Avenue Southerly 324.2 feet, more or less,

to intersect the north side of East Chase Street 66 feet wide; thence binding on the north side of East Chase Street Westerly 60.0 feet, more or less, to intersect the west side of Brentwood Avenue and thence binding on the west side of Brentwood Avenue Northerly 324.2 feet, more or less, to the point of beginning.

Containing 19,454 square feet or 0.447 acres of land, more or less.

Beginning for Parcel No. 6 at the point formed by the intersection of the south side of a 10-foot alley and the east side of Brentwood Avenue 60 feet wide, the point of beginning being distant Northerly 115.0 feet, more or less, measured along the east side of Brentwood Avenue from the point formed by the intersection of the east side of Brentwood Avenue and the north side of East Chase Street 66 feet wide; thence binding on the east side of Brentwood Avenue, Northerly 10.0 feet, more or less, to intersect the north side of the 10-foot alley; thence binding on the north side of the 10-foot alley, Easterly 74.3 feet, more or less, to intersect the west side of a 10-foot Alley; thence binding on the west side of the second 10-foot alley Southerly 10.0 feet, more or less, to intersect the south side of the first 10-foot alley and thence binding on the south side of the first 10-foot alley, Westerly 75.0 feet, more or less, to the point of beginning.

Containing 747 square feet or 0.017 acres of land, more or less.

Beginning for Parcel No. 7 at the point formed by the intersection of the east side of a 10-foot alley and the south side of East Biddle Street 66 feet wide, the point of beginning being distant Westerly 60.0 feet, more or less, measured along the south side of East Biddle Street from the point formed by the intersection of the south side of East Biddle Street and the west side of Forrest Street 50 feet wide; thence binding on the east side of the 10-foot alley Southerly 252.8 feet, more or less, to the southernmost extremity of the 10-foot alley thereof; thence binding on the southernmost extremity of the 10-foot alley Westerly 10 feet, more or less, to intersect the west side of the 10-foot alley; thence binding on the west side of the 10-foot alley Northerly 252.8 feet, more or less, to intersect the south side of East Biddle Street and thence binding on the south side of East Biddle Street Easterly 10.0 feet, more or less, to the point of beginning.

Containing 2,528 square feet or 0.058 acres of land, more or less.

Beginning for Parcel No. 8 at the point formed by the intersection of the west side of Forrest Street 50 feet wide and the south side of East Biddle Street 66 feet wide, the point of beginning being distant Easterly 131.0 feet, more or less, measured along the south side of East Biddle Street from the point formed by the intersection of the south side of East Biddle Street and the east side of Brentwood Avenue 60 feet wide; thence binding on the south side of East Biddle Street Easterly 50.6 feet, more or less, to intersect the east side of Forrest Street; thence binding on the east side of Forrest Street Southerly 328.1 feet, more or less, to intersect the north side of East Chase Street 66 feet wide; thence binding on the north side of East Chase Street Westerly 50.6 feet, more or less, to intersect the west side of Forrest Street and thence binding on the west side of Forrest Street Northerly 328.1 feet, more or less, to the point of beginning.

Containing 16,405 square feet or 0.377 acres of land, more or less.

Beginning for Parcel No. 9 at the point formed by the intersection of the east side of Forrest Street 50 feet wide, and the north side of a 10-foot alley, the point of beginning being distant Southerly 75.0 feet, more or less, measured along the east side of Forrest Street from the point formed by the intersection of the east side of Forrest Street and the south side of East Biddle Street 66 feet wide; thence binding on the north side of the 10-foot alley Easterly 93.4 feet, more or less, to intersect the west side of Nursery Place varying in width; thence binding on the west side of Nursery Place Southerly 10.1 feet, more or less, to intersect the south side of the 10-foot alley; thence binding on the south side of the 10-foot alley Westerly 93.4 feet, more or less, to intersect the east side of Forrest Street and thence binding on the east side of Forrest Street Northerly 10.1 feet, more or less, to the point of beginning.

Containing 934 square feet or 0.021 acres of land, more or less.

Beginning for Parcel No. 10 at the point formed by the intersection of the east side of Nursery Place, varying in width, and the south side of East Biddle Street 66 feet wide, the point of beginning being distant Westerly 120.0 feet, more or less, measured along the south side of East Biddle Street from the point formed by the intersection of the south side of East Biddle Street and the west side of Greenmount Avenue 66 feet wide; thence binding on the east side of Nursery Place Southerly 328.1 feet, more or less, to intersect the north side of East Chase Street 66 feet wide; thence binding on the north side of East Chase Street Westerly 12.1 feet, more or less, to intersect the west side of Nursery Place; thence binding on the west side of Nursery Place the 7 following courses and distances Northerly 205.9 feet, more or less, Westerly 6.6 feet, more or less, Northerly 7.2 feet, more or less, Easterly 1.6 feet, more or less, Northerly 15.0 feet, more or less, Westerly 1.6 feet, more or less, Northerly 100.0 feet, more or less, to intersect to the south side of East Biddle Street and thence binding on the south side of East Biddle Street Easterly 18.7 feet, more or less, to the point of beginning.

Containing 4,711 square feet or 0.108 acres of land, more or less.

As delineated on Plat 331-A-14A, prepared by the Survey Section and filed on June 21, 2017, in the Office of the Department of Transportation.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of all streets and alleys bounded by East Biddle Street, Greenmount Avenue, East Chase Street, and Fallsway 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.

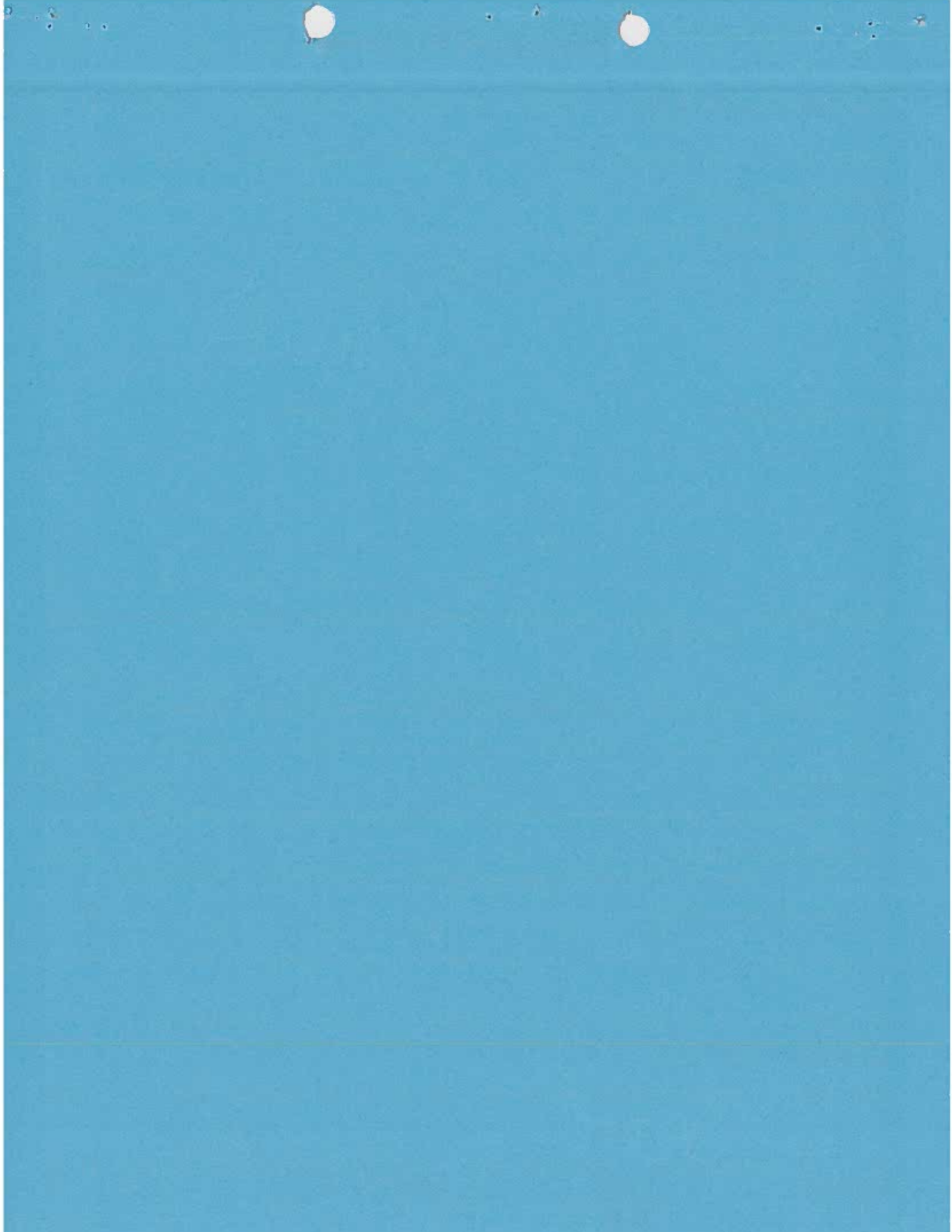
SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor 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

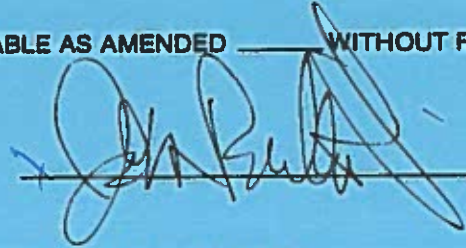
JAN 08 2018
20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON 10-23 _____ 20 18

COMMITTEE REPORT AS OF 10-29 _____ 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:

OCT 29 2018
20

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

THIRD READING _____ NOV 19 2018
20

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

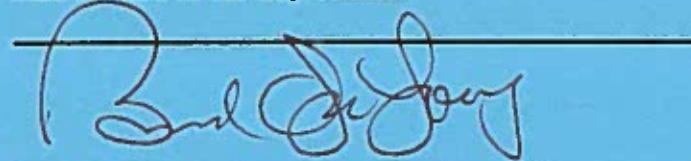
THIRD READING (ENROLLED) _____ 20 _____

_____ 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