

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 18-0174

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing –
Brunt Court and Certain Alleys Bounded by Robert Street,
Division Street, Wilson Street, and Brunt Street**

FOR the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A 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 checked="" type="checkbox"/>	Baltimore City Public School System	<input type="checkbox"/>	Department of Public Works
<input checked="" type="checkbox"/>	Baltimore Development Corporation	<input type="checkbox"/>	Department of Real Estate
<input checked="" type="checkbox"/>	City Solicitor	<input type="checkbox"/>	Department of Recreation and Parks
<input type="checkbox"/>	Comptroller's Office	<input checked="" type="checkbox"/>	Department of Transportation
<input type="checkbox"/>	Department of Audits	<input type="checkbox"/>	Fire Department
<input type="checkbox"/>	Department of Finance	<input type="checkbox"/>	Health Department
<input type="checkbox"/>	Department of General Services	<input type="checkbox"/>	Mayor's Office of Employment Development
<input checked="" type="checkbox"/>	Department of Housing and Community Development	<input type="checkbox"/>	Mayor's Office of Human Services
<input type="checkbox"/>	Department of Human Resources	<input type="checkbox"/>	Mayor's Office of Information Technology
<input checked="" type="checkbox"/>	Department of Planning	<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: _____
<input type="checkbox"/>	Board of Estimates	<input type="checkbox"/>	Environmental Control Board
<input type="checkbox"/>	Board of Ethics	<input type="checkbox"/>	Fire & Police Employees' Retirement System
<input type="checkbox"/>	Board of Municipal and Zoning Appeals	<input type="checkbox"/>	Labor Commissioner
<input type="checkbox"/>	Comm. for Historical and Architectural Preservation	<input type="checkbox"/>	Parking Authority Board
<input type="checkbox"/>	Commission on Sustainability	<input type="checkbox"/>	Planning Commission
<input type="checkbox"/>	Employees' Retirement System	<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: _____

Boards and Commissions

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

CITY OF BALTIMORE
ORDINANCE **18-200**
Council Bill 18-0174

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

Committee Report: Favorable
Council action: Adopted
Read second time: October 29, 2018

AN ORDINANCE CONCERNING

1 City Streets – Closing –
2 Brunt Court and Certain Alleys Bounded by Robert Street,
3 Division Street, Wilson Street, and Brunt Street

4 FOR the purpose of condemning and closing Brunt Court and certain alleys of varying widths
5 bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat
6 326-A-31A 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 Brunt Court and certain alleys
18 of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, and
19 more particularly described as follows:

20 Beginning for Parcel No. 1 at the point formed by the intersection of the southeast
21 side of Robert Street 66 feet wide and the southwest side of a 10-foot alley, the
22 point of beginning being distant Northeasterly 84 feet measured along the
23 southeast side of Robert Street from the northeast side of Brunt Street 20 feet
24 wide; thence binding on the southeast side of Robert Street Northeasterly 10 feet
25 to the northeast side of the 10-foot alley; thence leaving the southeast side of
26 Robert Street and binding on the northeast side of the 10-foot alley Southeasterly
27 200 feet, more or less, to intersect the northwest side of Mission Court varying in
28 width; thence binding on the northwest side of Mission Court Southwesterly 10

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 18-0174

1 feet to the southwest side of the 10-foot alley; thence binding on the southwest
2 side of the 10-foot alley Northwesterly 200 feet, more or less, to the place of
3 beginning.

4 Containing 2,000 square feet or 0.046 acres, more or less.

5 Beginning for Parcel No. 2 at the point formed by the intersection of the northeast
6 side of Brunt Street 20 feet wide and the northwest side of Brunt Court varying in
7 width, the point of beginning being distant Southeasterly 198 feet measured along
8 the northeast side of Brunt Street from the southwest side of Laurens Street 66
9 feet wide; thence leaving the northeast side of Brunt Street and binding on the
10 northwest side of Brunt Court Northeasterly 172 feet, more or less, to intersect the
11 southwest side of Division Street 66 feet wide; thence binding on the southwest
12 side of Division Street Southeasterly 12 feet, more or less, to the southeast side of
13 Brunt Court; thence leaving the southwest side of Division Street and binding on
14 the southeast side of Brunt Court the 3 following courses and distances:
15 Southwesterly 47 feet, more or less, thence Southerly 7 feet, more or less, thence
16 Southwesterly 120 feet, more or less, to intersect the northeast side of Brunt
17 Street; and thence binding on the northeast side of Brunt Street Northwesterly 23
18 feet, more or less, to the place of beginning.

19 Containing 3,025 square feet or 0.069 acres, more or less.

20 Beginning for Parcel No. 3 at the point formed by the intersection of the southeast
21 side of an 8-foot alley and the southwest side of a 10-foot alley, the point of
22 beginning being distant Northeasterly 80 feet measured along the southeastern
23 side of the 8-foot alley from the northeast side of Brunt Street 20 feet wide; thence
24 binding on the southeast side of the 8-foot alley Northeasterly 10 feet to the
25 northeast side of the 10-foot alley; thence leaving the southeast side of the 8-foot
26 alley and binding on the northeast side of the 10-foot alley Southeasterly 120 feet,
27 more or less, to intersect the northwest side of Brunt Court varying in width;
28 thence binding on the northwest side of Brunt Court Southwesterly 10 feet to the
29 southwest side of the 10-foot alley; and thence binding on the southwest side of
30 the 10-foot alley Northwesterly 120 feet, more or less, to the place of beginning.

31 Containing 1,200 square feet or 0.028 acres, more or less.

32 Beginning for Parcel No. 4 at the point formed by the intersection of the northeast
33 side of Brunt Street 20 feet wide and the northwest side of an 8-foot alley, the
34 point of beginning being distant Southeasterly 70 feet measured along the
35 northeast side of Brunt Street from the southeast side of Laurens Street 66 feet
36 wide; thence leaving the northeast side of Brunt Street and binding on the
37 northwest side of the 8-foot alley Northeasterly 172 feet, more or less, to intersect
38 the southwest side of Division Street 66 feet wide; thence binding on the
39 southwest side of Division Street Southeasterly 8 feet to the southeast side of the
40 8-foot alley; thence leaving the southwest side of Division Street and binding on
41 the southeast side of the 8-foot alley Southwesterly 172 feet, more or less, to
42 intersect the northeast side of Brunt Street; and thence binding on the southwest
43 side of the 8-foot alley Northwesterly 8 feet to the place of beginning.

Council Bill 18-0174

1 Containing 1,376 square feet or 0.032 acres, more or less.

2 As delineated on Plat 326-A-31A, prepared by the Survey Section and filed on July 24, 2017, in
3 the Office of the Department of Transportation.

4 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
5 closing of Brunt Court and certain alleys and the rights of all interested parties shall be regulated
6 by and in accordance with all applicable provisions of state and local law and with all applicable
7 rules and regulations adopted by the Director of Transportation and filed with the Department of
8 Legislative Reference.

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

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

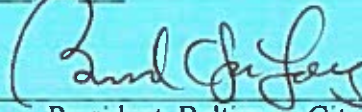
23 **SECTION 5. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
24 subsurface structures and appurtenances owned by any person other than the Mayor and City
25 Council of Baltimore shall be removed by and at the expense of their owners, promptly upon
26 notice to do so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

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

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

Council Bill 18-0174

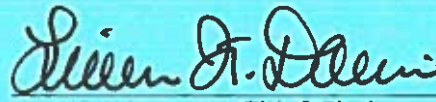
Certified as duly passed this _____ day of NOV 19 2018



President, Baltimore City Council

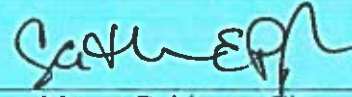
Certified as duly delivered to Her Honor, the Mayor,

this _____ day of NOV 19 2018



Chief Clerk

Approved this 13 day of December, 20 18



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- 0174 BILL TITLE: Ordinance – City Streets - Closing – Brunt Court and Certain Alleys Bounded Street, Division Street, Wilson Street, and Brunt Street


MOTION BY: Henry **SECONDED BY:** Cohen

- 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				

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



FROM	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 18-0174	MEMO	

TO Mayor Catherine E. Pugh

DATE: 10/23/18

TO: Housing and Urban Affairs Committee
 FROM: Department of Transportation
 POSITION: Support
 RE: Council Bill – 18-0174

INTRODUCTION – City Streets – Closing – Brunt Court and Certain Alleys Bounded by Robert Street, Division Street, Wilson Street, and Brunt Street

PURPOSE/PLANS – For the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A 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 18-0174

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

Sincerely,



Michelle Pourciau
 Director




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 18-0174 – City Streets – Closing – Brunt Court and
Certain Alleys Bounded by Robert Street, Division Street, Wilson Street,
and Brunt Street

Dear President and City Council Members:

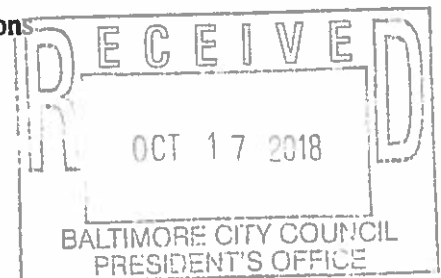
The Law Department has reviewed City Council Bill 18-0174 for form and legal sufficiency. The bill would allow the City to condemn and close Brunt Court and certain alleys bounded by Robert Street, Division Street, Wilson Street, and Brunt Street as shown on Plat 326-A-31A in the Office of the Department 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 Tervalá, 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 18-0174 - City Streets – Closing – Brunt Court and Certain Alleys
Bounded by Robert Street, Division Street, Wilson Street, and Brunt Street**

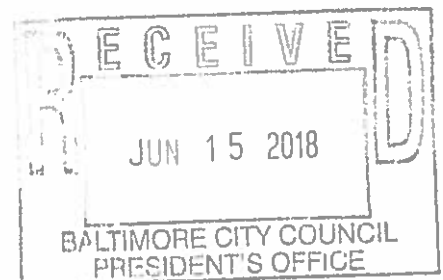
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0174, for the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A in the Office of the Department of Transportation; and providing for a special effective date.

If enacted, this bill would support the construction of a new townhomes and a multi-family apartment building and the renovation of existing properties in the Upton neighborhood.

The Department of Housing and Community Development strongly encourages the passage of City Council Bill 18-0174.

MB:sd


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





MEMORANDUM

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

FROM: William H. Cole, President and CEO 

DATE: February 6, 2018

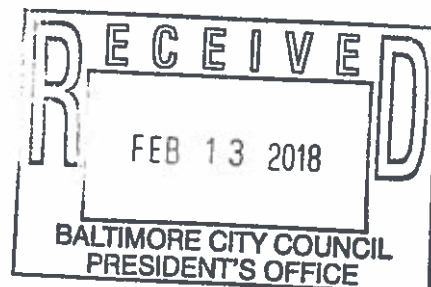
SUBJECT: City Council Bill No. 18-0174
City Streets – Closing – Brunt Court and Certain Alleys Bounded by Robert Street, Division Street, Wilson Street, and Brunt Street

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0174 for the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A in the Office of the Department of Transportation; and providing for a special effective date.


The proposed closings are necessary to allow for the development of the Marshall Gardens project; a 90-unit, mixed-income housing development to be constructed within the Upton neighborhood.

BDC supports Bill No. 18-0174 and respectfully requests that favorable consideration be given by the City Council.

cc: Kyron Banks



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 #18-0174 / CITY STREETS – STREETS AND ALLEYS IN BLOCKS 338 AND 327, IN THE VICINITY OF WILSON/ DIVISION AND LAURENS/ BRUNT		

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 #18-0174, for the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A 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 #18-0174 and adopted the following resolution, seven members being present (seven in favor).

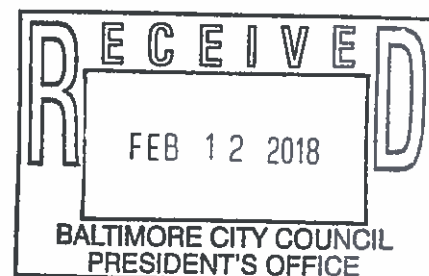
RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #18-0174 be passed by the City Council.

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 338 and 327		

DATE:

TO

Mr. Frank Murphy, Acting Director
 Department of Transportation
 417 East Fayette Street, Benton Building

May 5, 2017

This is to inform you that on May 4, 2017, the Planning Commission, finding no further public need, recommended approval of several streets and alleys lying in blocks 338 and 327, in the vicinity of the intersections of Wilson Street and Division Street and also of Laurens Street and Brunt Street. 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*

May 4, 2017

REQUESTS: Street Closing/Closing of Several Streets and Alleys Lying in Blocks 338 and 327, in the Vicinity of the Intersections of Wilson Street and Division Street and also of Laurens Street and Brunt Street (Marshall Gardens)

RECOMMENDATION: Approval

STAFF: Matthew DeSantis, AICP

PLANNING DISTRICT: Western

PETITIONER: Baltimore Housing (DHCD)

OWNER: The Mayor and City Council

SITE/GENERAL AREA

Site Conditions: The streets and alleys proposed to be closed are adjacent to properties that are owned by the Mayor and City Council. All buildings that abut the streets/alleys are owned by DHCD and are slated for demolition. There is one privately-owned vacant lot that abuts an alley proposed to be closed. The City is in the condemnation process for that lot and a date has been scheduled in circuit court. The property owner has been notified of this Planning Commission hearing.

General Area: The streets/alleys proposed to be closed are located in the Upton neighborhood in West Baltimore. One block west of these subject lots is Pennsylvania Avenue which is a neighborhood commercial district. To the north, south, and east of the subject blocks is medium-density residential neighborhood. There are a large number of vacant lots and buildings in this area.

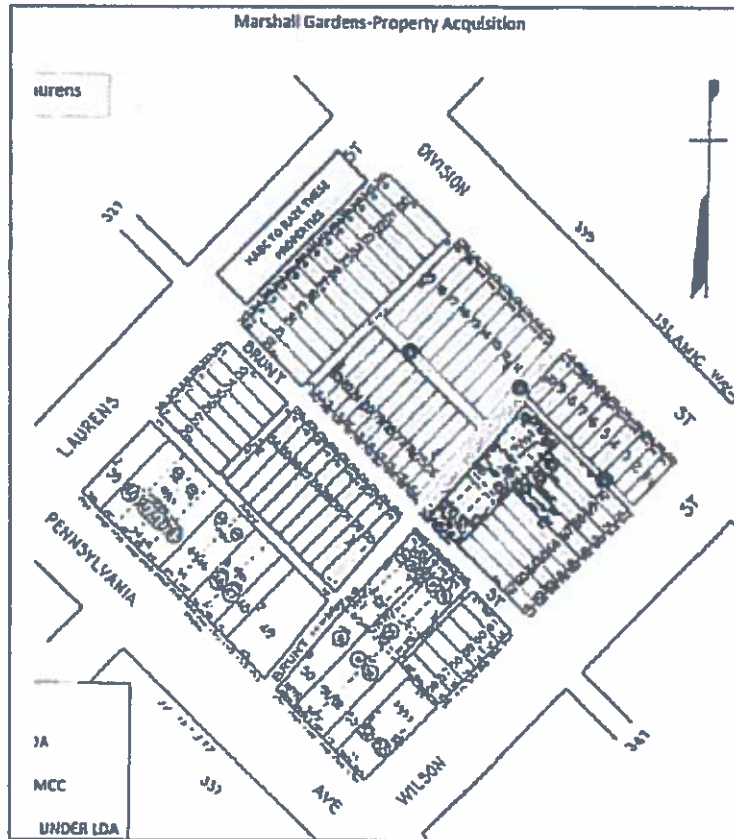
HISTORY

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

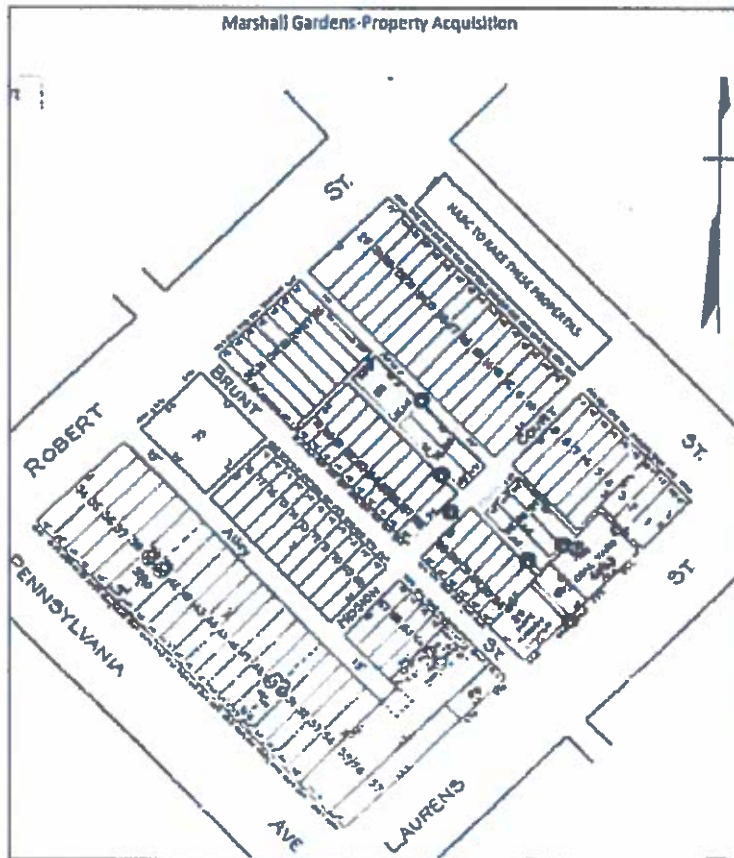
ANALYSIS

Proposal: The Department of Housing and Community Development (DHCD) has requested the Department of Transportation to close several streets and alleys lying in blocks 338 and 327 as indicated on the plats below:

Block 338



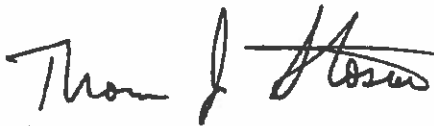
Block 327



DHCD has acquired all but one of the abutting properties in this area. As previously indicated, the City is in the process of obtaining this last parcel through condemnation proceedings. The purpose of the closings is to help facilitate land assembly for a redevelopment project known as Marshall Gardens. This project will consist of the construction of a new 27-unit multi-family apartment building and 55 new townhouses, along with the renovation of several other existing rowhomes. Preliminary Subdivision and Development Plans have been submitted to the City for this project. Once Final Plans are submitted they will be presented to the Planning Commission for review and approval. There are utilities that need to be closed and any utilities not abandoned will be relocated under a Developers Agreement.

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 surrounded by Mayor and City Council properties (with the exception of one vacant lot in the condemnation process), staff recommends that the Planning Commission find that there is no further need for public use of the street and alleys and that they can be closed.

Community Notification: The Druid Heights Community Development Corporation, the Upton Planning Committee, the Heritage Crossing Residents Association have been notified of this action.



Thomas J. Stosur
Director

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

18-0174

City Streets - Closing - Brunt Court and Certain Alleys Bounded by Robert Street, Division Street, Wilson Street, and Brunt Street

For the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A 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 Henry, seconded by Member Cohen, 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



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

Committee: * Housing and Urban Affairs Chairperson: * Jo
 Date: October 23, 2018 Time: 2:00 PM Place: * Council Chambers
 Subject: * - Ordinance – City Streets – Closing – Brunt Court and Certain Alleys Bounded by Robert Street, Division Street, Wilson Street, and Brunt 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	Johndoenbmore@yahoo.com
DAVID	GARZA		BDC		
Josh Taylor	Taylor		DF		
DAVID	Fraum		D-7		
Sharon	Dobson		HeD		

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGIS BOARD. 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.



HEARING NOTES

Bill: CC 18-0174

Ordinance – City Streets – Closing – Brunt Court and Certain Alleys Bounded by Robert Street, Division Street, Wilson Street, and Brunt Street

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

Hearing Date: October 23, 2018
Time (Beginning): 2:05 PM
Time (Ending): 2:09 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? yes no n/a
Attendance sheet in the file? yes no n/a
Agency reports read? yes no n/a
Hearing televised or audio-digitally recorded? yes no n/a
Certification of advertising/posting notices in the file? yes no n/a
Evidence of notification to property owners? yes no n/a
Final vote taken at this hearing? yes no n/a
Motioned by: **Councilmember Dorsey**
Seconded by: **Councilmember Cohen**
Final Vote: **Favorable**

Major Speakers

(This is not an attendance record.)

• David Framm

Department of Transportation

Major Issues Discussed

1. Chair Bullock convened the Hearing and welcomed the assembled guests.

2. David Framm testified that 4 bills were being heard to close very minor parcels. The Chair announced that there were no questions or controversy about any Bill and each would be voted on at the announced time.

The bill was approved on a 7-0 vote.

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

J. Bullock:.....	Yea
I. Schleifer:	Yea
K. Burnett:	Yea
S. Sneed:	Yea
Z. Cohen:	Yea
R. Dorsey:.....	Yea
B. Henry :	Yea
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Richard G. Krummerich, Committee Staff

Date: 10-24-18

cc: Bill File
OCS Chrono File

City of Baltimore

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

Meeting Agenda - Final

Housing and Urban Affairs Committee

Tuesday, October 23, 2018

2:00 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0174

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0174

City Streets - Closing - Brunt Court and Certain Alleys Bounded by Robert Street, Division Street, Wilson Street, and Brunt Street

For the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A in the Office of the Department of Transportation; and providing for a special effective date.

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

CATHERINE 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

BILL SYNOPSIS

Committee: Housing and Urban Affairs

Bill CC 18-0174

Ordinance - City Streets - Closing - Brunt Court And Certain Alleys Bounded By Robert Street, Division Street, Wilson Street And Brunt Street

Sponsor: *President Young, (The Administraton)*

Introduced: *January 8, 2018*

Purpose:

For the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A 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 2:00 PM in the Council Chambers.

Agency Reports

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

Analysis

Current Law

Sections 2, 34 and 35 of Article II of the Baltimore City Charter establish a process for 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 18-0174 is part of a package of legislation to aid development in the Upton community of West Baltimore . Four small parcels are being closed for the purpose of transfer to a developer. There are:

1. An approximately 1/50th of an acre portion of Brunt Court.
2. An approximately 1/30th of an acre portion of Brunt Street.
3. An approximately 1/40th of an acre portion of an 8 foot alley between Brunt Street and Brunt Street and Brunt Court.
4. An approximately 1/30th of an acre portion of an 8 foot alley between Divison Street and Laurens Street.

Sale will be made by separate Ordinance.

CC 18-0174 condemns and closes the above described properties..

Additional Information

Fiscal Note: Not Available

Information Source(s): Bill File

Analysis by: Richard G. Krummerich *RK* Direct Inquiries to: 410-396-1266
Analysis Date: 10-19-18

**CITY OF BALTIMORE
COUNCIL BILL 18-0174
(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 **Brunt Court and Certain Alleys Bounded by Robert Street,**
4 **Division Street, Wilson Street, and Brunt Street**

5 FOR the purpose of condemning and closing Brunt Court and certain alleys of varying widths
6 bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat
7 326-A-31A 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 Brunt Court and certain alleys
19 of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, and
20 more particularly described as follows:

21 Beginning for Parcel No. 1 at the point formed by the intersection of the southeast
22 side of Robert Street 66 feet wide and the southwest side of a 10-foot alley, the
23 point of beginning being distant Northeasterly 84 feet measured along the
24 southeast side of Robert Street from the northeast side of Brunt Street 20 feet
25 wide; thence binding on the southeast side of Robert Street Northeasterly 10 feet
26 to the northeast side of the 10-foot alley; thence leaving the southeast side of
27 Robert Street and binding on the northeast side of the 10-foot alley Southeasterly
28 200 feet, more or less, to intersect the northwest side of Mission Court varying in
29 width; thence binding on the northwest side of Mission Court Southwesterly 10

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

Council Bill 18-0174

1 feet to the southwest side of the 10-foot alley; thence binding on the southwest
2 side of the 10-foot alley Northwesterly 200 feet, more or less, to the place of
3 beginning.

4 Containing 2,000 square feet or 0.046 acres, more or less.

5 Beginning for Parcel No. 2 at the point formed by the intersection of the northeast
6 side of Brunt Street 20 feet wide and the northwest side of Brunt Court varying in
7 width, the point of beginning being distant Southeasterly 198 feet measured along
8 the northeast side of Brunt Street from the southwest side of Laurens Street 66
9 feet wide; thence leaving the northeast side of Brunt Street and binding on the
10 northwest side of Brunt Court Northeasterly 172 feet, more or less, to intersect the
11 southwest side of Division Street 66 feet wide; thence binding on the southwest
12 side of Division Street Southeasterly 12 feet, more or less, to the southeast side of
13 Brunt Court; thence leaving the southwest side of Division Street and binding on
14 the southeast side of Brunt Court the 3 following courses and distances:
15 Southwesterly 47 feet, more or less, thence Southerly 7 feet, more or less, thence
16 Southwesterly 120 feet, more or less, to intersect the northeast side of Brunt
17 Street; and thence binding on the northeast side of Brunt Street Northwesterly 23
18 feet, more or less, to the place of beginning.

19 Containing 3,025 square feet or 0.069 acres, more or less.

20 Beginning for Parcel No. 3 at the point formed by the intersection of the southeast
21 side of an 8-foot alley and the southwest side of a 10-foot alley, the point of
22 beginning being distant Northeasterly 80 feet measured along the southeastern
23 side of the 8-foot alley from the northeast side of Brunt Street 20 feet wide; thence
24 binding on the southeast side of the 8-foot alley Northeasterly 10 feet to the
25 northeast side of the 10-foot alley; thence leaving the southeast side of the 8-foot
26 alley and binding on the northeast side of the 10-foot alley Southeasterly 120 feet,
27 more or less, to intersect the northwest side of Brunt Court varying in width;
28 thence binding on the northwest side of Brunt Court Southwesterly 10 feet to the
29 southwest side of the 10-foot alley; and thence binding on the southwest side of
30 the 10-foot alley Northwesterly 120 feet, more or less, to the place of beginning.

31 Containing 1,200 square feet or 0.028 acres, more or less.

32 Beginning for Parcel No. 4 at the point formed by the intersection of the northeast
33 side of Brunt Street 20 feet wide and the northwest side of an 8-foot alley, the
34 point of beginning being distant Southeasterly 70 feet measured along the
35 northeast side of Brunt Street from the southeast side of Laurens Street 66 feet
36 wide; thence leaving the northeast side of Brunt Street and binding on the
37 northwest side of the 8-foot alley Northeasterly 172 feet, more or less, to intersect
38 the southwest side of Division Street 66 feet wide; thence binding on the
39 southwest side of Division Street Southeasterly 8 feet to the southeast side of the
40 8-foot alley; thence leaving the southwest side of Division Street and binding on
41 the southeast side of the 8-foot alley Southwesterly 172 feet, more or less, to
42 intersect the northeast side of Brunt Street; and thence binding on the southwest
43 side of the 8-foot alley Northwesterly 8 feet to the place of beginning.

Council Bill 18-0174

1 Containing 1,376 square feet or 0.032 acres, more or less.

2 As delineated on Plat 326-A-31A, prepared by the Survey Section and filed on July 24, 2017, in
3 the Office of the Department of Transportation.

4 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
5 closing of Brunt Court and certain alleys and the rights of all interested parties shall be regulated
6 by and in accordance with all applicable provisions of state and local law and with all applicable
7 rules and regulations adopted by the Director of Transportation and filed with the Department of
8 Legislative Reference.

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

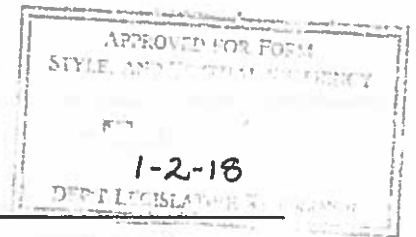
16 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
17 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
18 the street closed under this Ordinance until all subsurface structures and appurtenances owned by
19 the Mayor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

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

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

33 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
34 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 –
Brunt Court and Certain Alleys Bounded by Robert Street,
Division Street, Wilson Street, and Brunt Street

FOR the purpose of condemning and closing Brunt Court and certain alleys of varying widths bounded by Robert Street, Division Street, Wilson Street, and Brunt Street, as shown on Plat 326-A-31A 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
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* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

Containing 2,000 square feet or 0.046 acres, more or less.

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Containing 3,025 square feet or 0.069 acres, more or less.

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As delineated on Plat 326-A-31A, prepared by the Survey Section and filed on July 24, 2017, in the Office of the Department of Transportation.

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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.

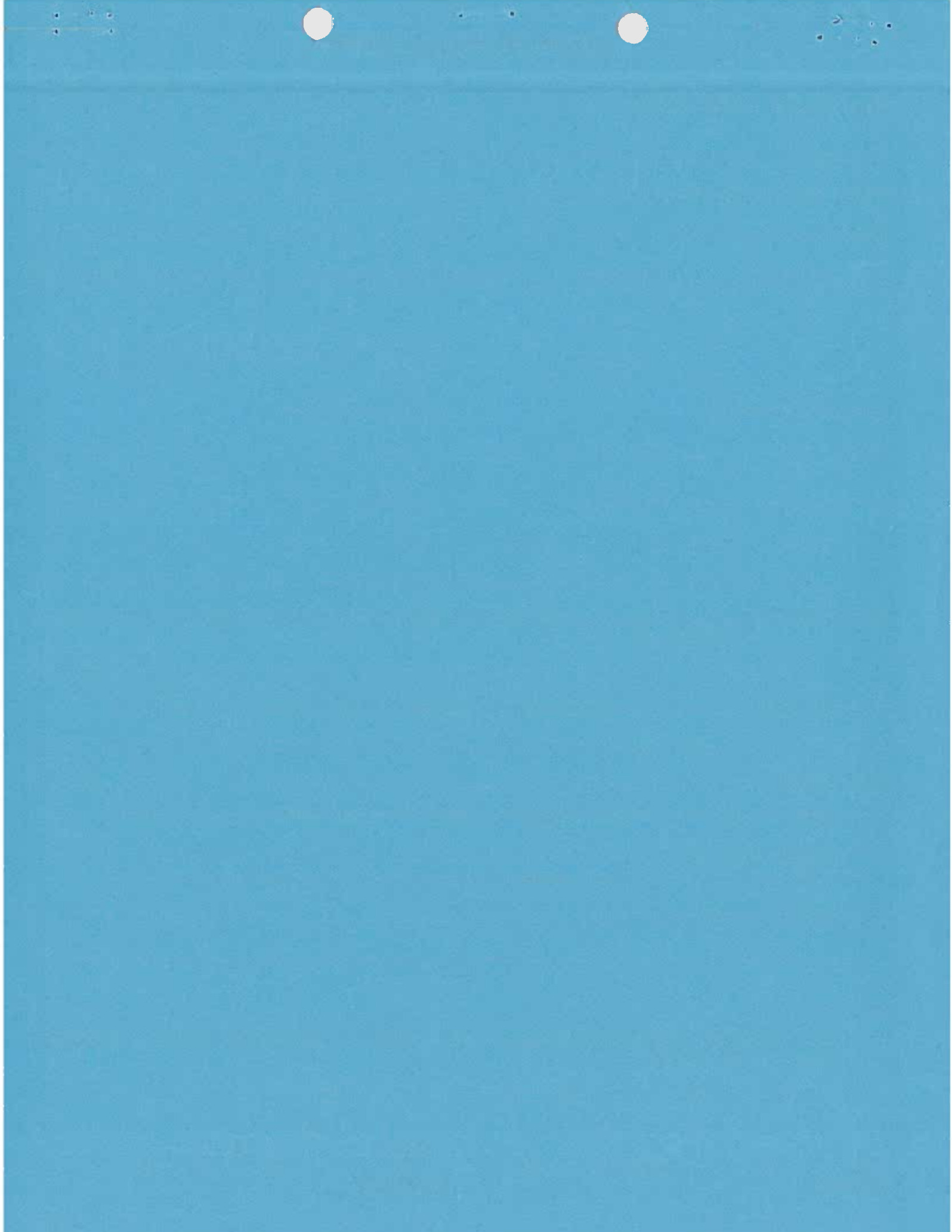
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SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.



ACTION BY THE CITY COUNCIL

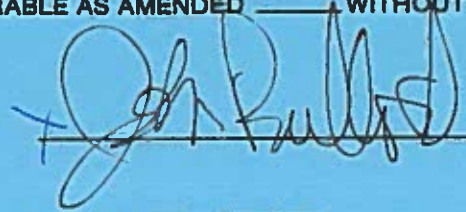
JAN 08 2018

FIRST READING (INTRODUCTION) _____ 20 _____

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

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

THIRD READING _____ NOV 19 2018

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

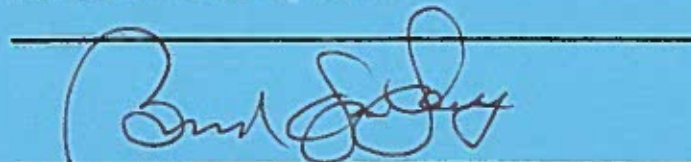
THIRD READING (ENROLLED) _____ 20 _____

_____ 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