


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	CCB #13-0228 /PRIVATE PIPELINE UNDER AND ACROSS OR OVER AND ACROSS PORTIONS OF THE SOUTH CLINTON...		

TO

DATE:

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

July 22, 2013

At its regular meeting of July 11, 2013, the Planning Commission considered City Council Bill #13-0228, for the purpose of granting a franchise to Petroleum Fuel & Terminal Company, to construct, use, and maintain private pipelines under and across or over and across portions of the 1600 block of South Clinton Street, the 1600 block of South Highland Avenue, the 1400 block of South Haven Street, the 4100 block of Boston Street, the 4100 block of O'Donnell Street, the 4400 block of Eastern Avenue, the 4500 block of East Lombard Street, and the 5100 block of Pulaski Highway rights-of-way, connecting the Company's North Terminal at 5101 Erdman Avenue to the Company's South Terminal at 1622 South Clinton Street, subject to certain terms, conditions, and reservations; repealing Ordinance 55-1462, Ordinance 79-1157, and Ordinance 82-851; and providing for a special effective date.

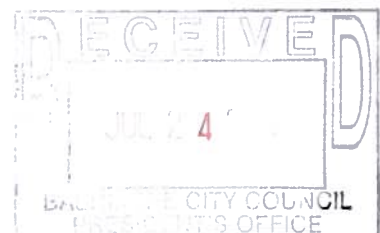
In its consideration of this Bill, the Planning Commission reviewed the attached agenda and staff report that recommended approval of granting the franchise. Thus, the Planning Commission recommended approval of City Council Bill #13-0228 and adopted the following resolution seven members being present (seven in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #13-0228 be passed by the City Council.

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

TJS/WA

- cc: Ms. Kaliop Parthemos, Deputy Chief for Economic and Neighborhood Development
- Ms. Thomasina Hiers, Acting Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Mr. Nicholas Blendy, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Karen Randle, Council Services



Favorable



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION
Wilbur E. "Bill" Cunningham, Chairman

AGENDA

July 11, 2013 – #1855

Working Session – 12:00 p.m.
Regular Session – 1:30 p.m.



Thomas J. Stosur
Director

1. **ROLL CALL**
2. **APPROVAL OF MINUTES**
3. **CITY COUNCIL BILL #13-0238/BALTIMORE CITY LANDMARK LIST - MONUMENTAL LODGE NO. 3, IMPROVED BENEVOLENT PROTECTIVE ORDER OF ELKS OF THE WORLD - 1528 MADISON AVENUE**(Councilmembers - William H. Cole, IV, William "Pete" Welch, and President Young - Administration)
For the purpose of designating Monumental Lodge No. 3, Improved Benevolent Protective Order of Elks of the World, 1528 Madison Avenue, as a historical landmark.
4. **BALTIMORE CITY LANDMARK DESIGNATION/ PUBLIC SCHOOL NO. 103, HENRY HIGHLAND GARNET SCHOOL - 1315 DIVISION STREET** (Eleventh District)
5. **STREET CLOSING/ CLOSING PORTION OF NORTH SIDE OF WEST 26TH STREET WEST OF HOWARD STREET**
For the purpose of condemning and closing a portion of West 26th Street, as indicated on a sketch provided by the Department of General Services (Twelfth District)
(Postponed to a later Date)
6. **MINOR AMENDMENT/ PHASE II TOWNHOMES GREEKTOWN PUD- 820 OLDHAM STREET** - For the purpose of amending the development plan of Phase II. (First District)
7. **MINOR AMENDMENT & FINAL DESIGN APPROVAL/MARKETPLACE AT FELS POINT PUD – 1640 & 1641 ALICEANNA STREET** (First District)
8. **CITY COUNCIL BILL #13-0228/FRANCHISE - PRIVATE PIPELINES UNDER AND ACROSS OR OVER AND ACROSS PORTIONS OF SOUTH CLINTON STREET, SOUTH HIGHLAND AVENUE, SOUTH HAVEN STREET, BOSTON STREET, O'DONNELL STREET, EASTERN AVENUE, EAST LOMBARD STREET, AND PULASKI HIGHWAY RIGHTS-OF-WAY**
For the purpose of granting a franchise to Petroleum Fuel & Terminal Company, to construct, use, and maintain private pipelines under and across or over and across portions of the 1600 block of South Clinton Street, the 1600 block of South Highland Avenue, the 1400 block of South Haven Street, the 4100 block of Boston Street, the 4100

block of O'Donnell Street, the 4400 block of Eastern Avenue, the 4500 block of East Lombard Street, and the 5100 block of Pulaski Highway rights-of-way, connecting the Company's North Terminal at 5101 Erdman Avenue to the Company's South Terminal at 1622 South Clinton Street, subject to certain terms, conditions, and reservations; repealing Ordinance 55-1462, Ordinance 79-1157, and Ordinance 82-851; and providing for a special effective date. (First and Second Districts)

9. CITY COUNCIL BILL #13-0210/ ZONING – PARKING LOT DISTRICT – 301 EAST LOMBARD STREET (AKA 300 EAST PRATT STREET) – (Councilmember - William H. Cole, IV)

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street), as outlined in red on the accompanying plat. (Eleventh District)

10. MINOR AMENDMENT AND REVISED FINAL DESIGN APPROVAL/ MONDAWMIN MALL PUD – FORMER MVA SITE AND MARSHALLS SIGNAGE – 2401 LIBERTY HEIGHTS AVENUE (Seventh District)
(Postponed to a later Date)

11. MAJOR SUBDIVISION FINAL PLANS/ 5705 ROLAND AVENUE (Fifth District)

CONSENT AGENDA

12. MINOR AMENDMENT AND FINAL DESIGN APPROVAL/ WYNDHOLME VILLAGE PUD- 5241 FREDERICK AVENUE – For the purpose of amending the development plan to include larger decks. (Eighth District)

13. MINOR SUBDIVISION (RESUBDIVISION)/ 6000-6010 REISTERSTOWN ROAD (Fifth District)

14. FINAL DESIGN APPROVAL/ HOMEWOOD HOSPITAL CENTER PLANNED UNIT DEVELOPMENT – 2700 NORTH CHARLES STREET - REPLACEMENT MONUMENTAL SIGN (Twelfth District)

15. REVISED FINAL DESIGN APPROVAL/ UNDER ARMOUR PUD – SIGNAGE MASTER PLAN (Eleventh District)

16. CIP TRANSFERS

This agenda was prepared on the assumption that all necessary materials have been made available in sufficient time for consideration by the Commission at this meeting. There are

occasionally changes in this agenda when relevant materials have not been delivered to the Department on schedule. **For any item marked (**), please call the Department at 410-396-4488 for most current information.**

The meeting will be held in the Phoebe B. Stanton Boardroom of the Department of Planning, located on the 8th floor of 417 East Fayette Street.



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

July 11, 2013

REQUEST: City Council Bill #13-0228/Franchise – Private Pipelines Under and Across or Over and Across Portions of the South Clinton Street, South Highland Avenue, South Haven Street, Boston Street, O'Donnell Street, Eastern Avenue, East Lombard Street, and Pulaski Highway Rights-of-Way

For the purpose of granting a franchise to Petroleum Fuel & Terminal Company, to construct, use, and maintain private pipelines under and across or over and across portions of the 1600 block of South Clinton Street, the 1600 block of South Highland Avenue, the 1400 block of South Haven Street, the 4100 block of Boston Street, the 4100 block of O'Donnell Street, the 4400 block of Eastern Avenue, the 4500 block of East Lombard Street, and the 5100 block of Pulaski Highway rights-of-way, connecting the Company's North Terminal at 5101 Erdman Avenue to the Company's South Terminal at 1622 South Clinton Street, subject to certain terms, conditions, and reservations; repealing Ordinance 55-1462, Ordinance 79-1157, and Ordinance 82-851; and providing for a special effective date.

RECOMMENDATION: Approval, subject to comments from the Department of Public Works.

STAFF: Kenneth Hranicky

PETITIONER: Administration (Department of General Services)

OWNER: Mayor and City Council

SITE/ GENERAL AREA

Site Conditions: Seven of the proposed franchises already exist and cover those portions of an existing pipeline as it crosses or passes beneath various City rights-of-way. The new franchise to be created will be underneath the Haven Street right-of-way just south of Boston Street.

General Area: The affected rights-of-way lie within or nearby the Canton Industrial Area. Areas impacted are City rights-of-way and adjacent private industrial properties.

HISTORY

There are no prior Planning Commission actions for this site.

CONFORMITY TO PLANS

The project is in conformance with the Baltimore City Comprehensive Master Plan with respect to Earn Goal #1, Objective 8: Retain and Attract Port-Related Services.

ANALYSIS

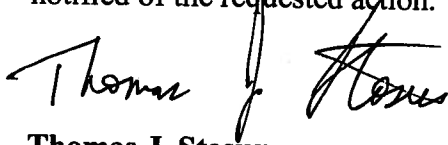
City Council Bill #13-0228, if approved, would grant easements to Petroleum Fuel & Terminal Company to construct, use, and maintain private pipelines under and across or over and across portions of the 1600 block of South Clinton Street, the 1600 block of South Highland Avenue, the 1400 block of South Haven Street, the 4100 block of Boston Street, the 4000 block of O'Donnell Street, the 4400 block of Eastern Avenue, the 4500 block of East Lombard Street, and the 5100 block of Pulaski Highway rights-of-way, connecting the Company's North Terminal at 5101 Erdman Avenue to the Company's South Terminal at 1622 South Clinton Street.

Petroleum Fuel & Terminal Co. (PF&T) owns and operates two petroleum product terminals in Baltimore City: the North Terminal at 5101 Erdman Avenue and the South Terminal at 1622 South Clinton Street. These two terminals are connected by an approximately 3.14 mile-long and 12 inch-wide pipeline, portions of which cross City rights-of-way, either below or above grade. The pipeline is used to transfer diesel fuels, biodiesel, unleaded gasoline, and occasionally kerosene and ethanol between the terminals. The pipeline is also used to transfer petroleum products to and from vessels at PF&T's dock along the Patapsco River. PF&T takes many steps to ensure safe operation of the pipeline, most notably placing markers all along the path of the pipeline and leak/pressure/temperature monitoring it constantly.

The authority to occupy City rights-of-way has already been granted under several franchise ordinances and Minor Privilege permits to either a predecessor entity or to PF&T directly. CCB#13-0228 would reauthorize and consolidate all existing franchise ordinances and Minor Privilege permits permitted and assigned to PF&T into one franchise ordinance and would repeal the previous legislation.

Additionally, the bill would grant additional franchise rights for a new right-of-way crossing point at Haven Street approximately 440 feet south of Boston Street. This is needed because PF&T is abandoning an existing pipe and franchise agreement and relocating and constructing a new connection point to an existing overhead pipe bridge. At the point at which the new connection crosses Haven Street, the pipeline will be underground. The new franchise would grant authority for the Company's pipelines and appurtenant structures to be constructed, operated and maintained in City rights-of-way for an additional 265 years.

The Baltimore Industrial Group, Maryland Port Administration, Chesapeake Real Estate Group, Obrecht Commercial Real Estate, Brewer's Hill Community Association, Canton-Highlandtown Community Association, Greater Greektown Neighborhood Alliance, Maryland Business Council, Southeast Neighborhood Development, Southeast Community Development Corporation, and Southeast Presidents' Council have been notified of the requested action.

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is written in a cursive style with a large, stylized initial "T".

Thomas J. Stosur
Director

