

FROM	NAME & TITLE	GARY W. COLE, ACTING DIRECTOR <i>G Cole</i>
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR
	SUBJECT	CITY COUNCIL BILL #08-0243/RELEASE OF RIGHTS-OF-WAY-(1) A 12-FOOT RIGHT-OF-WAY AND (2) A VARYING IN WIDTH RIGHT-OF-WAY GRANTED TO THE MAYOR AND CITY COUNCIL OF BALTIMORE THROUGH THE PROPERTY OF POMPEIAN, INC.

CITY of
BALTIMORE
MEMO



TO

DATE:

January 28, 2009

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

At its regular meeting of January 22, 2009 the Planning Commission considered City Council Bill #08-0243, for the purpose of the release of right of way to two easements across private property for City utilities.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #08-0243 and adopted the following resolution, eight members being present (eight in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #08-0243 be passed by the City Council.

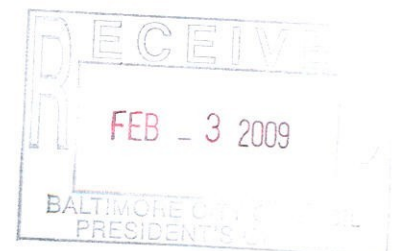
If you have questions, please contact Mr. Wolde, Acting Division Chief of Land Use and Urban Design at 410-396-4488.

GWC/ttl

Attachments

cc:

Mr. Andrew Frank, Deputy Mayor
Mr. Demuane Milliard, Chief of Staff
Ms. Angela Gibson, Mayor's Office
The Honorable Rochelle "Rikki" Spector, Council Rep. for Planning Commission
Mr. David Tanner, BMZA
Ms. Nikol Nabors-Jackson, DHCD
Mr. Larry Greene, Councilmanic Services
Ms. Deepa Bhattacharyya, Law Department



PLANNING COMMISSION

STAFF REPORT

January 22, 2009

REQUEST: City Council Bill #08-0243/Release of Right of Ways – (1) a 12-Foot Right of Way and (2) a Varying in Width Right of Way Granted to the Mayor and City Council of Baltimore Through the Property of Pompeian, Inc.

For the purpose of authorizing the release and surrender by the Mayor and City Council of Baltimore of all of its interests in and to (1) a 12-foot wide right of way heretofore granted to the City of Baltimore through the property of Union Railroad Company of Baltimore and the Pennsylvania Railroad Company, currently owned by Pompeian, Inc., the location and course of the 12-foot wide right of way to be released being shown on Plat B.S.20-20589 prepared by the Department of Public Works – Bureau of Sewers and (2) a varying in width right of way granted to the City of Baltimore through the property of Pompeian, Inc., the location and course of the varying in width right of way to be released being shown on Plat R.W.20-36189 prepared by the Survey Control Section; and providing for a special effective date.

RECOMMENDATION: Approval.

STAFF: Kenneth Hranicky

PETITIONER: Department of Public Works, on behalf of the Mayor and City Council

OWNER: Mayor and City Council

SITE/ GENERAL AREA

Site Conditions: These are two easements that run across private property. The two easements run alongside of each other. One is generally 12 feet wide and 221 feet long and the other is 15 feet wide and 168 feet long. Together they contain approximately 2,537 square feet of land. Both easements run through Pompeian Inc. a food manufacturing plant. The easements were for access to both storm drain and sanitary sewer lines.

General Area: The property lies within the Orangeville neighborhood. Buildings in the immediate area are industrial and warehousing.

HISTORY

- There have been no previous Planning Commission actions on this site.

CONFORMITY TO PLANS

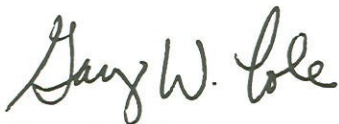
This release of right-of-way is in conformance with the Baltimore City Comprehensive Master Plan with respect to EARN Goal #1, Strengthen Identified Growth Sectors, Objective #1: Retain and Attract Business in all growth sectors, by returning underutilized buildings to productive use.

ANALYSIS

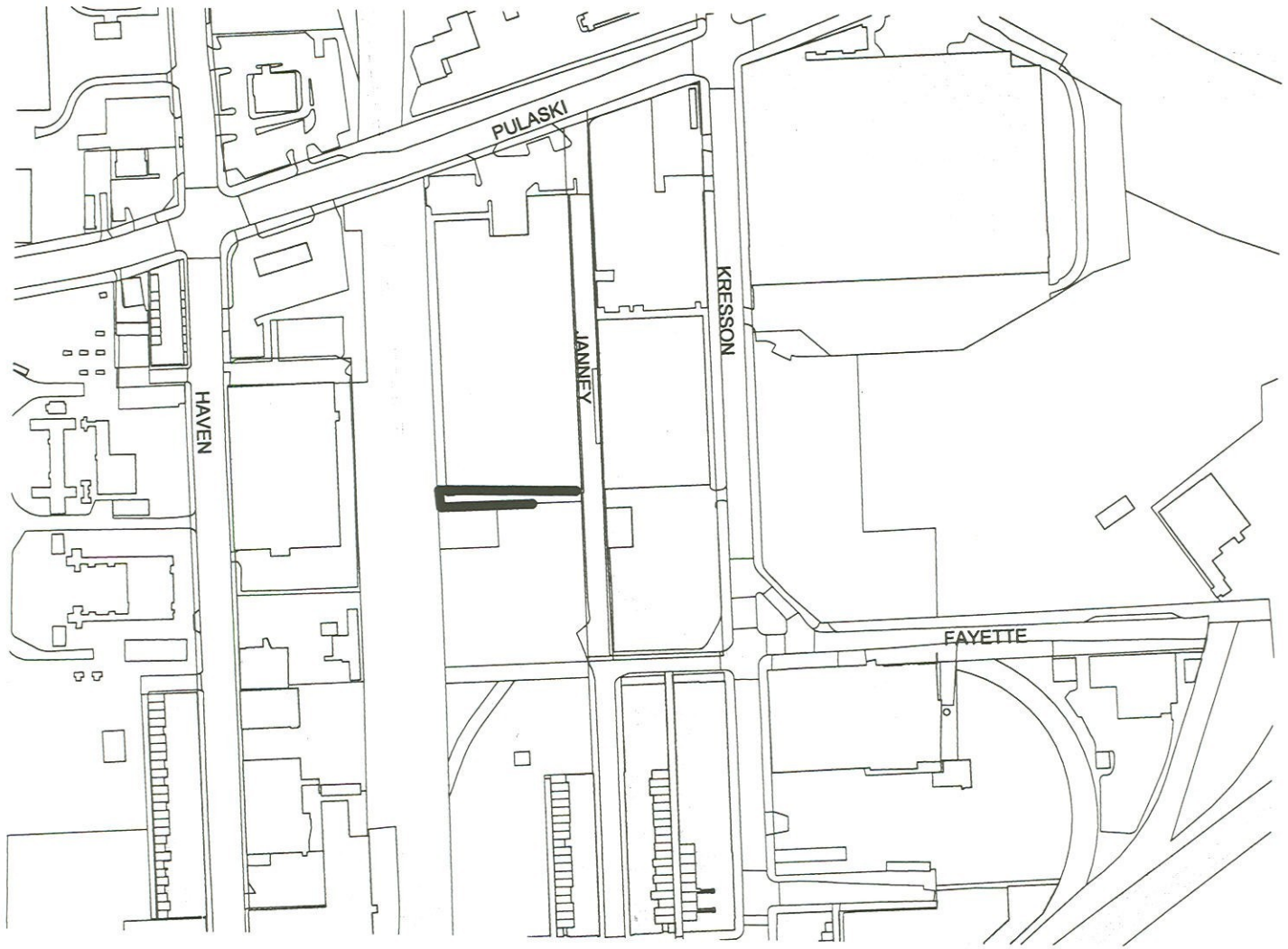
City Council Bill #08-0243 authorizes the release of right of way to two easements across private property for City utilities. The utilities have already been moved and a new easement established. This legislation will extinguish the old easements. By relocating these easements the City accomplishes two things: allows Pompeian to expand their building over the area formerly occupied by the City utilities; and corrects a problem with the co-location of these utilities that resulted in sewage infiltrating into the storm drain.

It is staff's opinion that these right-of-ways are no longer needed for public use and thus the old easement can be extinguished.

Eastern Community Action Center, Presidents Council of Southeast Baltimore and Southeast Community Development Corporation were notified of this action.



Gary W. Cole
Acting Director



**City Council Bill #08-0243 Release of Right of Way
(1) A 12-Foot Right of Way and (2) A Varying in Width
Right of Way Granted to the Mayor and City Council of
Baltimore Through The Property of Pompeian, Inc.**



Planning Commission
January 22, 2009