

Introduced by: Councilmember Costello

Prepared by: Department of Legislative Reference

Date: September 17, 2018

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

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

CITY COUNCIL 10-0291

A BILL ENTITLED

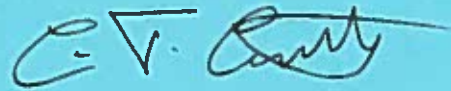
AN ORDINANCE concerning

**Street Encroachment – 524 North Charles Street –
Westminster House Apartments**

FOR the purpose of permitting, subject to certain conditions, the construction and maintenance of a portion of a building projecting into the public right-of-way on the west side of the property known as 524 North Charles Street; and providing for a special effective date.

BY authority of

Article - Building, Fire, and Related Codes
Section(s) 2-103 (BC § 3201.3.1.1)
Baltimore City Revised Code
(Edition 2000)



WITHDRAWN

****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

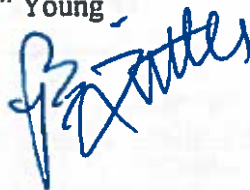
- | | |
|---|---|
| <input type="checkbox"/> Baltimore City Public School System | <input type="checkbox"/> Department of Public Works |
| <input type="checkbox"/> Baltimore Development Corporation | <input type="checkbox"/> Department of Real Estate |
| <input checked="" type="checkbox"/> City Solicitor | <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 checked="" 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: _____ |

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 checked="" type="checkbox"/> Board of Municipal and Zoning Appeals | <input type="checkbox"/> Labor Commissioner |
| <input type="checkbox"/> Comm. for Historical and Architectural Preservation | <input checked="" 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: _____ |

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: October 12, 2018
RE: Council Bill 18-0291



**PARKING
OF BALTIMORE CITY
AUTHORITY**

I am herein reporting on City Council Bill 18-0291 introduced by Councilmember Costello.

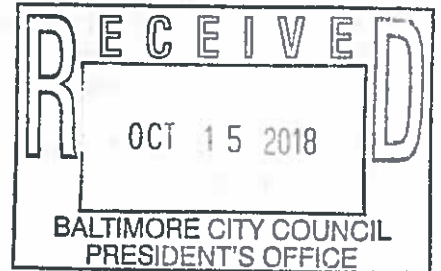
The purpose of this bill is for permitting, subject to certain conditions, the construction and maintenance of a portion of a building projecting into the public right-of-way on the west side of the property known as 524 North Charles Street.

According to Baltimore City Building, Fire, and Related Codes § 3201.3.1.1, no person may use, encroach on, or connect to any street, highway, alley, or other public right-of-way for any purpose unless that person first obtains permission to do so by an ordinance of the Mayor and City Council. This proposed legislation requests an encroachment of no more than 3 feet into the public right-of-way of Morton Street.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. On-street parking is not permitted on either side of Morton Street. Therefore, PABC does not administer on-street parking programs on this block. A site visit was conducted during the last week of September 2018, and PABC has determined that the passage of this bill will not negatively impact parking in the area.

Based on the comments above, PABC does not oppose the passage of City Council Bill 18-0291.

no objection



**CITY OF BALTIMORE
COUNCIL BILL 18-0291
(First Reader)**

Introduced by: Councilmember Costello
Introduced and read first time: September 17, 2018
Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Department of Planning, Department of Housing and Community Development, Fire Department, Department of Transportation, Baltimore City Parking Authority Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Street Encroachment – 524 North Charles Street –**
3 **Westminster House Apartments**

4 FOR the purpose of permitting, subject to certain conditions, the construction and maintenance of
5 a portion of a building projecting into the public right-of-way on the west side of the property
6 known as 524 North Charles Street; and providing for a special effective date.

7 BY authority of


8 Article - Building, Fire, and Related Codes
9 Section(s) 2-103 (BC § 3201.3.1.1)
10 Baltimore City Revised Code
11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That:**

- 13 (a) Permission is granted for the construction and maintenance of a portion of a building
14 located on the west side of the property known as 524 North Charles Street, the
15 portion of the building extending into the public right-of-way of Morton Street,
16 subject to the conditions specified in this Ordinance.
- 17 (b) The structure may not project into the public right-of-way more than 3 feet.
- 18 (c) Except as specifically provided in this Ordinance, all ordinances, rules, and
19 regulations of the Mayor and City Council of Baltimore, including but not limited to
20 the requirement to obtain a right-of-entry permit, must be complied with in the
21 construction and maintenance of this structure.

22 **SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is**
23 **enacted.**

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

FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NR</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. _21202		
	SUBJECT	City Council Bill #18-0291 Response: Street Encroachment – 524 North Charles Street – Westminster House Apartments		

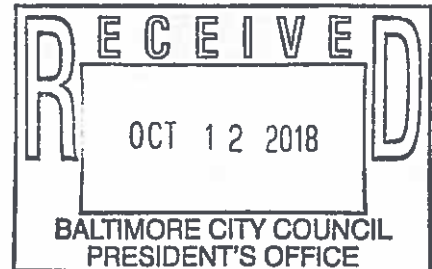
DATE: October 5, 2018


TO
The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408

For the proposed legislation would provide for- permitting, subject to certain conditions, the construction and maintenance of a portion of a building projecting into the public right of way on the west side of the property known as 524 North Charles Street. The portion of the building extending into the public right-of-way of Morton Street, subject to the conditions in this ordinance. The structure may not project into the public right-of-way more than 3 feet.

The Fire Department does not object to City Council Bill 18-0291 provided that all applicable sections of the Fire and Building codes are adhered. This may include a requirement for plans to be submitted to the Fire Department, an annual Fire Inspection, permit, automatic sprinkler system, and Fire Alarm system.

no objection



FROM	NAME & TITLE	Laurie Feinberg, Acting Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0291/ STREET ENCROACHMENT – 524 NORTH CHARLES STREET – WESTMINSTER HOUSE APARTMENTS		

TO

DATE:

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

October 4, 2018

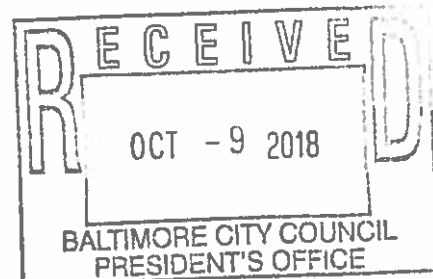
The Department of Planning is in receipt of City Council Bill #18-0291, which is for the purpose of permitting, subject to certain conditions, the construction and maintenance of a portion of a building projecting into the public right-of-way on the west side of the property known as 524 North Charles Street; and providing for a special effective date.

The Department of Planning recommends approval of City Council Bill #18-0291, as the proposed projection will not impede use of the right-of-way, and will enable the renovation and reuse of this building located within the Mount Vernon CHAP District.


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

LF/ewt

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
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. William H. Cole IV, BDC
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Josh Taylor, DOT
Ms. Natawna Austin, Council Services
Mr. Ervin Bishop, Council Services



F

F R O M	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 18-0291	M E M O	

TO Mayor Catherine E. Pugh

DATE: 10/2/18

TO: Respective City Council Housing and Urban Affairs Committee
 FROM: Department of Transportation
 POSITION: Support
 RE: Council Bill – 18-0291

INTRODUCTION – Street Encroachment – 524 North Charles Street – Westminster House Apartments

PURPOSE/PLANS – For the purpose of permitting, subject to certain conditions, the construction and maintenance of a portion of a building projecting into the public right-of-way on the west side of the property known as 524 North Charles Street; and providing for a special effective date.

AGENCY/DEPARTMENT POSITION –
 The Department of Transportation Supports City Council 18-0291.

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
COUNCIL BILL 18-0291
(First Reader)**

Introduced by: Councilmember Costello
Introduced and read first time: September 17, 2018
Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Department of Planning, Department of Housing and Community Development, Fire Department, Department of Transportation, Baltimore City Parking Authority Board

A BILL ENTITLED

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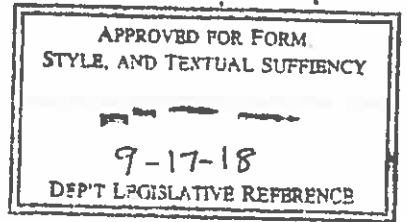
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EXPLANATION: CAPITALS indicate matter added to existing law.
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INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Costello

A BILL ENTITLED

AN ORDINANCE concerning

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SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

ACTION BY THE CITY COUNCIL

SEP 17 2018
20

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON _____ 20 _____

COMMITTEE REPORT AS OF _____ 20 _____

_____ 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:

_____ 20 _____

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

THIRD READING _____ 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