

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

Prepared by: Department of Legislative Reference **Date:** September 12, 2018

Referred to: HOUSING AND URBAN AFFAIRS Committee

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

CITY COUNCIL 18-0283

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing – A 10-Foot Alley Bounded by
North Howard Street, West 24th Street, Mace Street, and West 23rd Street**

FOR the purpose of condemning and closing a 10-foot alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street, as shown on Plat 105-B-50A 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)

****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

| | |
|--|---|
| Department of Public Works | Baltimore City Public School System |
| Department of Real Estate | Baltimore Development Corporation |
| Department of Recreation and Parks | City Solicitor |
| Department of Transportation | Comptroller's Office |
| Fire Department | Department of Audits |
| Health Department | Department of Finance |
| Mayor's Office of Employment Development | Department of General Services |
| Mayor's Office of Human Services | Department of Housing and Community Development |
| Mayor's Office of Information Technology | Department of Human Resources |
| Office of the Mayor | Department of Planning |
| Police Department | Other: |
| Other: | Other: |
| Other: | Other: |
| Other: | Other: |
| Environmental Control Board | Board of Estimates |
| Fire & Police Employees' Retirement System | Board of Ethics |
| Labor Commissioner | Board of Municipal and Zoning Appeals |
| Parking Authority Board | Comm. for Historical and Architectural Preservation |
| Planning Commission | Commission on Sustainability |
| Wage Commission | Employees' Retirement System |
| Other: | Other: |
| Other: | Other: |
| Other: | Other: |

Boards and Commissions

| | |
|---------------------------------------|---|
| Board of Estimates | Board of Ethics |
| Board of Municipal and Zoning Appeals | Comm. for Historical and Architectural Preservation |
| Commission on Sustainability | Employees' Retirement System |
| Other: | Other: |
| Other: | Other: |
| Other: | Other: |
| Other: | Other: |
| Environmental Control Board | Fire & Police Employees' Retirement System |
| Labor Commissioner | Parking Authority Board |
| Planning Commission | Wage Commission |
| Other: | Other: |
| Other: | Other: |
| Other: | Other: |

CITY OF BALTIMORE
ORDINANCE 19-224
Council Bill 18-0283

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: September 17, 2018
Assigned to: Housing and Urban Affairs Committee

Committee Report: Favorable
Council action: Adopted
Read second time: January 14, 2019

AN ORDINANCE CONCERNING

1 **City Streets – Closing – A 10-Foot Alley Bounded by**
2 **North Howard Street, West 24th Street, Mace Street, and West 23rd Street**
3

4 FOR the purpose of condemning and closing a 10-foot alley bounded by North Howard Street,
5 West 24th Street, Mace Street, and West 23rd Street, as shown on Plat 105-B-50A in the
6 Office of the Department of Transportation; and providing for a special effective date.

7 BY authority of

8 Article I - General Provisions

9 Section 4

10 and

11 Article II - General Powers

12 Sections 2, 34, 35

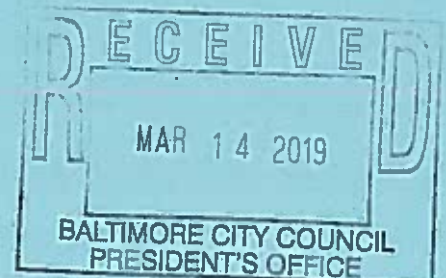
13 Baltimore City Charter

14 (1996 Edition)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
16 Department of Transportation shall proceed to condemn and close a 10-foot alley bounded by
17 North Howard Street, West 24th Street, Mace Street, and West 23rd Street, and more particularly
18 described as follows:

19 Beginning for Parcel No. 1 at the point formed by the intersection of the east side
20 of North Howard Street 66 feet wide, and the south side of a 10-foot alley, the
21 point of beginning being distant Northerly 100.0 feet, more or less, measured
22 along the east side of North Howard Street from the point formed by the
23 intersection of the east side of North Howard Street and the north side of West
24 23rd Street 66 feet wide; thence crossing the 10-foot alley, Northerly 10.0 feet;
25 thence departing from the east side of North Howard Street and binding on the
26 north side of the 10-foot alley, Easterly 150.0 feet, more or less, to intersect the
27 west side of Mace Street 20 feet wide; thence crossing the 10-foot alley, Southerly
28 10.0 feet; thence departing from the west side of Mace Street and binding on the

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 18-0283

1 south side of the 10-foot alley, Westerly 150.0 feet, more or less, to the point of
2 beginning.

3 Containing 1,500 square feet or 0.034 acres of land, more or less.

4 As delineated on Plat 105-B-50A, prepared by the Survey Section and filed on April 17, 2018, in
5 the Office of the Department of Transportation.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
7 closing of the 10-foot alley and the rights of all interested parties shall be regulated by and in
8 accordance with all applicable provisions of state and local law and with all applicable rules and
9 regulations adopted by the Director of Transportation and filed with the Department of
10 Legislative Reference.

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

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

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

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

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

Council Bill 18-0283

Certified as duly passed this _____ day of JAN 28 2019



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of JAN 28 2019



Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City

Pursuant to City Charter, Article IV, Section 5(C), this bill became law on February 28, 2019, ^{NBA} without the Mayor's Signature.



BALTIMORE CITY COUNCIL
Housing And Urban Affairs Committee
VOTING RECORD

DATE: 12-11-18

BILL#CC: 18- 0283 BILL TITLE: Ordinance – City Streets – Closing – A 10 Foot Alley Bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street

MOTION BY: Cohen **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 checked="" 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: [Signature]
COMMITTEE STAFF: Richard G. Krummerich, Initials: RK

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

December 10, 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 18-0283 – City Streets – Closing – 10-foot alley bounded by
17 North Howard Street, West 24th Street, Mace Street, and West 23rd Street

Dear President and City Council Members:

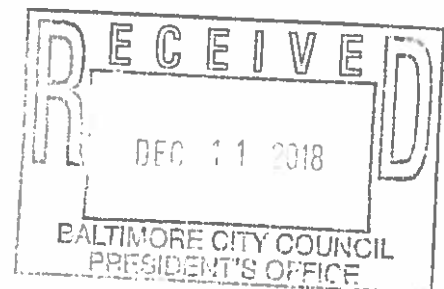
The Law Department has reviewed City Council Bill 18-0283 for form and legal sufficiency. The bill would allow the City to condemn and close a 10-foot alley bounded by 17 North Howard Street, West 24th Street, Mace Street, and West 23rd Street Eager Street s shown on Plat 105-B-50 in the Office of the Department of Transportation. The bill also provides for a special effective date.

Art. II, Sections 2 and (34)(a) of the City Charter grant the Mayor and City Council the power to condemn and “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,

Elena R. DiPietro

Elena R. DiPietro
Chief Solicitor
Division Chief





**cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Ashlea Brown, Assistant Solicitor
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: November 28, 2018

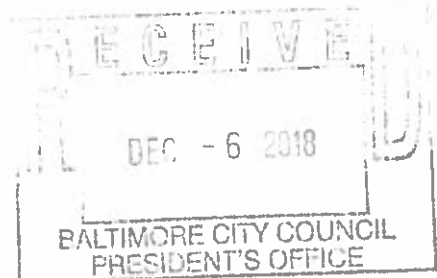
Re: City Council Bill 18-0283, City Streets – Closing – A 10-Foot Alley Bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0283, for the purpose of condemning and closing a 10-foot alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street, as shown on Plat 105-B-50 in the Office of the Department of Transportation; and providing for special effective date.

HCD agrees with the Planning Commission's determination that this portion of the right-of-way is no longer needed for public purposes and supports the passage of City Council Bill 18-0283.

MB:td


cc: 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: October 10, 2018

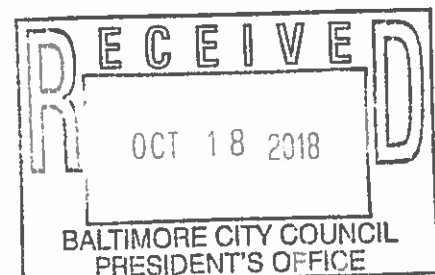
SUBJECT: City Council Bill No. 18-0283
Closing – A 10-Foot Alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0282 for the purpose of closing a 10-foot alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street.


BDC supports Bill No. 18-0283. The closing and subsequent opening (companion Bill 18-0282) of these streets will allow for the continued operation of businesses within the area.

BDC respectfully requests that favorable consideration be given by the City Council.

cc: Kyron Banks



A simple, handwritten mark resembling a stylized letter 'A' or a checkmark, located below the stamp.

| | | | | |
|------------------|-----------------------|--|-------------------------------------|---|
| F R O M | NAME & TITLE | Michelle Pourciau, Director | CITY of BALTIMORE M E M O |  |
| | AGENCY NAME & ADDRESS | Department of Transportation (DOT) 417 E Fayette Street, Room 527 | | |
| | SUBJECT | City Council Bill 18-0283 | | |

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 – 18-0283

INTRODUCTION – City Streets – Closing – A 10-Foot Alley Bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street

PURPOSE/PLANS – For the purpose of condemning and closing a 10-Foot Alley Bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street, as shown on Plat 105-B-50A in the Office of the Department of Transportation; and providing for a special effective date.

AGENCY/DEPARTMENT POSITION –

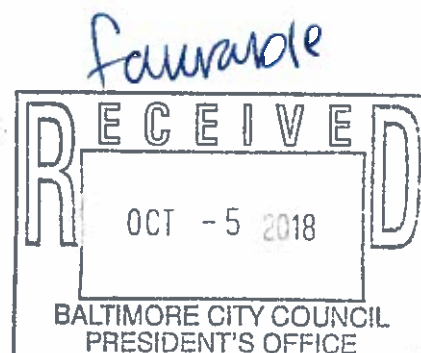
The Department of Transportation Supports City Council 18-0283.


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



| | | | | |
|-------------|-----------------------|--|--|---|
| 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 #18-0283/ CITY STREETS – CLOSING – A 10-FOOT ALLEY BOUNDED BY NORTH HOWARD STREET, WEST 24 TH STREET, MACE STREET, AND WEST 23 RD STREET | | |

TO

DATE:

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

October 1, 2018

The Department of Planning is in receipt of City Council Bill #18-0283, which is for the purpose of condemning and closing a 10-foot alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street, as shown on Plat 105-B-50A in the Office of the Department of Transportation; and providing for a special effective date.

The Department of Planning recommends approval of City Council Bill #18-0283, as the Planning Commission determined that this portion of the right-of-way is no longer needed for public purposes in their meeting of February 1, 2018.

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
Ms. Caroline Hecker, Attorney for Applicant



**CITY OF BALTIMORE
COUNCIL BILL 18-0283
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of Transportation)

Introduced and read first time: September 17, 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 – A 10-Foot Alley Bounded by**
3 **North Howard Street, West 24th Street, Mace Street, and West 23rd Street**
4

5 FOR the purpose of condemning and closing a 10-foot alley bounded by North Howard Street,
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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)

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17 Department of Transportation shall proceed to condemn and close a 10-foot alley bounded by
18 North Howard Street, West 24th Street, Mace Street, and West 23rd Street, and more particularly
19 described as follows:

20 Beginning for Parcel No. 1 at the point formed by the intersection of the east side
21 of North Howard Street 66 feet wide, and the south side of a 10-foot alley, the
22 point of beginning being distant Northerly 100.0 feet, more or less, measured
23 along the east side of North Howard Street from the point formed by the
24 intersection of the east side of North Howard Street and the north side of West
25 23rd Street 66 feet wide; thence crossing the 10-foot alley, Northerly 10.0 feet;
26 thence departing from the east side of North Howard Street and binding on the
27 north side of the 10-foot alley, Easterly 150.0 feet, more or less, to intersect the
28 west side of Mace Street 20 feet wide; thence crossing the 10-foot alley, Southerly
29 10.0 feet; thence departing from the west side of Mace Street and binding on the

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

Council Bill 18-0283

1 south side of the 10-foot alley, Westerly 150.0 feet, more or less, to the point of
2 beginning.

3 Containing 1,500 square feet or 0.034 acres of land, more or less.

4 As delineated on Plat 105-B-50A, prepared by the Survey Section and filed on April 17, 2018, in
5 the Office of the Department of Transportation.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
7 closing of the 10-foot alley and the rights of all interested parties shall be regulated by and in
8 accordance with all applicable provisions of state and local law and with all applicable rules and
9 regulations adopted by the Director of Transportation and filed with the Department of
10 Legislative Reference.

11 **SECTION 3. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
12 subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore
13 continue to be the property of the Mayor and City Council, in fee simple, until their use has been
14 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with
15 them, that person must first obtain permission from the Mayor and City Council and, in the
16 application for this permission, must agree to pay all costs and expenses, of every kind, arising
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18 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
19 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
20 the street closed under this Ordinance until all subsurface structures and appurtenances owned by
21 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
22 or, at the expense of the person seeking to erect the building or structure, have been removed and
23 relaid in accordance with the specifications and under the direction of the Director of
24 Transportation of Baltimore City.

25 **SECTION 5. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
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27 Council of Baltimore shall be removed by and at the expense of their owners, promptly upon
28 notice to do so from the Director of Public Works.

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

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

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

18-0283

City Streets - Closing - A 10-Foot Alley Bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street

For the purpose of condemning and closing a 10-foot alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street, as shown on Plat 105-B-50A 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 Cohen, 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

CITY OF BALTIMORE

CATHERINE E. PUGLI, 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

HEARING NOTES

Bill: CC 18-0283

Ordinance – City Streets – Closing – A 10-Foot Alley Bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street.

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

Hearing Date: December 11, 2018
Time (Beginning): 3:10 PM
Time (Ending): 3:13 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: 93
Committee Members in Attendance:
John Bullock Ryan Dorsey
Isaac "Yitzy" Schleifer Bill Henry
Kristerfer Burnett
Sharon Sneed
Zeke Cohen

Bill Synopsis in the file? [X] yes [] no [] n/a
Attendance sheet in the file? [X] yes [] no [] n/a
Agency reports read? [X] yes [] no [] n/a
Hearing televised or audio-digitally recorded? [] yes [] no [X] n/a
Certification of advertising/posting notices in the file? [] yes [] no [X] n/a
Evidence of notification to property owners? [] yes [] no [X] n/a
Final vote taken at this hearing? [X] yes [] no [] n/a
Motioned by: Councilmember Cohen
Seconded by: Councilmember Burnett
Final Vote: Favorable

Major Speakers
(This is not an attendance record.)



✓ 1

Major Issues Discussed

1. The 3 PM Hearing continued.
2. The chair called CC 18-0282 and CC 18-0283 to be heard simultaneously.
3. The agency reports were read into the record and no testimony was taken.
4. The Bill passed 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: 12-12-18

cc: Bill File
OCS Chrono File



1



CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: * Housing and Urban Affairs | Chairperson: * Jo

Date: December 11, 2018 | Time: 3:10 PM | Place: * Council Chambers

Subject: * - Ordinance - City Streets - Closing - A 10-Foot Alley Bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE

| FIRST NAME | LAST NAME | ST. # | ADDRESS/ORGANIZATION NAME | ZIP | EMAIL ADDRESS |
|--------------------|-----------|-------|---------------------------|-------|-------------------------|
| John | Doc | 100 | North Charles Street | 21202 | Johndoenbmore@yahoo.com |
| STANLEY | FINE | 25 | S CHARLES ST / RMG | 21201 | phd@adventurism.com |
| Chris | Taylor | 35 | S. Stricklan | 21223 | tayfour@nwn.com |
| Rivers | Thompson | | BDC | | |
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(*) 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, December 11, 2018

3:10 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0283

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0283

City Streets - Closing - A 10-Foot Alley Bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street

For the purpose of condemning and closing a 10-foot alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street, as shown on Plat 105-B-50A 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 18-0283

City Streets – Closing – A 10-Foot Alley Bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street.

Sponsor: President Young (The Administration) *

Introduced: September 17, 2018

Purpose:

For the purpose of condemning and closing a 10-foot alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street as shown on Plat 105-B 50 in the Office of the Department of Transportation, and providing for a special effective date.

Effective: Upon enactment

Hearing Date/Time/Location: December 11, 2018 at 3:10 PM in the Council Chambers

Agency Reports

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



Analysis

Current Law

Article II Sections 2, 34 and 35 establishes a process for condemning streets. The final step is enactment of an Ordinance of the Mayor and City Council.

Background

This is part of a package of legislation designed to aid development in the Remington Community of North Baltimore. The following property is being transferred

An approximately 1500 Square Foot Portion of a 10-Foot Alley bounded by 24th Street on the North, 23rd Street on the South. Mace Street on the East and Howard Street on the West.

CC 18-0282 condemns and closes the above described property. Transfer will be made by separate Ordinance.

Additional Information

Fiscal Note: Not Available

Information Source(s): Bill File

Analysis by: Richard G. Krummerich
Analysis Date: 12-7-18

Direct Inquiries to: 410 -396-1266

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Analysis Date: 12-7-18



INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

| |
|---|
| APPROVED FOR FORM STYLE, AND TEXTUAL SUFFICIENCY |
| 9-12-18 |
| DEPT LEGISLATIVE REFERENCE |

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

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing – A 10-Foot Alley Bounded by
North Howard Street, West 24th Street, Mace Street, and West 23rd Street**

FOR the purpose of condemning and closing a 10-foot alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street, as shown on Plat 105-B-50A 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 a 10-foot alley bounded by North Howard Street, West 24th Street, Mace Street, and West 23rd Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of North Howard Street 66 feet wide, and the south side of a 10-foot alley, the point of beginning being distant Northerly 100.0 feet, more or less, measured along the east side of North Howard Street from the point formed by the intersection of the east side of North Howard Street and the north side of West 23rd Street 66 feet wide; thence crossing the 10-foot alley, Northerly 10.0 feet; thence departing from the east side of North Howard Street and binding on the north side of the 10-foot alley, Easterly 150.0 feet, more or less, to intersect the west side of Mace Street 20 feet wide; thence crossing the 10-foot alley, Southerly 10.0 feet; thence departing from the west side of Mace Street and binding on the south side of the 10-foot alley, Westerly 150.0 feet, more or less, to the point of beginning.

Containing 1,500 square feet or 0.034 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.

As delineated on Plat 105-B-50A, prepared by the Survey Section and filed on April 17, 2018, in the Office of the Department of Transportation.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the 10-foot alley 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.

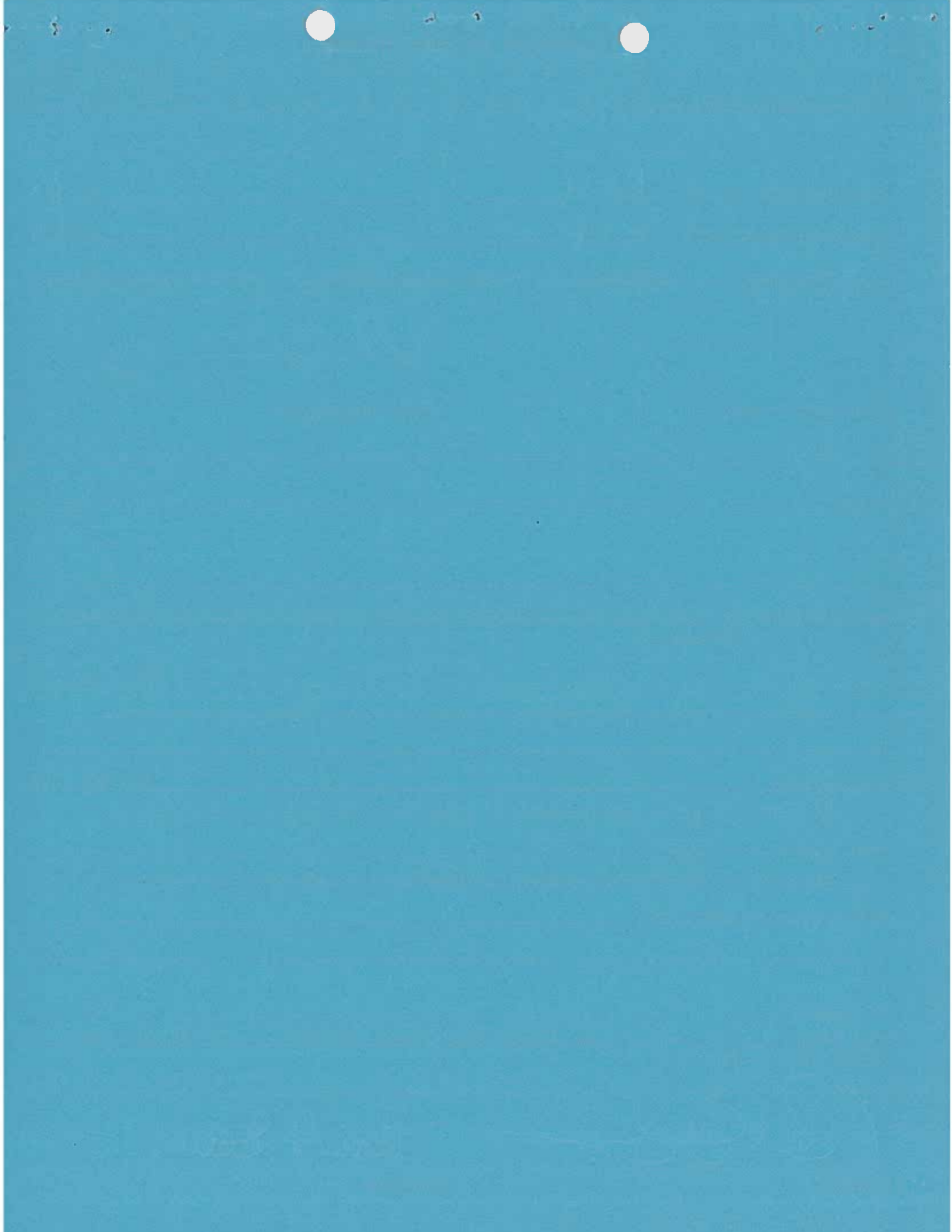
SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor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

SEP 17 2018

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON 12-11 _____ 20 18

COMMITTEE REPORT AS OF 1-14 _____ 20 19

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:

JAN 14 2019

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

THIRD READING _____ JAN 28 2019

_____ 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.

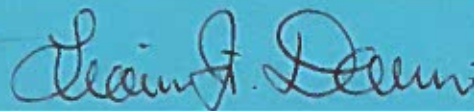
THIRD READING (RE-ENROLLED) _____ 20 _____

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