

CITY OF BALTIMORE
ORDINANCE 23-233
Council Bill 23-0390

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: May 15, 2023
Assigned to: Economic and Community Development Committee
Committee Report: Favorable, with amendments
Council action: Adopted
Read second time: June 26, 2023

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

Transit-Oriented Development – Penn Station

FOR the purpose of supporting a State Transit-Oriented Development designation for Penn Station, the area surrounding and including Baltimore Penn Station; and providing for a special effective date.

Recitals

WHEREAS, Title 7, Subtitle 1 of the State Transportation Article requires that, in addition to other criteria, that a Transit-Oriented Development (“TOD”) be designated as a TOD by the Maryland Secretary of Transportation and the relevant local government;

WHEREAS, Mayor Brandon M. Scott, in his letter to the Secretary of the Maryland Department of Transportation dated April 27, 2022, attached hereto as “Exhibit A”, identified the City’s transportation priorities for inclusion in the Consolidated Transportation Program and, in part, proposed a TOD designation for Penn Station, the area surrounding and including Baltimore Penn Station, as depicted in “Exhibit B”, and as more particularly described in “Exhibit C” (the “Project”);

WHEREAS, the Project will be a mix of private and public parking facilities, commercial and residential structures, and uses, improvements, and facilities customarily appurtenant to such facilities and uses;

WHEREAS, the Project is part of a deliberate development plan and strategy involving property that is either adjacent to or located within one-half mile of the passenger boarding and alighting location of Baltimore Penn Station;

WHEREAS, the Project is planned to maximize the use of transit, walking, and bicycling by residents, employees, and other users of the Project;

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.

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1 **WHEREAS**, this Resolution of the Mayor and City Council of Baltimore represents the City's
2 support of a State TOD designation pursuant to the ~~Maryland Governor's Executive Order~~
3 ~~01.01.2009.12~~ entitled "~~Locating State Facilities to Stimulate Transit-Oriented Development~~" as
4 well as provisions of the State Code, including the Economic Development and the Housing and
5 ~~Community Development Articles~~ State Transportation Article; and

6 **WHEREAS**, this Resolution of the Mayor and City Council of Baltimore could potentially
7 bring the Project prioritization for funds, resources, financing assistance, tax credits, the location
8 of State offices, and support from State agencies.

9 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
10 City of Baltimore supports a State Transit-Oriented Development designation for Penn Station
11 and, the area surrounding and including Baltimore Penn Station, as depicted in "Exhibit B", and
12 as more particularly described in "Exhibit C" is hereby designated a Transit-Oriented
13 Development, in accordance with the ~~Maryland Governor's Executive Order 01.01.2009.12~~ and
14 the State Transportation Article.

15 **SECTION 2. AND BE IT FURTHER RESOLVED**, That this Resolution takes effect the date it is
16 enacted.

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EXHIBIT A



BRANDON M. SCOTT
MAYOR

100 Holliday Street, Room 250
Baltimore, Maryland 21202

April 27, 2022

Secretary James Ports, Jr
Maryland Department of Transportation
7201 Corporate Center Drive
Hanover, MD 21076

Dear Secretary Ports:

I am pleased to provide this letter reflecting the City of Baltimore's transportation priorities for inclusion in the Consolidated Transportation Program (CTP). We are grateful for the Maryland Department of Transportation (MDOT) partnership and State investments in infrastructure in Baltimore City, especially efforts from the MDOT Maryland Transit Administration (MDOT MTA) to implement the Regional Transit Plan, East-West Priority Transit Corridor RAISE Grant project, and other transit-related improvements supporting our goals to improve multimodal accessibility, transportation equity, and Complete Streets in Baltimore. We are also grateful for efforts by the MDOT Maryland Port Administration (MDOT MPA) to remain an important economic generator in Baltimore and to support environmental enhancements benefiting water quality and habitat restoration in the Baltimore Harbor. We must continue to work in partnership to ensure our mutual goals can be met by supporting the safety, reliability, accessibility, and sustainability of the multimodal transportation network we all rely upon.

The priorities contained in this letter are consistent with my Administration's commitment to increase access to public transportation; advance the implementation of our innovative and comprehensive Complete Streets ordinance; support the safe and reliable movement of freight, and connect City residents with major employers across the region. These requests also represent the funding we need to maintain our transportation network in a state of good repair to meet the mobility and safety needs of the traveling public.

Capital Programming

Allocation of Federal Highway Dollars - Historically, the City of Baltimore has received 5.5 percent of federal formula highway dollars appropriated to the MDOT State Highway Administration (SHA) to support the state highway network within the City of Baltimore that is fully maintained by the City. It is our understanding that MDOT SHA has chosen to treat federal stimulus dollars differently and not apportion a percentage to the City. We respectfully request that you reconsider this position and allocate 5.5 percent of federal highway dollars to the City of Baltimore to support BCDOT's ability to maintain a safe, resilient, reliable, and equitable transportation network in a state of good repair. As discussed in the Baltimore City CTP meeting in 2021, federal dollars to support the rehabilitation and repair of concrete roads that support the Port of Baltimore would be a mutually beneficial use of these funds.

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EXHIBIT A **{Continued}**

Partnership in pursuing Federal discretionary funding opportunities – The Infrastructure Investment and Jobs Act (IIJA) establishes new funding opportunities for transportation projects. Many of these new funding opportunities are available as discretionary grants, which will be competitive and require a minimum 20 percent match. The City is seeking State support to further leverage our investments and present attractive grant applications when competing for limited funds at the national level. We request your strategic and proactive partnership in coordination and leveraging matching funds to pursue discretionary opportunities that will significantly impact the transportation network in Baltimore and beyond.

Innovative Financing – Given the ongoing discrepancy of available funding to meet the ongoing transportation investment, operations, and maintenance needs, the City of Baltimore is interested in exploring innovative finance opportunities to better leverage our capital program. We are interested in exploring Public-Private Partnerships (P3s), bonds, and other innovative financing opportunities in coordination with the State to advance major infrastructure projects that are otherwise beyond our ability to finance with current revenue levels. Additionally, we reiterate our request to receive dedicated toll credits from the State to assist with matching federal dollars. The majority of toll revenues are generated in the Baltimore region and we strongly believe that a dedicated annual allocation of toll credits is a reasonable request.

High-Impact Priority Projects

Vietnam Veterans Memorial Bridge and Hanover Street Multimodal Corridor Improvements – The Vietnam Veterans Memorial Bridge and Hanover Street corridor in south Baltimore are in critical need of investments to rehabilitate or replace the structure and improve multimodal transportation infrastructure. This corridor is part of the arterial roadway network in Baltimore City serving as a freight connection between MDOT MPA's Port of Baltimore and I-95 and several of MDOT MTA CityLink bus routes. Furthermore, this corridor serves as an important connection for the historically disadvantaged, low-income, and minority Cherry Hill and Greater Baybrook communities to job centers in Port Covington, Downtown Baltimore, and points south in Anne Arundel County. The bridge cannot safely accommodate bicycles, the sidewalks are not ADA compliant, and the bascule draw bridge section routinely requires long closure periods for inspection and maintenance.

With a federal grant, BCDOT conducted a planning study to identify safety, multimodal accessibility, and state of good repair improvements for the bridge and the Hanover Street corridor in the surrounding communities. The Baltimore City Department of Transportation (BCDOT) is currently funding a structural assessment of the bridge to assess the feasibility of repair versus replacement. State and federal support is needed to advance improvements for this bridge and the Hanover Street Corridor. The next step is to conduct a National Environmental Policy Act (NEPA) Study to engage with stakeholders, identify environmental constraints and select a preferred alternative. Completing a NEPA study allows this project to become eligible for new Federal discretionary grant funding opportunities that can help fund final design and construction. The City requests active State participation in the planning processes for the bridge repair or replacement.

US 40 Franklin and Mulberry Highway Redevelopment and Ramp Removal – In the 1970s, the State Roads Commission built the US 40 expressway decimating 16 continuous city blocks that used to be homes and businesses in Black communities of West Baltimore. The intent to connect with I-70 never happened, and today this massive scar across the City has become known as the Highway to Nowhere. Building this expressway has caused irreparable damage to community cohesion and economic stability in West Baltimore. BCDOT has made progress in the past to reestablish part of the grid and reconnect Payson Street. BCDOT is partnering with MDOT MTA to design and implement multimodal complete street elements along this corridor for the East West Transitway RAISE Grant. With new federal funding opportunities available in the IIJA for Reconnecting Communities, BCDOT is seeking State support to leverage federal dollars for a planning study to assess new alternatives and redevelopment opportunities to support community cohesion and economic growth.

EXHIBIT A
{Continued}

Implementation of the Greenway Trails – The City of Baltimore is developing a 35-mile world-class urban trail network that would link neighborhoods, anchor institutions, parks, schools, commercial districts, waterfronts, transit hubs, and more. There are ten miles remaining to realize a completed Greenway Trail network. The City is currently advancing planning and design work on several remaining gaps in the public ROW, including 6.3 miles of trail to connect Leakin Park, Druid Hill Park, Lake Montebello, and Herring Run Park. The City is also working towards connecting the Inner Harbor to Middle Branch Park, as well as the two-mile gap along Norfolk Southern and BGE corridors, which needs to be acquired. If this project were to receive state funding support, it would allow the City to leverage already identified private and federal dollars.

Locally Operated Transit Services - The Charm City Circulator and Harbor Connector are free and locally operated transit services in Baltimore City. These services connect residents, tourists, and commuters to job centers and important destinations, and support the MDOT MTA's transit operations. Capital improvements for these complimentary transit services would support improvements needed to connect new destinations and leverage equity improvements to ensure free transit service is more accessible to historically disadvantaged communities. The capital improvements needed to improve service, as outlined in our Transit Development Plan, include bus stop enhancements, pier, and docking infrastructure expansion and repairs, and purchasing boats to replace vessels at the end of their service life.

Transit Oriented Development – Infill and redevelopment with Transit Oriented Development (TOD) near Transit Hubs in Baltimore City supports our City goals to promote equitable development, economic growth, and multimodal transportation. The City of Baltimore supports MDOT initiatives to create TOD areas in Baltimore City linking land use and transportation with new mixed-use development and Complete Street transportation enhancements. The City of Baltimore supports MDOT's efforts and designation of TOD areas at Penn Station, Westport, and Reisterstown Plaza. BCDOT can further support MDOT's TOD program with supplemental State funding to provide multimodal transportation improvements to the roadway network in and around these TOD areas. Additionally, we ask that MDOT also revisit previous iterations of the MARC Growth and Investment Plans (2007 and 2013), increase capital investment in MARC stations, and identify new TOD opportunities adjacent to MARC and Metro stations in the City of Baltimore.

Programmed Citywide Initiatives with Insufficient Funding

Roadway Resurfacing – Unlike all other jurisdictions within the State of Maryland, Baltimore City is responsible to maintain all roadways within the City limits, including on State routes and critical freight routes supporting the MDOT MPA Port of Baltimore. Impacts from heavy freight traffic generated by the Port of Baltimore has significantly degraded Baltimore City's roadway network. There are over 2,000 miles of roadway in Baltimore City, and BCDOT manages hundreds of street improvement projects each year. BCDOT's goal is to keep all roads in a good condition however, heavy truck traffic, winter weather, and ongoing wear and tear creates an extensive backlog of maintenance needs. Supplemental funding and support for BCDOT's roadway resurfacing program can ensure the street network, including State routes and critical freight routes inside Baltimore City limits, is in good condition. This will help improve safety, network reliability, and reduce ongoing maintenance needs for infrastructure and vehicles.

Americans with Disabilities Act (ADA) Compliance - As is the case with other aging cities, Baltimore has a significant backlog of infrastructure needs to meet ADA requirements and increase accessibility for pedestrian facility users of all ages and physical abilities. The majority of pedestrian facilities in downtown Baltimore require upgrades to meet current ADA standards. Constructing ADA compliant sidewalks, curb ramps, crosswalks, and pedestrian infrastructure will enable everyone, regardless of physical abilities, to navigate downtown. This will provide residents, workers, and visitors with safe, reliable, and continuous travel pathways. My Administration has also prioritized upgrades of ADA infrastructure around bus stops to increase access to public transit options. Our efforts can be accelerated significantly with increased State and federal support.

Traffic Safety Improvements - BCDOT has recently prepared a Strategic Highway Safety Plan (SHSP) to identify, expand, and prioritize safety measures for the traveling public in Baltimore City. BCDOT has initiated a "quick build"

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EXHIBIT A **{Continued}**

program to address high crash intersections, and this program has become very popular with a long waitlist of projects originating from the analysis of high-crash locations as well as through community requests. However, in order to achieve the City's goal of zero traffic-related injuries and fatalities, MDOT's support is a critical element to funding projects. This includes additional funding to implement safety projects to protect the most vulnerable users of the transportation network. Increased funding to improve roadways would provide opportunities to implement traffic calming, increase accessibility of our pedestrian infrastructure and Complete Streets as outlined in the City's new Complete Streets Manual.

Transit Flow and Access Improvements - The Baltimore CityLink network includes dedicated bus lanes for improved safety, reliability, on-time performance, and efficiency. BCDOT and MDOT MTA are already working together proactively and dedicating resources to resurface or reconstruct the corridors to include roadway improvements, ADA compliant bus stops and sidewalks to increase access, and active transportation upgrades on the dedicated bus lane corridors. Ongoing support from the State to expand, reconstruct, and resurface roadways can improve transit system performance, reduce cost of vehicle maintenance, and increase roadway network life expectancy. Additional support is needed from the State to implement traffic control measures such as transit signal priority (TSP), queue jumps, transit bus movement exemptions, and bus stop enhancements for transit rider comfort and safety. Pedestrian infrastructure upgrades to meet ADA standards are a critical component at bus stops and along corridors to provide accessible routes from neighborhoods. These investments to our roadway, transit, and pedestrian infrastructure would improve ridership experiences for users of MTA transit, improve transit reliability, and maintain critical infrastructure for all users of the road.

New Finance Options and State Support for Bridge Repair and Replacement - There are 296 City-owned and maintained bridges in Baltimore. Of those, 178 are in "Fair Condition" and 38 are in "Poor Condition." Due to funding gaps, there are only eight currently under construction, eight currently in design, and 16 scheduled in the CIP, including those under design. To address these failing bridges, Baltimore City requires increased State support for developing innovative financing models to rehabilitate and replace failing bridges and greater flexibility in funding uses and sources. Baltimore would benefit from the use of toll credits for the required local match to draw down more federal funds. Also, State assistance with the use of Grant Anticipation Revenue Vehicles (GARVEEs) bonds would allow Baltimore City to spread the financing over the life of the bridge rather than the construction period.

Thank you, again, for your favorable consideration of these requests. Should you have any questions, please do not hesitate to contact Department of Transportation Director Steve Sharkey at (410) 396-6802 or Steve.Sharkey@baltimorecity.gov. Working together, we can provide the safe, reliable transportation network that the people of Baltimore deserve.

In service,



Brandon M. Scott
Mayor
City of Baltimore

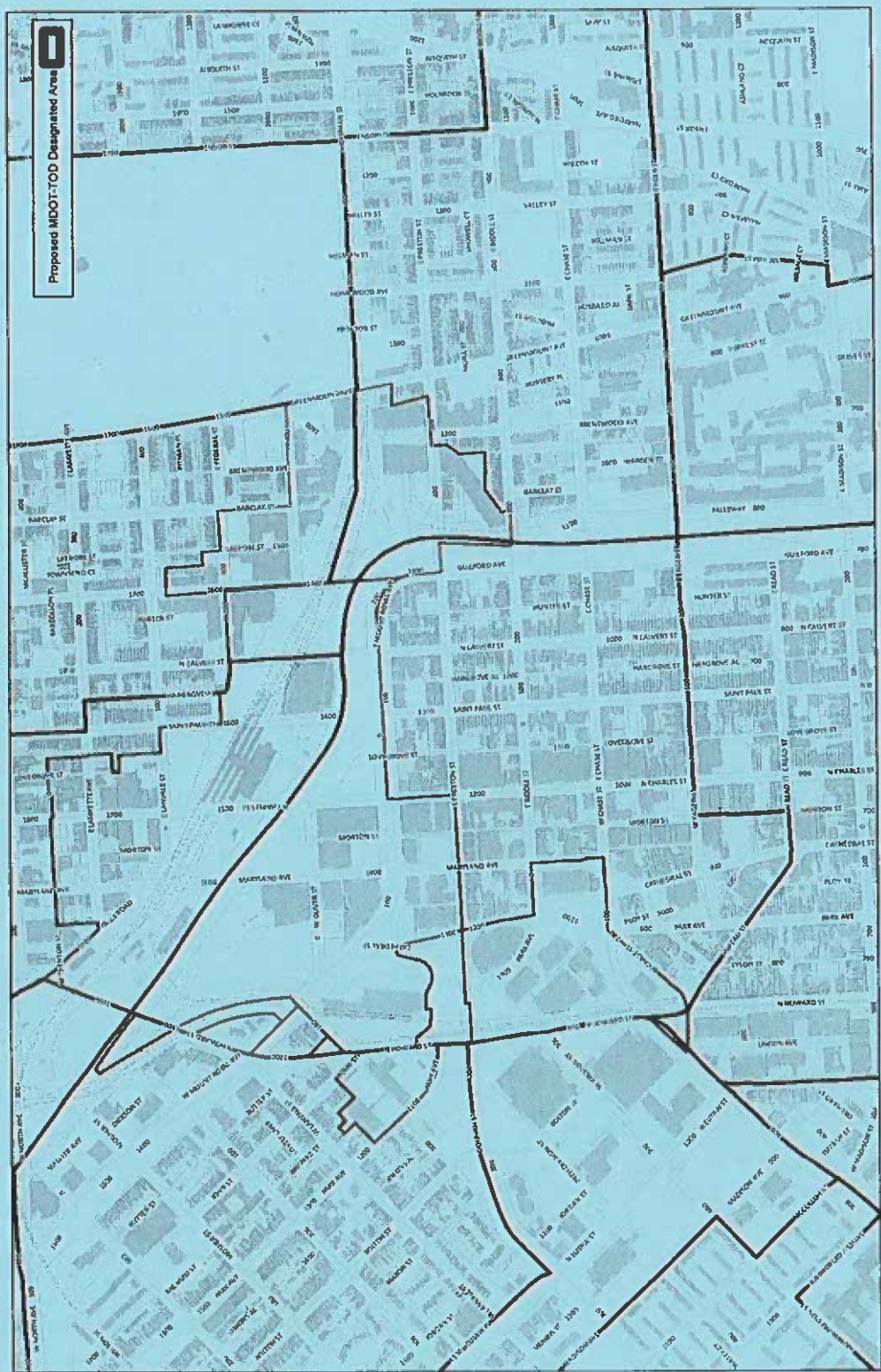
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EXHIBIT B

The boundaries of the proposed Penn Station Transit-Oriented Development, as situated in the City of Baltimore, State of Maryland, are depicted in red on the map below.

{Exhibit B continues on the following page.}

Exhibit B
{Continued}



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EXHIBIT C

The proposed Penn Station Transit-Oriented Development will include certain parts of those blocks and lots situated in the City of Baltimore, State of Maryland listed below.

BLOCK	LOT			
		0389 001	0407 029	0423 026
	0386 015	0389 006	0407 031	0425 001
	0386 015	0389 007	0407 032	0425 002
	0386 015	0389 008A	0407 033	0425 003A
	0386 015	0389 043	0407 034	0425 004
	0386 015	0389 044	0407 035	0425 005
	0387 001	0389 045	0407 036	0425 006
	0387 008	0389 046	0407 040	0425 007
	0387 010	0389 047	0408 001	0425 008
	0387 012	0389 048	0408 004	0425 008
	0387 013	0389 049	0408 006	0425 008
	0387 014	0389 050	0408 007	0425 008
	0387 017	0389 053	0408 008	0425 008
	0387 039	0389 054	0408 009	0427 001
	0387 040	0407 001	0408 010	0427 006
	0388 001	0407 004	0408 011	0427 006
	0388 002	0407 008	0408 012	0427 006
	0388 003	0407 012	0408 013	0427 006
	0388 005	0407 013	0408 020	0427 006
	0388 025	0407 015	0408 037	0427 006A
	0388 026	0407 016	0408 043C	0427 006A
	0388 030	0407 017	0422 001	0427 006A
	0388 031	0407 020	0423 013	0427 006A
	0388 032	0407 023	0423 020	0427 006A
	0388 033	0407 025	0423 021	0427 007
	0388 034	0407 026	0423 022	0428 001
	0388 035	0407 027	0423 025	0428 035
	0388 039	0407 028	0423 025A	0442 001

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	BLOCK	LOT						
1	0442	002	0480	005	0480	036	0480	065A
2	0442	003	0480	006	0480	037	0480	066
3	0442	004	0480	007	0480	038	0480	067
4	0442	006	0480	009	0480	039	0480	068
5	0442	007	0480	010	0480	040	0480	069
6	0446	001	0480	011	0480	041	0480	070
7	0446	002A	0480	012	0480	042	0480	071
8	0446	003	0480	013	0480	043	0480	072
9	0446	004	0480	014	0480	044	0480	073
10	0446	005	0480	015	0480	045	0480	074
11	0447	001	0480	016	0480	046	0480	075
12	0447	011A	0480	017	0480	047	0480	076
13	0447	012	0480	018	0480	048	0480	077
14	0447	015	0480	019	0480	049	0480	078
15	0447	016	0480	020	0480	050	0480	079
16	0447	017	0480	021	0480	051	0480	080
17	0447	018	0480	022	0480	051	0480	081
18	0447	019	0480	023	0480	052	0480	082
19	0448	001	0480	024	0480	053	0480	083
20	0464	001	0480	025	0480	054	0480	084
21	0464	003	0480	026	0480	055	0480	085
22	0464	013	0480	027	0480	056	0480	086
23	0464	018	0480	028	0480	057	0480	087
24	0465	001	0480	029	0480	058	0480	088
25	0465	014	0480	030	0480	059	0480	089
26	0465	024	0480	031	0480	060	0480	090
27	0465	030	0480	032	0480	062	0480	091
28	0480	001	0480	033	0480	063	0480	092
29	0480	002B	0480	034	0480	064	0480	093
30	0480	003	0480	035	0480	065	0480	094

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BLOCK LOT

1	0480 095	0480 125	1110 002	1152 028
2	0480 096	0480 126	1110 003	1152 029
3	0480 097	0480 127	1110 041	1152 030
4	0480 098	0480 128	1110 046	1152 031
5	0480 099	0480 129	1110 047	1152 032
6	0480 100	0480 130	1110 048	1152 033
7	0480 101	0480 131	1110 049	1152 034
8	0480 102	0480 132	1110 050	1152 035
9	0480 103	0480 133	1110 051	1152 036
10	0480 104	0480 134	1110 052	1152 037
11	0480 105	0480 135	1110 053	1152 039
12	0480 106	0480 136	1110 055	1152 040
13	0480 107	0480 137	1110 057	1152 041
14	0480 108	0480 138	1110 058	1152 042
15	0480 109	0480 139	1119 001	1152 043
16	0480 110	0480 140	1119 002	1152 044
17	0480 111	0480 141	1128 001	1152 045
18	0480 112	0480 142	1128 016	1152 046
19	0480 113	0480 143	1128 028	1152 047
20	0480 114	0492 001	1128 030	1152 048
21	0480 115	0492 022	1128 035	1152 049
22	0480 116	0492 023	1128 046	1152 050
23	0480 117	0492 024	1128 048	1152 051
24	0480 118	0492 025	1128 049	1152 052
25	0480 119	0494 001	1128 051	1152 053
26	0480 120	0494 009	1128 052	1152 054
27	0480 121	0494 010	1128 055A	1152 055
28	0480 122	0494 011	1152 026	1152 057
29	0480 123	0501 003	1152 027	
30	0480 124	1110 001		

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Certified as duly passed this 26 day of June, 20 23



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 26 day of June, 20 23



Chief Clerk

Approved this 28 day of June, 20 23



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 27th Day of June, 2023.



Chief Solicitor