



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

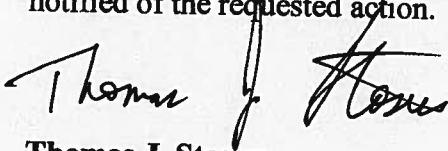
City Council Bill #13-0228, if approved, would grant easements to Petroleum Fuel & Terminal Company to construct, use, and maintain private pipelines under and across or over and across portions of the 1600 block of South Clinton Street, the 1600 block of South Highland Avenue, the 1400 block of South 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 initial "T" and a stylized "S".

Thomas J. Stosur
Director