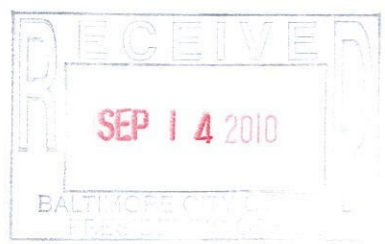


FROM	NAME & TITLE	Khalil A. Zaied, Acting Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation 417 E. Fayette Street, Room 526		
	SUBJECT	City Council Bill 10-0488		

DATE: September 14, 2010

TO

The Honorable President and Members
of the Baltimore City Council
c/o Karen Randle
Room 400 City Hall



I am herein reporting on City Council Bill No. 10-0488.

Planned Unit Development – Designation – 25th Street Station

For the purpose of approving the application of WV Baltimore-24/Sisson LLC and WV Baltimore H 25 LLC (collectively, the “Applicant”), contract purchaser(s) and/or potential owner(s) of certain properties listed on Exhibit 1, attached to and made part of this Ordinance (collectively, the “Property”), to have the Property designated a Business and Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

The Traffic Impact Study (TIS) for the 25th Street Station is complete. Attached is a copy of the TIS for the Council’s legislative file. The Department of Transportation (DOT) has thoroughly reviewed the TIS and discussed its findings with the development team and community members. In conjunction with those discussions, DOT recommends the following language for insertion into City Council Bill No. 10-0488:

SECTION ___. AND BE IT FURTHER ORDAINED, THAT THIS ORDINANCE AND ITS APPROVALS OF THE PLANNED UNIT DEVELOPMENT AND DEVELOPMENT PLAN ARE CONDITIONED ON COMPLIANCE WITH THE FOLLOWING TRAFFIC MITIGATION AGREEMENT REACHED IN ACCORDANCE WITH ZONING CODE §§ 2-305 (“TRAFFIC IMPACT STUDY”) AND 16-301(B) (“REFERRAL TO AGENCIES: TRAFFIC – IMPACT STUDY”) AND BUILDING CODE § 105.3.2 (“ACTION ON (PERMIT) APPLICATION – TRAFFIC IMPACT STUDY”) AS FOLLOWS:

- A. IN A DEVELOPER’S AGREEMENT SUBMITTED TO THE DEPARTMENT OF GENERAL SERVICES FOR CONSTRUCTION WITHIN THE PLANNED UNIT DEVELOPMENT, THE APPLICANT SHALL, AT THE APPLICANT’S EXPENSE AND PURSUANT TO PLANS AND SPECIFICATIONS APPROVED BY THE DEPARTMENT OF TRANSPORTATION:
 1. MILL AND REPAVE THE ROADWAY OF THE 2400 BLOCK OF NORTH HOWARD STREET AND THE PORTION OF 25TH STREET FROM THE 25TH/HUNTINGDON ENTRANCE TO THE PLANNED UNIT DEVELOPMENT TO THE INTERSECTION OF 25TH AND HOWARD STREETS; AND
 2. RE-STRIPE THE NORTH HOWARD STREET LANES BETWEEN 24TH STREET AND 25TH STREET TO PROVIDE A DEDICATED LEFT TURN LANE FROM NORTHBOUND

HOWARD STREET ONTO 25TH STREET, AND MODIFY THE SIGNAL AT SUCH INTERSECTION TO PROVIDE FOR A DEDICATED LEFT TURN.

B. WITHIN NINETY (90) DAYS AFTER THE ISSUANCE OF ITS FIRST BUILDING PERMIT WITHIN THE PLANNED UNIT DEVELOPMENT, AND AS A CONDITION TO ISSUANCE OF ANY OCCUPANCY PERMIT, THE APPLICANT SHALL MAKE PAYMENT TO THE DEPARTMENT OF TRANSPORTATION FOR THE COST OF TRAFFIC CALMING DEVICES, SIGNS, LANE MARKINGS AND OTHER IMPROVEMENTS NECESSARY TO REDUCE CUT-THROUGH TRAFFIC AND IMPROVE PEDESTRIAN AND BICYCLE SAFETY AND ACCESS TO AND FROM THE PLANNED UNIT DEVELOPMENT IN THE AMOUNT OF \$160,000.00. FUNDS RECEIVED BY THE DEPARTMENT UNDER THIS PARAGRAPH:

1. MUST ONLY BE USED IN THE AREA GENERALLY BOUNDED BY SISSON STREET TO THE WEST, 29TH STREET TO THE NORTH, CALVERT STREET TO THE EAST AND 22ND STREET TO THE SOUTH.
2. MUST BE DEVELOPED IN CONSULTATION WITH COMMUNITY ORGANIZATIONS AND OTHER STAKEHOLDERS WITHIN THE BOUNDARIES DESCRIBED ABOVE.

C. WITHIN NINETY (90) DAYS AFTER THE ISSUANCE OF ITS FIRST BUILDING PERMIT WITHIN THE PLANNED UNIT DEVELOPMENT, AND AS A CONDITION TO ISSUANCE OF ANY OCCUPANCY PERMIT, THE APPLICANT SHALL MAKE PAYMENT TO THE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$100,000.00 FOR TRAFFIC SIGNAL TIMING OPTIMIZATION AND INTELLIGENT TRANSPORTATION SYSTEM IMPROVEMENTS. FUNDS RECEIVED BY THE DEPARTMENT UNDER THIS PARAGRAPH:

1. MUST ONLY BE USED IN THE AREA GENERALLY BOUNDED BY THE JONES FALLS EXPRESSWAY TO THE WEST, 29TH STREET TO THE NORTH, GREENMOUNT AVENUE TO THE EAST AND NORTH AVENUE TO THE SOUTH, EXCEPT TO THE EXTENT THAT THE DIRECTOR OF TRANSPORTATION DETERMINES THAT A BROADER TRAVELSHED AREA IS REQUIRED IN ORDER TO BALANCE THE OVERALL TRANSPORTATION NETWORK.
2. MUST BE USED IN A MANNER THAT BALANCES THE NEEDS OF VEHICULAR, PEDESTRIAN AND BICYCLE TRAFFIC, INCLUDING LOCAL AND THROUGH TRIPS.
3. TO REVIEW THE IMPACT OF TRAFFIC GENERATED FROM THE PLANNED UNIT DEVELOPMENT NOT LESS THAN 18 MONTHS AFTER THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THE LARGEST RETAIL SITE WITHIN THE PLANNED UNIT DEVELOPMENT.

D. AT THE DISCRETION OF THE DIRECTOR OF TRANSPORTATION, FUNDING IN EXCESS OF THAT WHICH IS NEEDED FOR THE WORK DESCRIBED IN PARAGRAPH B OR C MAY BE TRANSFERRED TO WORK UNDER THE OTHER PARAGRAPH, AND MAY ALSO BE USED FOR THE REASONABLE ADMINISTRATIVE EXPENSES OF CARRYING OUT THIS SECTION.

E. ANY FUNDS NOT EXPENDED WITHIN 36 MONTHS OF THE ISSUANCE OF THE OCCUPANCY PERMIT FOR THE LARGEST RETAIL SITE SHALL BE REFUNDED TO THE APPLICANT.

F. THE PLANNING COMMISSION SHALL DETERMINE WHAT CONSTITUTES MINOR OR MAJOR MODIFICATIONS TO THE PROVISIONS OF THIS SECTION [____]. MINOR MODIFICATIONS

REQUIRE APPROVAL OF THE PLANNING COMMISSION. MAJOR MODIFICATIONS REQUIRE APPROVAL BY ORDINANCE, HOWEVER ANY PROPOSED MODIFICATION THAT WOULD REDUCE THE AMOUNT OF APPLICANT'S PAYMENTS HEREUNDER SHALL BE A MAJOR MODIFICATION.

Respectfully,



KHALIL A. ZAIID
ACTING DIRECTOR

KZ/BZ:zs

cc: Ms. Angela C. Gibson
Mr. Jamie Kendrick
Mr. Frank Murphy

Visit our [website@www.baltimorecity.gov](http://www.baltimorecity.gov)

cc: Ms. Angela C. Gibson
Mr. Jamie Kendrick
Mr. Frank Murphy