

<b>FROM</b>	NAME & TITLE	Alfred H. Foxx, Director 	CITY of <b>BALTIMORE</b> <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Department of Transportation 417 E. Fayette Street, Room 527		
	SUBJECT	City Council Bill 08-0111		

DATE: July 9, 2008

**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. 08-0111.

Planned Unit Development – Amendment 1 – Marketplace at Fell’s Point

For the purpose of approving certain amendments to the Development Plan of the Marketplace at Fell’s Point Planned Unit Development.

The Department of Transportation proposes certain amendments to the bill. The amendments reflect the Traffic Impact Study completed for the PUD and that the applicant has agreed to a schedule of traffic impact fees. The amendment excludes from the fees dwellings or commercial properties that were occupied prior to the applicant’s acquisition or lease. Furthermore, it is agreed that the collected fees will be used for traffic demand management strategies. Finally, the amendment provides for review by DOT and MTA of the final design for the possible placement of a Red Line Station in the area and that the applicant agrees to make no plans that might interfere with such a development.

A final Traffic Management Agreement will be presented for Board of Estimates approval; subject to the terms of this ordinance prior to final design approval by the Planning Commission.

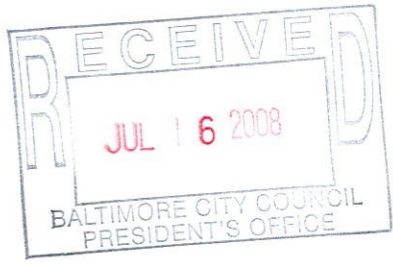
Assuming the inclusion of the Department of Transportation’s amendments, we support the passage of this bill.

Respectfully,

  
ALFRED H. FOXX  
DIRECTOR

AHF/WD:zs

- cc: Ms. Angela C. Gibson
- Mr. Anthony P. Wallnofer, Jr.
- Mr. Bill Driscoll
- Mr. Jamie Kendrick



*F/A*

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AMENDMENTS TO COUNCIL BILL 08-0111  
(First Reader Copy)

By: Department of Transportation  
{ To be offered to the Land Use and Transportation Committee }

**Amendment No. 1**

On page 2, after line 36, insert

“SECTION 5. AND BE IT FURTHER ORDAINED, That Section 5 of Ordinance 07-435 is amended to read as follows:

SECTION 5. AND BE IT FURTHER ORDAINED, That [the requirements of] PURSUANT TO Ordinance 06-345 [must be satisfied prior to the issuance of building permits for the construction of permanent improvements on the Property within the Planned Unit Development], A TRAFFIC IMPACT STUDY HAS BEEN CONDUCTED FOR THE PLANNED UNIT DEVELOPMENT. AS A CONDITION PRECEDENT TO FINAL DESIGN APPROVAL BY THE PLANNING COMMISSION, THE APPLICANT SHALL:

(A) ENTER INTO A TRAFFIC MITIGATION AGREEMENT SUBJECT TO APPROVAL OF THE BOARD OF ESTIMATES AS FOLLOWS:

(1) A TRAFFIC IMPACT FEE SHALL BE PAID TO THE CITY OF BALTIMORE ACCORDING TO THE FOLLOWING SCHEDULE:

\$692 PER RESIDENTIAL UNIT

\$759 PER HOTEL ROOM

\$6.75 PER SQUARE FOOT OF COMMERCIAL OR RETAIL SPACE

\$2.05 PER SQUARE FOOT OF OFFICE SPACE

\$0.65 PER SQUARE FOOT OF WAREHOUSE OR INDUSTRIAL SPACE

(2) THE TRAFFIC MITIGATION AGREEMENT ENTERED INTO BY THE BOARD OF ESTIMATES SHALL NOT APPLY FEES REQUIRED BY PARAGRAPH (A)(1) TO THOSE DWELLINGS OR COMMERCIAL AREAS OCCUPIED AT THE TIME OF ACQUISITION OR LEASE, IN

THE CASE OF THE MARKET PROPERTIES, BY SOUTH BROADWAY PROPERTIES, LLC, OR ITS ASSIGNS.

- (3) FEES PAID THROUGH THE TRAFFIC MITIGATION AGREEMENT SHALL BE USED FOR TRANSPORTATION DEMAND MANAGEMENT STRATEGIES SUCH AS, BUT NOT LIMITED TO: THE PROVISION OF BICYCLE FACILITIES AND/OR CAR-SHARING PROGRAMS, OPERATION OF SHUTTLE BUS, WATER TAXI SERVICE, OR A TRANSPORTATION MANAGEMENT ASSOCIATION.
- (B) PROVIDE THE DEPARTMENT OF TRANSPORTATION AND THE MARYLAND TRANSIT ADMINISTRATION 30 DAYS TO REVIEW AND COMMENT ON THE PROPOSED FINAL DESIGN, FOR THE PURPOSES OF REVIEW RELATED TO THE LOCATION OF A POTENTIAL RED LINE TRANSIT STATION AT OR NEAR THE MARKETPLACE. THE DEVELOPER SHALL MAKE NO PLANS THAT CONTRADICT THE PLACEMENT OF SUCH A STATION.”.

**Amendment No. 2**

On page 2, in line 37, and on page 3, in line 3, strike “5” and “4”, respectively and substitute “6” and “7”, respectively.