


REVISED

F R O M	Name & Title	William M. Johnson, Director	CITY OF BALTIMORE MEMO 
	Agency Name & Address	Department of Transportation 417 E. Fayette St.	
	Subject	City Council Bill 14-0379	

October 20, 2014

The Honorable President and Members of the City Council
c/o Natawna Austin
City Hall, Rm. 400

I am herein reporting on City Council Bill #14-0379, Planned Unit Development – Designation Remington Row, for the purpose of approving the application of Miller’s Square, LLC; Miller’s Square Retail, LLC; and 211 W. 28th Street, LLC (together the “Applicant”) to have the properties listed in Exhibit 1 of the Bill designated as a Business Planned Unit Development (PUD).

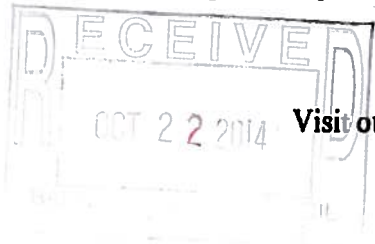
DOT respectfully requests to replace its former bill report dated September 22, 2014, “City Council Bill 14-0379,” with this report. DOT supports this bill and respectfully requests that the Committee grant this bill a favorable report.

DOT has obtained a Traffic-Impact Study for this PUD, pursuant to certain requirements of the Baltimore Zoning and Building Codes. Under the Baltimore City Zoning Code, upon the:

introduction of a bill proposing any zoning legislation, ... the City Council must ... refer the bill and all accompanying documents to the Director of Transportation for review and, if required, traffic mitigation ... if: (1) traffic mitigation requirements for the proposed zoning authorization have not already been complied with in accordance with this [Zoning Code] or the Baltimore City Building, Fire, and Related Codes; and (2) the proposed zoning authorization ... involves 15,000 sq. ft. or more of gross floor area; or involves 50 or more dwelling units.

ZG § 16-301(a,b). Under the Baltimore City Building Code, a “traffic impact study is required for any proposed work outside of a Traffic-Mitigation Zone if the proposed work involves... 50 or more dwelling units, or a gross floor area that equals or exceeds ... for any ... combination of uses, 50,000 sq. ft.” IBC § 3802.2. “The area and scope of each study is to be determined by the Department of Transportation[.]” IBC § 3804.2.2. “The applicant and the Department of Transportation must negotiate in good faith to determine who must pay for and undertake the actions necessary or appropriate to mitigate the adverse traffic impacts identified in the Traffic-Impact Study. If no agreement is reached, the application is not approved.” IBC § 3804.5.

The proposed development plan is located outside of a Traffic-Mitigation Zone and includes a three-phased build-out of a total of 45,000 square feet of office, 33,000 square feet of retail, 108 dwelling units and potentially an additional 40,000 square feet of permitted use under the PUD. Therefore, this zoning legislation was appropriately referred to DOT for review and triggers traffic mitigation requirements.



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The Remington Row Traffic Impact Study was completed on October 2014. It assessed the impacts of traffic associated with the proposed development on the surrounding transportation network, and determined that, upon final build-out of the development:

- No intersections in the study area would fail under existing conditions;
- The intersection of 28th Street and Remington Avenue would fail based upon factors that would affect the performance of the transportation network but are not directly related to the subject development (“Background Conditions”); and,
- The intersection of 28th Street and Remington Avenue and the intersection of 28th Street Howard Street would fail based upon the project’s final build-out and the Background Conditions.

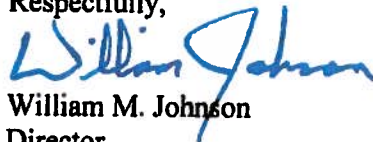
The Applicant and DOT have negotiated in good faith and agreed that the Applicant will pay a one-time payment of \$25,000 to the City, and DOT will use those funds to mitigate the adverse impacts caused to the subject intersections and/or address other concerns within the immediate vicinity, as they become apparent at the time of build-out.

Relevantly, the Applicant also elected to provide a supplemental parking analysis, which is not required as part of the Traffic-Impact Study process. The Remington Row Traffic Impact Study Parking Analysis, completed on October 3, 2014 by Sabra, Wang & Associates, Inc., determined that the development would provide sufficient off-site parking to satisfy City zoning codes, and that the surrounding neighborhood streets are documented to have a high demand for on-street parking throughout the weekday and weekend hours. The study recommends that, although the construction of the development will increase the number of on-street parking spaces, that on-street parking be reexamined and evaluated for alternatives prior to 60% occupancy of the site. DOT intends to work closely with the Parking Authority to follow this recommendation.

Finally, under the Zoning Code, in reviewing PUD legislation, “the agencies to which a bill is referred must consider” a number of factors, including but not limited to whether the PUD “will secure for its residents and neighboring residents substantially the same benefits as would be provided by application of the basic district regulations” with respect to availability of street access, whether the PUD “will secure for its residents and neighboring residents substantially the same protection as would be provided by application of the basic district regulations” with respect to “fire, health hazards, and other dangers,” and whether the PUD “will permit design features that would not be possible by application of the basic district regulations.” ZG § 9-112. DOT has reviewed the legislation and finds that in light of the above considerations, recommends that the Committee grant a favorable report on City Council Bill 14-0379.

Thank you for this opportunity to comment.

Respectfully,



William M. Johnson

Director

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