Introduced by: Councilmember Schleifer
At the request of: Blue Ocean Realty
Address: c/o Alfred W. Barry, AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900

Prepared by: Department of Legislative Reference **Date:** March 29, 2017

Referred to: LAND USE AND TRANSPORTATION Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0049

A BILL ENTITLED

AN ORDINANCE concerning

Planned Unit Development – Designation – Overlook at Roland Park

FOR the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of
Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

_____ Baltimore City Public School System

✓ Baltimore Development Corporation

✓ City Solicitor

_____ Comptroller's Office

_____ Department of Audits

_____ Department of Finance

_____ Department of General Services

✓ Department of Housing and Community Development

_____ Department of Human Resources

_____ Department of Planning

_____ Other:_____

_____ Other:_____

_____ Other:_____

✓ Department of Public Works

_____ Department of Real Estate

_____ Department of Recreation and Parks

✓ Department of Transportation

✓ Fire Department

_____ Health Department

_____ Mayor's Office of Employment Development

_____ Mayor's Office of Human Services

_____ Mayor's Office of Information Technology

_____ Office of the Mayor

_____ Police Department

_____ Other:_____

_____ Other:_____

Boards and Commissions

_____ Board of Estimates

_____ Board of Ethics

✓ Board of Municipal and Zoning Appeals

_____ Comm. for Historical and Architectural Preservation

_____ Commission on Sustainability

_____ Employees' Retirement System

_____ Other:_____

_____ Other:_____

_____ Other:_____

_____ Environmental Control Board

_____ Fire & Police Employees' Retirement System

_____ Labor Commissioner

✓ Parking Authority Board

✓ Planning Commission

_____ Wage Commission

_____ Other:_____

_____ Other:_____

_____ Other:_____

CITY OF BALTIMORE
ORDINANCE 17-037
Council Bill 17-0049

Introduced by: Councilmember Schleifer
At the request of: ~~Blue Ocean Realty~~ Overlook Sub 1 LLC and Overlook Sub 2 LLC
Address: c/o Alfred W. Barry, AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900
Introduced and read first time: April 3, 2017
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: June 12, 2017

AN ORDINANCE CONCERNING

Planned Unit Development – Designation – Overlook at Roland Park

FOR the purpose of approving the application of ~~Blue Ocean Realty~~ Overlook Sub 1 LLC and Overlook Sub 2 LLC, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have the R-6 zoned portion of that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of
Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

Recitals

~~Blue Ocean Realty~~ Overlook Sub 1 LLC and Overlook Sub 2 LLC is the contract purchaser of property located at Ward 27, Section 15, Block 4820E, Lot 021.

~~Blue Ocean Realty~~ Overlook Sub 1 LLC and Overlook Sub 2 LLC proposes to develop a single multi-family dwelling, consisting of ~~132~~ 148 dwelling units.

On March 27, 2017, representatives of ~~Blue Ocean Realty~~ Overlook Sub 1 LLC and Overlook Sub 2 LLC met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the property and to institute proceedings to have the property designated a Residential Planned Unit Development.

The representatives of ~~Blue Ocean Realty~~ Overlook Sub 1 LLC and Overlook Sub 2 LLC have now applied to the Baltimore City Council for designation of the property as a Residential

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.

Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of ~~Blue Ocean Realty~~ Overlook Sub 1 LLC and Overlook Sub 2 LLC, contract purchaser of the property located at Ward 27, Section 15, Block 4820E, Lot 021, as outlined on the accompanying Development Plan entitled "Overlook at Roland Park", dated March 27, 2017, to designate the property a Residential Planned Development under Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by the applicant, consisting of the following Exhibit Sheets, is approved:

Sheet 1, "Existing Conditions Plan", dated ~~March 27~~ June 2, 2017;

Sheet 2, "Proposed Site Plan", dated ~~March 27~~ June 2, 2017;

Sheet 3, "Exterior Elevations", dated ~~March 27~~ June 2, 2017; ~~and~~

Sheet 4, "Proposed Landscape Plan", dated ~~March 27~~ June 2, 2017~~.~~ ;

Sheet 5, "Covenants", dated June 2, 2017;

Sheet 6, "Covenants", dated June 2, 2017;

Sheet 7, "Covenants", dated June 2, 2017;

Sheet 8, "Covenants", dated June 2, 2017;

Sheet 9, "Covenants", dated June 2, 2017;

Sheet 10, "Covenants", dated June 2, 2017;

Sheet 11, "Covenants", dated June 2, 2017;

Sheet 12, "Covenants", dated June 2, 2017; and

Sheet 13, "Covenants", dated June 2, 2017.

SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 2, the following use is allowed within the Planned Unit Development:

A single multiple-family dwelling unit consisting of ~~132~~ 148 dwelling units.

SECTION 4. AND BE IT FURTHER ORDAINED, That off-street parking spaces must be provided at a minimum of 1 space per dwelling unit.

SECTION 5. AND BE IT FURTHER ORDAINED, That Final Design approval will be required by the Planning Commission.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Planning Commission may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 8. AND BE IT FURTHER ORDAINED, That the contract purchaser has entered into a Traffic Mitigation Agreement with the Department of Transportation that is as follows:

> As a condition for the issuance of the building permit, the applicant must pay to the Department of Transportation $18,000 for pedestrian and transit rider improvements at the intersection of Falls Road and Northern Parkway. Subject to the approval by the Board of Estimates, these funds shall be used in the area generally bounded by Northern Parkway and Falls Road along the street frontage of the proposed development, except to the extent that the Director of Transportation, or the Board of Estimates, determines that a broader traversed area is required to balance the overall transportation network.

SECTION 9 8. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 10 9. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Council Bill 17-0049

Certified as duly passed this _____ day of JUN 19 2017

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of JUN 19 2017

Chief Clerk

Approved this 21 day of July, 2017

Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 21st **Day of** June 2017.

Elena R. DiPietro
Chief Solicitor

dir17-0191(3)~3rd/09Jun17
pudest/cb17-0049~3rd/nbr

APPROVED FOR FORM
STYLE, AND TEXTUAL SUFFICIENCY
6-9-17
DEPT LEGISLATIVE REFERENCE

AMENDMENTS TO COUNCIL BILL 17-0049
(1st Reader Copy)

By: Land Use and Transportation Committee

Amendment No. 1

On page 1, in the "At the request of:" line, strike "Blue Ocean Realty" and substitute "Overlook Sub 1 LLC and Overlook Sub 2 LLC"; on page 1, in lines 3, 13, 15, 17, and 21, and, on page 2, in line 4, in each instance, strike "Blue Ocean Realty" and substitute "Overlook Sub 1 LLC and Overlook Sub 2 LLC".

Amendment No 2.

On page 1, in line 15, and, on page 2, in line 17, in each instance, strike "132" and substitute "148".

ADOPTED

Amendment No. 3

On page 1, in line 4, after "have", insert "the R-6 zoned portion of".

Amendment No. 4

On page 2, in lines 11, 12, 13, and 14, in each instance, strike "March 27" and substitute "June 2"; on page 2, in line 13 strike "and"; on the same page, in line 14, strike the period and substitute a semi colon; and, after line 14, insert

"Sheet 5, "Covenants", dated June 2, 2017;

Sheet 6, "Covenants", dated June 2, 2017;

Sheet 7, "Covenants", dated June 2, 2017;

Sheet 8, "Covenants", dated June 2, 2017;

Sheet 9, "Covenants", dated June 2, 2017;

Sheet 10, "Covenants", dated June 2, 2017;

Sheet 11, "Covenants", dated June 2, 2017;

Sheet 12, "Covenants", dated June 2, 2017; and

Sheet 13, "Covenants", dated June 2, 2017.".

Amendment No. 5

On page 2, after line 27, insert

"**SECTION 8. AND BE IT FURTHER ORDAINED,** That the contract purchaser has entered into a Traffic Mitigation Agreement with the Department of Transportation that is as follows:

As a condition for the issuance of the building permit, the applicant must pay to the Department of Transportation $18,000 for pedestrian and transit rider improvements at the intersection of Falls Road and Northern Parkway. Subject to the approval by the Board of Estimates, these funds shall be used in the area generally bounded by Northern Parkway and Falls Road along the street frontage of the proposed development, except to the extent that the Director of Transportation, or the Board of Estimates, determines that a broader traversed area is required to balance the overall transportation network.".

Amendment No. 6

On page 2, in line 28, and on page 3, in line 1, strike "8" and "9", respectively, and substitute "9" and "10", respectively.

BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE
VOTING RECORD

DATE: June 7, 2017

BILL NUMBER: 17-0049

BILL TITLE: PLANNED UNIT DEVELOPMENT – DESIGNATION – OVERLOOK AT ROLAND PARK

MOTION BY: Costello **SECONDED BY:** Pinkett

☐ **FAVORABLE** ☑ **FAVORABLE WITH AMENDMENTS**

☐ **UNFAVORABLE** ☐ **WITHOUT RECOMMENDATION**

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward - Chairman	✓			
Middleton, Sharon -Vice Chair	✓			
Clarke, Mary Pat				✓
Costello, Eric	✓			
Dorsey, Ryan	✓			
Pinkett, Leon	✓			
Stokes, Robert	✓			
TOTALS	6			1

CHAIRPERSON: Edward L. Reisinger

COMMITTEE STAFF: Marshall C. Bell **Initials:** MB

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE: THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A PLANNED UNIT DEVELOPMENT FOR

City Council Bill No. 17-0049

Planned Unit Development – Designation – Overlook at Roland Park

According to the Baltimore City Zoning Code, agency reports and public testimony an amendment to a Planned Unit Development is being granted under:

Title 9-112

ADOPTED

After consideration of:

(1) the standards in Title 14 (Conditional Uses) of this article governing conditional uses; and

(2) the plans for the Planned Unit Development are in general conformance with:

(A) all elements of the Master Plan; and

(B) the character and nature of existing and contemplated development in the vicinity of the proposed Planned Unit Development;

(3) the Planned Unit Development will preserve unusual topographic or natural features of the land;

(4) the design of the Planned Unit Development will best utilize and be compatible with the topography of the land;

(5) the physical characteristics of the Planned Unit Development will not adversely affect:

(A) future development or the value of undeveloped neighboring areas; or

(B) the use, maintenance, or value of neighboring areas already developed;

(6) with respect to availability of light, air, open space, and street access, the Planned Unit Development will secure for its residents and neighboring residents substantially the same benefits as would be provided by application of the basic district regulations;

(7) with respect to fire, health hazards, and other dangers, the Planned Unit Development will secure for its residents and neighboring residents substantially the same protection as would be provided by application of the basic district regulations; and

(8) the Planned Unit Development will permit design features that would not be possible by application of the basic district regulations.

Title 14-204

Upon finding that:

(1) the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;

(2) the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;

(3) the authorization is not otherwise in any way contrary to the public interest; and

(4) the authorization is in harmony with the purpose and intent of this article

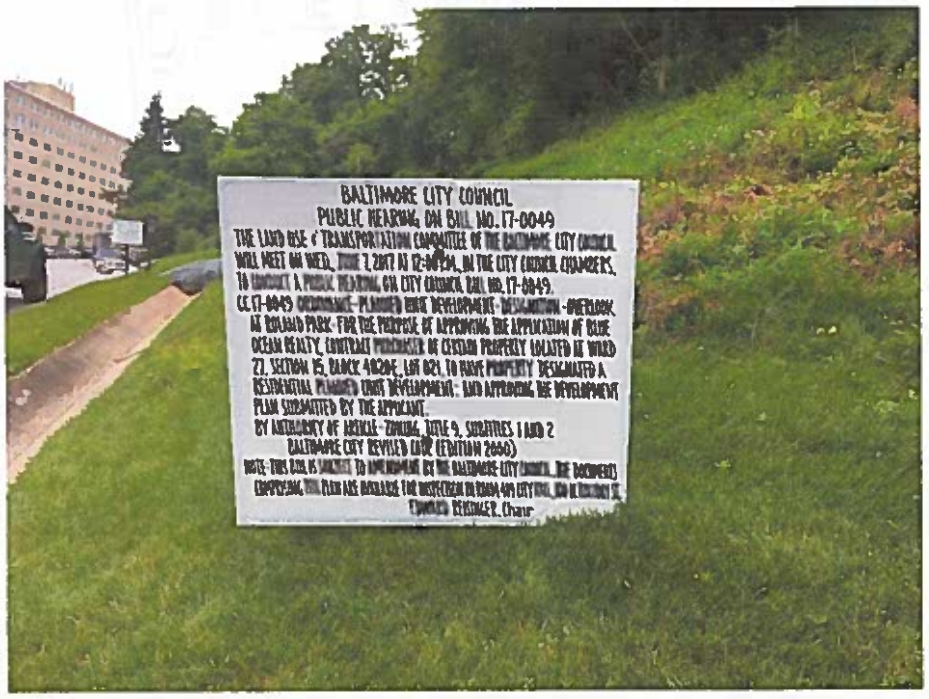
LAND USE AND TRANSPORTATION COMMITTEE:

Chairman	**Member**
Member	**Member**
Member	**Member**
Member	**Member**

Certificate of Posting

Baltimore City Council

Hearing Notice City Council Bill No. 17-0049



Overlook at Roland Park

Posted 5/23/17

Alfred W. Barry III

201 E. Baltimore St. #1150

Baltimore, MD 21202

RECEIVED
JUN - 7 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

"NOTICE OF INTRODUCTION" SIGN - POSTING REQUIRED

(For Conditional Use, Planned Unit Development and Rezoning Ordinances)

Each applicant requesting authorization of the City Council for a conditional use, a change in the zoning classification of property, or a planned unit development is required to post in a conspicuous place on the property a sign giving notice of the requested authorization or zoning classification change. **The property must be posted for at least 30 days beginning one week after the bill is introduced in the City Council.** Signs are provided by the Department of Legislative Reference (396-4730) for a $20.00 fee.

"NOTICE OF INTRODUCTION" SIGN

ZONING NOTICE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT CITY COUNCIL BILL NO.: 17-0049 **HAS BEEN INTRODUCED INTO THE CITY COUNCIL OF BALTIMORE.**

THE PROPERTY KNOWN AS: Ward 27, Section 15, Block 4820E, Lot 021

IS PROPOSED TO BE

- ☐ **REZONED FROM:** _____ **TO** _____
- ☐ **CONDITIONAL USE AS:** _____
- ☑ **PLANNED UNIT DEVELOPMENT:** Overlook at Roland Park (NAME)
- ☐ **OTHER:** _____

BY AUTHORITY OF ARTICLE 30 - ZONING, BALTIMORE CITY CODE

The "Notice of Introduction" sign must be posted on the property as follows:

A. The sign must be posted in a conspicuous manner on the front side of the property, not over ten feet above the ground level, and where it will be clearly visible and legible to the public.
B. The sign must be posted not later than one week after introduction of the bill and must remain posted for 30 days thereafter.
C. The sign must be maintained in good condition the entire time it is posted. Where proposed changes are to be at the rear of the property, the sign must nevertheless be posted on the front of the premises, unless otherwise directed.

FOR DEPARTMENT OF LEGISLATIVE REFERENCE

Property Owner : _____

Authorized Representative: _____

Address: _____

Bill No: 17-0049 **Sign Picked Up By:** _____
SIGNATURE OF PROPERTY OWNER OR REPRESENTATIVE

Type of Change Requested by the Bill (check one):

____ **Conditional Use** ____ **Rezoning** ✓ **Planned Unit Development**

NOTE:

- Prior to the public hearing on the bill, the Certificate of Posting at the bottom of this form must be dated, signed, and returned to: Baltimore City Council Office; Executive Secretary; Room 409 City Hall; 100 N. Holliday Street, Baltimore, Maryland 21202.
- A second sign ("Notice of Hearing") will be required to be posted before the public hearing. Information about the "Notice of Hearing" sign can be obtained from the Executive Secretary of the Baltimore City Council (396-4800.)

LEGAL NOTICES

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 17-0049

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, June 7, 2017 at 12:00 p.m., in the City Council Chambers, to conduct a public hearing on City Council Bill No. 17-0049.

CC 17-0049 ORDINANCE - Planned Unit Development - Designation - Overlook at Roland Park - FOR the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of Article - Zoning Title 9, Subtitles 1 and 2 Baltimore City Revised Code (Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council. The documents comprising this plan are available for inspection in Room 409, City Hall, 100 N. Holliday Street.

EDWARD REISINGER, Chairman

THE BALTIMORE SUN MEDIA GROUP

501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

Y CERTIFY, that the annexed advertisement of Order No 4959340

es - CU00294545
nore St Ste 1150
Baltimore,MD 21202

Bill To:
Ab Associates - CU00294545
201 E Baltimore St Ste 1150
Baltimore,MD 21202

Was published in "The Baltimore Sun", "Daily", a newspaper printed and published in Baltimore City on the following dates:

May 23, 2017

The Baltimore Sun Media Group

By Shanna Evans

Subscribed and sworn to before me this 23 day of May 2017

By Michele Elaine

Notary Public

My commission expires 10/6/19

MICHELE ELAINE GRIESBAUER NOTARY PUBLIC BALTIMORE

RECEIVED
MAY 25 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	Frank J. Murphy, Acting Director	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527	
	SUBJECT	City Council Bill 17-0049	

TO The Honorable President and Members of the City Council
c/o Natawna Austin
Room 400 City Hall

May 2, 2017

I am herein reporting on City Council Bill 17-0049 for the purpose of the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development, and approving the Development Plan submitted by the applicant.

The Department of Transportation was provided documents entitled Perpetual Easement dated December 30, 1986 and Deed dated October 16, 1986. The documents establish that there is an easement for the benefit of Lot 21 (proposed development parcel) over Lot 1 which is the lot that the Belvedere Apartments is constructed on. The ingress and egress provided would cover both vehicular and pedestrian traffic and would allow for passage over Lot 1 to get to both Falls Road and Northern Parkway.

The site plan provided to the Department of Transportation showed proposed improvements to the existing entrance on Falls Road. This entrance is not included in the proposed planned unit development (PUD), and therefore cannot be evaluated by the TIS. DOT recommends that the improvements to this intersection be removed from the PUD.

The Traffic Impact Study (TIS) for 1190 West Northern Parkway is complete. Attached is a copy of the TIS for the Council's legislative file. The Department of Transportation (DOT) has reviewed the TIS and discussed its findings with the development team. The agreed upon improvements are:

A. Install advance warning pedestrian signs on southbound for the intersection of Falls Road and Northern Parkway.
B. Upgrade transit stop at Falls Road and Northern Parkway for pedestrian safety.
C. Refresh the crosswalks with thermoplastic markings on the north leg of Falls Road at Northern parkway.
D. Remove vegetation within the sight triangle between the existing north entrance to Belvedere Tower Apartments and Clifthurst Avenue and removal of vegetation back to the right-of-way.

DOT recommends the amendments for insertion into City Council Bill No. 17-0049. The amendments would formalize the agreed upon proposed improvements and who is responsible for construction and financing.

Thank you for this opportunity to comment.

Respectfully,

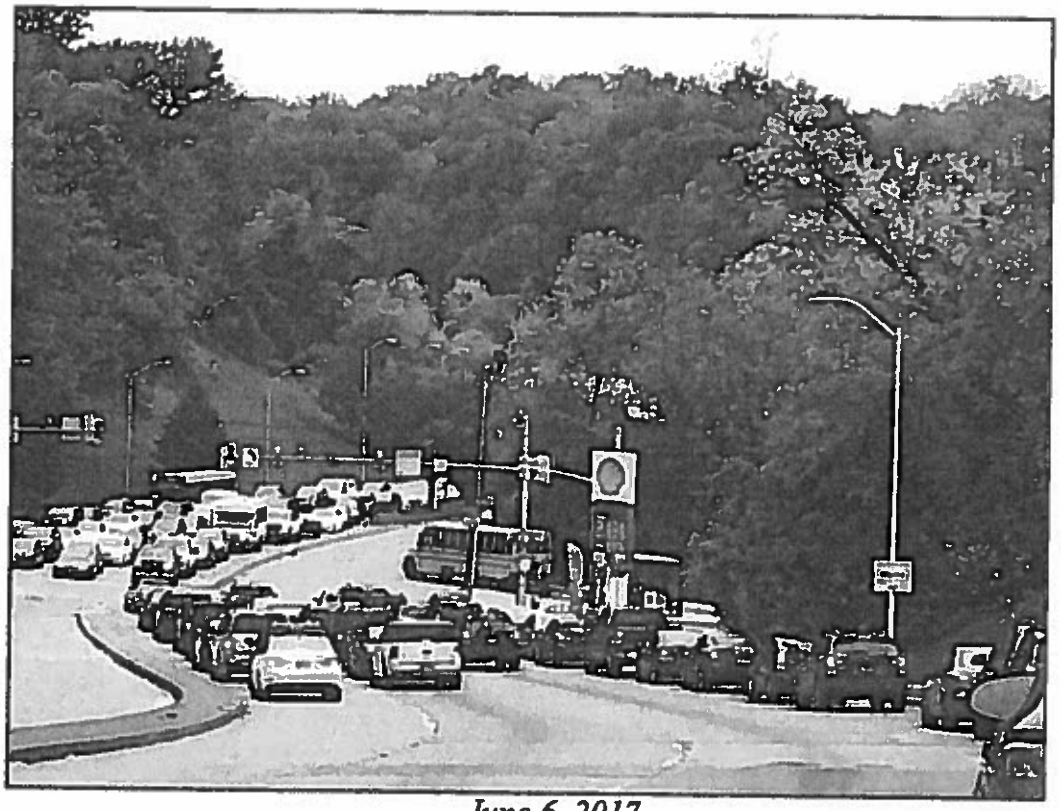
Lindsay Wines for

Frank J. Murphy
Acting Director

FJM/PAF
Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office

1190 W. Northern Parkway

Traffic Impact Study



June 6, 2017

Prepared For:

DEPARTMENT OF TRANSPORTATION
BALTIMORE CITY

Prepared By:

Sabra, Wang & Associates, Inc.

Engineers • Planners • Analysts

Table of Contents

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Appendices

I. INTRODUCTION

The proposed 1190 Northern Parkway development is a four-story 209,000 SF multi-family building with 148 dwelling units and a 297 space parking garage located on the northeast corner of Northern Parkway and Falls Road. The area is currently improved with multiple gas stations, retail lots, single family houses, and an existing Belvedere Towers multi-family apartment building which will remain unchanged and is not part of the proposed development. The anticipated build-out year of 1190 Northern Parkway is 2019.

The proposed development is a Planned Unit Development (PUD) located behind the existing Belvedere Towers development. With no access to Falls Road or Northern Parkway, the owner is proposing to establish a shared access agreement with the owner of the existing Belvedere Towers. The agreement will allow the proposed development use of the established access points on Falls Road and the right-in/right-out on Northern Parkway. The Department of Transportation has received the access agreement and has conferred with the Law Department that the access agreement provides the new development with access to the existing access points on Northern Parkway and Falls Road. The existing access for ingress and egress are not included in the PUD.

The TIS panel met on February, 4th, 2016 and through continued coordination a scope was developed which identified the following study intersections:

1. Falls Road at Smith Avenue
2. Falls Road at Kelly Avenue
3. Falls Road at Mattfeldt Avenue/ North Entrance - Existing
4. Falls Road at Shell Station/ South Entrance - Existing
5. Northern Parkway at Access Drive - Existing
6. Northern Parkway at Falls Road
7. Northern Parkway at I-83 NB ramps
8. Northern Parkway at I-83 SB ramps

A map of the study area, including the study intersections, is shown in **Figure 1**

The purpose of this study is to assess the impacts on traffic operations in the surrounding transportation network due to the proposed development.

The traffic analysis evaluated the following scenarios based on the submission to the Department of Planning as of May 31, 2017:

1. Existing Conditions
   - Existing Conditions evaluated and documented existing roadway network facilities and traffic volumes under existing year 2017.
2. Year 2019 Background Conditions
   - Background Conditions incorporated regional growth in existing traffic volumes, and traffic from other nearby planned, approved, or current development activity by the build-out year 2019.
3. Year 2019 Build-Out Conditions
   - Build-Out Conditions evaluated the total future traffic volumes, which included the 2019 Background Conditions in addition to the trips generated by the proposed 1190 Northern Parkway Development.

Each of the three scenarios evaluated Measures of Effectiveness (MOE) of Level of Service (LOS), delay, and capacity.

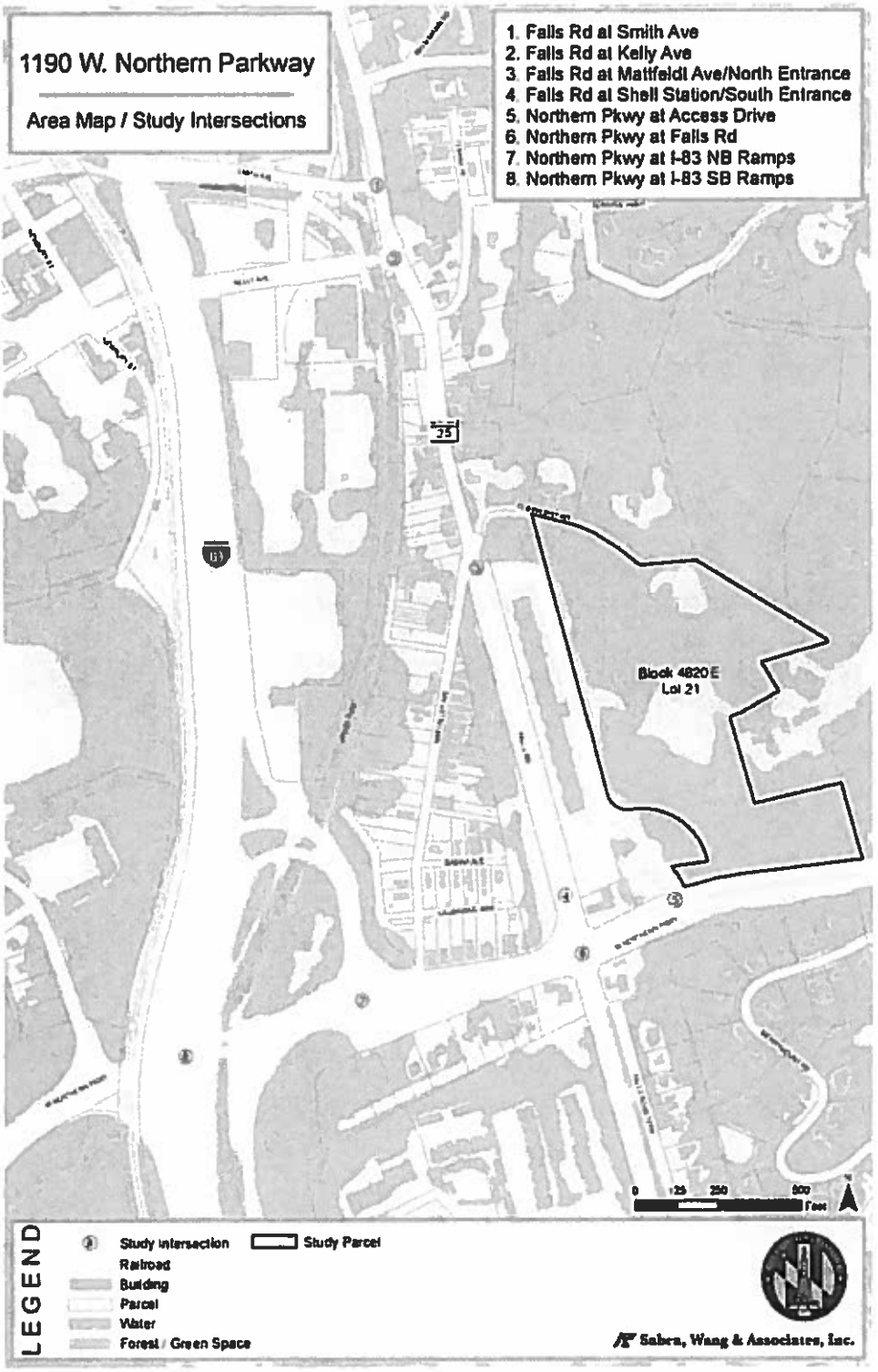


Figure 1: Area Map and Study Area intersections

II. EXISTING CONDITIONS

Roadway Characteristics

The following roadways were included in the analysis:

Falls Road is a four-lane undivided minor arterial roadway that connects Northern Parkway in the south to points northward. The posted speed limit varies between 25 and 30 miles per hour. Intersections evaluated along Falls Road include Smith Avenue, Kelly Avenue, Mattfeldt Avenue/Existing Belvedere Towers North Entrance, Existing Belvedere Towers/ Shell Gas Station South Entrance and Northern Parkway. On-street parking is permitted on Falls Road north of Mattfeldt and south of Kelly Avenue. The existing Average Daily Traffic volume on Falls Road is 14,875 vehicles per day according to the Maryland State Highway Administration 2016 Traffic Volume Map. https://www.roads.maryland.gov/index.aspx?PageId=792

Northern Parkway is a six-lane primary arterial roadway that connects I-83 and Falls Road to points west and east. The posted speed limit is 35 miles per hour. Intersections evaluated along Northern Parkway include Falls Road, Access Drive, I-83 northbound ramps, and I-83 southbound ramps. The existing Average Daily Traffic volume on Northern Parkway is 42,660 vehicles per day according to the Maryland State Highway 2016 Traffic Volume Map.

Smith Avenue is a two-lane local roadway that provides access to Mount Washington Retail Park west of Falls Road. Metered parking is allowed on the northern side of the roadway. The posted speed limit is 25 miles per hour.

Kelly Avenue is a two-way four-lane minor arterial road in the study area that connects Falls Road in the east to Cross Country Blvd to the west. The posted speed limit is 30 miles per hour. Parking is not allowed on the bridge over I-83.

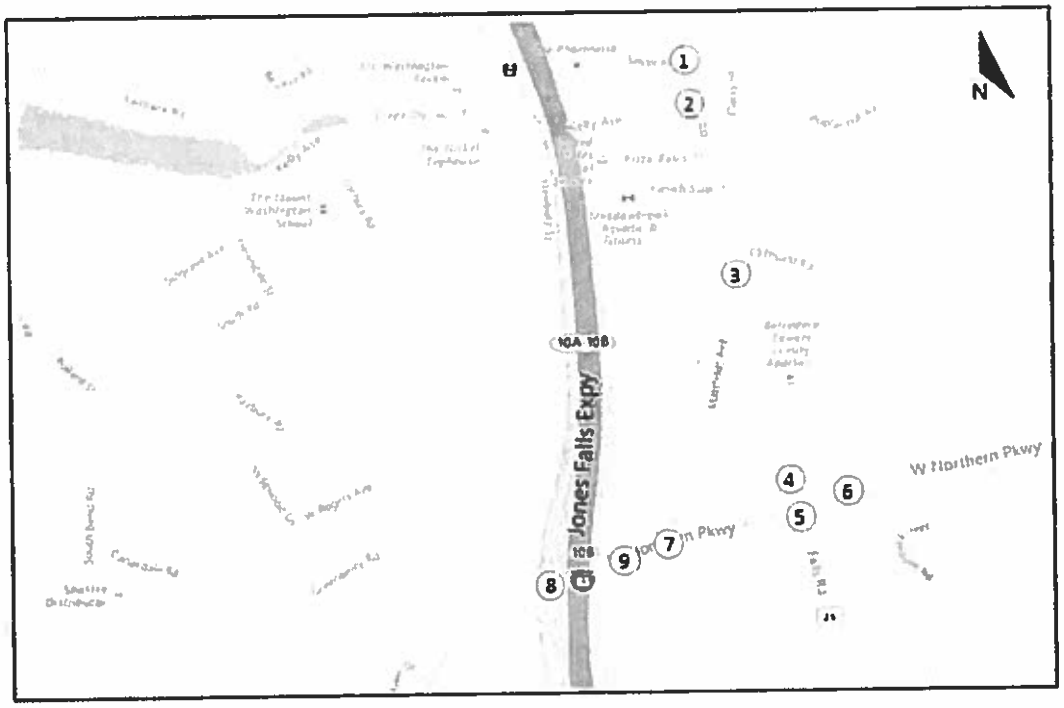
Mattfeldt Ave is a two-way two-lane local road that connects to Falls Road in the north to Northern Parkway to the south. Parking is permitted along the both sides of the road, except on the northbound and southbound approaches to Falls Road and Northern Parkway, respectively. The posted speed limit is 20 miles per hour. Southbound right-turns from Falls Road onto Mattfeldt Avenue are prohibited Monday through Friday from 7AM – 9AM.

The Belvedere Towers **North Entrance** (Falls Road at Mettfeldt Avenue) is a two-way, two-lane access that intersects with Falls Road.

The Belvedere Towers **South Entrance** (Falls Road at the Shell Gas Station) is a wide, two-way, two-lane, shared access with the Shell gas station that intersects with Falls Road. The entrance is located approximately 60-ft north of the Falls Road at Northern Parkway intersection.

The Belvedere Towers **Northern Parkway Entrance** (Access Drive) is a two-way, two-lane, right-in/right-out access that intersects with Northern Parkway.

Figure 2 shows the existing lane configuration and traffic controls at the study intersections.



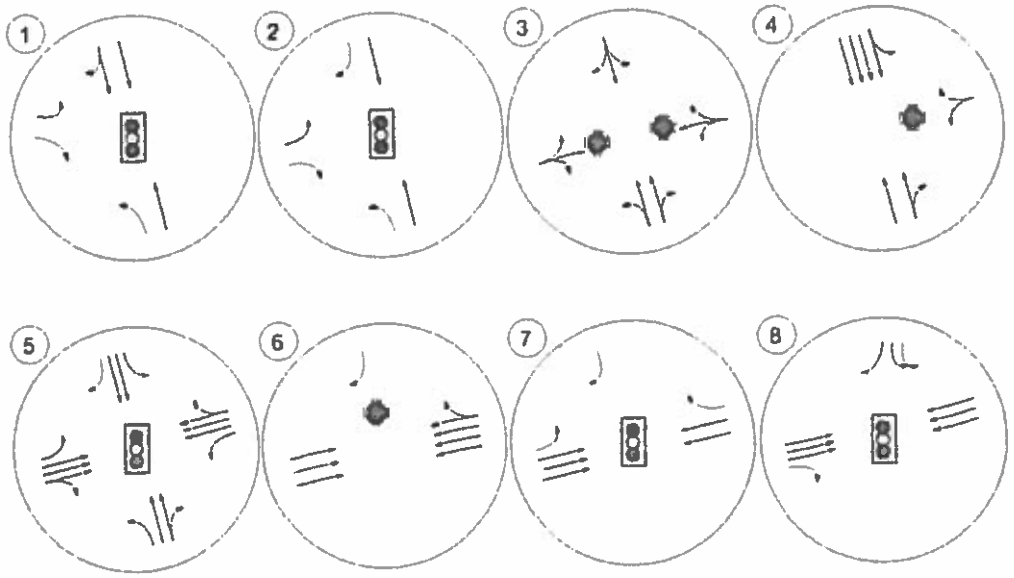


Figure 2: Existing Lane Configurations and Traffic Control
(note intersection #9 Falls Road and the I-83 NB Ramp not shown has yield control)

Pedestrian and Bicycle Facilities

Bicycle facilities in the study area are marked sharrows and "Share the Road" signs along both the northbound and southbound directions of Falls Road. Ultimately, Baltimore's Bike Master Plan calls for bicycle accommodations in the form of new sharrows along Kelly Avenue and dedicated bike lanes along Northern Parkway. Morning and evening bicycle turning movements are shown in
Figure 3 and
Figure 4, respectively.

Pedestrian infrastructure is complete along Falls Road in the study area. Due to right-of-way constraints, portions of Falls Road on the eastside between Mattfeldt and Kelly Avenue have incomplete pedestrian infrastructure. Marked crosswalks, curb ramps, and pedestrian signals are located at most signalized intersections within the study area. All sidewalks widths meet the 5ft required for ADA compliance with the exception of a few segments along the western edge of Falls Road. No pedestrian crossings in the study area are equipped with Accessible Pedestrian Signals (APS). **Table 1** shows the pedestrian volumes at the study intersections during the morning and evening peak hours.

Existing bicycle and pedestrian infrastructure in the study area are shown in **Figure 5** and **Figure 6**, respectively. Pedestrian crossings and bicycle turning movement counts for all study intersections can be found in **Appendix A.**

Table 1: Pedestrian Volumes

	Intersection	North Leg		East Leg		South Leg		West Leg		Total	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
1	Falls Road at Smith Avenue	2	0	0	0	0	0	3	2	5	2
2	Falls Road at Kelly Avenue	0	0	0	0	9	5	3	2	12	7
3	Falls Road at Mattfeldt Ave/North Ent	0	0	0	0	0	2	3	2	3	4
4	Falls Road at South Ent	0	0	0	4	0	0	0	0	0	4
5	Falls Road at Northern Parkway	10	6	1	7	1	1	3	1	15	15
6	Northern Parkway at Entrance to Belvedere Towers	0	3	0	0	0	0	0	0	0	3
7	Northern Parkway at I-83 SB Ramps	0	2	0	0	0	0	0	1	0	3
8	Northern Parkway at I-83 NB Ramps	0	0	0	0	0	0	0	0	0	0

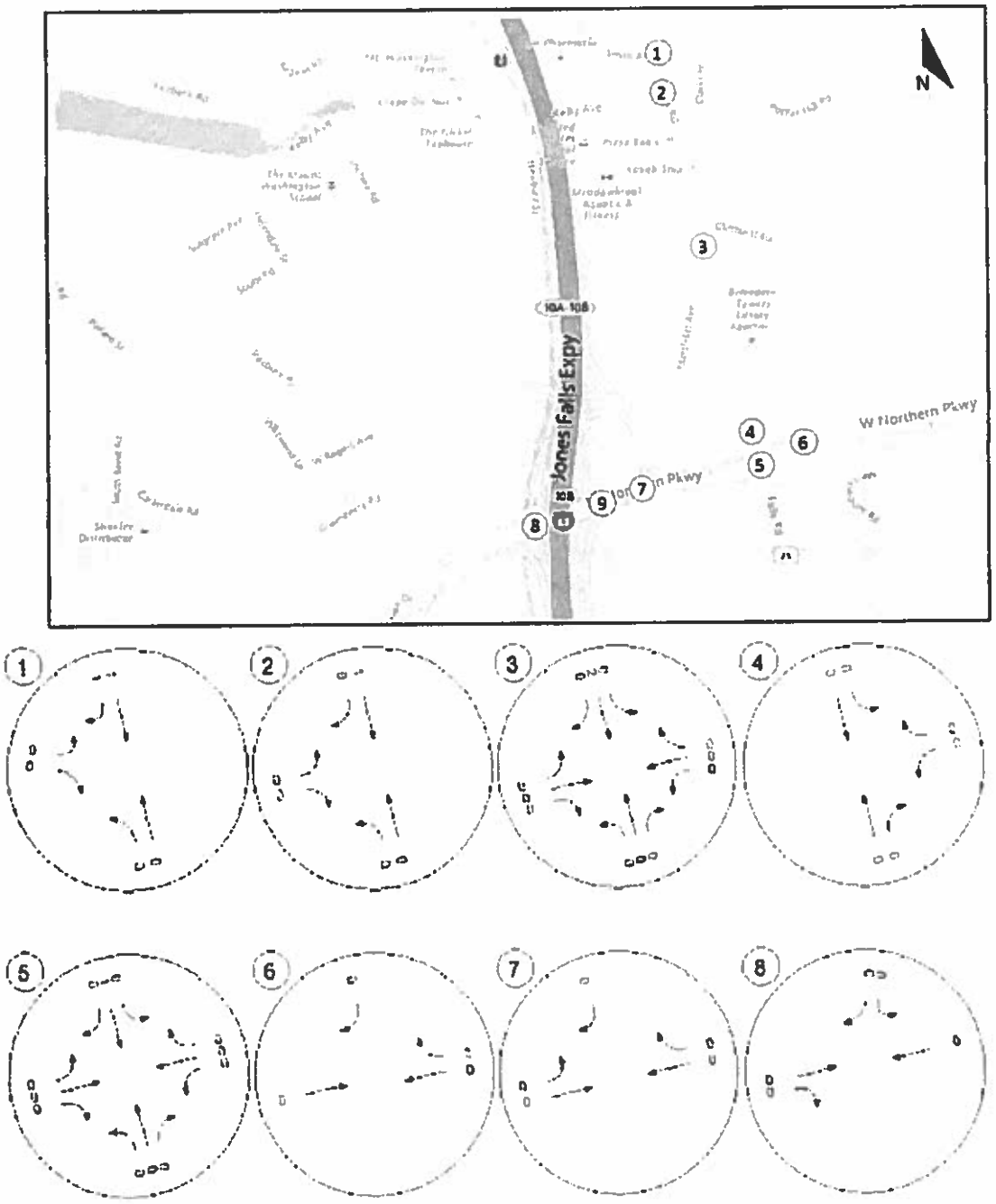


Figure 3: AM Peak Hour Intersection Bicycle Volumes

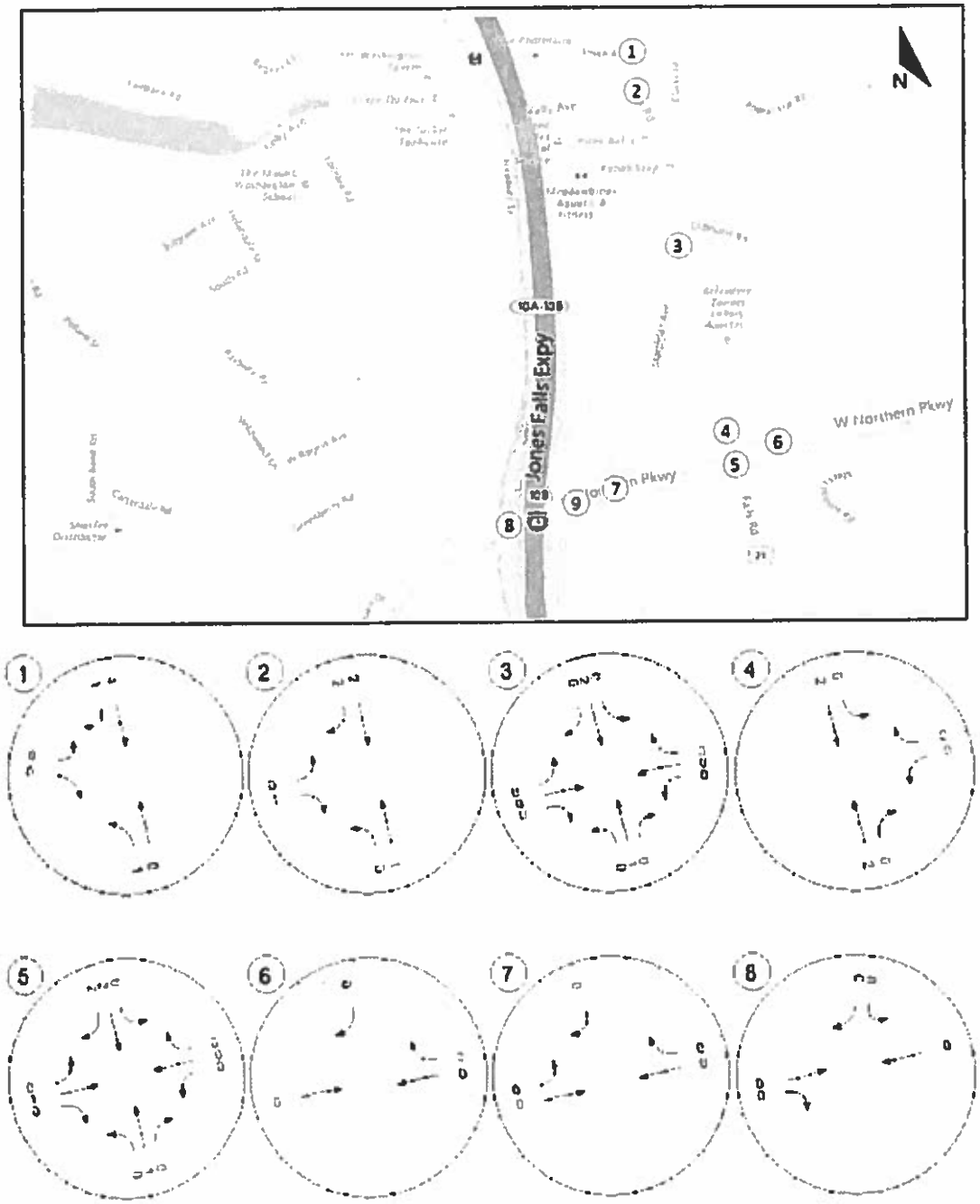


Figure 4: PM Peak Hour Intersection Bicycle Volumes

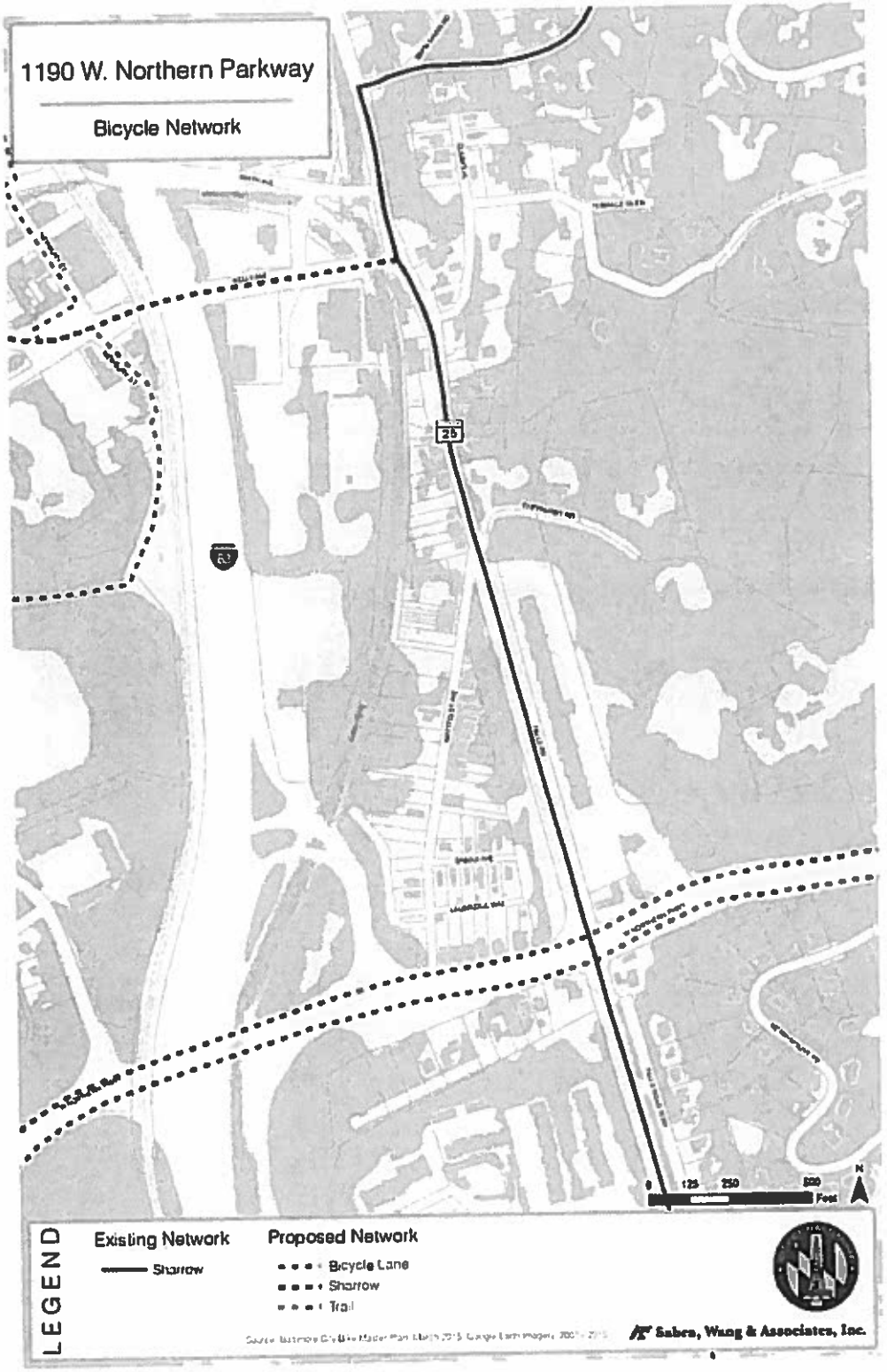


Figure 5: Bicycle Infrastructure

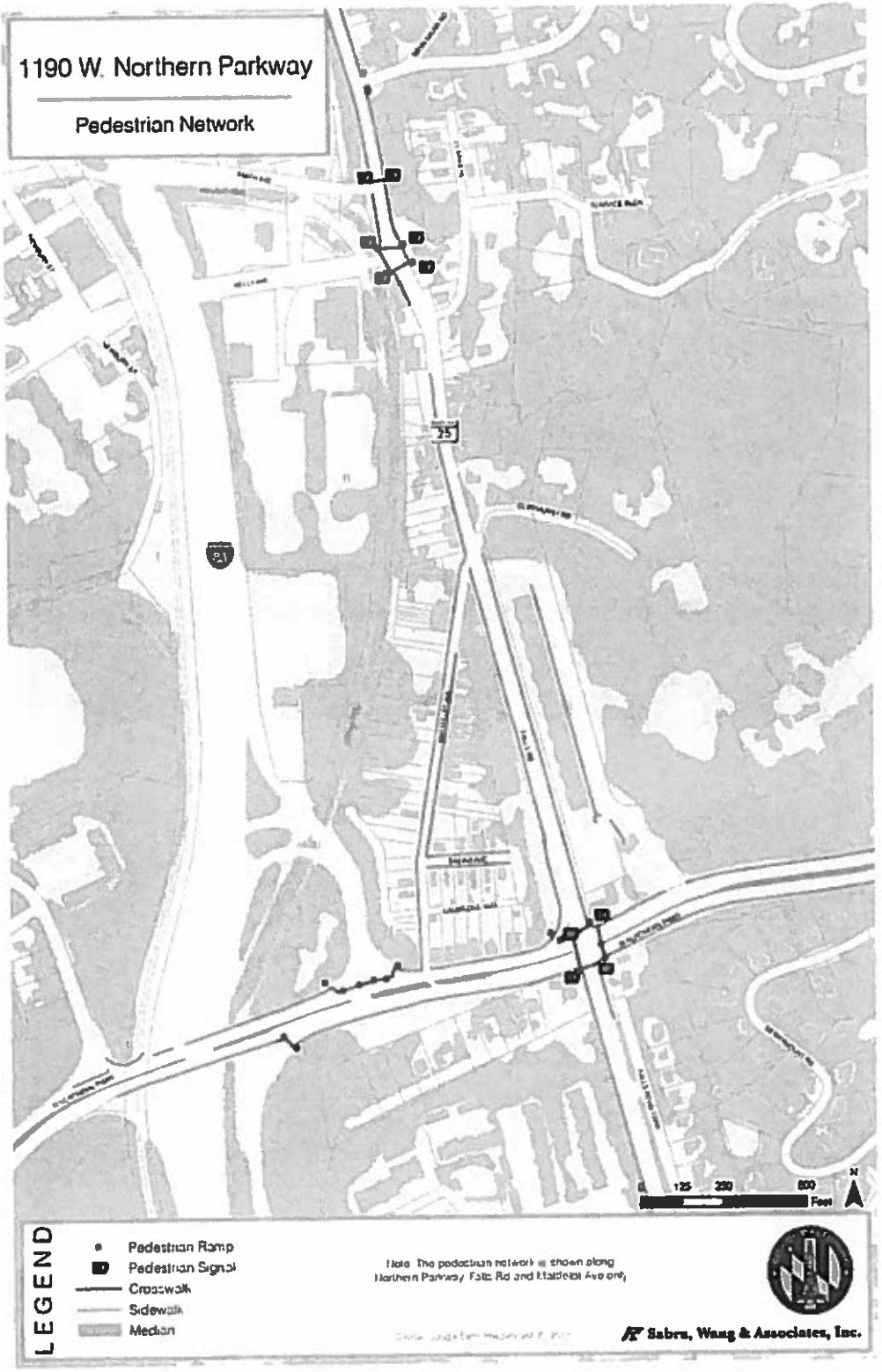


Figure 6: Existing Pedestrian Infrastructure

Existing Transit Conditions

The study area is served by the Maryland Transit Administration's (MTA) bus line number 27 along Falls Road and Northern Parkway west of Falls Rd, the number 44 line along Northern Pkwy, the number 58 line along Falls Road and Northern Parkway west of Falls Rd, and the number 60 line along Kelly Ave and Falls Road north of Kelly Ave. The light rail parallels I-83 and Falls Road in the study area with the Mount Washington station located off of Kelly Ave. **Table 2** represents the ridership for winter 2015 weekdays. The data was provided by MTA staff.

Table 2: Bus Ridership from 2015

Bus Stop Location	Routes	Stop #	Boardings	Alightings
NB Falls Rd at South Entrance	027, 58	5046	13	12
SB Falls Rd at Northern Pkwy	027, 94	4857	37	8
WB Northern Pkwy at Falls Rd	30, 44, 58	5990	25	57
NB Falls Rd at Mattfeldt Ave	027, 33, 58, 94	5047	1	1
SB Falls Rd at Mattfeldt Ave	027, 33, 58, 94	4856	2	3

Figure 6 shows the existing transit service in the surrounding area. **Figure 7** includes the transit stop amenities currently in place.

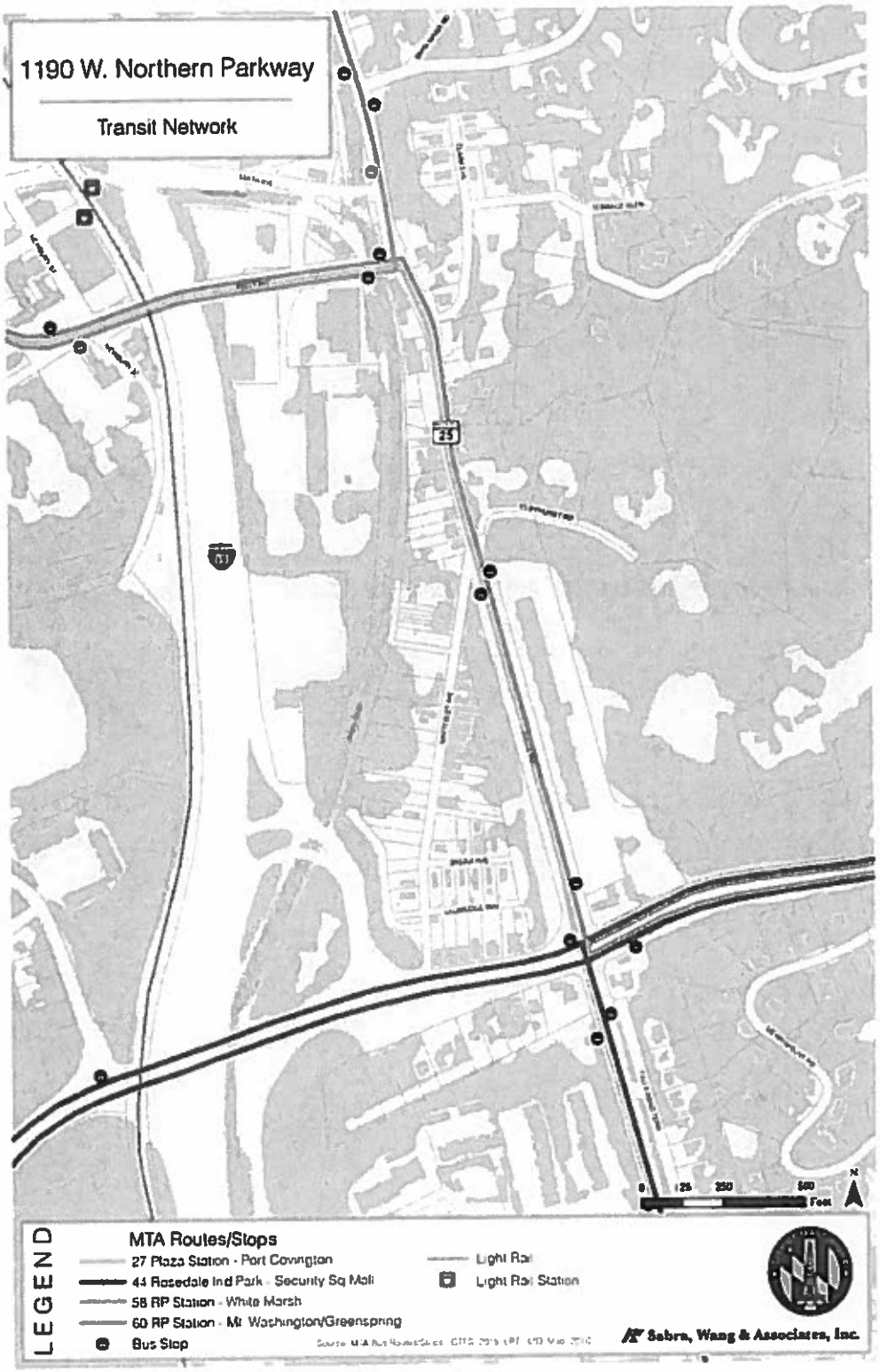


Figure 7: Available Public Transit Services

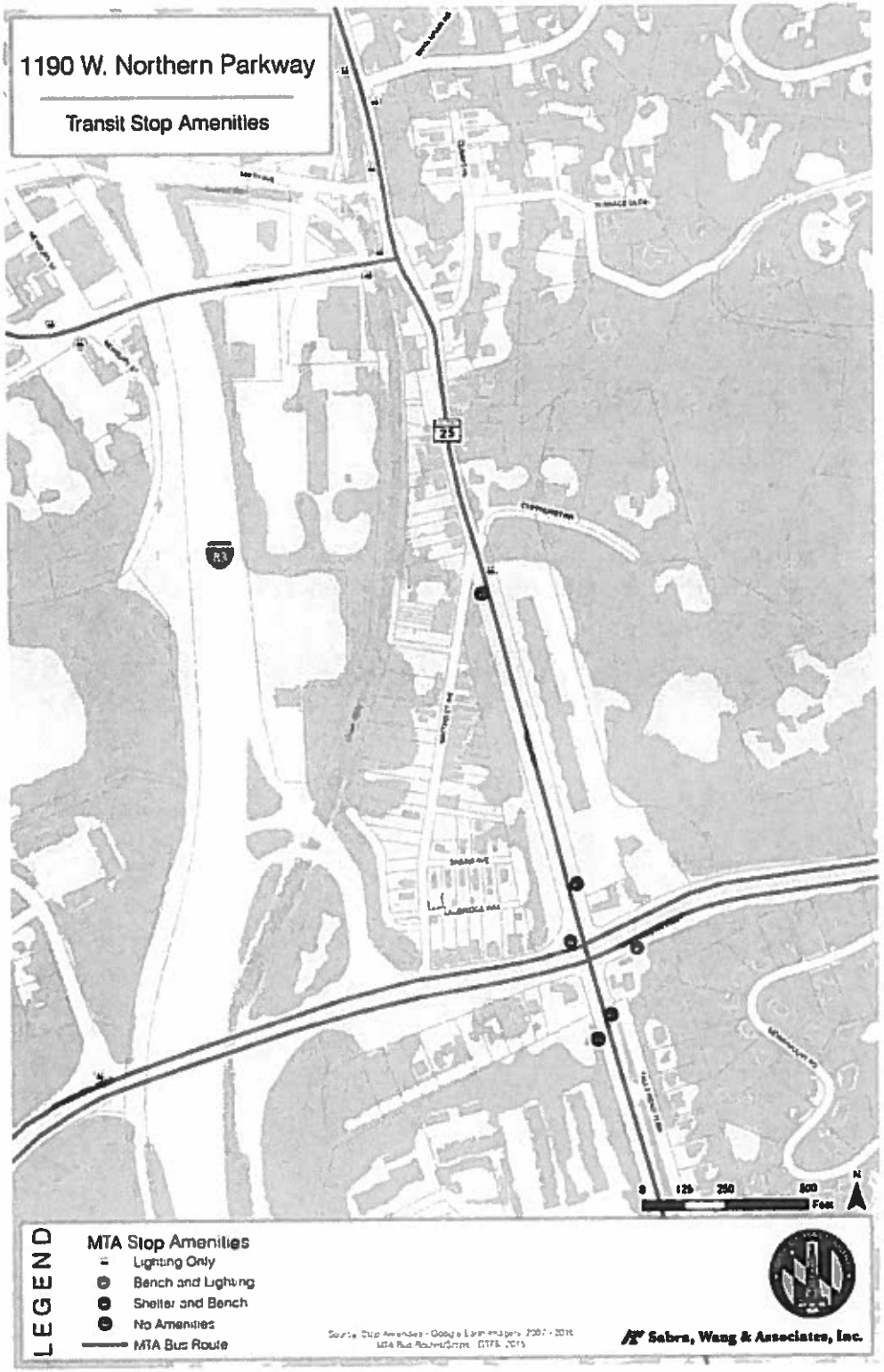


Figure 8: Public Transit Stop Amenities

Observations

Traffic Signal Operations

Five of the eight study intersections are signalized with the remaining three intersections at the site access points stop controlled on the side street approaches only. Signalized intersections along Northern Parkway include the I-83 NB Ramps, I-83 SB Ramps, and Falls Road. These signals operate in coordinated system with 150-second cycle lengths during both the AM and PM peak hours. Signalized intersections along Falls Road include Smith Avenue and Kelly Avenue which operate in coordination with each other but are not part of a larger coordinated signal system. The cycle lengths in the AM and PM peak hours are 205 seconds.

Field Observations

The following is a summary of field observations and approximate queue lengths noted in May 2017 at the study intersections during both the morning and evening peak hours:

1. Falls Road at Smith Avenue
    - During the morning peak period, the northbound, southbound, and eastbound queue lengths reached 125ft (5 vehicles), 375ft (15 vehicles), and 125ft (5 vehicles), respectively.
    - During the evening peak period, the northbound, southbound, and eastbound queue lengths reached 125ft (5 vehicles), 1125ft (45 vehicles), and 250ft (10 vehicles), respectively.
    - Some residual queuing, where all queued vehicles at the beginning of a green interval were not able to clear the intersection during the green interval during each signal cycle, was observed southbound and eastbound during the evening peak hour.
2. Falls Road at Kelly Avenue
    - During the morning peak period, the northbound, southbound, and eastbound queue lengths reached 375ft (15 vehicles), 125ft (5 vehicles), and 375ft (15 vehicles), respectively.
    - During the evening peak period, the northbound, southbound, and eastbound queue lengths reached 500ft (20 vehicles), 125ft (5 vehicles), and 625ft (25 vehicles), respectively.
    - Residual queues were observed eastbound during the evening peak hour.
3. Falls Road at Mattfeldt Avenue / Northern Belvedere Driveway
    - During the morning and evening peak periods, the eastbound and westbound queue lengths were minimal, with maximum queue lengths less than 125ft (5 vehicles) on each approach.
    - The minor street approaches are offset by approximately 30ft which results in some difficulty when conflicting left turns on Falls Road arrive at the same time.
    - A combination of the skewed approach alignment and 24% up-grade on the Mattfeldt Avenue approach make it difficult to make eastbound turning movements.
    - Sight distance is limited on both of the side street approaches.
4. Falls Road at Southern Belvedere Driveway
    - During the morning and evening peak periods, westbound queue lengths reached 125ft (5 vehicles)
    - Southbound queues regularly spilled back past the driveway from the signal at Northern Parkway during both peaks which created additional delays for westbound left turns from the driveway.
5. Falls Road at Northern Parkway
    - During the morning peak period, the northbound, southbound, eastbound, and westbound queue lengths reached 250ft (10 vehicles), 500ft (20 vehicles), 875ft (35 vehicles), and 1000ft (40 vehicles), respectively.

- During the evening peak period, the northbound, southbound, eastbound, and westbound queue lengths reached 250ft (10 vehicles), 375ft (15 vehicles), 875ft,(35 vehicles) and 500ft (20 vehicles), respectively.
- Residual queuing was observed during both peak hours for the southbound left, eastbound left, eastbound through, and westbound through movements.
- Uneven lane utilization was observed throughout both peaks on the westbound approach with heavier use of the right hand (outer) lane, due to downstream demand for the I-83 ramp.
- The southbound left turn queue was observed spilling out of the turnbay during the evening peak hour.
- The eastbound left turn queue was observed spilling out of the turnbay during both the morning and evening peak hours.

6. Northern Parkway at Belvedere Driveway
    - During the morning and evening peak periods, the southbound queues were minimal with a maximum queue length less than 25ft (1 vehicle).
    - Westbound queues regularly spilled back past the Belvedere Driveway from the signal at Falls Road. Stopped westbound traffic was observed leaving gaps for southbound right turns.
7. Northern Parkway at the I-83 Northbound Ramps
    - During the morning and evening peak periods, the northbound, eastbound, and westbound queue lengths reached 250ft (10 vehicles), 500ft (20 vehicles) and 500ft (20 vehicles), respectively.
    - Eastbound and westbound queues occasionally spilled back to the upstream signals at the I-83 southbound ramp and Falls Road during both peaks.
    - As the eastbound though movement is free, eastbound queues are a result of spillbacks from the Falls Road signal.
    - Westbound lane utilization is heaviest in the right turn lane onto the I-83 ramps.
    - The weaving movement from the northbound ramp to the eastbound left turn lane at Falls Road is difficult due to persistent congestion throughout both peaks compounded by the short intersection spacing. The friction from the weaving maneuver reduces throughput at the Falls Road signal, increasing congestion.
8. Northern Parkway at the I-83 Southbound Ramps
    - During the morning peak period, the southbound, eastbound, and westbound queue lengths reached 500ft vehicles on each approach, respectively.
    - During the morning peak period, the southbound, eastbound, and westbound queue lengths reached 500ft (20 vehicles), 250ft (10 vehicles), and 625ft (25 vehicles), respectively.
    - Eastbound queues occasionally spilled back to the intersection from the downstream intersections at the northern ramps and Falls Road.
    - The southbound left turn was occasionally metered by eastbound congestion, particularly during the evening peak, resulting in occasional residual queuing.

In general, congestion was present along both directions of Northern Parkway throughout the morning and evening peak hours. Congestion was heaviest on Falls Road northbound during the evening peak and southbound during the morning peak. Pedestrian and bicycle traffic was light throughout the study area during both the AM and PM peaks.

Sight Distance

Sight distance was evaluated at the unsignalized Mattfeldt Avenue/Northern Site Driveway intersection with Falls Road. The proposed site plan for 1190 Northern Parkway is shown in **Figure 9**. Stopping Sight Distance (SSD) along Falls Road approaching the intersection is more than adequate as horizontal curvature approaching the intersection is minimal both northbound and southbound. Furthermore, the intersection is located near the top of a hill, so the vertical curvature of the roadway does not impede sight distance either.

Intersection Site Distance (ISD) was also evaluated for the stop controlled Mattfeldt Avenue and Northern Site Driveway approaches. ISD is provided at intersections to allow drivers entering or crossing a roadway sufficient site distance to anticipate and avoid collisions. ISD was measured from the location where vehicles were observed stopping, as sight distance was severely limited at the American Association of State Highway and Transportation Officials (AASHTO) recommended 14.5ft from the edge of the major roadway. **Table 3** shows the measured ISD compared to the AASHTO recommended minimums. Results from the ISD analysis indicate the available ISD for left turn movements from the side streets are not adequate as they do not meet the AASHTO minimum on both the Mattfeldt Avenue and Northern Driveway approaches. Less than adequate ISD may increase the likelihood of drivers from the minor street approaches accepting less than adequate gaps in traffic along Falls Road.

Table 3: Intersection Sight Distance Calculations

Intersection Sight Distance - Mattfeldt Approach						
Movement	t_g (sec)	Design Speed (mph)	Minimum ISD (ft)	Measured ISD (ft)		Results
Left Turn	12.2	30	540	ISD_{Left}	705	Met
				ISD_{Right}	405	Unmet
Right Turn	8.6	30	380	ISD_{Left}	705	Met

Intersection Sight Distance - Northern Site Ent Approach						
Movement	t_g (sec)	Design Speed (mph)	Minimum ISD (ft)	Measured ISD (ft)		Results
Left Turn	8	30	355	ISD_{Left}	750	Met
				ISD_{Right}	310	Unmet
Right Turn	6.5	30	290	ISD_{Left}	310	Met

The available sight distance on Mattfeldt Avenue looking right is 405ft, 135ft less than the AASHTO minimum, due to the vertical curvature on Falls Road. Sight distance looking right from the Northern Site Driveway is restricted by foliage on the northeast corner of the intersection. The westbound left turn is only 45ft less than the AASHTO minimum of 355ft, foliage should be cut 8-10 feet from the face of curb. A detailed breakdown of the time gap calculations utilized in the ISD calculations is provided in **Appendix C**.

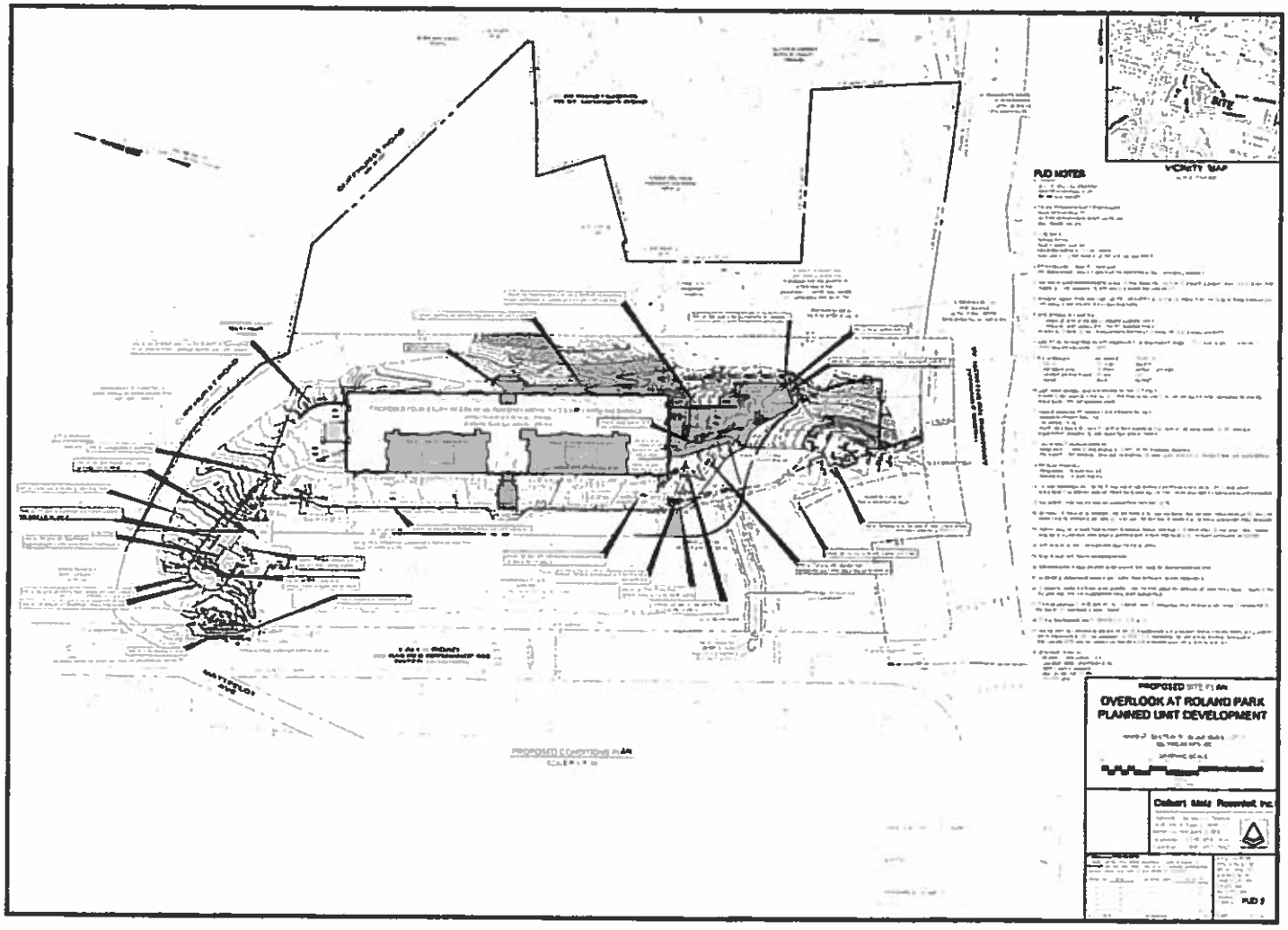


Figure 9: 1190 Northern Parkway Proposed Site Plan

Existing Traffic Volumes Analysis

Data collection was performed on Wednesday April 19, 2017 when public schools and local colleges were in session. Data collected included morning and evening weekday peak hour turning volumes, pedestrian volumes, and bicycle counts. Vehicle turning movement volumes were conservatively balanced and rounded up to the nearest 5.

Figure 10 and Error! Reference source not found. show the existing AM and PM peak hour traffic volumes. Traffic counts at each of the study intersections can be found in **Appendix A.**

Highway Capacity Manual (HCM) methodology was used to evaluate capacity at all study intersections during the AM and PM peak hours. A Synchro traffic model was developed for each peak period with the existing conditions data including roadway geometry, traffic volumes, and signal timing and phasing data as inventoried and documented in the field.

Performance measures of effectiveness included level of service, delay and volume-to-capacity ratio. The level of service (LOS) is a letter designation that corresponds to a certain range of roadway operating conditions. The levels of service range from A to F, with A indicating the best operating conditions and F indicating the worst, or a failing, operating condition. The volume-to-capacity ratio (v/c ratio) is the ratio of current flow rate to the capacity of the intersection. This ratio is often used to determine how sufficient capacity is on a given roadway. Generally speaking, a ratio of 1.00 indicates that the roadway is operating at capacity. A ratio of greater than 1.00 indicates that the facility is operating above capacity as the number of vehicles exceeds the roadway capacity. The results of the existing conditions intersection capacity analysis, including average delay per vehicle, are summarized in **Table 4.** HCM reports are provided in **Appendix B.**

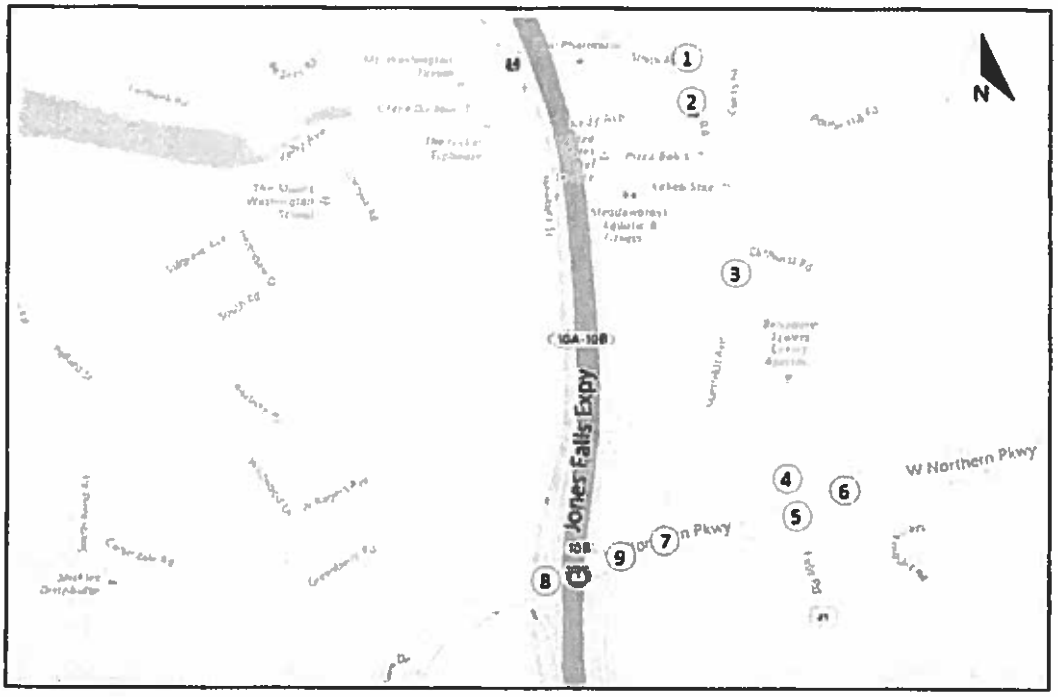
Table 4: Summary of Intersection Capacity Analysis- Existing Conditions - AM (PM)

Intersection			2017 (Existing)		
			V/C	Delay	LOS
1	Falls Road at Smith Avenue	Overall	0.55 (0.56)	34.0 (32.0)	C (C)
2	Falls Road at Kelly Avenue	Overall	1.00 (1.02)	42.2 (54.8)	D (D)
3*	Falls Road at Mattfeldt Ave/North Ent	Overall	- (-)	- (-)	- (-)
		EB	0.27 (0.13)	132.1 (59.1)	F (F)
		WB	>2.00 (1.28)	>300 (>300)	F (F)
		NB	0.23 (0.31)	0.0 (0.2)	A (A)
		SB	0.01 (0.02)	0.4 (0.7)	A (A)
4*	Falls Road at South Ent	Overall	- (-)	- (-)	- (-)
		WB	0.10 (0.16)	14.1 (16.8)	B (C)
		NB	0.29 (0.39)	0.0 (0.0)	A (A)
		SB	0.24 (0.22)	0.0 (0.1)	A (A)
5	Falls Road at Northern Parkway	Overall	1.14 (1.14)	124.4 (119.5)	F (F)
6*	Northern Parkway at Access Drive (Stop Controlled Approach)	Overall	- (-)	- (-)	- (-)
		EB	0.37 (0.46)	0.0 (0.0)	A (A)
		WB	0.35 (0.30)	0.0 (0.0)	A (A)
		SB	0.02 (0.02)	12.7 (11.8)	B (B)
7	Northern Parkway at I-83 NB Ramps	Overall	0.83 (0.84)	6.6 (6.8)	A (A)
8	Northern Parkway at I-83 SB Ramps	Overall	0.89 (0.70)	14.5 (16.3)	B (B)

*Intersection is unsignalized.

The results of the Existing Conditions capacity analysis indicate that most intersections are currently operating at a level of service D or better in the AM and PM peak hours, with the exception of:

- Falls Road at Northern Parkway
- Falls Road at Mattfeldt Ave/North Entrance
    - The stop controlled eastbound and westbound approaches



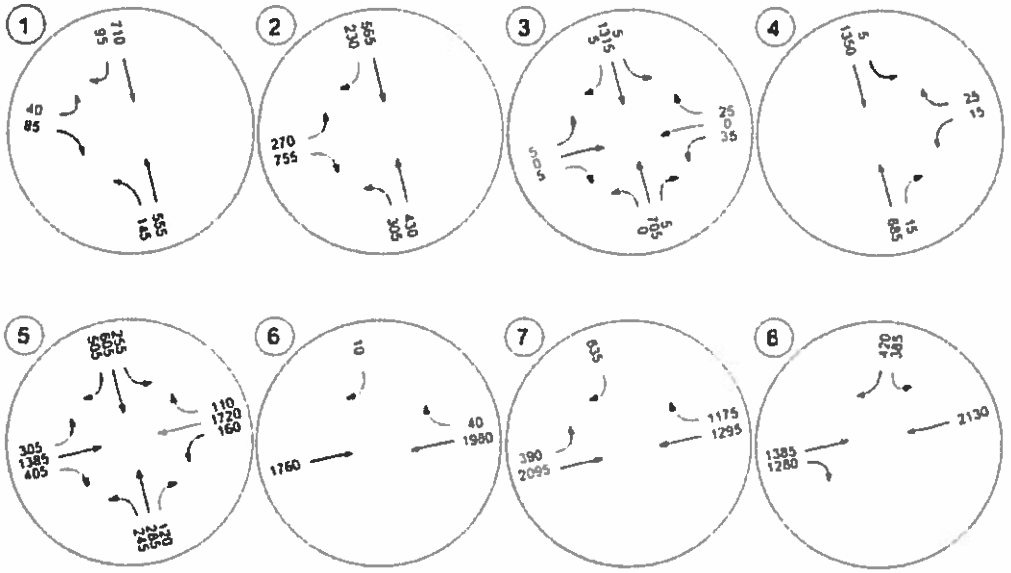
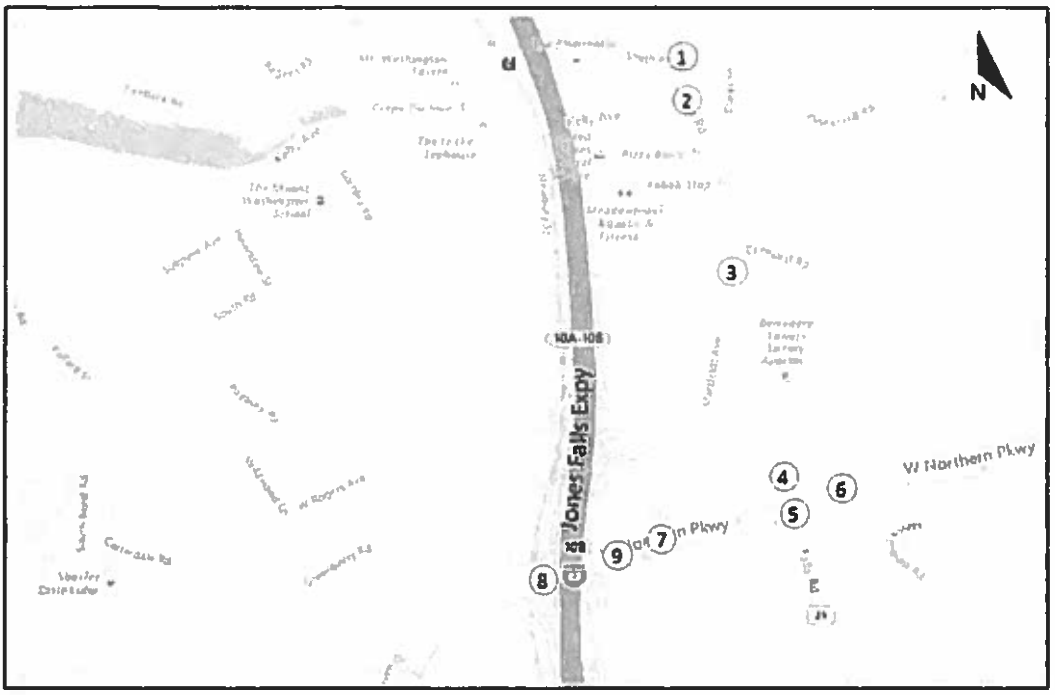


Figure 10: Existing AM Peak Hour Intersection Traffic Volumes



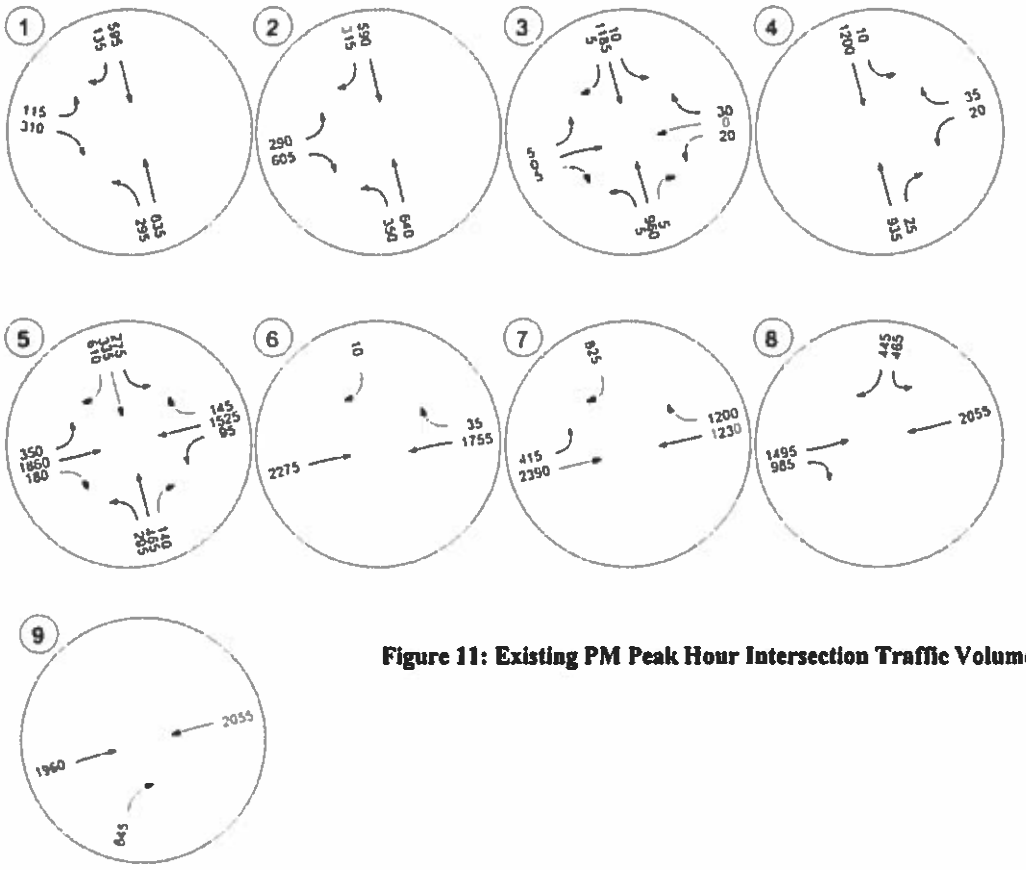


Figure 11: Existing PM Peak Hour Intersection Traffic Volumes

II. BACKGROUND CONDITIONS

Growth Projections and Background Traffic

Background conditions refer to factors that will affect the performance of the transportation network but are not directly related to the proposed development, including:

- Planned improvements to the transportation network by the City in the study area
- Growth in regional traffic volumes through the study area during the study period
- Other planned, approved but un-built developments in the study area

Planned Transportation Network Improvements

No known planned transportation improvements are expected between now and the build-out year 2019.

Regional Growth

Annual growth in regional traffic through the study area was estimated using the Baltimore Metropolitan Council (BMC) regional travel forecasting model. As growth along Northern Parkway and Falls Road was generally 0.5%, the annual increase in regional through-traffic was assumed to be a conservative rate of 1.0% per year from now until the build-out year 2019.

Background Developments

Based on conversations with the City's Department of Planning, the only known planned development affecting the study area that is expected to be completed prior to full build out of 1190 Northern Parkway is the Sinai Hospital Expansion project.

The Sinai Hospital is planning to expand the emergency room and construct the Rymland Ambulatory Services Building (ASB).

The Institute of Transportation Engineer (ITE) Trip Generation Manual, 9th Edition, was utilized to estimate the vehicle trips generated by the development, using code 610 for "hospital" land use. Based on the existing transportation infrastructure serving the area a 7% reduction in vehicle trips was applied to account for pedestrian/bus/shuttle bus trips. The approved project is anticipated to generate 224 AM peak hour trips and 264 PM peak hour trips, as detailed in the following table.

Table 5: Trip generation estimation for Sinai Hospital expansion

Land Use	Size	Traffic Impact AM		Traffic Impact PM	
		Entry	Exit	Entry	Exit
610 - Hospital	125,000 Sq. Feet	142	99	119	165
Transit/Walk Reduction		10	7	8	12
Non-pass-by		132	92	111	153
Total New Non-pass-by Trips		132	92	111	153

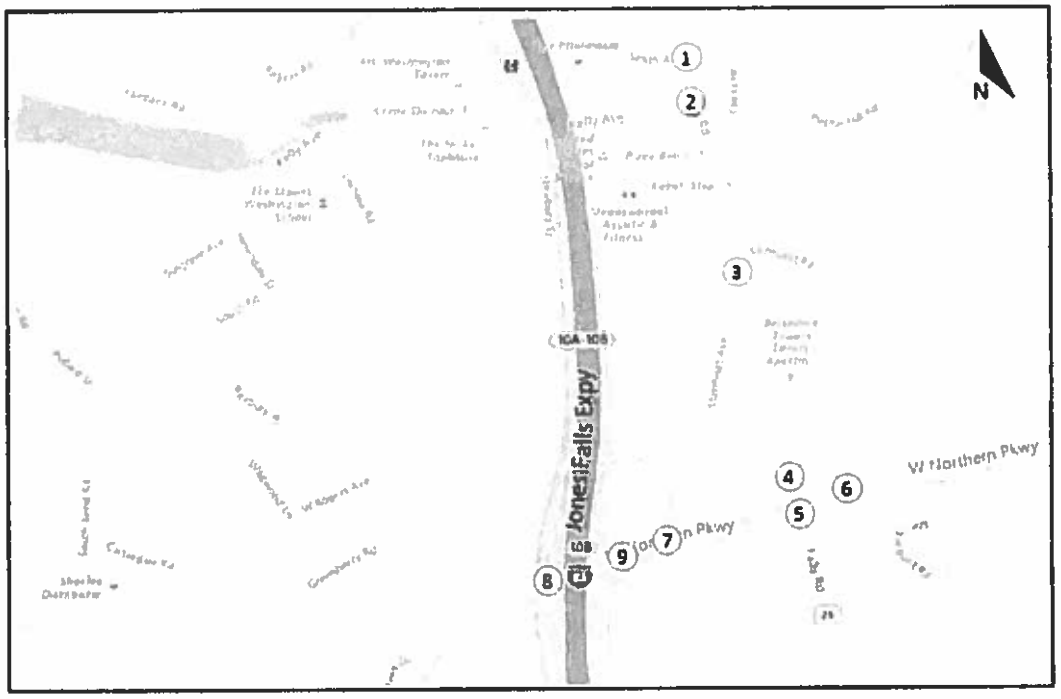
Trip distribution for the trips generated by the Sinai Hospital Expansion were distributed based on the directional distribution assumptions from the prior 2008 PUD, where distribution of site trips was based on existing employee home zip code information provided by Sinai Hospital, existing traffic patterns, land uses within the site, and future parking locations, and summarized below[1]. The fifty zip codes with the highest number of employees were mapped and analyzed to determine where employees travel to and from.

- 35% to/from the north via I-83;
- 15% to/from the south via I-83;
- 10% to/from the north via Greenspring Avenue/ Pimlico Road;
- 7% to/from the south via Greenspring Avenue;

[1] 2008 TIS in support of Sinai Hospital PUD

- 5% to/from the north via Falls Road;
- 15% to from the east via Northern Parkway;
- 10% to/from the west via Northern Parkway;
- 3% to/ from the west via Belvedere Avenue.

Figures 12 and 13 show the future year 2019 AM and PM peak hour intersection traffic volumes.



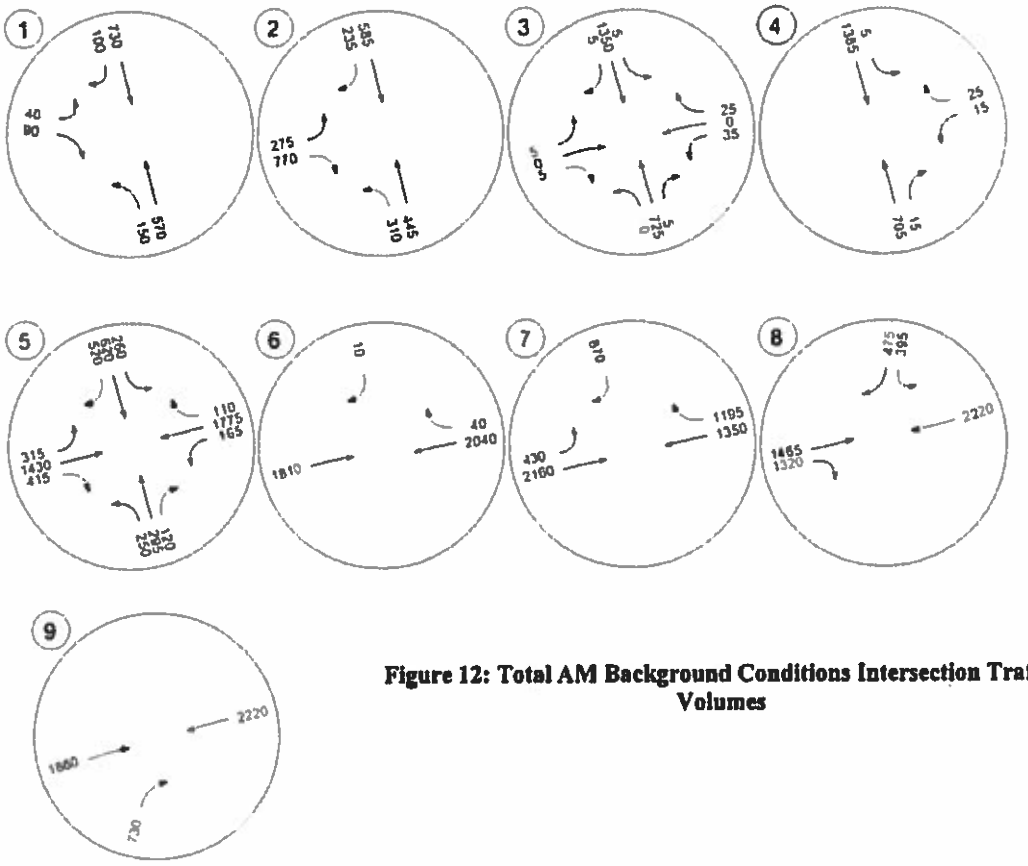
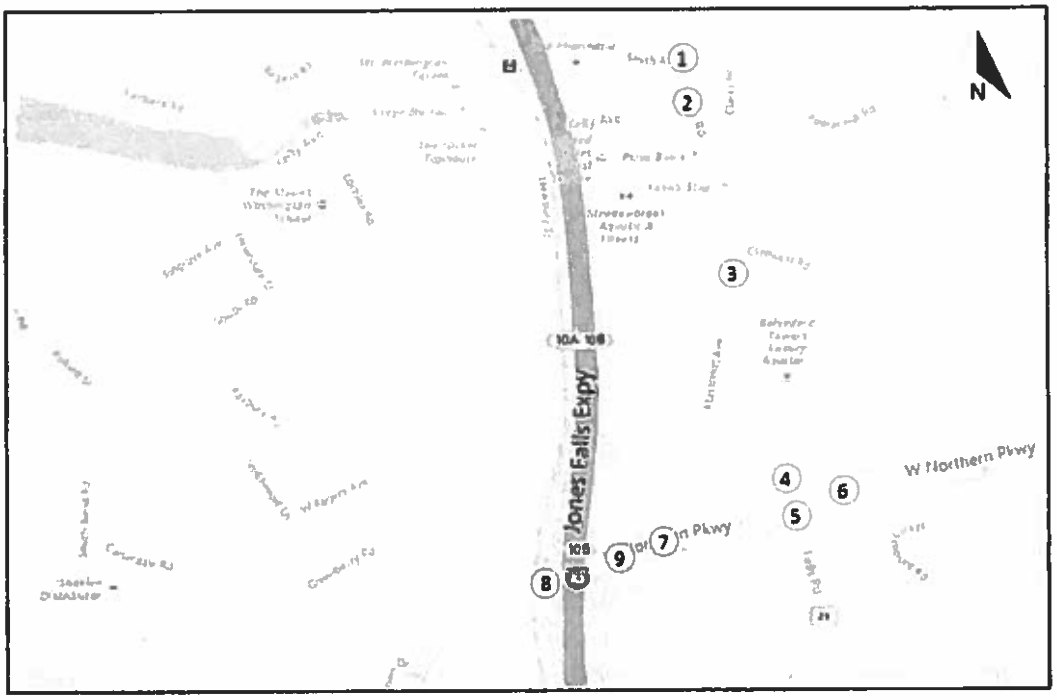


Figure 12: Total AM Background Conditions Intersection Traffic Volumes



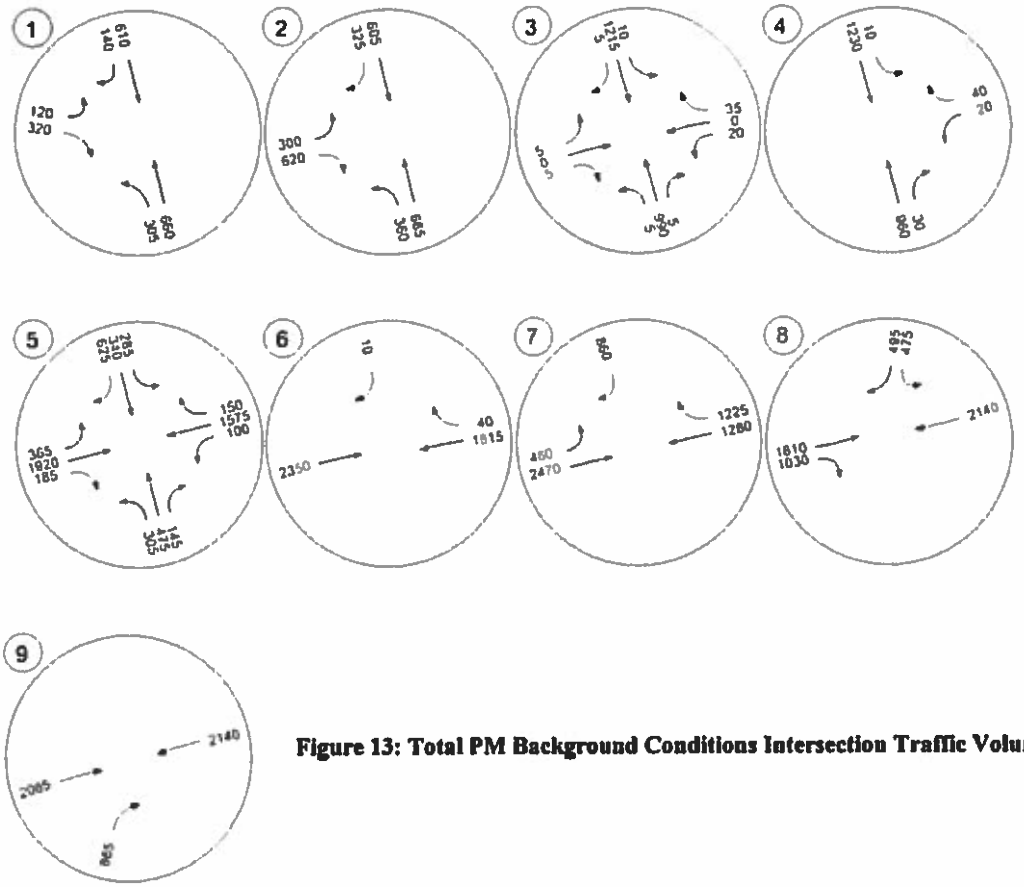


Figure 13: Total PM Background Conditions Intersection Traffic Volumes

Background Traffic Analysis

A capacity analysis was performed for the background condition, where regional growth and Sinai hospital background trips were added to existing trips to determine the future background congestion levels. The results of this background conditions capacity analysis are summarized in **Table 6** with the Existing Conditions results for comparison. HCM reports are provided in **Appendix B.**

Table 6: Summary of Intersection Capacity Analysis – Background Conditions

Intersection			2017 (Existing)			2019 (No_Build)		
			V/C	Delay	LOS	V/C	Delay	LOS
1	Falls Road at Smith Avenue	Overall	0.55 (0.56)	34.0 (32.0)	C (C)	0.57 (0.58)	35.2 (33.0)	D (C)
2	Falls Road at Kelly Avenue	Overall	1.00 (1.02)	42.2 (54.8)	D (D)	1.05 (1.07)	47.1 (60.6)	D (E)
3*	Falls Road at Mattfeldt Ave/North Ent	Overall	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
		EB	0.27 (0.13)	132.1 (59.1)	F (F)	0.31 (0.15)	158.7 (66.7)	F (F)
		WB	>2.00 (1.28)	>300 (>300)	F (F)	>2.00 (1.51)	>300 (>300)	F (F)
		NB	0.23 (0.31)	0.0 (0.2)	A (A)	0.23 (0.32)	0.0 (0.2)	A (A)
		SB	0.01 (0.02)	0.4 (0.7)	A (A)	0.01 (0.02)	0.0 (0.8)	A (A)
4*	Falls Road at South Ent	Overall	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
		WB	0.10 (0.16)	14.1 (16.8)	B (C)	0.10 (0.18)	14.4 (17.0)	B (C)
		NB	0.29 (0.39)	0.0 (0.0)	A (A)	0.30 (0.40)	0.0 (0.0)	A (A)
		SB	0.24 (0.22)	0.0 (0.1)	A (A)	0.25 (0.22)	0.0 (0.1)	A (A)
5	Falls Road at Northern Parkway	Overall	1.14 (1.14)	124.4 (119.5)	F (F)	1.18 (1.18)	131.7 (131.4)	F (F)
6*	Northern Parkway at Access Drive (Stop Controlled Approach)	Overall	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
		EB	0.37 (0.46)	0.0 (0.0)	A (A)	0.38 (0.47)	0.0 (0.0)	A (A)
		WB	0.35 (0.30)	0.0 (0.0)	A (A)	0.36 (0.31)	0.0 (0.0)	A (A)
		SB	0.02 (0.02)	12.7 (11.8)	B (B)	0.02 (0.02)	12.9 (12.0)	B (B)
7	Northern Parkway at I-83 NB Ramps	Overall	0.83 (0.84)	6.6 (6.8)	A (A)	0.85 (0.86)	7.0 (7.4)	A (A)
8	Northern Parkway at I-83 SB Ramps	Overall	0.89 (0.70)	14.5 (16.3)	B (B)	0.92 (0.75)	16.1 (17.5)	B (B)

*Intersection is unsignalized.

The results of the Background Conditions capacity analysis indicates that the only degradations in overall intersection LOS at any study intersections were the intersections of Falls Road at Smith Avenue and Falls Road at Kelly Avenue in the AM and PM peak hours, respectively. A 1 second increase in average vehicle delay at Smith Avenue resulted in an LOS degradation from C to D and a 6 second increase at Kelly Avenue resulted in an LOS degradation from D to E.

IV. FUTURE CONDITIONS

Trip Generation

The objective of a trip generation analysis is to forecast the number of new trips that will begin or end at a proposed development. A primary source for data on vehicular trip generation is the *Trip Generation Handbook* published by the Institute of Transportation Engineers. The *Handbook* compiles data from numerous studies of trip rates at hundreds of specific types of land uses such as recreational, residential, commercial, office, institutional, and industrial throughout the country. The data is sorted by various time periods such as morning and evening peak hour, and plotted against independent variables for specific land uses such as square feet of commercial space, number of hotel rooms, number of dwelling units, etc. The data is presented in chart format with mean averages, standard deviations, and fitted curve linear regression equations, where enough data is available.

Several site-specific factors can reduce the number of new personal vehicular trips generated by a new development or land use. These include 1) the availability of non-vehicular modes of transportation such as sidewalks, bicycle facilities, and public transportation; 2) the effect of pass-by traffic which includes vehicles already on the roadway network making an intermediate stop on the way from an origin to a primary trip destination without a route diversion, and 3) the effect of internally captured trips composed of traffic originating and destined for differing land uses *within* the same development that do not travel on the external public roadway network. An example of an internal trip would be a trip from an office building to a restaurant or from a hotel to an office building within the same development.

Using the ITE Trip Generation Manual, 9th Edition (2012), baseline peak hour trip generation rates were determined based on the future land use of a multi-family development with 148 dwelling units. The average number of vehicle trip ends and percentage of entering and exiting volumes were calculated. Land use category 220 (apartments) was selected.

As the proposed land use is singular and residential, no internal trips or pass-by trips were assumed. However, a minor reduction of approximately 5% was used to account for the proximity to transit facilities, which resulted in a decrease of 4 – 5 trips in the morning and evening peak hour, respectively. **Table 7** below shows the site generated trips for the proposed development at full build-out.

Table 7: Site Generated Trips

Land Use	Size	Weekday, Peak Hour of Adjacent Street Traffic		Total AM	Weekday, Peak Hour of Adjacent Street Traffic		Total PM
		Entry	Exit		Entry	Exit	
220 - Apartment	148 Dwelling Units	15	61		64	35	
Reduction		1	3		3	2	
Total New Site Trips		14	58	72	61	33	94

The total daily trips generated by the site would be 935 vehicles, increasing the daily traffic volumes along Falls Road to 15,625 vehicles per day and increasing the daily traffic volumes along Northern Parkway to 43,400.

Trip Distribution and Assignment

The Distribution of site trips to and from the subject development was based on existing traffic patterns and access points to the proposed development. Trip distribution rates and rates at the site access points are shown in below in **Figure 14.**

The following trip distribution rates were used for the trip assignment:

- 35% to/from the south via I-83;
- 15% to/from the north via I-83;
- 20% to/from the east via Northern Parkway;
- 20% to/from the west via Northern Parkway;
- 5% to/from the north via Falls Road;
- 5% to/from the north via Falls Road;

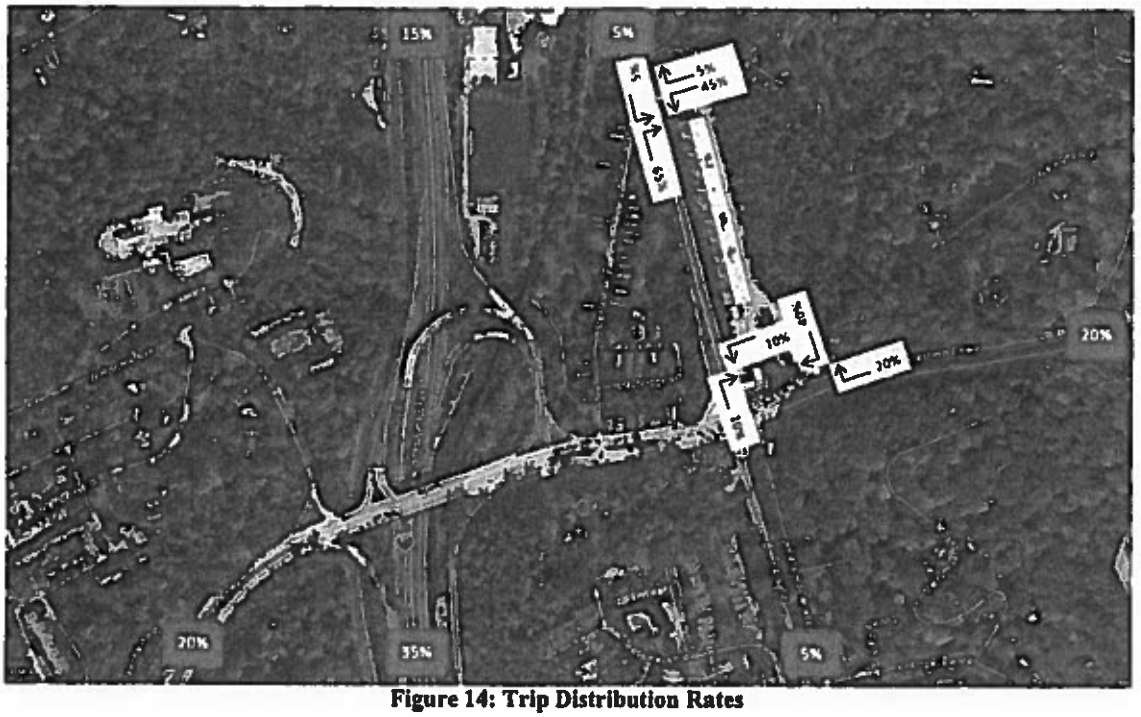
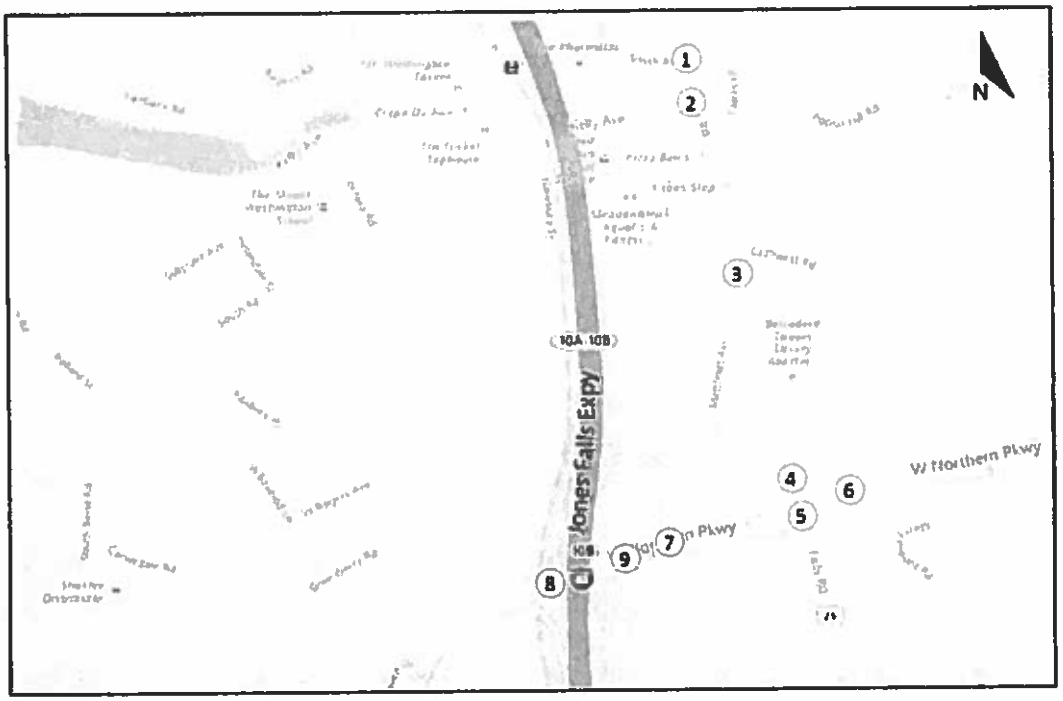
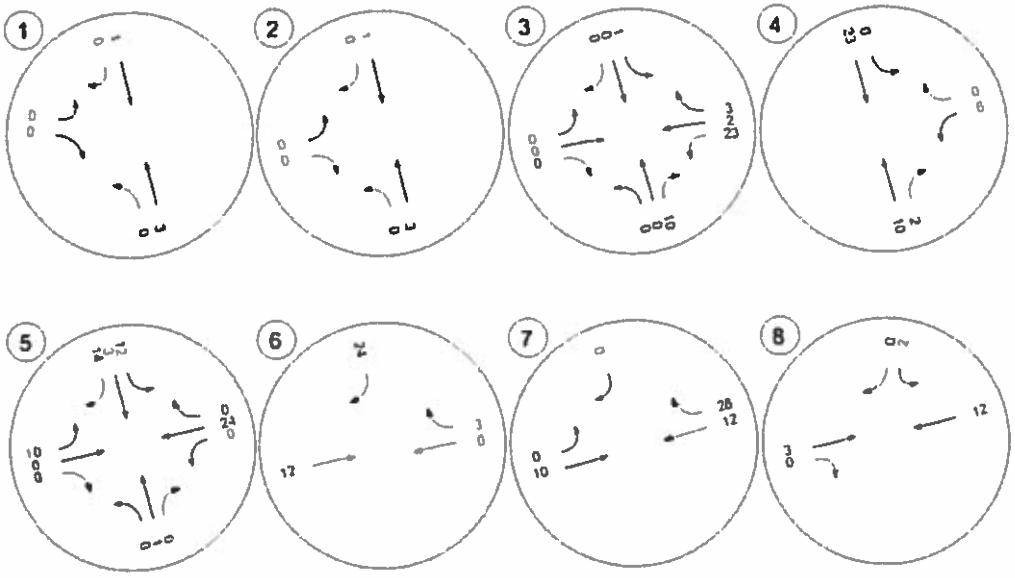


Figure 14: Trip Distribution Rates

The trip assignment was applied to the site generated trips and distributed to the roadway network based on the above rates to determine the net new trips added to the study area by the proposed 1190 Northern Parkway development. The net new site trips during the morning and evening peak hour are shown in **Figure 15 and Figure 16,** respectively.

The AM and PM net new site generated trips were added to the background conditions to determine the 2019 full build-out traffic conditions in the study area. The intersection volumes under *total future* conditions are shown for the AM and PM peak hours in **Figure 17 and Figure 18,** respectively.





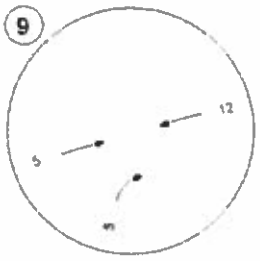
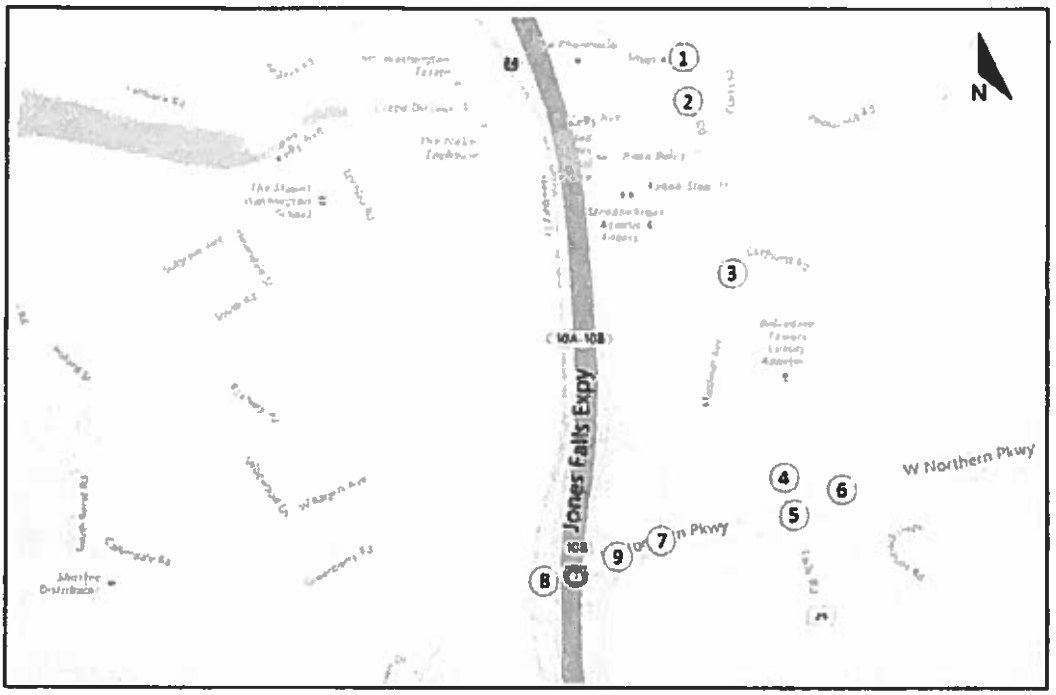
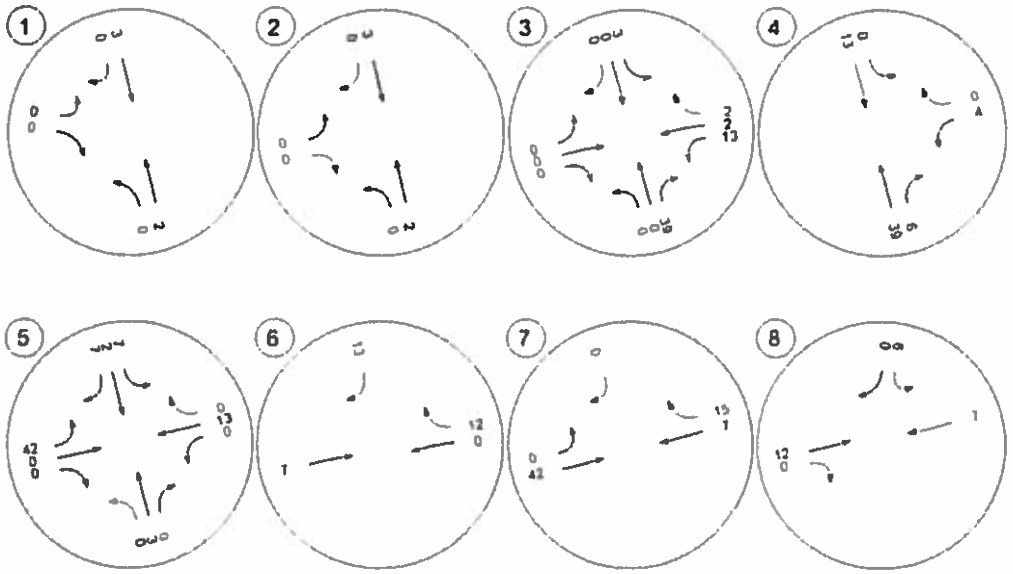


Figure 15: AM Site Vehicle Trip generation from 1190 Northern Pkwy





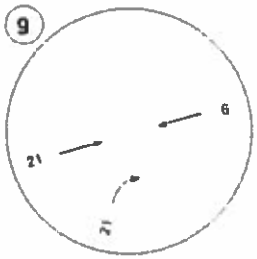
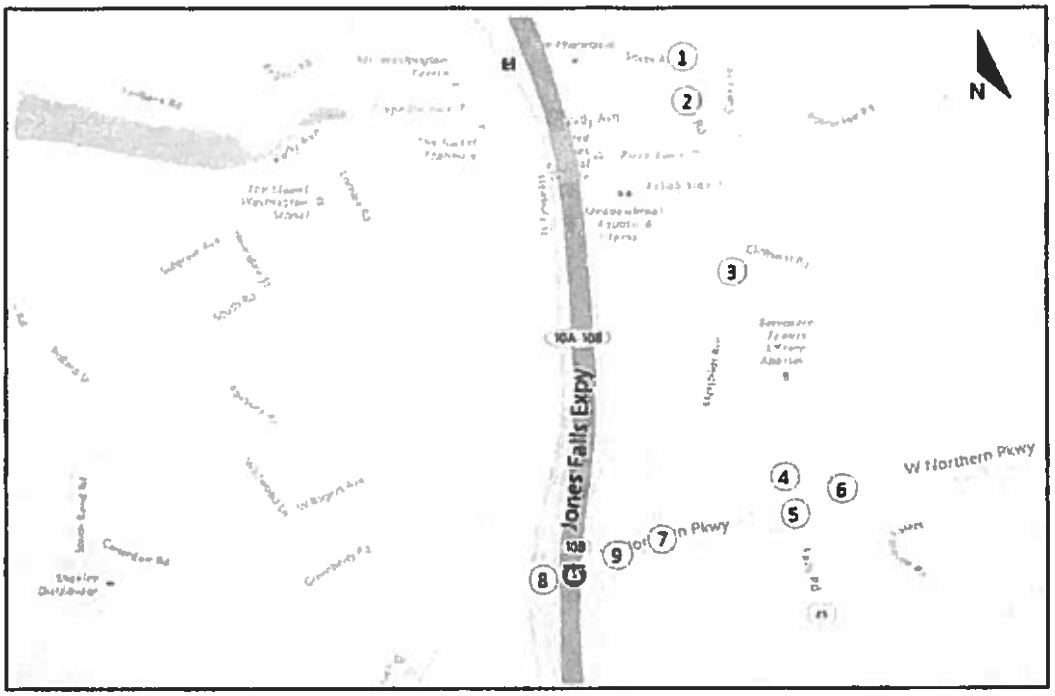


Figure 16: PM Vehicle Site Trip generation from 1190 Northern Pkwy



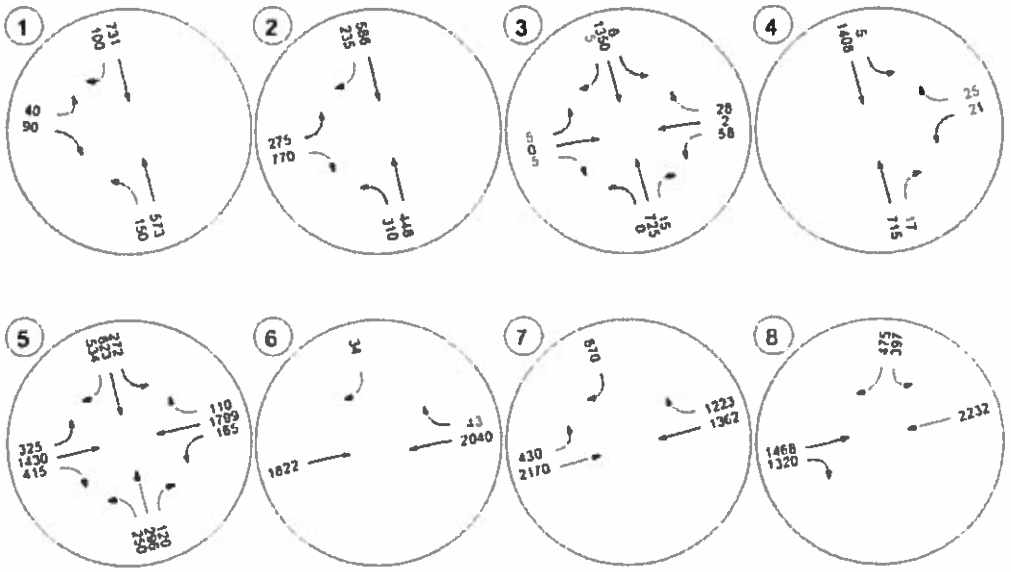
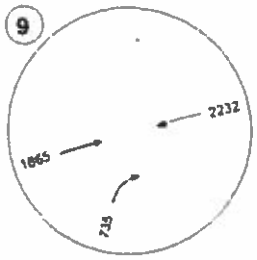
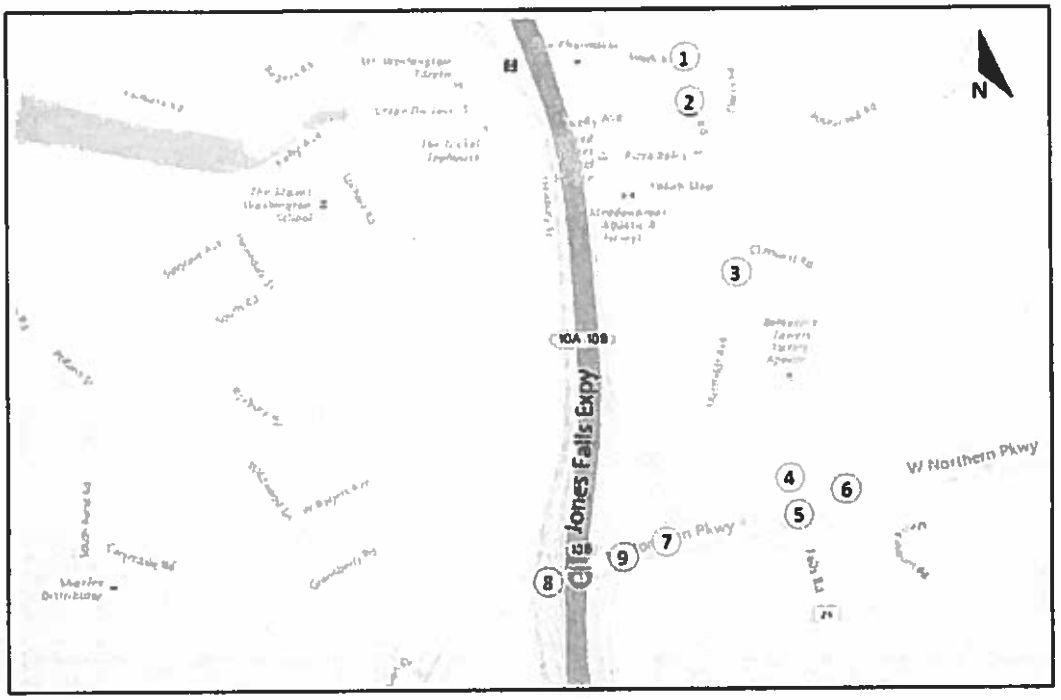


Figure 17: Total Future AM Peak Hour Intersection Traffic Volumes





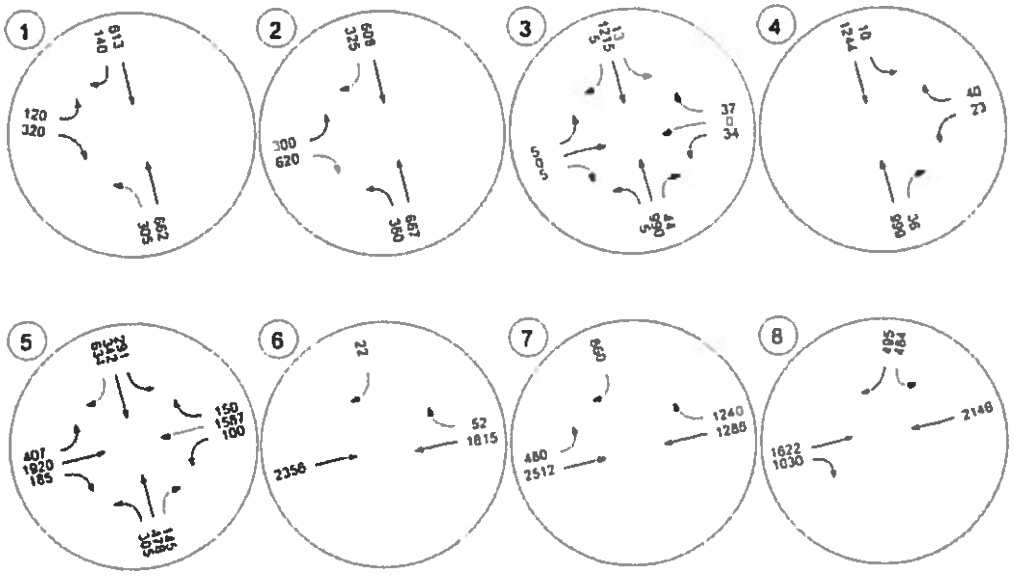
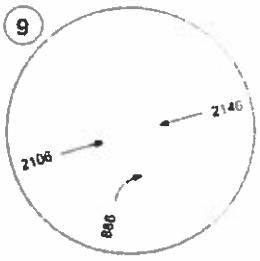


Figure 18: Total Future PM Peak Hour Intersection Traffic Volumes



Future Build Traffic Volumes and Analysis

A capacity analysis was performed for the total future 2019 conditions. Results for the intersections, in their existing configuration, are summarized in **Table 8** with the Existing Conditions and Background Conditions for comparison. HCM reports are provided in **Appendix B**.

Table 8: Summary of Intersection Capacity Analysis – Future Conditions

Intersection			2017 (Existing)			2019 (No_Build)			2019 (Build)		
			V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS
1	Falls Road at Smith Avenue	Overall	0.55 (0.56)	34.0 (32.0)	C (C)	0.57 (0.58)	35.2 (33.0)	D (C)	0.57 (0.58)	35.2 (33.1)	D (C)
2	Falls Road at Kelly Avenue	Overall	1.00 (1.02)	42.2 (54.8)	D (D)	1.05 (1.07)	47.1 (60.6)	D (E)	1.05 (1.07)	47.3 (60.7)	D (E)
3*	Falls Road at Mattfeldt Ave/North Ent	Overall	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
		EB	0.27 (0.13)	132.1 (59.1)	F (F)	0.31 (0.15)	158.7 (66.7)	F (F)	0.33 (0.15)	171.8 (70.0)	F (F)
		WB	>2.00 (1.28)	>300 (>300)	F (F)	>2.00 (1.51)	>300 (>300)	F (F)	>2.00 (>2.00)	>300 (>300)	F (F)
		NB	0.23 (0.31)	0.0 (0.2)	A (A)	0.23 (0.32)	0.0 (0.2)	A (A)	0.24 (0.34)	0.0 (0.2)	A (A)
		SB	0.01 (0.02)	0.4 (0.7)	A (A)	0.01 (0.02)	0.0 (0.8)	A (A)	0.01 (0.02)	0.6 (1.1)	A (A)
4*	Falls Road at South Ent	Overall	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
		WB	0.10 (0.16)	14.1 (16.8)	B (C)	0.10 (0.18)	14.4 (17.0)	B (C)	0.13 (0.22)	16.1 (19.5)	C (C)
		NB	0.29 (0.39)	0.0 (0.0)	A (A)	0.30 (0.40)	0.0 (0.0)	A (A)	0.30 (0.42)	0.0 (0.0)	A (A)
		SB	0.24 (0.22)	0.0 (0.1)	A (A)	0.25 (0.22)	0.0 (0.1)	A (A)	0.25 (0.22)	0.0 (0.1)	A (A)
5	Falls Road at Northern Parkway	Overall	1.14 (1.14)	124.4 (119.5)	F (F)	1.18 (1.18)	131.7 (131.4)	F (F)	1.20 (1.21)	135.6 (134.2)	F (F)
6*	Northern Parkway at Access Drive (Stop Controlled Approach)	Overall	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
		EB	0.37 (0.46)	0.0 (0.0)	A (A)	0.38 (0.47)	0.0 (0.0)	A (A)	0.38 (0.47)	0.0 (0.0)	A (A)
		WB	0.35 (0.30)	0.0 (0.0)	A (A)	0.36 (0.31)	0.0 (0.0)	A (A)	0.36 (0.31)	0.0 (0.0)	A (A)
		SB	0.02 (0.02)	12.7 (11.8)	B (B)	0.02 (0.02)	12.9 (12.0)	B (B)	0.08 (0.04)	13.3 (12.3)	B (B)
7	Northern Parkway at I-83 NB Ramps	Overall	0.83 (0.84)	6.6 (6.8)	A (A)	0.85 (0.86)	7.0 (7.4)	A (A)	0.87 (0.87)	6.7 (7.2)	A (A)
8	Northern Parkway at I-83 SB Ramps	Overall	0.89 (0.70)	14.5 (16.3)	B (B)	0.92 (0.75)	16.1 (17.5)	B (B)	0.92 (0.75)	16.1 (17.6)	B (B)

*Intersection is unsignalized.

The results of the future conditions capacity analysis indicate that no degradations in overall intersection LOS are anticipated due to the proposed 1190 Northern Parkway development.

V. SUMMARY

The following summary of findings is based on the analysis and observations presented in the report:

- The proposed 1190 Northern Parkway development is a four-story 209,000 SF multi-family building with 148 dwelling units and a 297 space parking garage located on the northeast corner of Northern Parkway and Falls Road.
- The proposed development has an anticipated build-out year of 2019.
- The results of the Existing Conditions capacity analysis indicate that most intersections are currently operating at a level of service D or better in the AM and PM peak hours, except for the following intersections that operate at or below a level of service E:
    - Falls Road at Kelly Avenue – PM peak hour only
    - Falls Road at Mattfeldt Ave/North Entrance
    - Falls Road at Northern Parkway
- The results from the Background Conditions analysis indicate that the only degradation in overall intersection LOS, due to regional traffic growth of 1% and background trips from the Sinai Hospital expansion project, is the intersection of Falls Road at Smith Avenue where a 3 second increase in average intersection delay resulted in a change in LOS from D to E during the PM peak hour.
- The proposed 1190 Northern Parkway development will generate 72 AM peak hour trips and 94 PM peak hour trips.
- The total Future Traffic Conditions analysis indicates that the new trips generated by the proposed development will not result in any degradation of LOS from the 2019 Background Conditions.
- Additional analyses were performed at the Northern Site Driveway intersection with Falls Road:
    - A sight distance evaluation of the minor street approaches indicated that left turning movements from both Mattfeldt Avenue and the Northern Site Driveway onto Falls Road do not meet AASHTO minimums for left turning movements. The inadequate sight distance for the westbound left turn from the Northern Site Entrance may be improved to an acceptable level by trimming back foliage on the northeast corner of the intersection.

AMENDMENTS TO COUNCIL BILL 17-0049
(1st Reader Copy)

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

Amendment No. 1

On page 2, after line 27, insert

"**SECTION 8. AND BE IT FURTHER ORDAINED**, That the contract purchaser has entered into a Traffic Mitigation Agreement with the Department of Transportation that is as follows:

As a condition for the issuance of the building permit, the applicant must pay to the Department of Transportation $18,000 for pedestrian and transit rider improvements at the intersection of Falls Road and Northern Parkway. Subject to the approval by the Board of Estimates, these funds shall be used in the area generally bounded by Northern Parkway and Falls Road along the street frontage of the proposed development, except to the extent that the Director of Transportation, or the Board of Estimates, determines that a broader traversed area is required to balance the overall transportation network.".

Amendment No. 2

On page 2, in line 28, and on page 3, in line 1, strike "**8**" and "**9**", respectively, and substitute "**9**" and "**10**", respectively.

BALTIMORE HOUSING

CATHERINE E. PUGH
Mayor

PAUL T. GRAZIANO
Executive Director, HABC
Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner

Date: May 26, 2017

Re: **City Council Bill 17-0049 - Planned Unit Development – Designation – Overlook at Roland Park**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0049, for the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

If enacted, this bill would support the development of a 132 unit multi-family apartment building in the Roland Park neighborhood. The property is currently an unimproved wooded and sloping lot located near the corner of Northern Parkway and Falls Road behind an existing multi-family building. The property is split-zoned R-6 and R-1 and the developer would like to build a roughly 80' tall building, which would be allowed under the existing zoning code, but the new zoning code would cap the height of the development at less than 50 feet.

HCD reviewed the Department of Planning's report that mentions two reasons why the development of a PUD is needed and they are as follows:

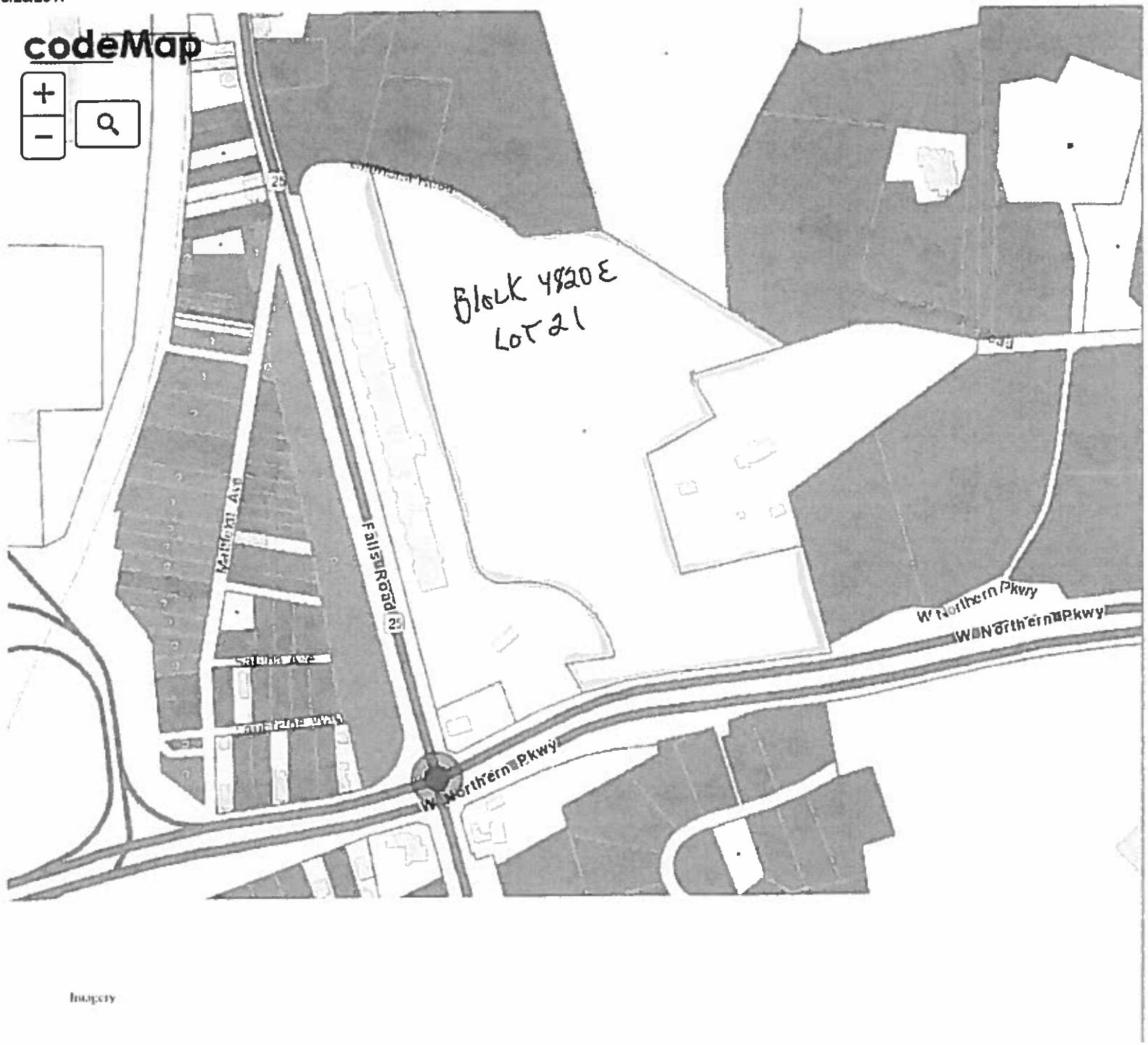
- to maintain current property rights for the developer as the City transitions to the new zoning code
- to protect the R-1 portion of the site from development because the proposed development will be built on the R-6 portion of the site

The Department of Housing and Community Development has no objection to the passage of City Council Bill 17-0049.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*

NO obj



Contents

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

BOARD OF MUNICIPAL AND ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

June 5, 2017

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: City Council Bill No. 17-0049: Planned Unit Development - Designation - Overlook at Roland Park

Ladies and Gentlemen:

City Council Bill No. 17-0049 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0049 is to approve the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

The BMZA has reviewed the legislation and has reviewed the Department of Planning Staff Report and recommendations and supports the Planning Commission response to allow for an increase the unit count to 148, to modify the ingress/egress along Falls Road and minor grading and landscaping changes; and recommends Bill Number 17-0049 be amended and passed.

Sincerely,

David C. Tanner

David C. Tanner
Executive Director

DCT/rdh

CC: Mayors Office of Council Relations
Legislative Reference

Defers to Planning

CITY OF BALTIMORE
CATHERINE E. PUGH, Mayor

DEPARTMENT OF LAW
101 City Hall
Baltimore, Maryland 21202

June 2, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0049 – Planned Unit Development – Designation – Overlook at Roland Park

Dear Mr. President and City Council Members:

The Law Department has reviewed City Council Bill 17-0054 for form and legal sufficiency. The bill approves the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development ("PUD"). The bill also approves the Development Plan submitted by the applicant.

Ordinance 16-581, which embodies the City's newly enacted zoning code ("New Code"), is effective June 5, 2017. As of the date of this report, the property at issue is split-zoned R-6 and R-1. The New Code zones the property R-6 and R-1-A. The multi-family development proposed by the applicant will not affect the property zoned R-1-A, but instead the development will be confined to property zoned R-6.

The applicant proposes to construct buildings that exceed the R-6 height limits established in the New Code. The zoning effective prior to June 5, 2017 ("Old Code"), however, permits the development. The applicant therefore is seeking permission, through the adoption of this bill, to develop the property under the Old Code.

Section § 2-203.of the New Code permits a development to be governed under the Old Code if certain conditions are met. Specifically, if an application is filed – in this case, an application to designate a PUD – prior to the effective date of the New Code, and the application is considered complete, the requirements of the Old Code govern the development. New Code, § 2-203(k).

Sections 9-105 through 9-107 of the Old Code establish the application process and requirements involved in establishing a PUD. Section 9-105 requires a preliminary conference with the Planning Commission or its designated representative. Section 9-106 requires submission of a formal application to the City Council in the form of an ordinance, containing information and

Comments

documents required by the City Council. Section 9-107 requires a development plan, which must contain certain specified information, to accompany the application. If an applicant meets all requirements of these sections, the application must be considered complete. The Law Department therefore will conclude the application satisfies the requirements of Section § 2-203.of the New Code if proof exists to that effect.

The general criteria for approval of a PUD are "compatibility with a Master Plan, conformance to regulatory criteria, and an examination of potential deleterious effects vis-a-vis adjacent property and uses." *Maryland Overpak Corp. v. Mayor and City Council of Baltimore*, 395 Md. 16, 31 (2006). A PUD "allows for additional uses on a property not provided for by the permitted or conditional uses designated in that underlying district, but which are adjudged, on a case-by-case basis, not to be incompatible or deleterious at a given location and within the contemplation generally of the applicable Master Plan (or other planning document) and the general purposes of the underlying zone, much like a conditional use." *Id.*

Section 9-112 of the Old Code sets forth the specific governing standards which reflect the above cited case law. This section requires certain considerations to be made about a proposed PUD before it may be approved. The Planning Department's Staff Report outlines those considerations. It reports that those considerations informed the bill's analysis and deliberations.

Other procedural requirements apply. The designation of a PUD is deemed a "legislative authorization." Old Code §§16-101(c)(3), 16-101(d). Specifically, special notice requirements apply to the bill's introduction and the bill must be referred to certain City agencies, which are obligated to review it in a specified manner. *See* Old Code §§16-203, 16-301, 16-303. Additional public notice and hearing requirements apply to the bill, including advertising the time, place and subject of the hearing in a paper of general circulation for 15 days and posting the property conspicuously with this same information. *See* Md. Code, Land Use, §10-303; ZC §16-402. Finally, certain limitations on the City Council's ability to amend the bill apply, including a Third Reading hold-over before final passage by the Council. *See* Old Code §§16-403, 16-404.

Assuming the requirements of Section § 2-203(k) of the New Code are satisfied, and all the other procedures and processes outlined above are met, the Law Department will approve this bill for form and legal sufficiency as drafted or as amended, if the amendments are those offered in the Planning Commission's Report.

Sincerely,

Victor K. Tervala
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor

Baltimore
Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO

DATE: May 15, 2017

SUBJECT: City Council Bill 17-0049
Planned Unit Development – Designation – Overlook at Roland Park

---

The Baltimore Development Corporation (BDC) has been asked to comment on Council Bill 17-0049 – Planned Unit Development-Designation-Overlook at Roland Park for the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

The designation of a Planned Unit Development will allow for the redevelopment of the property for 132 residential units and accessory off-street parking.

The BDC respectfully defers to the Planning Commission on this matter.

cc: Kyron Banks

RECEIVED
JUN - 1 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

Defers to Planning comm-

36 S. Charles St. Suite 2100 Baltimore, MD 21201 410.837.9305 O 410.837.6363 F BaltimoreDevelopment.com

FROM		
NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE MEMO
AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building	
SUBJECT	**CITY COUNCIL BILL 17-0049**	

RECEIVED
MAY 17 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

DATE May 10, 2017

TO

The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0049 introduced by Councilman Schleifer at the request of Blue Ocean Realty.

The purpose of this bill is to approve the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approve the Development Plan submitted by the applicant.

The subject property is an unimproved, wooded lot of approximately 12 acres located northeast of the intersection of Northern Parkway and Falls Road in the North Roland Park Neighborhood. City Council Bill 17-0049, if approved, would establish a Residential Planned Unit Development (PUD) with the approved use of one multi-family building consisting of 132 residential units. The development would include accessory off-street parking consisting of 267 parking spaces and 13 bike racks. Due to the ascending topography of the property, the first level of the proposed building would be built into the hillside, with the remaining three levels above ground.

The property is currently zoned residential, split between R-6 and R-1. The proposed development would be sited on the portion of the property zoned R-6. The R-1 zoned portion of the site, which includes three large Forest Conservation Easements, would remain undeveloped. Final design would have to return to the Planning Commission for approval and will include site details such as ingress and egress configurations. While the ingress and egress points lie outside of the PUD boundaries, the planned access from both Falls Road and Northern Pârkway would be cross-access easements with the existing adjacent apartment building (Belvedere Towers). The access configurations are one of the issues being discussed with surrounding community groups and could change once final design is completed. The Department of Transportation is conducting a Traffic Impact Study to determine if the applicant would have to fund improvements for traffic management within a defined impact area. The Department of Public Works' Plans Review Section did receive an initial stormwater management plan submittal which is currently under review.

The Planning Commission staff report recommended approval of City Council Bill 17-0049 with two amendments: (1) Change the number of allowed units from 132 to 148; and (2) replace the introductory Exhibits with new Exhibits dated April 27, 2017. The Planning

No obj pending Amendments
by Planning

Commission approved the staff report at its May 4, 2017 meeting. The residential unit increase would not alter the building footprint or the maximum elevation of the proposed building. The Department of Public Works has no objection to the passage of City Council Bill 17-0049 as proposed to be amended by the Planning Commission.

Sincerely,

S. Dale Thompson for RC

Rudolph S. Chow, P.E.
Director

RSC/KTO

BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

The Honorable Edward L. Reisinger
Chairman

PUBLIC HEARING

WEDNESDAY, JUNE 7, 2017
12:00 PM
CLARENCE "DU" BURNS COUNCIL CHAMBERS

City Council Bill #17-0049

Planned Unit Development – Designation – Overlook at Roland Park

CITY OF BALTIMORE
CATHERINE E. POUGH, Mayor

OFFICE OF COUNCIL SERVICES
LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 17-0049

Planned Unit Development – Designation – Overlook at Roland Park

Sponsor: *Councilmember Schleifer*
Introduced: *April 3, 2017*

Purpose:

FOR the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

Effective: 30th Day after Enactment

Hearing Date/Time/Location: Wednesday, June 7, 2017/12:00 PM/Clarence "Du" Burns Chambers

Agency Reports

Planning Commission	Favorable/Amend
Department of Law	Comments
Department of Housing and Community Development	No Objection
Board of Municipal and Zoning Appeals	Defer to Planning
Baltimore Development Corporation	Defer to Planning
Fire Department	No Objection
Department of Transportation	
Parking Authority of Baltimore City	Not Opposed
Department of Public Works	No Objection pending amendments from Planning

Analysis

Current Law

Article – Zoning; Title 9, Subtitles 1 and 2; Baltimore City Revised Code (Edition 2000)

Background

City Council Bill 17-0049. if passed, will approve the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development, and approve the Development Plan submitted by the applicant. The proposed Overlook at Roland Park Planned Unit Development (PUD), is located in North Baltimore in the North Roland Park neighborhood. This unimproved, sloping and heavily wooded parcel does not yet have an address. It's located near the corner of Northern Parkway and Falls Road behind an existing multi-family building known as the Belvedere Towers.

This proposed PUD, as introduced, calls for the development of a 132 unit multi-family apartment building and accessory off-street parking. The site is currently split-zoned R-6 and R-1. Under TransForm Baltimore, slated to take effect on June 5, 2017, the site would be rezoned to R-6 and R-1-A. Under the new zoning code, a flat height limit would preclude this development from being built, as the current proposal is to build a structure that is roughly 80' tall, and the new zoning code would cap a multi-family development at 35' for interior lots and 45' for coner lots.

The proposed development plan would include 267 parking spaces and 13 bike racks and an outdoor tot lot and green space. In addition, the plan also shows improvements to existing ingress/egress from both Falls Road and Northern Parkway.

The PUD master plan has completed both Design Review and Site Plan Review, but the final design of the building will continue design review and must return to Planning Commission for approval. This project is consistent with the Baltimore City Comprehensive Master Plan, specifically: LIVE Section, Goal 1, Objective 1: Expand Housing Choices for all Residents; Objective 2: Strategically Redevelop Vacant Properties Throughout the City; and Objective 5: Increase the City's Population by 10,000 Households in 6 years.

Additional Information

Fiscal Note: Not Available

Information Source(s): Planning Department staff report

Analysis by: Marshall Bell MB Direct Inquiries to: 410-396-1091
Analysis Date: June 6 2017

CITY OF BALTIMORE
COUNCIL BILL 17-0049
(First Reader)

Introduced by: Councilmember Schleifer
At the request of: Blue Ocean Realty
Address: c/o Alfred W. Barry, AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900
Introduced and read first time: April 3, 2017
Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

AN ORDINANCE concerning

Planned Unit Development – Designation – Overlook at Roland Park

FOR the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of
Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

Recitals

Blue Ocean Realty is the contract purchaser of property located at Ward 27, Section 15, Block 4820E, Lot 021.

Blue Ocean Realty proposes to develop a single multi-family dwelling, consisting of 132 dwelling units.

On March 27, 2017, representatives of Blue Ocean Realty met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the property and to institute proceedings to have the property designated a Residential Planned Unit Development.

The representatives of Blue Ocean Realty have now applied to the Baltimore City Council for designation of the property as a Residential Planned Unit Development, and they have submitted

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of Blue Ocean Realty, contract purchaser of the property located at Ward 27, Section 15, Block 4820E, Lot 021, as outlined on the accompanying Development Plan entitled "Overlook at Roland Park", dated March 27, 2017, to designate the property a Residential Planned Development under Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by the applicant, consisting of the following Exhibit Sheets, is approved:

Sheet 1, "Existing Conditions Plan", dated March 27, 2017;

Sheet 2, "Proposed Site Plan", dated March 27, 2017;

Sheet 3, "Exterior Elevations", dated March 27, 2017; and

Sheet 4, "Proposed Landscape Plan", dated March 27, 2017.

SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 2, the following use is allowed within the Planned Unit Development:

A single multiple-family dwelling unit consisting of 132 dwelling units.

SECTION 4. AND BE IT FURTHER ORDAINED, That off-street parking spaces must be provided at a minimum of 1 space per dwelling unit.

SECTION 5. AND BE IT FURTHER ORDAINED, That Final Design approval will be required by the Planning Commission.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Planning Commission may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 8. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

1 **SECTION 9. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

LAND USE AND TRANSPORTATION COMMITTEE

CC#: 17-0049

AGENCY REPORTS

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8TH FLOOR, 417 EAST FAYETTE STREET	
	SUBJECT	CITY COUNCIL BILL #17-0049 / PUD DESIGNATION OVERLOOK AT ROLAND PARK	

TJS

TO

DATE: May 9, 2017

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

At its regular meeting of May 4, 2017, the Planning Commission considered City Council Bill #17-0049, for the purpose of approving the application of Blue Ocean Realty, contract purchaser of Block 4820 Lot 021, to have the property designated a Residential Planned Unit Development.to be known as Overlook at Roland Park.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #17-0049 and adopted the following resolution; six members being present (six in favor).

> RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0049 be amended and passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Kyron Banks, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC
Mr. Al Barry, Representative for the Applicant

Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT

Thomas J. Stosur
Director

May 4, 2017

REQUEST: City Council Bill #17-0049/ Planned Unit Development – Designation – Overlook at Roland Park

RECOMMENDATION: Approval with the following amendments:

- On page 2, Section 3 in line 17, strike "132" and replace with "148".
- Replace all introductory Exhibits (dated March 27, 2017) with new Exhibits (Sheets 1 - 4) dated April 27, 2017. These new sheets include: Existing Conditions Plan, Proposed Site Plan, Exterior Elevations, and Proposed Landscape Plan.

STAFF: Tamara Woods

OWNER/PETITIONER: Blue Ocean Realty c/o AB Associates

SITE/GENERAL AREA

General Area:

The proposed Overlook at Roland Park Planned Unit Development (PUD) is located in North Baltimore in the North Roland Park neighborhood. It is roughly located near the northeast corner of Falls Road and Northern Parkway.

Site Conditions:

The subject parcel currently is an unimproved lot that does not yet have an address. It is located on Block 4820E, Lot 021. It is located near the corner of Northern Parkway and Falls Road behind an existing multi-family building known as the Belvedere Towers. The site is heavily wooded and sloping.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

This project is consistent with the Baltimore City Comprehensive Master Plan, specifically: LIVE Section, Goal 1, Objective 1: Expand Housing Choice for all Residents; Objective 2: Strategically Redevelop Vacant Properties Throughout the City; and Objective 5: Increase the City's Population by 10,000 Households in 6 years.

ANALYSIS

This proposed PUD, as introduced, calls for the development of a 132 unit multi-family apartment building and accessory off-street parking. The site is currently split -zoned R-6 and R-1. The proposed development would remain on the R-6 portion of the site. Under TransForm Baltimore, the new zoning code, slated to take effect on June 5, 2017, the site would be rezoned to R-6 and R-1-A. While the required square footage requirement of 1,500 square feet per dwelling unit would remain the same for R-6 under both the existing and new zoning code, the change to a flat height limit instead of the Floor Area Ratio (FAR) would preclude this development, as proposed, being built. The current proposal is to build a building that is roughly 80' tall and the new zoning code would cap a multi-family development at 35' for interior lots and 45' for corner lots.

Because of this change in regulation, the developer has decided to request the establishment of a residential planned unit development through City Council Bill #17-0049 as a way to "vest" current property rights as the City transitions to a new zoning code. This PUD, if enacted, would allow for the redevelopment of this site with the proposed multi-family building.

Planning Staff is in support of this approach, which though allowing a building taller than would be allowed under TransForm Baltimore, protects the R-1 portion of the site from development because the proposed development is to be built only on the R-6 portion of the site, which accounts for approximately half of the lot area. Because the R-1 portion has more tenuous environmental features, it is more advantageous to encourage that development only be on the R-6 portion of the site.

Development Plan:

The proposed development plan shows the location for the proposed multi-family building, which would include 267 parking spaces and 13 bike racks and an outdoor tot lot and green space. In addition, the plan also shows improvements to existing ingress/egress from both Falls Road and Northern Parkway. The ingress/egress of the proposed development lies outside of the proposed PUD boundaries. The planned entrance and exits from Falls Road and Northern Parkway exists for the existing adjacent apartment building. The developer will have cross-access easements which will allow for the use of these.

The proposed landscape plan shows a robust planting plan along the access drive and the building itself, as well as three large Forest Conservation Easements, which encompass a good portion of the R-1 zoned portion of the site.

The PUD master plan has completed both Design Review and Site Plan Review, but the final design of the building will continue design review and must return to Planning Commission for approval. This Final Design Approval will incorporate final site details, including ingress/egress configurations along Falls Road and Northern Parkway.

FINDINGS

PUD Standards:

This proposal must satisfy the requirements of the governing standards for PUDs per §9-112 of the Zoning Code. In Staff's review, it finds that the proposed PUD does satisfy the standards for the Required Findings and Required Considerations as outlined in Title 14 "Conditional Uses", as well as the standards in §9-112(a)(2), §9-112(b) and §9-112(c) of the zoning code. In summary, Staff offers the following considerations:

- The use and bulk provisions under this proposed PUD are appropriate and would not adversely affect the surrounding area.
- The proposed development meets several of the city's Comprehensive Master Plan goals, including returning vacant properties to productive use; and increasing housing choice.
- The proposed development reflects the character of the adjacent building and respects the surrounding neighborhood by maintaining green space through permanent easements. Therefore, this proposed PUD should not be detrimental to the character and nature of existing and contemplated development in the immediate area.
- The location of the PUD has been thoughtfully considered to accommodate the existing topography of the land. There are tremendous slopes across the entirety of the PUD. The established height takes the topography into consideration.
- The proposal will not create any situation that should negatively impact future development potential or the use, maintenance or value of neighboring areas already developed.
- The new construction will not impact the availability of light, air, open space, and street access. The development is proposing to make use of existing entrances and exits, but will modify them to better function.
- The proposed development will not reduce the protection of residents, visitors, or neighboring residents from fire, health hazards, or other dangers.

Amendments

Based on conversations with the proposed developer and further refinement of the introduced development plan, staff recommends the following amendments:

- On page 2, Section 3 in line 17, strike "132" and replace with "148".
- Replace all introductory Exhibits (dated March 27, 2017) with new Exhibits (Sheets 1 - 4) dated April 27, 2017.These new sheets include: Existing Conditions Plan, Proposed Site Plan, Exterior Elevations, and Proposed Landscape Plan.

The proposed increase in unit count will not impact the requested maximum elevation of the building or change the footprint. It is based on the allowable density of the R-6 portion of the site and would only impact interior layout of the building.

The change in the sheets reflect further development and refinement of the landscape plan, ingress/egress along Falls road, the update on the unit count, and minor site grading changes.

Notifications:
In advance of a hearing on this matter, staff notified the following: North Roland Park Association, Poplar Hill Association, Inc., Sabina-Mattfeldt Community Association and City Councilman Isaac "Yitzy" Schleifer.

Thomas J. Stosur

Thomas J. Stosur
Director

CITY OF BALTIMORE
CATHERINE E. PUGH, Mayor

DEPARTMENT OF LAW
101 City Hall
Baltimore, Maryland 21202

June 2, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0049 – Planned Unit Development – Designation – Overlook at Roland Park

Dear Mr. President and City Council Members:

The Law Department has reviewed City Council Bill 17-0054 for form and legal sufficiency. The bill approves the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development ("PUD"). The bill also approves the Development Plan submitted by the applicant.

Ordinance 16-581, which embodies the City's newly enacted zoning code ("New Code"), is effective June 5, 2017. As of the date of this report, the property at issue is split-zoned R-6 and R-1. The New Code zones the property R-6 and R-1-A. The multi-family development proposed by the applicant will not affect the property zoned R-1-A, but instead the development will be confined to property zoned R-6.

The applicant proposes to construct buildings that exceed the R-6 height limits established in the New Code. The zoning effective prior to June 5, 2017 ("Old Code"), however, permits the development. The applicant therefore is seeking permission, through the adoption of this bill, to develop the property under the Old Code.

Section § 2-203.of the New Code permits a development to be governed under the Old Code if certain conditions are met. Specifically, if an application is filed – in this case, an application to designate a PUD – prior to the effective date of the New Code, and the application is considered complete, the requirements of the Old Code govern the development. New Code, § 2-203(k).

Sections 9-105 through 9-107 of the Old Code establish the application process and requirements involved in establishing a PUD. Section 9-105 requires a preliminary conference with the Planning Commission or its designated representative. Section 9-106 requires submission of a formal application to the City Council in the form of an ordinance, containing information and

documents required by the City Council. Section 9-107 requires a development plan, which must contain certain specified information, to accompany the application. If an applicant meets all requirements of these sections, the application must be considered complete. The Law Department therefore will conclude the application satisfies the requirements of Section § 2-203.of the New Code if proof exists to that effect.

The general criteria for approval of a PUD are "compatibility with a Master Plan, conformance to regulatory criteria, and an examination of potential deleterious effects vis-a-vis adjacent property and uses." *Maryland Overpak Corp. v. Mayor and City Council of Baltimore*, 395 Md. 16, 31 (2006). A PUD "allows for additional uses on a property not provided for by the permitted or conditional uses designated in that underlying district, but which are adjudged, on a case-by-case basis, not to be incompatible or deleterious at a given location and within the contemplation generally of the applicable Master Plan (or other planning document) and the general purposes of the underlying zone, much like a conditional use." *Id.*

Section 9-112 of the Old Code sets forth the specific governing standards which reflect the above cited case law. This section requires certain considerations to be made about a proposed PUD before it may be approved. The Planning Department's Staff Report outlines those considerations. It reports that those considerations informed the bill's analysis and deliberations.

Other procedural requirements apply. The designation of a PUD is deemed a "legislative authorization." Old Code §§16-101(c)(3), 16-101(d). Specifically, special notice requirements apply to the bill's introduction and the bill must be referred to certain City agencies, which are obligated to review it in a specified manner. *See* Old Code §§16-203, 16-301, 16-303. Additional public notice and hearing requirements apply to the bill, including advertising the time, place and subject of the hearing in a paper of general circulation for 15 days and posting the property conspicuously with this same information. *See* Md. Code, Land Use, §10-303; ZC §16-402. Finally, certain limitations on the City Council's ability to amend the bill apply, including a Third Reading hold-over before final passage by the Council. *See* Old Code §§16-403, 16-404.

Assuming the requirements of Section § 2-203(k) of the New Code are satisfied, and all the other procedures and processes outlined above are met, the Law Department will approve this bill for form and legal sufficiency as drafted or as amended, if the amendments are those offered in the Planning Commission's Report.

Sincerely,

Victor K. Tervala
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor

BALTIMORE HOUSING

CATHERINE E. PUGH
Mayor

PAUL T. GRAZIANO
Executive Director, HABC
Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner

Date: May 26, 2017

Re: **City Council Bill 17-0049 - Planned Unit Development – Designation – Overlook at Roland Park**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0049, for the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

If enacted, this bill would support the development of a 132 unit multi-family apartment building in the Roland Park neighborhood. The property is currently an unimproved wooded and sloping lot located near the corner of Northern Parkway and Falls Road behind an existing multi-family building. The property is split-zoned R-6 and R-1 and the developer would like to build a roughly 80' tall building, which would be allowed under the existing zoning code, but the new zoning code would cap the height of the development at less than 50 feet.

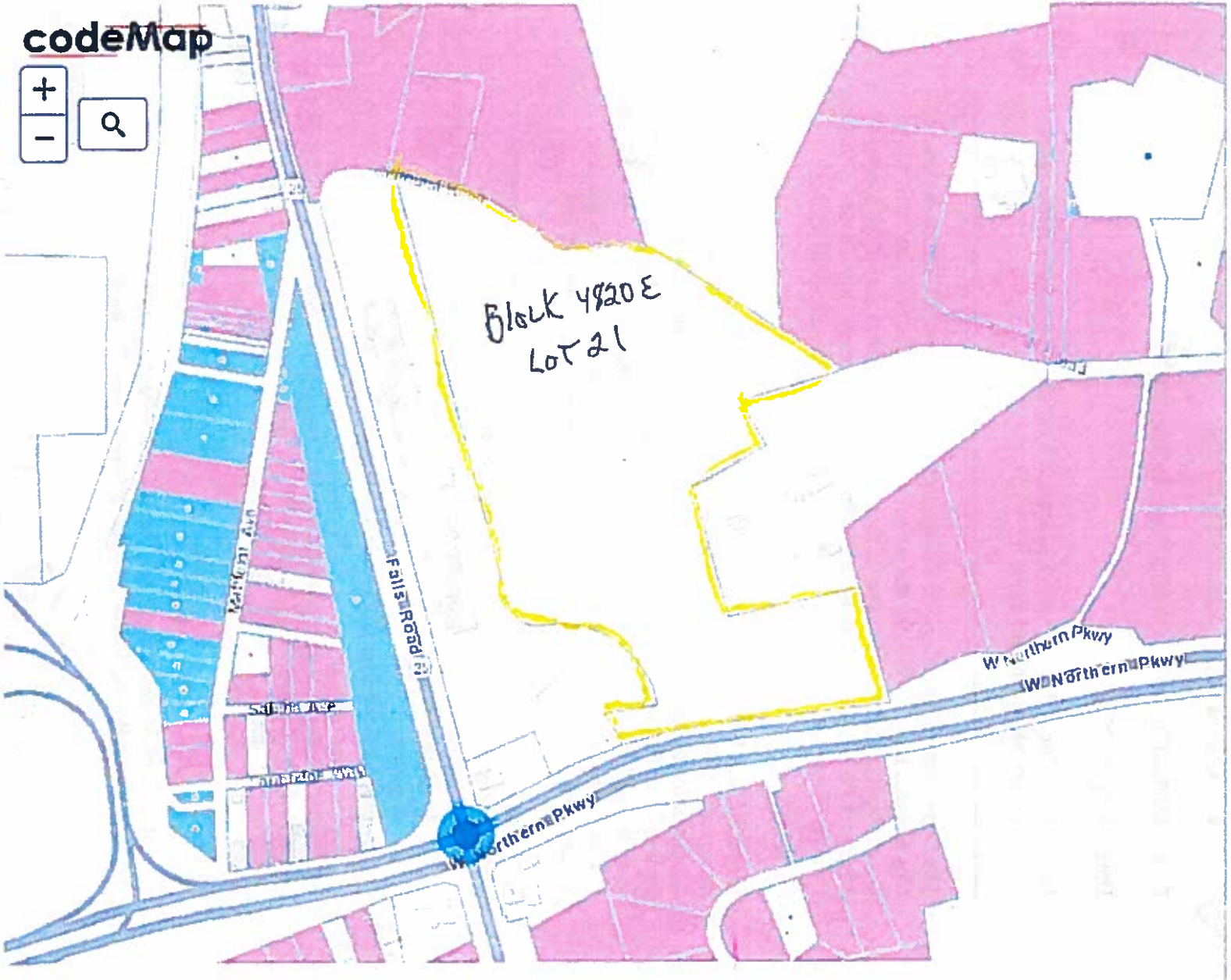
HCD reviewed the Department of Planning's report that mentions two reasons why the development of a PUD is needed and they are as follows:

- to maintain current property rights for the developer as the City transitions to the new zoning code
- to protect the R-1 portion of the site from development because the proposed development will be built on the R-6 portion of the site

The Department of Housing and Community Development has no objection to the passage of City Council Bill 17-0049.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



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FROM		
NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE **MEMO**
AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building	
SUBJECT	**CITY COUNCIL BILL 17-0049**	

TO

DATE May 10, 2017

The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0049 introduced by Councilman Schleifer at the request of Blue Ocean Realty.

The purpose of this bill is to approve the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approve the Development Plan submitted by the applicant.

The subject property is an unimproved, wooded lot of approximately 12 acres located northeast of the intersection of Northern Parkway and Falls Road in the North Roland Park Neighborhood. City Council Bill 17-0049, if approved, would establish a Residential Planned Unit Development (PUD) with the approved use of one multi-family building consisting of 132 residential units. The development would include accessory off-street parking consisting of 267 parking spaces and 13 bike racks. Due to the ascending topography of the property, the first level of the proposed building would be built into the hillside, with the remaining three levels above ground.

The property is currently zoned residential, split between R-6 and R-1. The proposed development would be sited on the portion of the property zoned R-6. The R-1 zoned portion of the site, which includes three large Forest Conservation Easements, would remain undeveloped. Final design would have to return to the Planning Commission for approval and will include site details such as ingress and egress configurations. While the ingress and egress points lie outside of the PUD boundaries, the planned access from both Falls Road and Northern Parkway would be cross-access easements with the existing adjacent apartment building (Belvedere Towers). The access configurations are one of the issues being discussed with surrounding community groups and could change once final design is completed. The Department of Transportation is conducting a Traffic Impact Study to determine if the applicant would have to fund improvements for traffic management within a defined impact area. The Department of Public Works' Plans Review Section did receive an initial stormwater management plan submittal which is currently under review.

The Planning Commission staff report recommended approval of City Council Bill 17-0049 with two amendments: (1) Change the number of allowed units from 132 to 148; and (2) replace the introductory Exhibits with new Exhibits dated April 27, 2017. The Planning

Commission approved the staff report at its May 4, 2017 meeting. The residential unit increase would not alter the building footprint or the maximum elevation of the proposed building. The Department of Public Works has no objection to the passage of City Council Bill 17-0049 as proposed to be amended by the Planning Commission.

Sincerely,

D. Dale Thompson for RC

Rudolph S. Chow, P.E.
Director

RSC/KTO

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

BOARD OF MUNICIPAL AND ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

June 5, 2017

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: City Council Bill No. 17-0049: Planned Unit Development - Designation - Overlook at Roland Park

Ladies and Gentlemen:

City Council Bill No. 17-0049 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0049 is to approve the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

The BMZA has reviewed the legislation and has reviewed the Department of Planning Staff Report and recommendations and supports the Planning Commission response to allow for an increase the unit count to 148, to modify the ingress/egress along Falls Road and minor grading and landscaping changes; and recommends Bill Number 17-0049 be amended and passed.

Sincerely,

David C. Tanner

David C. Tanner
Executive Director

DCT/rdh

CC: Mayors Office of Council Relations
Legislative Reference

Baltimore
Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO

DATE: May 15, 2017

SUBJECT: City Council Bill 17-0049
Planned Unit Development – Designation – Overlook at Roland Park

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The Baltimore Development Corporation (BDC) has been asked to comment on Council Bill 17-0049 – Planned Unit Development-Designation-Overlook at Roland Park for the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

The designation of a Planned Unit Development will allow for the redevelopment of the property for 132 residential units and accessory off-street parking.

The BDC respectfully defers to the Planning Commission on this matter.

cc: Kyron Banks

36 S Charles St, Suite 2100 Baltimore, MD 21201 410.837.9305 410.837.6363

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young

FROM: Peter Little, Executive Director

DATE: April 21, 2017

RE: Council Bill 17-0049

PARKING OF BALTIMORE CITY AUTHORITY

I am herein reporting on City Council Bill 17-0049 introduced by the Councilmember Schleifer at the request of Blue Ocean Realty.

The purpose of this bill is to have the property located at Ward 27, Section 15, Block 4820E, Lot 021 designated as a Planned Unit Development and to approve the Development Plan submitted by the applicant.

The Parking Authority has reviewed this bill, as well as the proposed development plan. In Section 4 of the bill, it is ordained that off-street parking spaces must be provided at a minimum of one space per dwelling unit. The project narrative states that there will be a total of 214 spaces (144 in the parking garage, 46 on the front drive, and 24 in an overflow lot). Ten of these spaces will be handicap accessible, of which three are van accessible. This project will also build an additional overflow parking lot for Belvedere Towers residents. This site is not located on a block where the Parking Authority administers any on-street parking program.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 17-0049.

200 W. LOMBARD STREET • SUITE B • BALTIMORE • MD 21201 • P: 443.573.2800 • F: 410.685.1557

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department NRF	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 E. Fayette Street, Mezzanine	
	SUBJECT	City Council Bill #17-0049 Response to Planned Unit Development-Designation-Overlook at Roland Park	

TO

The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408

DATE:
April 24, 2017

For the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

The Fire Department has no objection to the proposed City Council bill 17-0049 providing that all fire and life safety codes are adhered to during construction and when the structure has been finally permitted to be occupied.

CITY OF BALTIMORE
CATHERINE E. PUGH, Mayor

OFFICE OF COUNCIL SERVICES
LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 17-0049

Planned Unit Development – Designation – Overlook at Roland Park

Committee: Land Use and Transportation
Chaired By: Councilmember Edward Reisinger

Hearing Date: June 7 2017
Time (Beginning): 12:15 pm
Time (Ending): 3:30 pm
Location: Clarence "Du" Burns Chamber
Total Attendance: 120
Committee Members in Attendance:

Edward Reisinger	Leon Pinkett	Mary Pat Clarke
Sharon Green Middleton	Ryan Dorsey	Eric Costello
Robert Stokes		

Bill Synopsis in the file?	☒ yes	☐ no	☐ n/a
Attendance sheet in the file?	☒ yes	☐ no	☐ n/a
Agency reports read?	☒ yes	☐ no	☐ n/a
Hearing televised or audio-digitally recorded?	☒ yes	☐ no	☐ n/a
Certification of advertising/posting notices in the file?	☒ yes	☐ no	☐ n/a
Evidence of notification to property owners?	☒ yes	☐ no	☐ n/a
Final vote taken at this hearing?	☒ yes	☐ no	☐ n/a

Motioned by: **Councilmember** Costello
Seconded by: **Councilmember** Pinkett
Final Vote: **Fav. with Amendments**

Major Speakers

(This is not an attendance record.)

- Tamara Woods, Department of Planning
- Victor Tervala, Department of Law
- Valorie LaCour, Department of Transportation
- Al Barry, AB Associates

- Jonathan Ehrenfeld, *Property Owner/Developer*, Blue Ocean Realty
- Shelly Sehnert, *President*, North Roland Park Community Association
- Shale Stiller, *Attorney* (for the opposition)
- James Riordan, community member
- John Murphy, *Attorney*

Major Issues Discussed

1. Planning Department testified in support of the PUD ordinance, outlining in great detail, the required *findings of fact* (echoing the same information contained in the department's submitted written report). Mrs. Woods also explained the restrictions that will be applied to the development based on the new TransForm Baltimore building code, as opposed to the old building code. Prior to TransForm Baltimore, R-6 zoned properties were not bound by any height restriction, but were restrained by certain FAR restrictions. Under TransForm Baltimore, FAR does not apply, however, the property is limited to 35' in height. Mrs. Woods ended her presentation by pointing out that the developers still had to submit final building plans to the planning commission for approval, and would also have to come before the City Council, should they desire to make any major changes to the PUD in the future.
2. The Law Department gave brief testimony, approving the bill for form and legal sufficiency, and confirming that the development can be governed under the old code, as the application was filed on June 2, 3 days before the June 5 deadline.
3. The Department of Transportation representative gave a power point presentation of Traffic Impact Study conducted by DOT, which concluded that there would be no significant impact on traffic flow or congestion in the area, should the site be developed with the number of units planned for the PUD.
4. Mr. Barry testified to the character of his client, Jonathan Ehrenfeld, and to the sincere effort Mr. Ehrenfeld made to include the disparate community groups into the negotiations, and the obstructionist individuals who, in his opinion, made coming to any sort of reasonable agreement impossible.
5. Mr. Ehrenfeld, President of Blue Ocean Properties, echoed Mr. Barry's testimony, explaining that while he tried to negotiate in good faith, with a sincere desire to try to accommodate and make concessions, to any reasonable demands presented by different community groups in the area, he could not make the same assertion for many in the opposition group. Mr. Ehrenfeld asserted that over the course of the last year, he has attended over 20 community meetings, as well as numerous smaller meetings with different individuals with a vested interest in the project. He described a few concessions that he made, such as reducing the number of units to be built, including 6 acres of green space to serve as a buffer between the apartment building and the closest populated side street, and even choosing to build with under the restrictions and limitations included in a PUD, instead of simply applying for a building permit under the previous code, which would have given him far more income producing options, but which would have ultimately alienated area residents by effectively cutting them out of the development process.
6. The President of the North Roland Park Community Association, testified in support of the PUD. Her group was able to get the developers to make a number of concessions, incorporating many suggestions into a signed covenant between the community association and Blue Ocean Realty. However, it was her opinion, that the St. George's group did not negotiate in good faith with Blue Ocean, and that there was absolutely nothing that the development group could have done to satisfy

these residents. She explained her deep satisfaction that the apartment building would sit on a much smaller footprint than originally planned, and that the developers agreed to a large "buffer zone" between the site and nearby populated streets.

7. Attorney, Shale Stiller, questioned nearly every assertion made by the developer and his supporters. He disagreed with the conclusions made by DOT in their Traffic Impact Study, insisted that construction of the property would dramatically reduce area property values as it would be an eyesore, rising much higher even than the Belvedere Towers apartment building, sitting on the adjacent lot. Finally, Mr. Stiller presented a signed petition in opposition to the PUD from residents in the Poplar Hill neighborhood.
8. Area resident, James Riordan's chief concern was the increased traffic flow which would come with the added vehicles from new residents living in the proposed apartment building.
9. Attorney, John Murphy, complained to the committee that the new R-6 zoning restrictions of TransForm Baltimore should by applied and enforced to this PUD, because it limits buildings in this district to 35'.

Further Study

Was further study requested? ☐ **Yes** ☒ **No**

If yes, describe.

Marshall C. Bell, Committee Staff  Date: June 12, 2017

cc: Bill File
OCS Chrono File

OF BALTIMORE
RING ATTENDANCE RECORD

	CHAIRPERSON: THE HONORABLE ED REISINGER
PLACE: Clarence "Du" Burns Chambers	
RLOOK AT ROLAND PARK	**CC BILL NUMBER:** 17-0049

PRINT			WHAT IS YOUR POSITION ON THIS BILL?		(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY	
Y PLEASE CHECK HERE						
/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	FOR or	AGAINST	YES or	NO
arles Street	21202	Johndoenbmore@yahoo.com	✓	✓	✓	✓
Hill Rd	21210	Lenelsm@verizon.net		✓		✓
W						

be required by law to register with the City Ethics Board. Registration is a simple process. For information and
LEGISLATIVE REFERENCE, 626 City Hall, Baltimore, MD 21202. Tel: 410-396-4730: Fax: 410-396-8483

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cr Way						
cHayn Rd	21210					

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Y PLEASE CHECK HERE						
S/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	FOR or	AGAINST	YES or	NO
arles Street	21202	Johndoenbmore@yahoo.com	✓	✓	✓	✓
Ct	21030	Kevin.crawford@planetdepos.com				
AR HILL RD.	21210	MAGFUR@COMCAST.NET		✓		
" "	21210	EFFJRH@COMCAST.NET		✓		
Lexington st	21202	Alfonso.Joyner@baltimorecity.gov				
NG WAY	21210	sale.barbara@gmail.com		✓		✓
ATION RD	21208	bpg1255@comcast.net	✓			
N HILL	21218	BOOTWF@GMAIL.COM		✓		✓
Hawke Pl	21210	Jimbeachly@gmail.com		✓		
TFELDT	21209	STWSHARK@comcast.net		✓		

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:Y PLEASE CHECK HERE						
s/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	FOR or	AGAINST	YES or	NO
arles Street	21202	Johndoenbmore@yahoo.com	✓	✓	✓	✓
eorgiaRd	21210			✓		✓
"	"	bobwilliams2@u.edu		✓		✓
arHill Rd	"	mcars.maryann@gmail.com		✓		✓
"	"			✓		✓
				✓		✓
✓	"	[illegible]		✓		✓
ar Hill Rd.	21210	[illegible]@comcast.net		✓		✓
d Ave	21210	Susan.m.Newhouse@gmail.com		✓		✓
c Ocean			✓			
ar Hill	21210	peramer333@gmail.com		✓		

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arles Street	21202	Johndoenbmore@yahoo.com	✓	✓	✓	✓
Hill Rd.	21210	Sbkriggs@aol.com		✓		✓
E AVE	21210	NRPAPRES@GMAIL.COM	✓			
Ave	21210	Jill Steele McGheeg@mail.com	✓			
e Ave	21210	Sandy@meirealestate.com	✓			
St. Georges	21210			✓		
Keith Rd	21210	nancycorneny@comcast.com		✓		
Park Civic League	21210	mkbattafarano@gmail.com		✓		
N. Charles	21201	JCMurphy1@comcast.net		X	X	
St. Georges Rd	21210	BebeShapin@gmail.com		✓		
Ocean	21215	IScullion@BlueOceanRealtyMd	✓			

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	CHAIRPERSON: THE HONORABLE ED REISINGER
M	**PLACE:** Clarence "Du" Burns Chambers
ERLOOK AT ROLAND PARK	**CC BILL NUMBER:** 17-0049

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F Y PLEASE CHECK HERE						
:SS/ORGANIZATION NAME	**ZIP**	**EMAIL ADDRESS**	**FOR** or	**AGAINST**	**YES** or	**NO**
:harles Street	**21202**	**Johndoenbmore@yahoo.com**	✓	✓	✓	✓
Ocean/Reisters Town Rd		joelm006@yahoo.com	✓			
Smith Ave	21269	yoseltbaltimore@gmail.com				
nkney Rd	21215	–	✓			
St. George Rd	21210			✓		
lcean/Rosterstown Rd		–	✓			
SAINT GEORGE RD	21210	SAWIELEK@COMCAST.NET		✓		
Ridgewood Rd	21210					
'GRO						

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Charles Street	**21202**	**Johndoenbmore@yahoo.com**	✓	✓	✓	✓
lphe Rd	21214	l.r.fick@gmail.com		✓		✓
m Ml Ave	21209	broserfe@comcastnet	✓			✓
orges Road	21210	lgriffit@jhmi.edu		✓		✓
OGERS	21205	gilly.bobb@gmail.com		✓		
eorge Rd	21210	Margaret.Cochrane@		✓		
heights ave	21215	adresin@blueoceanpeaks.net				
orges Rd	21210	SSHAWE@SHAWE.com		✓		
ntown Rd	21215		✓			
ndy Way	21210	Syoslow@aol.com	✓			✓

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TO: Alfred W. Barry, AB Associates

FROM: Natawna B. Austin, Executive Secretary to the Baltimore City Council

DATE: May 9, 2017

RE: INSTRUCTIONS FOR ADVERTISING A HEARING FOR PLANNED UNIT DEVELOPMENT

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: **City Council Bill No. 17-0049**

Date: **Wednesday, June 7, 2017**

Time: **12:00 p.m.**

Place: **City Council Chambers, 4th floor of City Hall, 100 N. Holliday Street.**

At the expense of the applicant, notice of this public hearing:

1) must be posted by sign on the property involved, 15 days prior to date of hearing. The sign is to be not less than 4 feet long and 3 feet wide with black lettering 2 inches high on a white background. The sign is to be placed in a conspicuous manner not over 10 feet above the ground; and

2) must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.

Newspaper Advertisement

You may choose any of the following newspapers for advertising purposes: The Daily Record, Baltimore Sun, or the Afro-American.

Wording for Sign and Newspaper Advertisement

The information that must be advertised and posted appears in the shaded area of the attached page; the deadline date is indicated at the top of the page.

Certification of Postings

Certification of the sign posting on the property and publication of the newspaper advertisements, in duplicate, must be sent to the Executive Secretary, four (4) days prior to the hearing.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE ADVERTISED IN A NEWSPAPER AND A SIGN MUST BE POSTED ON THE PROPERTIES ON **TUESDAY, MAY 23, 2017**, AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0049

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, June 7, 2017 at 12:00 p.m., in the City Council Chambers, to conduct a public hearing on City Council Bill No. 17-0049.

CC 17-0049 ORDINANCE - **Planned Unit Development - Designation - Overlook at Roland Park** - FOR the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of
Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council. The documents comprising this plan are available for inspection in Room 409, City Hall, 100 N. Holliday Street.

EDWARD REISINGER
Chair

SEND CERTIFICATION OF PUBLICATION TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202
410-396-1697

SEND BILL FOR THIS ADVERTISEMENT TO:

Alfred W. Barry
201 East Baltimore Street, Suite 1150
Baltimore, Maryland 21202
410-547-6900

FROM			
	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE **MEMO**
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8TH FLOOR, 417 EAST FAYETTE STREET	
	SUBJECT	CITY COUNCIL BILL #17-0049 / PUD DESIGNATION OVERLOOK AT ROLAND PARK	

TJS

DATE: May 9, 2017

TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

At its regular meeting of May 4, 2017, the Planning Commission considered City Council Bill #17-0049, for the purpose of approving the application of Blue Ocean Realty, contract purchaser of Block 4820 Lot 021, to have the property designated a Residential Planned Unit Development.to be known as Overlook at Roland Park.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #17-0049 and adopted the following resolution; six members being present (six in favor).

> RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0049 be amended and passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Kyron Banks, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC
Mr. Al Barry, Representative for the Applicant

Fav w/ Amend

Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT

Thomas J. Stosur
Director

May 4, 2017

REQUEST: <u>City Council Bill #17-0049/ Planned Unit Development – Designation– Overlook at Roland Park</u>

RECOMMENDATION: Approval with the following amendments:

- On page 2, Section 3 in line 17, strike "132" and replace with "148".
- Replace all introductory Exhibits (dated March 27, 2017) with new Exhibits (Sheets 1 - 4) dated April 27, 2017. These new sheets include: Existing Conditions Plan, Proposed Site Plan, Exterior Elevations, and Proposed Landscape Plan.

STAFF: Tamara Woods

OWNER/PETITIONER: Blue Ocean Realty c/o AB Associates

SITE/GENERAL AREA

<u>General Area</u>:

The proposed Overlook at Roland Park Planned Unit Development (PUD) is located in North Baltimore in the North Roland Park neighborhood. It is roughly located near the northeast corner of Falls Road and Northern Parkway.

<u>Site Conditions:</u>

The subject parcel currently is an unimproved lot that does not yet have an address. It is located on Block 4820E, Lot 021. It is located near the corner of Northern Parkway and Falls Road behind an existing multi-family building known as the Belvedere Towers. The site is heavily wooded and sloping.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

This project is consistent with the Baltimore City Comprehensive Master Plan, specifically: LIVE Section, Goal 1, Objective 1: Expand Housing Choice for all Residents; Objective 2: Strategically Redevelop Vacant Properties Throughout the City; and Objective 5: Increase the City's Population by 10,000 Households in 6 years.

ANALYSIS

This proposed PUD, as introduced, calls for the development of a 132 unit multi-family apartment building and accessory off-street parking. The site is currently split -zoned R-6 and R-1. The proposed development would remain on the R-6 portion of the site. Under TransForm Baltimore, the new zoning code, slated to take effect on June 5, 2017, the site would be rezoned to R-6 and R-1-A. While the required square footage requirement of 1,500 square feet per dwelling unit would remain the same for R-6 under both the existing and new zoning code, the change to a flat height limit instead of the Floor Area Ratio (FAR) would preclude this development, as proposed, being built. The current proposal is to build a building that is roughly 80' tall and the new zoning code would cap a multi-family development at 35' for interior lots and 45' for corner lots.

Because of this change in regulation, the developer has decided to request the establishment of a residential planned unit development through City Council Bill #17-0049 as a way to "vest" current property rights as the City transitions to a new zoning code. This PUD, if enacted, would allow for the redevelopment of this site with the proposed multi-family building.

Planning Staff is in support of this approach, which though allowing a building taller than would be allowed under TransForm Baltimore, protects the R-1 portion of the site from development because the proposed development is to be built only on the R-6 portion of the site, which accounts for approximately half of the lot area. Because the R-1 portion has more tenuous environmental features, it is more advantageous to encourage that development only be on the R-6 portion of the site.

<u>Development Plan</u>:

The proposed development plan shows the location for the proposed multi-family building, which would include 267 parking spaces and 13 bike racks and an outdoor tot lot and green space. In addition, the plan also shows improvements to existing ingress/egress from both Falls Road and Northern Parkway. The ingress/egress of the proposed development lies outside of the proposed PUD boundaries. The planned entrance and exits from Falls Road and Northern Parkway exists for the existing adjacent apartment building. The developer will have cross-access easements which will allow for the use of these.

The proposed landscape plan shows a robust planting plan along the access drive and the building itself, as well as three large Forest Conservation Easements, which encompass a good portion of the R-1 zoned portion of the site.

The PUD master plan has completed both Design Review and Site Plan Review, but the final design of the building will continue design review and must return to Planning Commission for approval. This Final Design Approval will incorporate final site details, including ingress/egress configurations along Falls Road and Northern Parkway.

PUD Standards:
This proposal must satisfy the requirements of the governing standards for PUDs per §9-112 of the Zoning Code. In Staff's review, it finds that the proposed PUD does satisfy the standards for the Required Findings and Required Considerations as outlined in Title 14 "Conditional Uses", as well as the standards in §9-112(a)(2), §9-112(b) and §9-112(c) of the zoning code. In summary, Staff offers the following considerations:

- The use and bulk provisions under this proposed PUD are appropriate and would not adversely affect the surrounding area.
- The proposed development meets several of the city's Comprehensive Master Plan goals, including returning vacant properties to productive use; and increasing housing choice.
- The proposed development reflects the character of the adjacent building and respects the surrounding neighborhood by maintaining green space through permanent easements. Therefore, this proposed PUD should not be detrimental to the character and nature of existing and contemplated development in the immediate area.
- The location of the PUD has been thoughtfully considered to accommodate the existing topography of the land. There are tremendous slopes across the entirety of the PUD. The established height takes the topography into consideration.
- The proposal will not create any situation that should negatively impact future development potential or the use, maintenance or value of neighboring areas already developed.
- The new construction will not impact the availability of light, air, open space, and street access. The development is proposing to make use of existing entrances and exits, but will modify them to better function.
- The proposed development will not reduce the protection of residents, visitors, or neighboring residents from fire, health hazards, or other dangers.

Amendments

Based on conversations with the proposed developer and further refinement of the introduced development plan, staff recommends the following amendments:

- On page 2, Section 3 in line 17, strike "132" and replace with "148".
- Replace all introductory Exhibits (dated March 27, 2017) with new Exhibits (Sheets 1 - 4) dated April 27, 2017.These new sheets include: Existing Conditions Plan, Proposed Site Plan, Exterior Elevations, and Proposed Landscape Plan.

The proposed increase in unit count will not impact the requested maximum elevation of the building or change the footprint. It is based on the allowable density of the R-6 portion of the site and would only impact interior layout of the building.

The change in the sheets reflect further development and refinement of the landscape plan, ingress/egress along Falls road, the update on the unit count, and minor site grading changes.

Notifications:
In advance of a hearing on this matter, staff notified the following: North Roland Park Association, Poplar Hill Association, Inc., Sabina-Mattfeldt Community Association and City Councilman Isaac "Yitzy" Schleifer.

Thomas J. Stosur

Thomas J. Stosur
Director

TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young

FROM: Peter Little, Executive Director

DATE: April 21, 2017

RE: Council Bill 17-0049

PARKING OF BALTIMORE CITY AUTHORITY

I am herein reporting on City Council Bill 17-0049 introduced by the Councilmember Schleifer at the request of Blue Ocean Realty.

The purpose of this bill is to have the property located at Ward 27, Section 15, Block 4820E, Lot 021 designated as a Planned Unit Development and to approve the Development Plan submitted by the applicant.

The Parking Authority has reviewed this bill, as well as the proposed development plan. In Section 4 of the bill, it is ordained that off-street parking spaces must be provided at a minimum of one space per dwelling unit. The project narrative states that there will be a total of 214 spaces (144 in the parking garage, 46 on the front drive, and 24 in an overflow lot). Ten of these spaces will be handicap accessible, of which three are van accessible. This project will also build an additional overflow parking lot for Belvedere Towers residents. This site is not located on a block where the Parking Authority administers any on-street parking program.

Based on the comments above, the Parking Authority of Baltimore City does not oppose the passage of City Council Bill 17-0049.

Not opposed

200 W. LOMBARD STREET • SUITE B • BALTIMORE • MD 21201 • P: 443.573.2800 • F: 410.685.1557

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department NRF	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 E. Fayette Street, Mezzanine	
	SUBJECT	City Council Bill #17-0049 Response to Planned Unit Development-Designation-Overlook at Roland Park	

TO

The Honorable Bernard C. Young, President
And All Members of the Baltimore City Council
City Hall, Room 408

DATE:
April 24, 2017

For the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

The Fire Department has no objection to the proposed City Council bill 17-0049 providing that all fire and life safety codes are adhered to during construction and when the structure has been finally permitted to be occupied.

No Obj

CITY OF BALTIMORE
COUNCIL BILL 17-0049
(First Reader)

Introduced by: Councilmember Schleifer
At the request of: Blue Ocean Realty
Address: c/o Alfred W. Barry, AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900
Introduced and read first time: April 3, 2017
Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

AN ORDINANCE concerning

Planned Unit Development – Designation – Overlook at Roland Park

FOR the purpose of approving the application of Blue Ocean Realty, contract purchaser of certain property located at Ward 27, Section 15, Block 4820E, Lot 021, to have that property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of
Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

Recitals

Blue Ocean Realty is the contract purchaser of property located at Ward 27, Section 15, Block 4820E, Lot 021.

Blue Ocean Realty proposes to develop a single multi-family dwelling, consisting of 132 dwelling units.

On March 27, 2017, representatives of Blue Ocean Realty met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the property and to institute proceedings to have the property designated a Residential Planned Unit Development.

The representatives of Blue Ocean Realty have now applied to the Baltimore City Council for designation of the property as a Residential Planned Unit Development, and they have submitted

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of Blue Ocean Realty, contract purchaser of the property located at Ward 27, Section 15, Block 4820E, Lot 021, as outlined on the accompanying Development Plan entitled "Overlook at Roland Park", dated March 27, 2017, to designate the property a Residential Planned Development under Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by the applicant, consisting of the following Exhibit Sheets, is approved:

Sheet 1, "Existing Conditions Plan", dated March 27, 2017;

Sheet 2, "Proposed Site Plan", dated March 27, 2017;

Sheet 3, "Exterior Elevations", dated March 27, 2017; and

Sheet 4, "Proposed Landscape Plan", dated March 27, 2017.

SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 2, the following use is allowed within the Planned Unit Development:

A single multiple-family dwelling unit consisting of 132 dwelling units.

SECTION 4. AND BE IT FURTHER ORDAINED, That off-street parking spaces must be provided at a minimum of 1 space per dwelling unit.

SECTION 5. AND BE IT FURTHER ORDAINED, That Final Design approval will be required by the Planning Commission.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Planning Commission may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 8. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

1 **SECTION 9. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL ____

FORMATTED BY DLR
Mr 3.29.17

Introduced by: Councilmember Schleifer
At the request of: Blue Ocean Realty
Address: c/o Alfred W. Barry, AB Associates, 201 East Baltimore Street, Suite 1150, Baltimore, Maryland 21202
Telephone: 410-547-6900

A BILL ENTITLED

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Planned Unit Development – Designation – Overlook at Roland Park

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The representatives of Blue Ocean Realty have now applied to the Baltimore City Council for designation of the property as a Residential Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of Blue Ocean Realty, contract purchaser of the property located at Ward 27, Section 15, Block 4820E, Lot 021, as outlined on the accompanying

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SECTION 8. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 9. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

STATEMENT OF INTENT
UNDER ZONING CODE § 16-202
FOR

12.789 acres NS West Northern Parkway 306'7" East of Falls Road / Block 4820E, Lot 021

{Address}

1. **Applicant's Contact Information:**
   Name: Blue Ocean Realty c/o AB Associates Alfred W. Barry III
   Mailing Address: 201 E. Baltimore St. #1150 Baltimore, MD 21202
   Telephone Number: (410) 547-6900
   Email Address: ababalt@yahoo.com

2. **All Proposed Zoning Changes for the Property:** Residential Planned Unit Development

3. **All Intended Uses of the Property:** 132 dwelling units in a multiple-family apartment building and accessory off-street parking

4. **Current Owner's Contact Information:**
   Name: Milton Diener et al.
   Mailing Address: 6906 Heatherhill Rd Bethesda, MD 20817
   Telephone Number: (301) 231-9344, (301) 437-6500
   Email Address: _____

5. **Property Acquisition:**

   The property was acquired by the current owner on 11/14/1986 by deed recorded in the Land Records of Baltimore City in Liber SEB1069 Folio 559.

6. **Contract Contingency:**

   (a) There is ____ is not X a contract contingent on the requested legislative authorization.

   (b) If there is a contract contingent on the requested legislative authorization:

   (i) The names and addresses of all parties to the contract are as follows *{use additional sheet if necessary}*: _____

(ii) The purpose, nature, and effect of the contract are: _____

_____
_____
_____
_____
_____
_____

7. Agency:

(a) The applicant is _____ is not X acting as an agent for another.

(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows *{use additional sheet if necessary}*: _____

_____
_____
_____
_____
_____
_____
_____

AFFIDAVIT

I, Alfred W. Barry III, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

Applicant's signature

3/27/2017

Date

Rev'd 03/27/15

ACTION BY THE CITY COUNCIL

APR 03 2017

FIRST READING (INTRODUCTION) _____ 20 ____

PUBLIC HEARING HELD ON June 7 20 17

COMMITTEE REPORT AS OF June 9 20 17

____ FAVORABLE ____ UNFAVORABLE ✓ FAVORABLE AS AMENDED ____ WITHOUT RECOMMENDATION

Edward Rosey
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

JUN 12 2017 20 ____

✓ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING JUN 19 2017 20 ____

____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 ____

____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 ____

WITHDRAWAL _____ 20 ____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk

1050-10-2