

MEMORANDUM

To: Members of the City Council for the City of Annapolis
Mayor Gavin Buckley
Theresa Sutherland, City Manager
Members of the Planning Commission for the City of Annapolis
Peter Gutwald, Director, Department of Planning and Zoning
Rick Hutzell, Editor, Capital Gazette
Danielle Ohl, Journalist, Capital Gazette

From: Debra Dillon, President, Eastport Civic Association (ECA)
William Reichhardt, Chairman, ECA Planning and Major Development Committee

Re: Response to the Draft Forest Drive/Eastport Sector Study

Date: February 19, 2019

EXECUTIVE SUMMARY

The Eastport Civic Association (ECA) is asking the City Council to complete the five action items listed in this memorandum, and only then, consider using the Sector Study as an information source for the 2019 Comprehensive Plan.

City Council should not adopt this draft as an amendment to the 2009 Annapolis Comprehensive Plan.¹ This Study draft contains some valuable information, but it is incomplete and draws conclusions that are significantly contrary to the feedback obtained from citizens. No one is served by approving plans and studies with solutions that are not implemented and which do not respond to citizens' concerns.

The Annapolis City Council should:

- 1) Determine preliminary cost estimates for those solutions identified as high priority (e.g. "Complete Streets"), and agree on a course of action for obtaining the funds, whether from the State, County, City or private developer financing.
- 2) Require immediate formation of a joint City/County/State/Citizen task group that would work toward prioritizing and monitoring the implementation of solutions recommended for the first three years under the framework of this Study and the County's General Development Plan for the Forest Drive Sector.
- 3) Adopt legislation that provides for mandatory developer financial contribution for infrastructure build out and significant traffic mitigation for any major development within the Forest Drive/Eastport Sector.

¹ The 2009 Annapolis Comprehensive Plan was revised in 2014 with updates and reports on progress. All references here to the 2009 should be read to incorporate the 2014 revisions.

4) Require immediate implementation of the past unfulfilled requirements to update traffic study regulations for new development as mandated by the 2009 Comprehensive Plan.

5) Complete the computer models (approximately \$10,000) to show traffic impact for the Forest Drive/Eastport sector if all planned/projected development is built to 2030 under the Study's recommendations.

All of these actions can be realized within 12 months.

The ECA supports responsible planning, improved infrastructure, traffic management and mobility, and development that is faithful to the unique community character of our neighborhoods and protects the environment. We support a viable plan that is able to be fulfilled. The current study uses incomplete data and provides no guidance about how to fund new proposed goals.

Although we have other important concerns with the Study such as compromising community character and not adequately addressing key environmental concerns such as storm water management and protecting the urban tree canopy, this memorandum focuses on the necessary jurisdictional coordination and financial planning required along with analysis of traffic mobility to make implementation of solutions realistic. All citizens and leadership in Annapolis have a stake in insuring reasonable growth, adequate services and stewardship of our environment.

THE SECTOR STUDY MUST INCLUDE THE IDENTIFICATION OF FUNDING MECHANISMS AND RESOURCES FOR IMPLEMENTATION OF THE RECOMMENDATIONS OF THE STUDY

The Study does not identify specific and realistic funding mechanisms/resources for implementation of the recommendations of the study. Other than generalized descriptions of escrow accounts to collect funds for APF compliance (presumably from development applicants), there is no substantive discussion of this critical planning element. The most common reason offered for the failure of the City to adopt revised traffic analysis regulations by 2012 under the 2009 Comprehensive Plan, was that funding was not appropriated for this task. (emphasis added) Even within the context of the computer traffic model projections for this Study, the City responded that they could not run a full future 2030 model for lack of funds to pay the approximate \$10,000 cost.

Securing the necessary operating and capital costs from a reliable source of funding is the most basic tenet of running any business or government. The traffic mitigation offered to offset the proposed increased density will require major capital improvement spending. Yet these considerations are absent from the Forest Drive/Eastport Sector Study which proposes significant near and long-term infrastructure projects.

The Forest Drive /Eastport Sector Study lacks public credibility because so many past studies have not been followed or implemented. The ECA believes that the citizens of Annapolis would be better served by a realistic and funded plan that can be achieved in the next 3-5 years. Attention to funding is critical.

THE NEED TO FORM CITY/COUNTY/STATE PROCESSES TO COORDINATE AND IMPLEMENT THE GOALS DESCRIBED IN THE STUDY

The ECA recommends that a City/County/State task group be formed to develop priorities and procedures for implementation of any of the stated goals in the Study. On multiple issues, the Study recognizes that implementation will be dependent upon communication and cooperation between the City, County and State. Yet, there is no description or strategy about how this cooperation will be organized or operate.

This task group will also look at meaningful ways to sustain citizen, business and stakeholder input for implementation of the solutions identified in the Study. Citizen and stakeholder participation should be encouraged and maintained. The newly adopted City legislation O-14-18 is an example of a mechanism that requires developers to participate in community meetings prior to filing applications for major development.

To make progress, there must be a pre-existing framework where planners, citizens, businesses, developers and other stakeholders can participate to prioritize and map out realistic implementation of the solutions.

Expectations for this task group could include but not be limited to:

- Create and maintain mechanisms for information sharing between City/County/State regarding development in the Forest Drive/Eastport sector.
- Monitor and report progress to City Council and the Planning Commission for any specific goal(s) adopted by the City/County identified for near-term completion (0-3 years).
- Act as a resource to provide information to the public regarding progress on any implementation of goals adopted by the City/County/State.

ADDRESSING TRAFFIC AND MOBILITY ISSUES

The August 31, 2018 draft of the Study has raised many concerns from the public about being an inaccurate assessment of increasing traffic issues on the peninsula. This is true despite the Study devoting considerable pages in Appendix C to assessing traffic. We live on peninsulas that are surrounded by water on three sides with very limited access and egress. Annapolis now experiences increased regular nuisance flooding. Traditional planning approaches that do not consider this reality are bound to fail.

The public trust issue with planners is compounded by the fact that many of the proposed steps in the Study to improve traffic as density grows have been discussed for

years, but not implemented on the peninsula. If action isn't taken before adding significant new development, the result will greatly reduce the quality of life, property values, and safety of area residents.

I. Ineffective Traffic Management is a Legitimate and Corroborated Public Concern

When citizens were surveyed about their major development concerns, the top-ranked responses to questions were: Transportation (24%), Land use (23%), Environment (19%), Bike and pedestrian facilities (13%), and Types of businesses (8%). Citizens expressed more than their "perception" of the problem and their answers reflect the reality of living, working and commuting in the Forest Drive/ Eastport corridor. The 2009 Annapolis Comprehensive Plan predicted the problem:

Without a decisive course correction in transportation policy, by 2030, traffic congestion will impede the flow of goods and services, choke the quality of life in the city and its environs, and dim the ambience that attracts millions of yearly visitors.² *(emphasis added)*

"... by 2030 all major radial and cross-town routes will experience severe congestion including significant sections of Forest Drive, Hilltop Lane, Bay Ridge Road, Spa Road, Taylor Avenue, West Street, and Rowe Boulevard."³ *(emphasis added)*

The City has not instituted "a decisive course correction in transportation policy" as called for in the 2009 Comprehensive Plan.

The City, County and State level of service (LOS) determinations look at road capacity, actual traffic volumes and other factors and rates the overall intersection and each lane movement at an intersection on a scale from A (best) through F (worst). These objective guidelines are incorporated into the City's adequate public facilities (APF) ordinance and mandate that no levels of service (LOS) fall below a D at peak hour travel times in the AM and PM. If a proposed development pushes it to E or F, improvements must be made to bring it back to at least a level D.

The current Sector Study incorporates the use of new computer modeling to project traffic impact relative to development, the existing levels of service as of 2017, with no development after 2017 were:⁴ *(emphasis added)*

- Overall intersections already at E or F during peak AM or PM: **7**
- Individual lanes already at E or F during peak AM or PM: **21**
- Overall intersections or lanes already at D during peak AM or PM: **27**

This 2017 snapshot of levels of service indicate that the public's concerns are real and valid.

² 2009 ACP, page 42

³ 2009 ACP, page 44

⁴ Appendix C, pages C-10 to C-12

II. Mandated Provisions of the 2009 Annapolis Comprehensive Plan Have Not Been Implemented

The 2009 Comp Plan called for completing four sector studies including this Study. They were set as priority action items to be completed by 2012. This Study was not commenced until 2017.⁵

The 2009 Comp Plan called for abandonment of the traditional methods of conducting a traffic study and favored a more comprehensive approach. The ACP specifically mandated that “The City will develop regulations to implement this provision...”⁶ (*emphasis added*) This priority action item was to be completed within three years (2012). This was never started, much less completed.

The 665/Chinquapin/Bywater area has been problematic for an extended period. Under the 2009 Comp Plan, this area was to be studied “aggressively” with the County and State for a completed study within a year – by 2010. This was never done.

III. Past Traffic Studies are Incomplete, Ignored or Skewed to Advance Development

In September 2016 the City completed the Eastport Transportation Study with short and long-term recommendations. Public concerns over this study were many. The study does not include the impact of the Sixth Street drawbridge or the Bay Ridge/Forest Drive intersection. Both are key entrances to Eastport. It completely ignores the now predictable impact of nuisance flooding on traffic flow from Eastport to downtown Annapolis.

City traffic modeling for this Study uses a 2017 snapshot and does not factor in growth on County lands adjacent to the City. The draft Sector Study at page C-5 assumes that between 2020-2030 the sector population will only increase by 203 households with a growth rate of 0.17%. This seems quite low. By contrast, the 2016 Transportation Study suggested that Eastport could support growth of up to 850 new apartments.

Since 2017, there are at least 671 new residences in the County that are completed or under construction adjacent to the Annapolis City limits. These new County homes are high-end townhomes and apartments with multiple vehicle households and residents who will travel into and out of the Study area on a regular basis.

IV. Key Computer Modeling Information is Missing from the Study

To create a level of optimism for the future, the Study lists a series of roadway capacity improvements which will improve levels of service. These are listed in Appendix C at pages C-29 and C-30. A model was run to see what improvements to

⁵ It should be noted that between 2009 and 2014, the City cut the planning staff at the Department of Planning and Zoning by 75% - from 4 to 1 planner. This is the current configuration.

⁶ 2009 ACP, Chapter 4, page 60, Policy 9.2

levels of service in the 2017 snapshot are possible if all of the listed roadway improvements are installed. This model does not factor in any new development after 2017; it simply looks at how much better the 2017 existing status might be if all of the improvements are constructed.⁷ The “Improved Conditions” results shown are as follows:

- Overall intersections already at E or F during peak AM or PM: **1**
- Individual lanes already at E or F during peak AM or PM: **14**
- Overall intersections or lanes already at D during peak AM or PM: **25**

None of the future pipeline of known projects listed on Appendix A-2 in the Study is factored into this future condition assessment. This missing level of service analysis has been a main concern repeatedly expressed by the public to City Staff. There must be a model run showing what traffic levels of service will look like if all projected residential and commercial developments are built. Moreover, the Study must include some impacts from the major growth ongoing on County lands immediately adjacent to the City. With this model, the next logical step is to update the “improved conditions” assessment to determine what benefit building all the proposed roadway improvement projects will have on levels of service after full buildout. (*emphasis added*)

If these models include all relevant data, they can have several important uses:

- Highlight sense of urgency for the roadway improvements
- Change strong public perception of burying the traffic problem
- Give all parties a basis to assess and address the future as we grow
- Provide a concrete basis to establish and enforce the proposed escrow fund

In the Sector Study the City asks: “Did we get it right?” ECA has shown that they have not. City Council should direct City staff to complete the five items described in this memo and not adopt this Study draft as an amendment to the 2009 Annapolis Comprehensive Plan

Respectfully Submitted:



Debra Dillon, President
ECA



William Reichhardt, Chairman
ECA Planning and Major Development
Committee

⁷ Appendix C, pages C-31 to C-32