

MEMORANDUM

TO: City Council

FROM: David J. Deutsch
City Manager

SUBJECT: ***Status Report***

DATE: September 26, 2013

1. Wal-Mart Stakeholders Meeting

A memorandum summarizing the Wal-Mart Stakeholders Meeting, held on September 19th, is attached to this week's Status Report.

2. Environmental Advisory Committee Outreach Events

Green Fire Movie Showing: On October 3rd the Environmental Advisory Committee will be hosting a free screening of the film, *Green Fire*, at 7:00 p.m. in the Multipurpose Room at the Kenhill Center. The film explores Aldo Leopold's life and the many ways his land ethic idea continues to be applied all over the world today. Following the showing of the film, there will be a panel discussion about the film. Panelists include Kristin Larson (Sustainability Planner for the City of Bowie), CJ Lammers (Master Environmental Planner with the Maryland-National Capital Park and Planning Commission), and Lincoln Smith (Manager of Forested, LLC).

Community Climate Action Series: A three-part discussion series was developed to provide residents educational information on climate change as well as to receive public feedback on the Green Team's Climate Action Plan efforts. The Climate Action Plan is a Green Team action item for this year. Part 1 of the series will focus on climate change in the region and relaying information gained from Bowie's Community Greenhouse Gas Emissions Inventory to residents. Part 2 and Part 3 of the series will focus on what residents can do to help address climate change by reducing energy consumption and using alternative transportation. The Community Greenhouse Gas Emissions Inventory for the City revealed that the residential and transportation sectors were the largest greenhouse gas emitters. Part 1 of the series is scheduled for 7:00 p.m. start on October 9th at the Kenhill Center.

3. Preliminary General Plan for Prince George's County

At last week's meeting of the Prince George's County Planning Board, M-NCPPC staff was given permission to print the Preliminary General Plan. The printed version of the Preliminary Plan, however, will not be available until October 11th. A Joint Public Hearing of the Planning Board and District Council is scheduled for Tuesday, November 12, 2013. The public hearing record will be left open until November 27th to receive public comments. A draft of the Preliminary Plan (still subject to staff making final corrections) is available on the M-NCPPC website at the following address: http://mncppc.iqm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=1152&MediaPosition=13190.000&ID=1953&CssClass=

The General Plan is a policy plan that guides the County's future growth and development through the Year 2035. The focus of the Plan is on the County's 10 largest planned activity centers, all of which are located at or near the Beltway and have some form of transit access. The Plan sets forth the County's Priority Investment Strategy which is focused on these centers. The Plan also includes many other policy elements such as Land Use, Transportation, Housing, Economic Development, Natural Environment, etc. There is also a new focus on Community Health policies. The Growth Policy Map continues to include the Bowie Regional Center, now proposed to be expanded to include Melford and other properties in the Town Center area that were not included in the 2006 Bowie and Vicinity Master Plan. The Preliminary General Plan has been placed on your October 21st agenda for public hearing and recommendations for a City position statement. A Bowie Advisory Planning Board public hearing will be scheduled in early October.

4. City Election

On September 24th, Councilmember Henri Gardner filed his candidacy paperwork for District 3 Councilmember.

5. Planning Board Results – Buckingham at Belair

Today, the Prince George's County Planning Board continued its public hearing for the Buckingham at Belair Preliminary Subdivision Plan. Chairman Hewlett opened today's hearing by summarizing the events of the July 25th hearing. She noted that since no resolution was adopted at the July 25th meeting, the Board decided to bring this case back to take formal action before the time limit to act on the case expires on September 30th. Ms. Hewlett stated that the testimony and record from the July 25th hearing would be included in today's proceedings, and that the property had been posted and letters had been sent to parties of record advertising today's hearing. Commissioner Washington stated that she had viewed the video of the July 25th hearing, read the Park and Planning staff report, understood the case and was prepared to act on it.

After the Park and Planning staff briefly summarized the application and reviewed the staff report, Chairman Hewlett called for parties of record to address the Planning Board. Mr. Larry Taub, representing the applicant, stated that his client had reached a compromise agreement with the City, which resulted in the creation of a maximum of two lots. Mr. Taub distributed a copy of an amended subdivision plan (Applicant's Exhibit 1) for the Board to review and offered modifications to the conditions contained

in the staff report. City Attorney Elissa Levan addressed the Planning Board, noting that the City and the applicant had, if fact, reached an agreement, and that the City had no objection to the revised conditions.

During the public hearing portion of the meeting, Ms. Linda Followell addressed the Board, noting that she was speaking for the other residents in attendance. She commented that they were not pleased with the new plan, but accept it.

At the conclusion of the public hearing, Commissioner Washington moved for approval of the new two-lot subdivision plan, with the conditions in the staff report, as amended at the hearing. Her motion, seconded by Commissioner Geraldo, passed unanimously.

Attachment



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

MEMORANDUM

TO: City Council

FROM: JUF David J. Deutsch
City Manager

SUBJECT: Stakeholders Meeting
Special Exception #SE-4734
Wal-Mart
U.S. Route 301 (Northbound) and Mill Branch Road

DATE: September 26, 2013

On Thursday, September 19th, a Stakeholders Meeting was held for the proposed new Wal-Mart store, to be sited on the Mill Branch Crossing property located at the intersection of U.S. Route 301 (northbound) and Mill Branch Road. Mayor Robinson and City Councilmembers Turner and Gardner were present during portions of the meeting. Representatives in attendance from the applicant's team included: Mr. Andre Gingles, local land use/zoning attorney; Ms. Katie Oosterbeek, civil engineer with Bowman Consulting Group; Mr. Joe DelBalzo, planning consultant with JD Planning; Ms. Nina Albert with Wal-Mart; and, Mr. Joseph Serruya, architect with Perkowitz and Ruth Architects. Additionally, approximately 20 area residents and interested parties were also present.

City staff opened the meeting by describing the location of the site, the current zoning of the property, the size of the proposed store, and the City's review process. Staff noted that this development is a Special Exception, where the use is permitted in the C-S-C zone upon several findings being made during the review process. Staff stated that no City public hearing dates had been set yet, but those who received a notice about the Stakeholders Meeting would also receive a notice regarding the public hearings.

Mr. Andre Gingles provided a brief history of previous approvals granted for the property, noting that a preliminary plan of subdivision had been approved in 2009, which contained several conditions related to the development of the entire 74-acre property, including the submission, review and approval of a Detailed Site Plan (DSP). Mr. Gingles noted that the Special Exception process is longer than the DSP review process, and requires a hearing before the Zoning Hearing Examiner (ZHE). Mr. Gingles indicated that access points, environmental features, on-site circulation and architectural design are all being reviewed at this time.

Ms. Katie Oosterbeek described the proposed store, noting that it will contain approximately 186,000 sq. ft. (vs. 117,000 sq. ft. for the present store), and will include shopping areas for general merchandise and food, an auto center and a garden center. The store will also contain smaller tenants, such as an eye glass/vision business, a nail salon and a Subway restaurant. This store is the largest prototype that Wal-Mart constructs. Plans at this time call for the current store to close when the new one

opens. With respect to road improvements adjacent to the site, Ms. Oosterbeek noted that Mill Branch Road will be widened on the north side (side of the development), and a third lane will be added to U.S. Route 301 (northbound), both north and south of the subject property. Other development, including retail uses, restaurants, banks, etc., is planned on other areas of the property. The current stormwater management regulations have been applied in designing this site, and include the use of micro bio-retention in islands and other open areas, which drain to an on-site underground facility.

Mr. Joseph Serruya noted that he has been working to provide more articulation on the building and has incorporated the use of four to five different types of color block for the building for contrast. Since the store is approximately 500 ft. long, elements at vestibules and other types of building articulation have been included to give some height to the store and tone down the building's length. Color block has been added to the rear of the building to complement the architecture of the building's front. Sidewalk, varying in width between 25 ft. and 35 ft., has been designed along the front of the building. Street furniture, such as bike racks, benches and trash cans, has been provided along the building's front as well.

Questions and concerns from those in attendance included the following:

Is the zoning of the property changing? (RESPONSE: No, the zoning of the property is not changing. The County's 2002 General Plan placed this site in the Developing Tier, from the Rural Tier. The zoning of the property was then changed from R-A (Residential-Agricultural) to C-S-C (Commercial Shopping Center) under the Sectional Map Amendment process during the 2006 Bowie and Vicinity Master Plan update.)

Why is the store being located on this property and not in other areas? (RESPONSE: The store is being located on this site because the property is zoned for this use.)

What type of buffer is being provided between the C-S-C and R-A zones? (RESPONSE: Evergreens and seasonal trees will be planted along the zone boundary.)

Why is the buffer on the northeastern side of the access road not 50 ft., like it is along the southwestern side? (RESPONSE: The area on the northeastern side was established via an access easement with the County. The distance between the edge of the access road and the property boundary is 45 ft.)

What type of parking lot lighting is being provided? (RESPONSE: The lighting in the parking lot is LED lights, with full cut-off fixtures so the light shines directly downward.)

How long before the landscaping reaches maturity? (RESPONSE: The landscaping will be provided in accordance with the minimum requirements of the County's Landscape Manual. The landscaping is bonded for the first few years, so any landscaping that does not survive will be replaced.)

Will there be a bike path to the future Green Branch Park? (RESPONSE: A Bicycle-Pedestrian Impact Study will be done in conjunction with the overall Detailed Site Plan for the entire site.)

What will happen to the existing store? (RESPONSE: The present store will stay open until the new one opens. Wal-Mart will then decide to either sell or lease it. There is a strong market in Maryland; some stores have been divided to lease to several tenants.)

Concern was expressed about the potential deteriorating quality of the new store. (RESPONSE: The new store will have better inventory management, and the interior finishes will be new and modern, unlike those in the present store. Outdated finishes can lead to low employee morale.)

Will U.S. Route 301 be widened? (RESPONSE: Yes, U.S. Route 301 northbound will be widened to three lanes, both north and south of Mill Branch Road. Acceleration and deceleration lanes will also be constructed along the site's frontage of U.S. Route 301.)

Concern was expressed about the impact of road vibration from future road improvements on the existing townhouses adjacent to the current Wal-Mart. (RESPONSE: The extent and types of road improvements are dictated by the Maryland State Highway Administration.)

How were the transportation improvements determined and who pays for them? (RESPONSE: The Maryland State Highway Administration determined the types and extent of improvements, which became conditions of the Preliminary Subdivision Plan approved several years ago. The improvements were tied to the issuance of building permits. The applicant will live within the conditions of the Preliminary Plan resolution.)

What will be the hours of operation of the new store? (RESPONSE: The store is planned to be opened 24 hours-a-day. That can change, however, based on market conditions and community desires.)

What type of signage is proposed close to U.S. Route 301? (RESPONSE: A sign is proposed at this time at the store access driveway along the service road.)

What will be included on the Detailed Site Plan that's not shown on the plans now? (RESPONSE: The site engineer is working with the property owner to prepare a Detailed Site Plan for the entire site. Between 30 and 40 conceptual site plans have been drafted over the years. A different conceptual site plan may have been submitted with the Preliminary Subdivision Plan phase. The property is still hopeful to attract high end stores to the project. The hotel and office uses, included with an early conceptual site plan, are still in the mix of uses envisioned on the site.)

Has thought been given to each of the smaller tenants in the store having their own access? (RESPONSE: Yes, one or more of the smaller tenants within the Wal-Mart will have their own separate access. There are two separate entrances to the Wal-Mart store itself.)

What is the main reason for Wal-Mart leaving its current location? (RESPONSE: The existing building is 20 years old. Modern retail operations require an update to the building. It's extremely difficult to upgrade the present building, and keep it open at the same time. The new model stores include a grocery component. Customers like the concept of one-stop shopping.)

Was any thought given to providing vehicular access to the new store from U.S. Route 301 southbound? (RESPONSE: The conditions of the Preliminary Subdivision Plan limited the number and locations of access points. Access to/from U.S. Route 301 is controlled by the State Highway Administration.)

Will the area between U.S. Route 301 and the interior road remain as green space? (RESPONSE: Some of the area will remain green. The remainder of the space will be occupied by pad building sites, which could include free-standing commercial buildings, such as restaurants, banks or retail uses.)

Will there be a pedestrian crosswalk across U.S. Route 301 to provide pedestrian/biker connectivity to the new store? (RESPONSE: The State Highway Administration would have to approve a crosswalk.)

Are any green building techniques being used on this building? (RESPONSE: Yes, several techniques are used: the building will have a white roof to reflect sunlight; low energy lighting is used; low volatile organic compound materials are used; recycled fly ash is used in the flooring; and, the parking lot will have LED lighting.)

Will Wal-Mart lease the land? (RESPONSE: Yes. Wal-Mart will have a lease for a minimum of 10 years.)

The City has not yet set its public hearing dates for this case.