

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, ICMA-CM, CPM
City Manager

SUBJECT: ***Status Report***

DATE: September 19, 2019

Status Report

1. All Way Stop Warrant Analysis at Stonybrook and Superior

In response to recent inquiries and observations of traffic at this intersection, Public Works hired a traffic consultant, Sabra and Associates, to conduct a study to determine if an all way stop was warranted. The study has been complete. Findings do not meet warrants for an all way stop. Therefore, no changes at this intersection are planned. A copy of the consultant's report is attached.

2. Melford Special Appeals Court Decision

Today, the attorney for the opposition in the Melford court case (Pletsch v. County Council of Prince George's County Sitting as the District Council) filed a Petition for Certiorari asking the Maryland Court of Appeals to review the decision of the Court of Special Appeals (see attached). In July, the Court of Special Appeals ruled in favor of the Circuit Court's decision, which upheld the action of the District Council in approving the Conceptual Site Plan for Melford. The approved Conceptual Site Plan permits up to 2,500 residential dwelling units in the portion of Melford known as Melford Village. At issue is whether the County's General Plan can legitimately amend the Area Master Plan. There is no prescribed timetable under which the Court of Appeals must respond.

ADL:lfr
Attachments

City of Bowie
Stonybrook Drive at Superior Lane
All-Way Stop Control Study

SUBJECT: Stonybrook Drive AWSC

LOCATION: **Stonybrook Drive and Superior Lane**

SUMMARY OF ISSUE: Request to install all-way stop control at intersection

DATE: August 29, 2019

Based on a concern expressed by the neighborhood residents, a traffic study was performed at the intersection of **Stonybrook Drive at Superior Lane** in Bowie, Maryland, evaluating the need for an all-way stop, or other traffic safety measures. The study evaluated the traffic control criteria as specified by the Maryland Manual on Uniform Traffic Control Devices (MD MUTCD 2011), and supplemental criteria established by the City of Bowie. This study concludes that the **minimum requirements for consideration of an all-way stop are not met.**

Site Description

Stonybrook Drive is a two-lane, undivided collector with on-street parking that is oriented northwest/southeast. For the purpose of this study, we will call Stonybrook Drive north/south. Parking is permitted on both sides of the street at all times, except at the intersection. A bus stop is located southeast of the intersection on the northwest approach of Stonybrook Drive. Superior Lane is a two-lane local roadway that is oriented northeast/southwest. For the purpose of this study, we will call Superior Lane east/west. The road is to the northeast of Stonybrook Drive and stops at the intersection. The approach to Stonybrook has a stop sign and provides a separate left and right turn lane. Although parking lanes are not defined on the roadway, the road width allows for parallel parking on Superior Lane. Both roads have double yellow striping. Sidewalks are located at all sides of the two roads and ramps are located on the northeast side of Stonybrook Drive. An aerial of the intersection is shown to the right.

Figure 1: Aerial of Study Intersection



The study intersection is in a residential neighborhood with residential (single family houses) on all three legs. The closest intersection is on Stonybrook Drive, 180 feet to the west of Superior Lane at Stonehaven Lane. The intersection is similar to the study intersection with only three legs and a stop sign on Stonehaven Lane and free-flowing on Stonybrook Drive. Stonybrook Drive does not have any fully controlled intersections until it intersects with Annapolis Road 0.4 miles to the north and 0.8 miles south to Belair Drive.

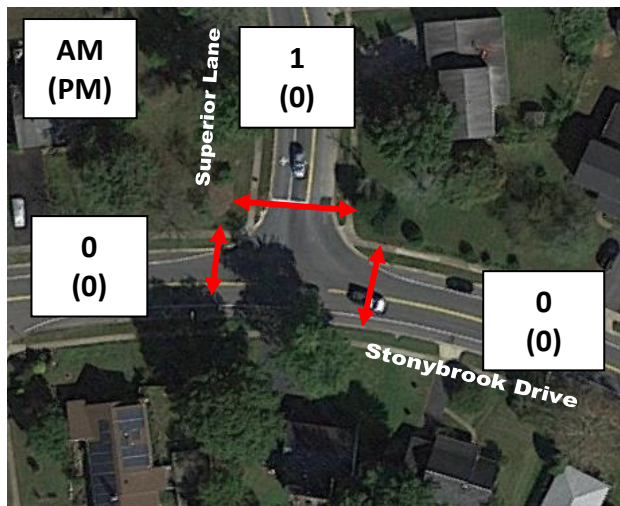
Analysis and Findings

Traffic counts were performed on Thursday, August 8, 2018, at the intersection.

- 1) PEAK HOURS: The AM and PM peak hours for the study intersection occurred between 8:00 AM and 9:00 AM and from 5:00 PM to 6:00 PM, respectively.
- 2) VEHICULAR TRAFFIC: Just over 500 vehicles during the morning and just over 1100 vehicles during the afternoon peak hours entered the intersection. The peak hour traffic volumes are shown in the following images.



- 3) PEDESTRIAN AND BICYCLE TRAFFIC: During the four hours counted, only one pedestrian entered the intersection. The most pedestrians recorded at the intersection was one in an hour. These pedestrians were crossing Stonybrook Drive. No bicyclists were observed at this intersection. The following figure shows the pedestrian volumes during the vehicular peak hours.



- 4) BUSES: There is a bus stop for Metrobus Route B22 located on the southeast corner of the intersection. The stop is marked by a flag sign only, no other infrastructure is provided.
- 5) CRASH EXPERIENCE: Between January 1, 2015, and December 31, 2018, there was only one crash at the intersection of Stonybrook Drive and Superior Lane. Another nearby crash was on Superior Lane 300 feet from the intersection.
- 6) SPEED LIMIT: The posted speed limit is 25 miles per hour on both Stonybrook Drive and Superior Lane.
- 7) SIGHT DISTANCE: Intersection sight distance is adequate for vehicles on Superior Lane meeting the AASHTO minimum of 280 ft. However, vehicles approaching the intersection usually stop beyond the stop bar to increase their sight distance as they approach from a 6% upgrade slope.
- 8) QUEUES, DELAYS, & GAPS: No delays were observed for right or left turning traffic on Superior Lane given the available gaps in traffic on Stonybrook Drive. Queues on Superior Lane do not exceed 4 vehicles during the morning and 7 vehicles during the evening.
- 9) EXISTING TRAFFIC CONTROL: The existing signs and pavement markings are placed correctly per the MUTCD.
- 10) DESIGNATED SCHOOL CROSSING: The study location is not located within a school zone. The closest school is more than half a mile away. A park and community center are within 0.3 miles from the intersection on Stonybrook Drive.
- 11) FIELD OBSERVATIONS: A Professional Traffic Engineer observed the intersection, specifically focusing on driver and pedestrian behavior, traffic patterns, geometry, and overall operations. The morning observations were performed on Thursday August 8, 2019 from 7 am to 8 am. Evening observations were conducted on Thursday July 25 from 4:30 pm to 5:30 pm. The following section summarizes the observations:
 - a. No pedestrians were observed.
 - b. Drivers turning left or right from Superior Lane rely on oncoming drivers signaling their intent to turn right as they approach from Stonybrook Drive into the intersection.
 - c. Vehicles on Superior Lane stop beyond the stop bar to turn left obstructing the sight distance of vehicles turning right in the adjacent lane.
 - d. Both Stonybrook Drive and Superior Lane are designated bicycle routes. Three cyclists were observed during the evening and one during the morning.
 - e. Two buses were observed on Stonybrook Drive. No boarding or alighting was observed at nearby bus stops.
- 12) WARRANT ANALYSIS SUMMARY: The traffic signal warrant analysis evaluation performed for the study intersection was based on the Maryland Manual on Uniform Traffic Control Devices (MUTCD), 2011 Edition. Criteria A, interim measure for a warranted traffic signal is not applicable. Based on only one police reported crash, Criteria B is not satisfied. For the Criteria C, minimum requirements for an all-way stop were not met as only 3 of the required 8 hours met the volume thresholds. Details are provided in the Appendix. **Table 2** shows a summary of the volumes at the intersection.

Table 2: Summary of Vehicle and Pedestrian Volumes

Start of Hour	Vehicle Volume on		Pedestrians		Meets AWSC Warrant?
	Stonybrook Drive (Combined Approaches)	Superior Lane	All	Crossing Stonybrook	
7:00 AM	332	70	0	0	No
8:00 AM	399	117	0	0	No
9:00 AM	372	110	1	0	No
12:00 PM	421	207	1	0	No
1:00 PM	435	182	1	0	No
3:00 PM	547	206	0	0	Yes
4:00 PM	731	244	0	0	Yes
5:00 PM	833	283	1	0	Yes

The City's supplemental all-way stop evaluation criteria (resolution 49-92) was also evaluated, including roadway geometry, high-traffic generators, youth oriented adjacent land uses, speeding and traffic safety, as well as intersection volumes. Out of a possible 100 points, the intersection only scored 27 points, well below the 50 points required. A scoring sheet is appended to this memo.

- 13) **CAPACITY ANALYSIS:** Capacity analyses were performed for the study intersection under existing and alternate conditions. **Table 3** provides a summary of the results of the capacity analysis performed using Synchro 9 and Highway Capacity Manual (HCM) methodology. The delay, volume-to-capacity ratio, level of service, and 95th-percentile queue lengths in feet (assumes 20 feet per vehicle) are shown for each approach and the overall intersection.

Table 3: Summary of Capacity Analysis

Scenario	Approach	Synchro 9 (HCM2010) Results							
		Delay (sec/veh)		v/c Ratio		Level of Service		95th-% Queues (vehicles)	
		AM	PM	AM	PM	AM	PM	AM	PM
Existing Conditions (westbound stop)	Overall	-	-	-	-	-	-	-	-
	southbound	2.0	1.4	0.03	0.03	A	A	0	0
	northbound	0.0	0.0	0.16	0.41	A	A	0	0
	westbound	11.7	25.7	0.17	0.63	B	D	1	6
All-Way Stop Control Conditions	Overall	8.8	32.8	-	-	A	D	-	-
	southbound	9.1	12.3	0.20	0.35	A	B	1	2
	northbound	8.8	46.9	0.32	0.96	A	E	2	14
	westbound	8.7	14.7	0.17	0.50	A	B	1	3

The results of the capacity analysis show that the stop-controlled approach operations at a level of service B in the morning and D in the evening, with average vehicle delays of 25 seconds in the evening peak hour. Under all-way stop control, the overall intersection would operate at LOS A in the AM and D in the PM. While the LOS would improve for the westbound approach, the northbound approach would degrade to a LOS E, with queues up to 14 vehicles long.

Summary and Recommendations

In summary the subject location does not meet the MUTCD or supplemental City criteria for installing multi-way stop control. Based on the investigation, no safety or operational issues were documented. Furthermore, traffic analysis results of an all-way stop control configuration indicate that vehicle delays and queues would result in unacceptable operations. No traffic control changes are recommended at this time.

Intersection Photographs



Southbound Stonybrook



Northbound Stonybrook



Westbound Superior Lane

BRUCE PLETSCH, *et al.*

Petitioners

v.

COUNTY COUNCIL OF
PRINCE GEORGE'S COUNTY,
SITTING AS THE
DISTRICT COUNCIL

Respondents

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IN THE

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COURT OF APPEALS

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OF MARYLAND

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September Term, 2019

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Petition No. _____

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PETITION FOR CERTIORARI
TO THE COURT OF SPECIAL APPEALS OF MARYLAND
WITH APPENDIX

Petitioners Bruce Pletsch, *et al.*, by and through their attorney J. Carroll Holzer and pursuant to Maryland Rule 8-303, do hereby petition this Honorable Court for a Writ of Certiorari to review the unreported Opinion of the Court of Special Appeals in Bruce Pletsch, *et al.* v. County Council of Prince George's County, Sitting as the District Council, No. 486, September Term 2016, filed July 24, 2019, Mandate issued September 4, 2019; on appeal from the decision of the Circuit Court for Prince George's County in Bruce Pletsch, *et al.*, Case No. CAL 15-08843, affirming the District Council on judicial review. The judgment of the Circuit Court adjudicated all claims in their entirety.

INTRODUCTION

At the heart of this matter is the question of whether a jurisdiction's land planning and development scheme, as set forth in the Maryland Code, Land Use Article, may be subverted by local action that the Land Use Article has not authorized. While the obvious answer should be "no," the Circuit Court and Court of Special Appeals failed to address this central question below. Instead, the courts reviewed the action of the County Council of Prince George's County, sitting as the District Council, with respect to local regulations only — and thus failed to address the central question of whether the District Council had run afoul of a higher authority.

MARYLAND CODE

The Court of Special Appeals below acknowledged that "Prince George's County derives its authority to engage in land use regulation from the Maryland-Washington Regional District Act (the "RDA"). *Prince George's County v. Zimmer Development*, 444 Md. 490, 524-25 (2015); *County Council of Prince George's County v. Brandywine Enterprises, Inc.*, 350 Md. 339, 342 (1998). The RDA is now codified as Division II of the Land Use Article ("LU") of the Maryland Code. Land use control in the Regional District functions on the same conceptual bases as does land use regulation in the rest of the State. There are two broad categories of land use control: zoning and planning, which includes subdivision regulation. *Zimmer*, 444 Md. at 505, and *Appleton Regional Community Alliance v. County Commissioners of Cecil County*, 404 Md. 92, 102 (2008)."

(Slip Op. 2-3) However, the intermediate appellate court ultimately failed to determine the impact of State law on the District Council's action.

Land Use Article Division II, the Regional District Act or RDA,¹ requires the periodic preparation, adoption and amendment of a General Plan for all of Prince George's County (LU § 21-103), as well as Area Master Plans for specified "local planning areas" (LU § 21-105). Area Master Plans "include greater detail than the general plan" (LU § 21-105(c)(4)). General Plans and Area Master Plans must be approved by the District Council (LU § 21-216). The RDA expressly provides *in two places* for the General Plan to be amended by detailed Area Master Plans:

LU § 21-103(c)(2): The appropriate district council may designate a functional master plan, an area master plan, or an amendment to either plan, as an amendment to the general plan.

LU § 21-105(d): The appropriate district council may designate an area master plan, or any amendment to an area master plan, when adopted by the Commission and approved by the appropriate district council, as an amendment to the general plan.

This explicit amendment authority gives Area Master Plans precedence in the planning hierarchy, as the General Plan's vision for a local planning area may be negated by the next Area Master Plan.

In this case, however, the District Council claimed the reverse amendment authority — the power to use its new countywide General Plan to substantially amend the provisions of an existing, detailed Area Master Plan. This erroneously assumed authority was cited as the basis for approving 2,500 residential units on a site that was Master

¹ The Regional District Act governs Montgomery County land planning as well.

Planned for no more than 866. According to the District Council, pronouncements in the newly approved countywide General Plan had “amended” and thus superseded the Master Plan’s strict residential limitations for the site.

PUBLIC INTEREST

The question presented by this matter must be addressed, not for the Petitioners’ sake alone, but for the future of land planning and development in the Regional District. The District Council’s action instantly triples the amount of residential development at Melford, by bypassing and effectively subverting the rational planning scheme set forth in the Regional District Act. The District Council is giving itself the authority to plan in a way that serves short-term interests instead of long-range needs.

This usurpation of State authority is an issue of public concern. Local authority under the Land Use Article, and the limits of that authority, must be understood and correctly applied, not only throughout the Regional District of Prince George’s County and Montgomery County, but in every Maryland jurisdiction where local land use authority is conveyed and regulated by State law.

QUESTION PRESENTED

Did the Prince George’s County District Council unlawfully approve the development of 2,500 residential units for a site that was limited to 866 residential units by the existing, enforceable Area Master Plan, when the Regional District Act did not authorize the District Council to use its recent approval of a new countywide General Plan to amend or supersede the Area Master Plan?

STATEMENT OF MATERIAL FACTS

The subject Melford site in Bowie comprises approximately 431 acres northeast of the intersection of Crain Highway (MD 3) and John Hanson Highway (US 50/501).

Melford is bordered on the east by the Patuxent River and to the north by the Sherwood Manor residential subdivision, with which Melford shares the only access road.² Melford is subject to the Conceptual Site Plan development process, under which it has been partially developed as an office park and hotel site.

Relevant to residential development at Melford is the Prince George's County land planning concept known as the "Center." Over the past two decades, the issue of whether Melford should be developed as part of a "Center" has been the subject of disagreement between the countywide General Plan and the applicable, detailed Area Master Plan. The Prince George's County 2002 General Plan designated Melford to be part of what was then envisioned as the "Bowie Regional Center." However, the 2006 Bowie and Vicinity Master Plan ("Master Plan"), instead of implementing that General Plan vision, significantly amended the boundary of the "Bowie Regional Center" — greatly reducing its size and limiting it to an area south of U.S. Route 50, and thus removing all of Melford. According to the Master Plan, Melford was "outside the recommended ten-minute walking distances from all of the potential transit hubs" and was "physically separated from the Bowie Regional Center by one or two major freeways. . . . US 50 is a

² Several of the Petitioners are resident homeowners in Sherwood Manor.

barrier and poses significant challenges to the creation of a pedestrian-oriented environment, a key goal and crucial element for all centers.”

The Master Plan devoted several pages to a detailed scheme for Melford’s development, including strict limitations on its residential development. The residential component of Melford was capped at 30% of gross floor area, with a maximum of 866 residential units. The District Council adopted these Master Plan limitations for Melford as regulatory, fully enforceable provisions of CR-11-2006, a Resolution enacted “For the purpose of approving the Master Plan and Sectional Map Amendment for Bowie and Vicinity and thereby defining long range land use and development policies, and setting forth and adopting detailed zoning proposals in Planning Areas 71A, 71B, 74A, and 74B[.]” Among the “detailed zoning proposals” was the development of Melford, which was rezoned M-X-T on the new map.³ Amendment 22 of CR-11-2006 stated, “Development on this site shall conform to” the Master Plan’s “standards and guidelines.”

These significant departures from the 2002 General Plan were (of course) made pursuant to LU § 21-103(c)(2) and LU § 21-105(d), which expressly authorize the District Council to use a detailed Area Master Plan to amend the countywide General Plan.

In 2014, the District Council approved a new countywide General Plan, “Plan Prince George’s 2035,” which contained a new classification system for “Centers.” The

³ Mixed-Use—Transit-Oriented.

General Plan envisioned five “Town Centers,” including a “Bowie Town Center” that included the entire Melford site. According to this new General Plan, future Area Master Plans would “map the core and edge” of each “Town Center” and would “specify the necessary development pattern” so as to meet certain “targets.” These General Plan goals or “targets” included a total of 6,300 new residential units to be divided among all five “Town Centers” at a density of 10-60 units per acre.

Melford's developer, St. John Properties, did not wait for a new Area Master Plan to implement the vision for a “Bowie Town Center”: to map its “core and edge,” specify its “necessary development pattern,” assign it a share of the 6,300 new residential units, include *or exclude* Melford, and amend *or retain* Melford’s existing residential limitations. Instead, immediately after the approval of the new General Plan, St. John submitted an application for CSP 06002-01, to amend Melford’s existing Conceptual Site Plan in order to develop a portion of Melford. The proposal contained 2,500 residential units — almost three times the Master Plan limit for Melford, and more than a third of new residential units for all five “Town Centers.” St. John would eventually tout this proposal as “a maximum density development[.]”

The Community Planning Division recommended approval, on the basis that the detailed Master Plan provisions for Melford, and in particular its residential limitations, had been superseded or “amended” by the new General Plan. The Technical Staff Report for CSP 06002-01 included the following statement: “The application is not inconsistent with the 2006 Bowie and Vicinity Master Plan’s policies for Melford, *as amended by* Plan Prince George’s 2035.” (emphasis added)

After a hearing, the Maryland-National Capital Park and Planning Commission (“Planning Board”) approved the application, adopting the Community Planning Division’s analysis of CSP 06002-01 with respect to conformance with applicable plans, agreeing that the “general guidelines” for “Town Centers” in the new General Plan superseded or “amended” portions of the applicable Master Plan. The Planning Board Resolution stated that the Master Plan “policies for Melford” had been “amended by Plan Prince George’s 2035.” The Planning Board considered the existing Master Plan’s strict residential limitations for Melford to be erased, *even though they had not been amended or superseded by a new Master Plan.*

In vain, Petitioners insisted before the Planning Board, and before the District Council on appeal, that CSP 06002-01 violated the Master Plan limitation that “not more than 20 to 30 percent of the gross floor area be residential and that it be limited at most to 866 units.” Ultimately, the District Council’s Order of Approval agreed with the Community Planning Division and Planning Board that the “general guidelines” in the new General Plan superseded or “amended” the detailed Master Plan provisions for Melford. The District Council treated Melford as if already a part of the “Bowie Town Center” — even though no Master Plan had yet set a boundary for the “Bowie Town Center,” mapped its “core and edge,” specified its “necessary development pattern,” or assigned it a share of the 6,300 new residential units.

It is Petitioners’ position in this matter that, pursuant to the hierarchy of plans and amendment authority set forth in the Regional District Act, the Master Plan’s residential limitations for Melford remained effective and enforceable, prohibiting the approval of

CSP 06002-01. The countywide General Plan did not amend the detailed Master Plan and could not have amended it, when the Regional District Act does not give the District Council that reverse amendment authority.

LEGAL ARGUMENT

The Prince George's County District Council unlawfully approved the development of 2,500 residential units for a site that was limited to 866 residential units by the existing, enforceable Area Master Plan, when the Regional District Act did not authorize the District Council to use its recent approval of a new countywide General Plan to amend or supersede the Area Master Plan.

The Court of Special Appeals below failed to answer this central question respecting construction of the Regional District Act.

After admitting there was no authorization for the District Council's action in the Regional District Act,⁴ the Court of Special Appeals ignored the hierarchy of plans and amendment authority set forth in the RDA and suggested that the District Council had merely chosen between two conflicting or "incompatible" *local* measures: "[T]he District Council acknowledged that it was impossible to completely reconcile the relevant provisions of the 2014 General Plan — which call for a significant increase in the residential component in Melford — and the recommendations of the 2006 Area Master Plan. The Council concluded that the General Plan provisions should prevail." (Slip Op.

⁴ "In order to minimize the possibility of conflicts between area master plans and general plans, a district council is authorized to designate an area master plan, or an amendment to a master plan, as an amendment to the general plan. . . . there is no provision in the RDA that explicitly allows a district council to designate a general plan as an amendment to an area master plan[.]" (Slip Op. 5)

27) By thus mischaracterizing the District Council's action as a discretionary judgment, the Court of Special Appeals avoided ruling on the thorny central question: whether the new General Plan had "amended" out of existence the Master Plan's enforceable residential limitations, as claimed by the Planning Board and District Council. Their approval of the 2,500 residential units in CSP 06002-01 was based on this erroneous assumption of amendment authority, and the intermediate appellate court did a great disservice to the Petitioners and the public interest by failing to address the issue.

Under the scheme expressly set forth in the Regional District Act, the countywide General Plan does not "amend" an Area Master Plan; it is the detailed Area Master Plan that amends the General Plan. It was wrong of the Court of Special Appeals to avoid this very real issue of statutory construction and to mischaracterize this case as a local, discretionary matter.

The land planning scheme imposed on Prince George's County by the RDA sets forth a rational hierarchy of plans. Logically, the details of the Area Master Plan for each local planning area dominate visionary pronouncements in the countywide General Plans; the specific takes precedence over the general. General Plans must rely on detailed Area Master Plans to implement their visions, and some General Plan visions will never be implemented. As Melford was not Master Planned as part of a "Center" in 2006, the 2002 General Plan's vision for "Centers" was never implemented.

If Melford is ever to be part of a "Town Center" and to be developed at a residential density greater than 866 units (i.e. 2 units per acre), those elements must first be Master Planned. Language in the General Plan indicates that "master and sector

plans” will be “amended in the future to align with” the General Plan’s vision. The General Plan is intended to “guide the development of land use policies for all future master and sector plans[.]” As the General Plan anticipates, the “Bowie Town Center” will need an Area Master Plan to map its “core and edge,” set its “necessary development pattern,” and assigned its share of 6,300 new residential units. These things have not happened. Most importantly, the Area Master Plan will need to *include* Melford within the “Bowie Town Center” boundary. This may never happen; the conditions that caused Melford to be removed from the “Center” boundary in 2006 have not changed; *the highway is still there, after all.*

In the absence of the relevant Master Planning, the District Council lacked the authority under the RDA to approve St. John’s 2,500-unit Conceptual Site Plan. Simply including Melford within the new General Plan’s boundary for one of five proposed “Town Centers” (which have a recommended density of 10-60 residential units per acre), did not “amend” or supersede the Master Plan provisions for Melford. The District Council erred as a matter of law when it treated Melford as suddenly a part of a “Bowie Town Center.” When the new General Plan envisioned five “Town Centers” with a total of 6,300 new residential units, and drew the boundary of one of the designated “Town Centers” to include Melford, the Master Plan’s strict residential limitations for Melford were not erased. The limit of 866 residential units for Melford, a density of 2 units per acre, did not instantly give way to 2,500 residential units and a density of up to 60 units per acre. Melford was not suddenly able to devote 70% of its gross floor area to residential use, instead of 30%.

The reverse amendment authority claimed by the District Council does not appear in the Regional District Act, with good reason. When countywide General Plans and detailed Area Master Plans may be used to amend each other, land planning in Prince George's County is meaningless — an absurd, elaborate guessing game.

CONCLUSION

The 2014 countywide General Plan did not amend or supersede the 2006 Bowie and Vicinity Master Plan's strict residential limitations for Melford. The General Plan *could not* amend or supersede the Master Plan's regulations for Melford, because the Regional District Act does not allow it. The District Council was not, and is not, authorized by the Regional District Act to use a General Plan to supersede or amend the detailed provisions of an Area Master Plan.

The District Council assumed an authority it did not have, and must be reversed, when it ignored the 2006 Bowie and Vicinity Master Plan's residential limitations and approved the "maximum density" aspirations of Melford developer St. John Properties. The residential limitations for Melford set forth in the 2006 Bowie and Vicinity Master Plan are still in existence, and are still enforceable.

WHEREFORE, the Petitioners respectfully request that this Honorable Court grant Certiorari in this matter and reverse the Court of Special Appeals and Circuit Court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JCH', with a long horizontal flourish extending to the right.

J. CARROLL HOLZER, Esq.

J. CARROLL HOLZER, P.A.

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Attorney for Petitioners

**CERTIFICATION OF WORD COUNT
AND COMPLIANCE WITH RULE 8-112**

1. This Petition contains 3,087 words, excluding any parts exempted from the word count by Rule 8-503.
2. This Petition complies with the font, spacing and size requirements stated in Rule 8-112.


J. CARROLL HOLZER, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of September 2019, a copy of the foregoing Petition for Certiorari* was mailed postage prepaid to each of:

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* Service copies omit the Appendix as allowed by Rule 8-303(b)(4).

APPENDIX

- A. Circuit Court Docket Entries
- B. Circuit Court Opinion and Order
- C. Court of Special Appeals Opinion