



City of Bowie

Regular City Council Meeting

Tuesday, July 5, 2022
Council Chambers - 8 p.m.

AMENDED – FRIDAY, JULY 1, 2022 – 2:40 P.M.

AGENDA

- I. CALL MEETING TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. QUORUM**
- IV. AGENDA ADDITIONS/DELETIONS/AMENDMENTS**
- V. CITIZEN PARTICIPATION**
- VI. PRESENTATIONS**
- VII. CITY BOARDS AND COMMITTEES**
 - A.** Appointments/Reappointments/Swearing-in
- VIII. COUNCIL ANNOUNCEMENTS**
- IX. CITY MANAGER'S REPORT**
- X. CONSENT AGENDA**
 - A.** Approval of June 6, 2022 Meeting Minutes
 - B.** Approval of June 21, 2022 Meeting Minutes
 - C.** Adoption of Resolution R-34-22 Authorizing the City Manager to Enter Into a Fourth Amendment to a Lease Agreement for the Property Known as "Bowie Commons" With North Merust Limited Partnership to Authorize the Assumption of the Lease by Bowie Housing Partners, Limited Partnership and to Further Authorize the City Manager to Execute a Deed for the Improvements Upon the Leased Premises to Bowie Housing Partners LP Subject to a Reversion of Title to the City Upon the Expiration or Other Proper Termination of the Lease
 - D.** *Adoption of Resolution R-35-22 Setting Forth Regulations for the Virtual Attendance of Council Members at City Council Meetings*
- XI. OLD BUSINESS**
 - A.** Adoption of Ordinance O-3-22 Amending the Bowie City Code, Chapter 14 "Motor Vehicles and Traffic", Article III, § 14-17B "Speed Monitoring Systems" to Authorize the Placement of Speed Cameras in the City of Bowie on Highways in Residential Districts That Have a Maximum Posted Speed Limit of 35 Miles Per Hour - **Public Hearing/Eligible for Action**
- XII. NEW BUSINESS**

- A.** Melford Revision to Detailed Site Plan #07031-05 - St. John Properties, Inc, is requesting the City's approval recommendation for a revision to the approved Detailed Site Plan for Pod 6 (DSP-07031) to substitute 59,640 square feet of research and development/flex space instead of office uses within the project. The site includes 15.68 acres in the TAC-e (Town Activity Center) zone and is located south of Melford Boulevard, north of Howerton Way and east of Tesla Drive - **Public Hearing/Eligible for Action**
- B.** Annual Update from the Green Team Executive Committee - The Chair of the Green Team Executive Committee will brief the Council on their FY22 work, their upcoming FY23 work, and the Sustainable Maryland Certified 2022 recertification
- C.** Watermain Breaks Report

XIII. ADJOURNMENT

Note: The Ethics Commission has advised that under certain circumstances, members of the public may qualify as lobbyists when they testify before the City Council. If so, the Bowie Ethics Ordinance requires that certain information be filed with the Ethics Commission. Please review the information about lobbying that is provided with the City Clerk. If you have any questions about lobbying, please contact the Ethics Commission or the Assistant City Manager.

This meeting will be televised live on Verizon Channel 10 and Comcast Channel 71 and 996, repeated on 7/6/22 and 7/9/22 at 7:00 p.m., and [web-streamed live](#).

For a closed-captioned version of the meeting video, please go to <https://www.youtube.com/user/cityofbowiemd/playlists> and select the 2022 Council Meetings list. Once the meeting video opens, be sure to click on “CC” button to turn on closed captioning.

NEXT REGULAR MEETING OF THE BOWIE CITY COUNCIL - MONDAY, JULY 11, 2022 - COUNCIL CHAMBERS - 8:00 P.M.



Memorandum

TO: City Council

FROM: Awilda Hernandez, City Clerk

SUBJECT: Committee Appointments/Reappointments/Swearing-in

DATE: 06/30/2022

Committee Appointments and Swearing-in:

1. Council concurred to appoint the following members to their respective committees for a 2-year term, please move to appoint them and have them sworn-in:

Community Recreation Committee: Mia Owens - Youth Member

Economic Development Committee: Christopher Rizzi

Committee Reappointments:

1. If Council concurs to reappoint the following members of the Administrative Review Board for another 2-year term, please move to reappoint them:

Nancy Franklin
Carl Robinson

William Schmitt

2. If Council concurs to reappoint the following members of the Advisory Planning Board for another 2-year term, please have Mayor Pro Tem Bofo move to reappoint them:

Lisa Frison
James Golato
Terry Rogers

Carl Schuettler
Ronald Skotz

3. If Council concurs to reappoint the following members of the Arts Committee for another 2-year term, please have Councilmember Esteve move to reappoint them:

Gabrielle Davison
Jacqueline Thompson

Joseph Wright

4. If Council concurs to reappoint the following members to the Board of Elections for another 2-year term, please move to reappoint them:

Don Phillips

Brian Suddeth

5. If Council concurs to reappoint the following members of the Board of Personnel Appeals for another 2-year term, please move to reappoint them:

Lisa Henkel

6. If Council concurs to reappoint the following members to the Community Outreach Committee for another 2-year term, please have Councilmember Esteve move to reappoint them:

Bonaventure Askinlosotu
Adedayo Fashanu

Mary Ellen Winlund
Joseph Wright

7. If Council concurs to reappoint the following members to the Community Recreation Committee for another 2-year term, please have Mayor Pro Tem Bofofo move to reappoint them:

John P. Fagan, Jr.
Tony Nichols

Carrie Weaver-Bridges

8. If Council concurs to reappoint the following members to the Diversity Committee for another 2-year term, please have Councilmember Harrison move to reappoint them:

Bonaventure Akinlosotu
Elveeda Dixon

Jessica Fucile
Tisha Hillman

9. If Council concurs to reappoint the following members to the Economic Development Committee for another 2-year term, please have Councilmember Gardner move to reappoint them:

Billy Louis
Yolanda Muckle

Arthur Rogers
Phyllis Thompson

10. If Council concurs to reappoint the following members to the Education Committee for another 2-year term, please have Councilmember Ndebumadu move to reappoint them:

Trasee Bradley
Frank Bryant
Sonia Huntley
LaDonna King

Nadji Kirby
Donna Nelson
Lynette O'Reggio

11. If Council concurs to reappoint the following members to the Environmental Advisory Committee for another 2-year term, please have Councilmember Woolfley move to reappoint them:

Alexandra Harry Nappier
Abigail Snyder

Karin Taschenberger
John Teasdale

12. If Council concurs to reappoint the following member to the Financial Advisory Committee for another 2-year term, please have Councilmember Woolfley move to reappoint him:

William Olukoya

13. If Council concurs to reappoint the following members to the Green Team Executive Committee for another 2-year term, please have Councilmember Gardner move to reappoint them:

Michelle Balfe
Linda Cooper
Howard Dobson

Sue Livera
Elena Wisler
Joshua Wooten

Maysen Gore-Duran

14. If Council concurs to reappoint the following members to the Information Technology Committee for another 2-year term, please have Councilmember Ndebumadu move to reappoint them:

Richard Bleach
JoAnn Marshall-Hobbs

Kenneth Wenzel

15. If Council concurs to reappoint the following members of the Public Safety Committee for another 2-year term, please have Councilmember Harrison move to reappoint them:

Delmer Billings
Ronald Gill
William Grayson
Bill Healy

Jill Hochman
Jacqueline Rhone

ATTACHMENTS: None

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, JUNE 6, 2022

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, June 6, 2022, in the Council Chambers at City Hall. Mayor Adams called the meeting to order at 8:02 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Adams led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Adams, Councilmembers Bofo, Esteve, Harrison, and Ndebumadu (virtually), City Manager Lott, City Attorney Levan, City Clerk Hernandez, and Staff.

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

Councilmember Esteve requested to amend the agenda by adding a brief discussion under Old Business in reference to the grant program for outdoor dining in local restaurants.

CITIZEN PARTICIPATION:

City Clerk Hernandez stated for the record that ten comments were received via email and they are attached to these minutes for the record.

1. Abigail Snyder, Environmental Advisory Committee Chair – Spoke in regard to having Council support Prince George's County Bill CB-14-2022 Accessory Disposable Food Service Ware.
2. Robert Johnson, Pin Oak Pkwy – Invited everyone to attend the Juneteenth Family Bike Ride and Festivities that will take place at Allen Pond Park on Sunday, June 19th.
3. Jeffery Cooper – Spoke in support of continuing with legislation dealing with foreclosed properties in the City.
4. Rhonda Billingsten, Durham Dr. - Spoke in support of continuing with legislation dealing with foreclosed properties in the City.

PRESENTATIONS:

- A. Ms. Emily Luna from the LAYC (Latin American Youth Center) Maryland Multicultural Youth Center provided information on the services the center provides to Maryland youth.
- B. Council presented a City Proclamation to Ms. Evelyn Policarpio for being selected as Prince George's County 2022 Teacher of the Year.
- C. Council presented Recognition Certificates to the Bowie Youth Council and congratulated them on their inaugural year.

- D. Council presented a City Proclamation to Ms. Lisa Smith for her years of service as the Bowie BIC Executive Director and congratulated her on her retirement.

COUNCIL ANNOUNCEMENTS:

Councilmember Esteve requested a proclamation be presented at the June 21 Council meeting recognizing LGBTQ Pride Month.

Mayor Adams thanked staff and everyone that participated at Bowiefest. It was a great turn-out especially for being in hiatus for the last two years.

CITY MANAGER'S REPORT:

City Manager Lott thanked Council for recognizing staff and the great work they did in putting together Bowiefest. He also congratulated Council on passing the City's FY 2023 budget.

CONSENT AGENDA:

Councilmember Esteve made a motion to approve Consent Agenda items: A) Approval of May 16, 2022 Meeting Minutes; B) Adoption of Proclamation P-15-22 Proclaiming June 2022 as Men's Health Month in the City of Bowie; C) Adoption of Proclamation P-16-22 Proclaiming June 19, 2022 as Juneteenth in the City of Bowie; D) Adoption of Proclamation P-17-22 Recognizing June 4-12, 2022, as Chesapeake Bay Awareness Week in the City of Bowie; E) Adoption of Proclamation P-18-22 Proclaiming June 20-26, 2022 as Pollinator Week in the City of Bowie; F) Adoption of Resolution R-16-22 Accepting Bid Proposal for On-Call Plumbing Services; G) Adoption of Resolution R-17-22 Accepting Bid Proposal for On-Call Electrical Services; H) Adoption of Resolution R-18-22 Accepting Bid Proposal for Custodial Services at the Public Works Department; I) Adoption of Resolution R-19-22 Accepting Bid Proposal for Grounds Maintenance Services at the Solid Waste Facility, Well and Water Tank Sites, and Wastewater Pump Station Facilities; J) Adoption of Resolution R-20-22 As Amended – Establishing the Bowie Race Track Property Task Force; K) Adoption of Resolution R-23-22 Contract Renewal for Street Repair; L) Adoption of Resolution R-24-22 Waiving Bidding Requirements for the Purchase of One Refuse Truck; M) Adoption of Resolution R-25-22 Accepting Bid Proposal for Repairs to a Wooden Rail on Mitchellville Road at Route 197. Mayor Pro Tem Bofo seconded the motion. Motion passed 4-0 (Ndebumadu did not vote).

OLD BUSINESS:

A. Discussion on Mortgage Foreclosure Legislation – City Attorney Levan briefed Council on the proposed legislation she is working on with certain directions that Code Enforcement staff will be able to take when it comes to properties within the City limits that have been foreclosed. It will be on the June 21 Council meeting agenda for Council's action.

B. Discussion on outdoor dining restaurant grant program – Councilmember Esteve commented that several restaurants have approached him to see if the timeframe for purchasing outdoor seating materials for the grant program could be moved back to April 1st instead of May 1st. Several of them begin to prepare for the summer months in March and April. City Manager Lott responded that there is no problem with the change as long as all other parameters of the grant program remain in place.

Councilmember Esteve motioned to push back the timeframe of receipts to April 1st instead of May 1st. Councilmember Harrison seconded the motion. Motion passed 4-0 (Ndebumadu did not vote).

NEW BUSINESS:

A. Bowie BIC Update - Executive Director Lisa Smith and Vice Chair Wendy Jenkins presented to Council the accomplishments of Bowie BIC in the last year. They currently have 18 BIC Accelerator and Graduate companies, they generated over 422 jobs and \$42M generated in revenues.

Mayor Adams again thanked Ms. Smith for her years of service in the Bowie BIC and wished her well in her retirement.

B. Discussion on Belair Drive Speed – Councilmember Harrison commented on a complaint she has received from a resident about the speeding along Belair Drive and measures to control the speed that he would like to see the City install such as speed humps.

City Manager Lott informed Council that a speed traffic assessment was done on this portion of Belair Drive in 2019 and it met the standards for Level II speed calming devices (speed humps). A community meeting was held at Kenhill that allowed residents to attend and voice their concerns. An overwhelming number of residents were against the installation of the speed humps, so they were not installed. City Manager Lott suggest the installation of speed cameras in neighborhoods now that there is new State legislation allowing the installation of the cameras outside of just school areas. Legislation will have to be created and will be presented to Council at the June 21 Council meeting for action.

C. Discussion on Juneteenth Celebration – City Community Outreach Specialist, Lori Cunningham, briefed Council on all the events the City will be hosting in celebration of Juneteenth.

ADJOURNMENT:

Mayor Pro Tem Boafu motioned to adjourn the Regular City Council meeting. Councilmember Esteve seconded the motion. Motion passed 4-0 (Ndebumadu did not vote). The meeting adjourned at 9:23 p.m.

Respectfully submitted,

Awilda Hernandez, MMC
City Clerk

Awilda Hernandez

From: Melissa Richardson <ladymelissa@solace2you.org>
Sent: Wednesday, June 1, 2022 11:17 AM
To: Awilda Hernandez
Subject: {EXTERNAL}: To be read at June 6, 2022, City Council meetin, and placed in the records.
Re: Squatters concerns in conjunction with pending approval of Mortgage Foreclosure Legislation

Greetings, Mr. Mayor and City Council Members of Bowie, Maryland :

We want to first thank our neighbors, Mrs. Karen Williamson and Mr. Jeffery Cooper for their dedication to put forth our concern about squatters in our community.

We are in agreement with the ***Mortgage Foreclosure Legislation, that requires banks*** to register their foreclosed properties with required State of Maryland actions to provide public safety and security of the property while in their possession. In doing so, we agree that the City of Bowie and the communities HOAs in Bowie are also notified when homes are foreclosed so that they may be aware of the risk of squatters illegally occupying such properties. In addition, it would be helpful to require the mortgage holders of these properties to install a monitoring system to record unauthorized entry and occupation. Such action will help law enforcement identify violators.

As residents of Bowie since 1995, living in the Woodmore Highlands community, we have noticed over the last few years, the adverse consequences of having squatters occupy foreclosed homes. We saw a lack of upkeep to the properties, uncertain suspicious activities related to the goings and comings of different people, and the possession of dogs that appeared dangerous, and often barked in an aggressive manner when one would walk by the property, even when the dogs were inside the home. This is unsettling.

As law abiding, tax paying, voting home owners, we should not be forced to contend with the lack of concern by the mortgage holders of these foreclosed homes. Their lack of concern puts us at real risks to our physical safety, along with seeing the devaluation of our neighborhood, esthetically and economically.

Mr. Mayor, and Council Members, your support of this legislation is requested.

Kindly,

Mr. and Mrs. Donald (Melissa) Richardson
Woodmore Highland Residents
301 301 390 5870 home
301 919 4184 cell
ladymelissa@solace2you.org

Sent from my Galaxy

Awilda Hernandez

From: Michael Doaks <michaeladoaks@gmail.com>
Sent: Thursday, June 2, 2022 12:06 PM
To: Mayortadams@cityofbowie.org; Adrian Boafo; Michael Esteve; Dufour Woolfley; ndebumadu@cityofbowie.org; Ingrid Harrison; Henri Gardner; Alfred Lott; Daniel Mears; Awilda Hernandez
Subject: {EXTERNAL}: Foreclosoure Legislation

Dear Bowie Elected Officials,

I am writing in support of legislation that would put in place rules and procedures for handling squatters who occupy foreclosed and vacant homes in Bowie neighborhoods. Squatters are taking advantage of loopholes in the law that delay actions on the part of banks and REO companies to evict them from illegally occupied properties. More proactive measures need to be put in place that would keep vacant foreclosed homes secure and report illegal occupancy to the authorities.

I am support of Mortgage Foreclosure Legislation. This legislation would require BANKS to register their foreclosed properties with required State actions to provide public safety and security of the property while in their possession.

Mayor, City of Bowie, Honorable Tim Adams - tadams@cityofbowie.org;
District 3, City of Bowie, Councilman Adrian Boafo - abofo@cityofbowie.org
District 1, City of Bowie, Councilman Michael Esteve - mesteve@cityofbowie.org
District 2, City of Bowie, Councilman Dufour Woodley - dwoolfley@cityofbowie.org
District 4, City of Bowie, Councilman Roxy Ndebumadu - rndebumadu@cityofbowie.org
Member at Large, City of Bowie, Councilman Ingrid Harrison - iharrison@cityofbowie.org
Member at Large, City of Bowie, Councilman Henri Gardner - hgardner@cityofbowie.org
City Manager, City of Bowie, Mr. Alfred Lott - alott@cityofbowie.org;
Assistant City Manager, City of Bowie, Mr. Daniel Mears - dmears@cityofbowie.org
City Clerk, City of Bowie, Awilda Hernandez - Ahernandez@cityofbowie.org

Awilda Hernandez

From: David Boone <djb8742@hotmail.com>
Sent: Thursday, June 2, 2022 7:18 PM
To: cityclerk
Subject: {EXTERNAL}: Speed in Bowie

I have submitted complaints to the Mayor of Bowie about the speeding, tailgating and dangerous drivers on Kembridge Drive for a number of years with no positive results to remedy this situation. The main area is from Kenhill Drive to Kenilworth Elementary and involves men, women, old, young, cars, trucks, buses, motorcycles and just about anything on wheels. Two of our cars have been hit and we have a hard time getting out of our driveway. This will get much worse since it seems to be a thoroughfare now, and much worse with ongoing development at Melwood and expansion of route 197. Please help.

David Boone
12320 Kembridge Drive
Bowie, MD 20715
Djb8742@hotmail.com
240-338-2523
Sent from my iPhone

Awilda Hernandez

From: JACKIE NAVES <jackynav@msn.com>
Sent: Saturday, June 4, 2022 12:48 PM
To: Timothy Adams; aboafi@cityofbowie.org; Dufour Woolfley;
mdebumadu@cityofbowie.org; Ingrid Harrison; Henri Gardner; Alfred Lott; Awilda Hernandez
Subject: {EXTERNAL}: Support for Mortgage Foreclosure legislation

Dear legislators,

As homeowner's in the Woodmore Highland subdivision, we fully support the Mortgage Foreclosure legislation and the Woodmore Highlands Homeowner Association.

David and Jacqueline Naves
3101 Dunkagle Ct
Bowie, MD 20721

Awilda Hernandez

From: Elmer C Hebron <chebron1@verizon.net>
Sent: Monday, June 6, 2022 2:01 PM
To: Awilda Hernandez
Subject: {EXTERNAL}: Mortgage Foreclosure Legislation Requesting your support

Good evening Mayor Adams and City Council Members,

I am a retired Metropolitan Police Sergeant and the Chairman of the Woodmore Highlands Home Owner Association, Architectural Control Committed. While a member of the police department, I investigated crimes inside vacant houses. Some of the crimes were sexual assaults, illegal drug activity and stolen property.

As a member of the Home Owner Association, I investigated vacant properties that were taken over by squatters. During my investigations, I found similar problems that I found while on the police department. One vacant property in Woodmore Highlands were occupied by drug dealers who used the property as a drug safe house. At another property occupied by squatters, drug activities were reported. Three properties in all have been occupied by squatters in Woodmore Highlands. In each incident, the neighbors expressed to me how terrified they were having squatters nearby. Especially female property owners and property owners with children.

Several times I had contact with management companies of the vacant properties occupied by squatters. The management companies were not based in Maryland. They were from Georgia and Arizona. The problem was not in their back yard. In each incident when I expressed how frightened and upset the neighbors were having squatters next door, they appeared to be unconcerned. Sometimes I would call a management company and no one would answer. Very seldom did I get a call back. In addition, due to the legal system, once squatters occupy a property, it can take months or over a year to get them out. The key is to prevent them from entering.

Therefore, for the safety of Bowie residents, I urge the Bowie City Council to support legislation requiring Mortgage Foreclosure and Finance Companies to register with the City when they have foreclosed property.

Craig Hebron

Woodmore Highlands

Awilda Hernandez

From: Milly Hall <hallmilly@aol.com>
Sent: Monday, June 6, 2022 2:25 PM
To: Awilda Hernandez; Timothy Adams; Adrian Bofo; Michael Esteve; Dufour Woolfley; Rosann Ndebumadu; Ingrid Harrison; Henri Gardner
Cc: Alfred Lott; Daniel Mears
Subject: {EXTERNAL}: Mortgage Legislation Requesting Your Support
Attachments: Mortgage F.Leg support.pdf

Requesting Your Support
Mortgage Foreclosure Legislation

June 6, 2022

Good Evening, Mayor Adams, Bowie City Councilmembers and staff:

As a citizen of Bowie and my neighborhood for 24 years i'm deeply concerned over the uptick of squatters we've witnessed invade our community recently, and the lack of response from the city council.

With the Mortgage Foreclosure Legislation, it would be beneficial for all parties for the City of Bowie to make notice to the HOAs of vacant foreclosed properties in order to help prevent the issue of squatters. The enforcement and support of this legislation from the City would make a world of difference in addressing this disturbance and safety hazard.

Thank you,

Milly Hall
Woodmore Highlands HOA
Secretary/VP

Awilda Hernandez

From: Adam <alevi_1998@yahoo.com>
Sent: Monday, June 6, 2022 4:08 PM
To: Timothy Adams; Adrian Boafo; Michael Esteve; Dufour Woolfley; Rosann Ndebumadu; Ingrid Harrison; Alfred Lott; Awilda Hernandez
Cc: Hallmilly
Subject: {EXTERNAL}: Proposed Foreclosure Legislation

Dear Mayor Adams, Council Members and Staff:

I understand you will be discussing and voting on mortgage foreclosure legislation at tonight's Council meeting. As I understand, the legislation will require lenders to register their foreclosed properties with the City of Bowie and be required to maintain and secure the property while it is in their possession. Members of my community recently had a dispute with a lender, it's realtor and squatters that claimed certain rights to remain on the premises. The squatters did not maintain the property and were disrespectful to the HOA leadership.

Further, I understand the Bowie Police Department has limited authority to address such situations. To the extent additional legislation is needed to fill-in gaps in legal authority to address such situations, I believe that the Council should move swiftly has mortgage foreclosure relief will be ending in many local jurisdictions.

Thank you,

Adam Levi

Bowie, Maryland

20721

Awilda Hernandez

From: K. Williamson <williamsonkl@msn.com>
Sent: Monday, June 6, 2022 5:38 PM
To: Timothy Adams; Adrian Bofo; Michael Esteve; Dufour Woolfley; Rosann Ndebumadu; Ingrid Harrison; Henri Gardner; Alfred Lott; Daniel Mears; Awilda Hernandez
Cc: Jeffrey Cooper; Milly Hall; Woodmore Highlands HOA
Subject: {EXTERNAL}: City of Bowie Council Meeting for 06/06/2022 - Citizen Participation Letter from Karen Williamson

To The city of Bowie Mayor, the Honorable Tim Adams, the City Bowie of Councilmen, and the City of Bowie Staff,

Good evening all.

Please add this email to the record for the Council hearing tonight on 06/06/2022.

It is with my sincere regret that I will not be able to attend in person the hearing for the ***Mortgage Foreclosure Legislation*** per the planned Agenda. I tested positive for COVID and must follow the State of Maryland Health isolation protocols. Mr. Jeffery Cooper and I have continued to bring this matter and concern to the attention of the council. Please engage with Mr. Jeffery Cooper as you would with me if I were present. I would like to thank my councilman Adrian Bofo for addressing all of my correspondences and conversations that have led us to an understanding of the basic needs for this legislation. Additionally, I must thank our Mayor, the Honorable Tim Adam, for assuring that this agenda item remained as planned on tonight's discussion.

I remain firm in our belief that our progressive suburban city must establish a precedence for foreclosed property occupancy status with regard to squatter takeover. While there are still some minor details to work out, I appreciate that our city leadership regards this matter and will continue to work to a full resolution.

I look forward to being online at the time of the session this evening.

Sincerely,

Karen Williamson
14206 Dunwood Valley Drive, Woodmore Highlands HOA Community
Bowie, MD 20721

Sent from [Mail](#) for Windows

Awilda Hernandez

From: Gail Elkins <ge3203@aol.com>
Sent: Monday, June 6, 2022 6:47 PM
To: Timothy Adams; Adrian Boafo; Michael Esteve; Dufour Woolfley; Rosann Ndebumadu; Ingrid Harrison; Henri Gardner; Alfred Lott; Daniel Mears; Awilda Hernandez
Subject: {EXTERNAL}: Letter in support of neighbors in Woodmore Highland Re: Banks, Mortgages and Squatters
Attachments: Letter Re Squatters and Mortgage Companies (June 6 2022).pdf

Dear Mr. Mayor, Councilmembers, Madam City Clerk, City Administrator -

Please see the attached letter for tonight's Council Meeting and take it under advisement at the appropriate time during the meeting.

Sincerely,

Gail L. Davis Elkins

Gail L. Davis Elkins
3203 Dunwood Ridge Terrace
Bowie, Maryland 20721
(H) (301) 218-8997 * (M) (202) 210-1157

June 6, 2022

Greetings Mayor Adams and Bowie City Councilmembers:

Succinctly, I support my neighbors on the Mortgage Foreclosure Legislation. This is common-sense legislation that can easily help this and other communities in Bowie avoid squatters taking over properly illegitimately, preventing re-sale of foreclosed homes, for example, and essentially disrupting the community.

Sincerely,
Gail L. Davis Elkins

Cc:

Mayor, City of Bowie, Honorable Tim Adams - tadams@cityofbowie.org;
District 3, City of Bowie, Councilman Adrian Boafo - aboaf@cityofbowie.org
District 1, City of Bowie, Councilman Michael Esteve - mesteve@cityofbowie.org
District 2, City of Bowie, Councilman Dufour Woodley - dwoolfley@cityofbowie.org
District 4, City of Bowie, Councilman Roxy Ndebumadu - rndebumadu@cityofbowie.org
Member at Large, City of Bowie, Councilman Ingrid Harrison - iharrison@cityofbowie.org
Member at Large, City of Bowie, Councilman Henri Gardner - hgardner@cityofbowie.org
City Manager, City of Bowie, Mr. Alfred Lott - alott@cityofbowie.org;
Assistant City Manager, City of Bowie, Mr. Daniel Mears - dmears@cityofbowie.org
City Clerk, City of Bowie, Awilda Hernandez - Ahernandez@cityofbowie.org

Awilda Hernandez

From: Ingrid Harrison
Sent: Monday, June 6, 2022 6:58 PM
To: Awilda Hernandez
Subject: Fw: {EXTERNAL}: CITIZEN PARTICIPATION REQUEST JUNE 6TH AGENDA TRAFFIC/SPEEDING on BELAIR DRIVE

Hi Awilda,

Looks like he did not include you on this...
Please share with the Council. Thank you!
Ingrid

Ingrid S. Harrison

City of Bowie
Councilmember At-Large
Mobile: [\(301\) 204-4911](tel:3012044911)
Office: [\(301\) 809-3029](tel:3018093029)



From: HOLMES,HOLMES and HOLMES <ldh0829@msn.com>
Sent: Friday, June 3, 2022 4:53 PM
Cc: Ingrid Harrison <iharrison@cityofbowie.org>
Subject: {EXTERNAL}: CITIZEN PARTICIPATION REQUEST JUNE 6TH AGENDA TRAFFIC/SPEEDING on BELAIR DRIVE

Hi Ms. Hernandez,
Please share the comments in my letter to the Council...Thanks

Good Evening Members of the Bowie City Council!
My name is Linwood Holmes & I have resided @ 3000 Belair Dr for 43 1/2 years.

For several years, & for whatever reason, especially since the pandemic restrictions have been lifted, the amount of traffic on Belair has increased tremendously: IT IS INSANE !!!!

That being said, this is the BIG PROBLEM & ISSUES:

The proximity between BBT to the old Bowie Annex:

- 1) I've clocked speeds up to 61mp from all kinds of vehicles @ ALL hours
- 2) school buses to 48 mph (& this is normal...ALL DAY) from early am to the late evening, & more & more they are using B.Drive as a shortcut (AGAIN) to avoid the back up on Rte 197.
- 3) more & more cars passing other cars, school buses, metro buses, over the double line, sometimes passing 3 vehicles at one time
- 4) the noise from trucks, muscle cars & school buses from their loud engines, exhaust & tires is twice as loud when they are speeding
- 5) The speeding is out of control...It's become the norm...It's become more of a Highway...
- (6) As a result of the pandemic & has continued, MORE & MORE kids are walking to & from school, joggers, families walking with their kids, dogs & baby strollers, and people walking their dogs, etc. at all hours...

REGULAR CITY COUNCIL MEETING MINUTES

TUESDAY, JUNE 21, 2022

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Tuesday, June 21, 2022, in the Council Chambers at City Hall. Mayor Adams called the meeting to order at 8:06 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Adams led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Adams, Councilmembers Boafo (arrived 8:09 p.m.), Esteve, Gardner (arrived 8:19 p.m.), Harrison, and Woolfley, City Manager Lott, Assistant City Manager Mears, City Attorney Ruff, City Clerk Hernandez, and Staff.

CITIZEN PARTICIPATION:

1. Patrice Murray, Jerimiah Ln - Spoke in support of Resolution R-27-22.
2. Karen Williamson, Dunwood Valley Dr. – Spoke in support of Resolution R-27-22.

PRESENTATIONS:

- A. Ms. Nadji Kirby, Chair of the City's Education Committee presented the winners of this year's Excellence in Education Awards. (List of winners attached)
- B. Ms. Bee Scott, a member of the City's Diversity Committee read an excerpt on Caribbean-American Heritage Month and LGBTQ Pride Month.

COUNCIL ANNOUNCEMENTS:

Mayor Adams thanked staff for an outstanding series of events held throughout the City to celebrate Juneteenth.

Councilmember Gardner thanked staff for the support during the explosion that took place at Larkin-Chase last week.

CITY MANAGER'S REPORT:

City Manager Lott thanked staff for the outstanding work and support of the patients of Larkin-Chase during the evacuation of the facility due to the explosion.

CONSENT AGENDA:

Councilmember Harrison made a motion to approve Consent Agenda items: A) Adoption of Proclamation P-20-22 Proclaiming June 2022 as LGBTQ Pride Month in the City of Bowie; B) Adoption of Resolution R-26-22 Awarding a Contract for Irrigation System Replacement for Bowie Golf Course; C) Adoption of Resolution R-28-22 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow Negotiations with Hydro Designs, Inc., and Authorizing the City Manager to Enter Into an Agreement for Consulting Services for the Replacement of the Irrigation System at Bowie Golf Course; D) Adoption of Resolution R-29-22 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow for the Purchase of One Backhoe, by Piggybacking a Baltimore County Public Schools Bid; E) Adoption of Resolution R-30-22 Authorizing the Issuance of a Purchase Order to Frederick Ward Associates for Task Order #1 Professional Services-Development Plan Review, Engineering & Design Services in Accordance With the Master Contract Approved on June 19, 2019; F) Adoption of Resolution R-31-22 Accepting a Bid Proposal for Temporary Labor Services; G) Adoption of Resolution R-32-22 Accepting Bid for the Purchase of New Video Switcher; H) Adoption of Resolution R-33-22 Awarding a Contract to Conduct a Water Source Study at the Bowie Golf Course; I) Introduction of Ordinance O-3-22 Amending the Bowie City Code, Chapter 14, "Motor Vehicles and Traffic", Article III, §14-17B "Speed Monitoring Systems" to Authorize the Placement of Speed Cameras in the City of Bowie on Highways in Residential Districts That Have a Maximum Posted Speed Limit of 35 Miles Per Hour; J) Approval of Letter Supporting Prince George's County Council Bill CB-14-2022. Councilmember Gardner seconded the motion. Motion passed 6-0.

OLD BUSINESS:

A. Economic Development Strategy and Action Plan – Economic Development Director, John Henry King briefed Council on the staff report. At Council's request in the May 16, 2022 Council meeting, the Public Hearing time was extended for another 30 days.

Public Hearing:

City Clerk Hernandez announced that one comment was received via email and is attached for the record.

Since no one was signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Mayor Pro Tem Bofo commented that the strategy and action plan is a great way of letting the public that Bowie is open for business.

Councilmember Harrison made a motion to accept the Economic Development Strategy and Action Plan. Councilmember Gardner seconded the motion. Motion passed 6-0.

B. Mortgage Foreclosure Legislation – Adoption of Resolution R-27-22 Regarding Nuisance Conditions on Properties in the City of Bowie as to Which a Mortgage Foreclosure Process Has Commenced – City Attorney Ruff summarized the resolution and stated that it will allow the City's Code Enforcement Department to monitor the properties in the City from the State's Foreclosed Property Registry that may be in violation of property maintenance and the Police Department can monitor if there are any reports of criminal activity on properties that are on the same list.

Mayor Pro Tem Bofo thanked staff and Counsel for putting this legislation together.

Mayor Pro Tem Boafu moved to adopt Resolution R-27-22 Regarding Nuisance Conditions on Properties in the City of Bowie as to Which a Mortgage Foreclosure Process Has Commenced. Councilmember Harrison seconded the motion. Motion passed 6-0.

NEW BUSINESS:

A. Old Town Bowie Revitalization – Economic Development Director, Mr. John Henry King introduced Town of Kensington, Mayor Pro Tem Conor Crimmins who briefed Council on what the Town of Kensington has done to revitalize their downtown area. Although there is a difference in size between Bowie and Kensington there are similarities that could be applied to the Old Town Bowie area of the City. Kensington applied for several Maryland grant and revitalization programs to help them revitalize their Town Square park. They also had political outreach to encourage legislative and planning changes for Economic Development. Mayor Pro Tem Crimmins encouraged City Council to visit the Town of Kensington and see their changes.

Councilmember Woolfley thanked Mayor Pro Tem Crimmins for his presentation and asked him how much of the redevelopment is existing structures versus new construction. Mayor Pro Tem Crimmins responded that about 90% of it were existing structures.

Councilmember Woolfley then asked what the Town's relationship with the County is. Mayor Pro Tem Crimmins responded that they communicate with them almost everyday as well as with M-NCPPC, SHA, and utilities.

Mayor Adams thanked Mayor Pro Tem Crimmins for his presentation and looks forward to visiting his Town.

B. Vacation Petition V-21009, Woodmore Highlands, Parcel N (former PT-1 Transportation Right-of-Way) – Planning Director, Joe Meinert summarized the staff report. A request to vacate a portion of the public right of way was filed by the residents abutting Parcel N. This parcel was dedicated when the neighborhood was created for future trails. The City has been in support of creating trails within the City that provide a safe place for pedestrians, and bicyclists. Unfortunately, funding has not been designated for this Parcel by the City or the County. The County vacated the parcel twenty-two years ago.

Public Hearing:

1. Patty McCaughey, Chalford Ln – Spoke in support of the City not vacating Parcel N for future trails.

Since there was no one else signed to speak, Mayor Adams declared the Public Hearing to have been held.

Councilmember Woolfley asked staff if we knew who owned the property. Mr. Meinert responded that it probably still owned by the developer, it was dedicated as open space.

Councilmember Gardner is in support of vacating the property if there is no funding for the trail and it is only fair if the abutting residents want it and they have been maintaining the property.

Mayor Pro Tem Boafu moved to approve the recommendation to vacate the property. Councilmember Gardner seconded the motion. Motion passed 4-1-1 (Woolfley-nay, Esteve abstained).

C. Introduction and Adoption of Emergency Ordinance O-2-22 Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022, Embodied in Ordinance O-1-21, as Amended by Ordinance O-6-21 and O-7-21, to Authorize the Transfer of Certain Amounts in the FY 2022 Budget to Pay for Anticipated Expenses – City Manager Lott summarized the Ordinance. During the fiscal year, it becomes necessary to transfer amounts within funds to provide for the proper operation of the City. These adjustments in total amount to 1.54% percent of the adopted FY2022 final budget of \$88,644,100 (all funds).

Public Hearing:

Since there was no one signed to speak, Mayor Adams declared the Public Hearing to have been held.

Councilmember Harrison motioned to adopt Ordinance O-2-22. Councilmember Gardner seconded the motion. Motion passed 6-0.

D. Public Art Update – Ms. Kathleen Parker, Chair of the City’s Art Committee briefed Council on the committee’s recommendation for the social justice mural that will be painted on the external wall of the City gymnasium. The City received two proposals and it is the committee’s recommendation to proceed with Desiree Kelly’s art rendition.

Councilmember Woolfley commented that he is in support of the mural and there are a lot of opportunities around the City for more murals.

Councilmember Harrison motioned to accept the Arts Committee recommendation for the social justice mural that will be painted on the side of the City gymnasium. Mayor Pro Tem Boafo seconded the motion. Motion passed 6-0.

ADJOURNMENT:

Mayor Pro Tem Boafo motioned to adjourn the Regular City Council meeting. Councilmember Esteve seconded the motion. Motion passed 6-0. The meeting adjourned at 10:48 p.m.

Respectfully submitted,

Awilda Hernandez, MMC
City Clerk

2022 Excellence in Education Honorees

- Sarah Bailey (Whitehall Elementary School)
- Jeaniene Barber Hussie (Northview Elementary School)
- Angela Chery (Yorktown Elementary School)
- Kimerly Conley (Grace Christian School)
- Tynetta Dempsey (High Bridge Elementary School)
- Calvin Fitzpatrick (C. Elizabeth Rieg Regional School)
- Lenea Folk (Kenilworth Elementary School)
- Linnea Gomez (Grace Christian School)
- Alisha Johnson (Yorktown Elementary School)
- Adrienne Leonard (Tulip Grove Elementary School)
- Lauren Lister (Northview Elementary School)
- Celeste McGill (Samuel Ogle Middle School)
- Jill Piazza (Whitehall Elementary School)
- Maureen Quinones (Samuel Ogle Middle School)
- Milagros Tolentino (C. Elizabeth Rieg Regional School)

Awilda Hernandez

From: John H. King
Sent: Friday, June 17, 2022 8:47 AM
To: Awilda Hernandez; Carolyn Fifer
Subject: FW: {EXTERNAL}: Comments on Economic Development Pan

One more comment received after the memo was finalized.

John Henry King

Economic Development Director, City of Bowie Maryland,

15901 Fred Robinson Way, Bowie MD 20716 (direct) 301-809-3042 (fax) 301-809-2315

www.cityofbowie.org/biz

From: Andyhac <andyhac@aol.com>
Sent: Thursday, June 16, 2022 9:37 PM
To: John H. King <jhking@cityofbowie.org>
Subject: {EXTERNAL}: Comments on Economic Development Pan

John:

The plan is very good. I had a few comments

Creative Placemaking is an excellent strategy. It needs to be leveraged with community engagement. Bowie is already very good at public events. The City can use these to get input beyond the traditional and dull community meeting. <https://www.tamaquaarts.org/public-arts/> is an example. This town uses an annual creative placemaking event to celebrate and promote the town but it also gets community visioning out of it through getting citizens to write their dreams for the town (Dear Tamaqua).

Bowie State is a large resource. The athletic tourism idea is a great one with the facilities Bowie has. Does Bowie State have a small business development center. Also, is anyone doing micro-lending such as Kiva. These can be great tools for the home based businesses in the City.

Some of the unused or soon to be developed or redeveloped space in Bowie Town Center should be for a business incubator or maker space or shared workspace for some of those businesses to continue their growth,

Andres Saavedra
Bowie, MD



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Resolution R-34-22 – Fourth Amendment to Bowie Commons Lease Agreement

DATE: 06/30/2022

INTRODUCTION: Council has before it a Fourth Amendment to the Bowie Commons Lease Agreement extending the lease term to November 9, 2082 and modifying other language within the lease.

Bowie Commons is a 36-unit senior housing project located south of the City's Senior Center.

BACKGROUND AND DISCUSSION: The City and North Merust Limited Partnership entered into an Indenture of Lease dated November 8, 1982 whereby Merust leased a parcel of land from the City, comprising approximately 4.0278 acres and located at 3909 New Haven Court, and all buildings and improvements to be constructed on the parcel. That lease has a term of fifty-seven (57) years and expires at midnight on November 8, 2039.

The lease was amended by the Amendment to Indenture of Lease dated January 7, 1997 whereby the parties revised the provisions of the 1982 lease that pertained to the adjustment of rent.

The lease was further amended by a Second Amendment to Indenture of Lease dated January 5, 1999, whereby the parties reduced the area of the "Demised Premises" by 0.228 acres, and defined the rights, duties, and liabilities of the parties as they pertain to the redefined description of the "Demised Premises".

The lease was further amended by a Third Amendment dated July 9, 2019 whereby the parties extended the lease for an additional 20 years beyond its current end in 2039 if Merust is not in default of a letter agreement. Additionally, the rent and its escalation were restated and clarified.

Now North Merust LP has assigned its interest in and to the lease and leasehold to Bowie Housing Partners, Limited Partnership. Bowie Housing Partners is seeking the City's consent to the assignment of both the Lease and the rights and obligations thereunder by North Merust to Bowie Housing Partners, and to extend the term of the lease, to extinguish the renewal term created by the Third Amendment, to amend the boundaries of the leased premises to correct an apparent error in the original description thereof, and to make various other revisions to the provisions of the lease. Also, Bowie Housing Partners has requested, for reasons related to the financing of certain

improvements it intends to undertake with respect to the leased premises, that the City deed to it the improvements constructed therein by North Merust, subject to a reversion of title to the City when the lease, as amended, expires or is otherwise properly terminated.

RECOMMENDATION: We recommend that Council adopt Resolution R-34-22 and authorize the City Manager to sign the Fourth Amendment agreement in substantially similar form attached hereto as Exhibit A, together with a deed in substantially the form attached hereto as Exhibit B.

ADL/jhk

ATTACHMENTS:

1. 20220705 - Resolution R-34-22
2. 20220705 - Fourth Amendment to Lease 06-29-22 (Bowie) final
3. 20220705 - Bowie Commons Ground Lease Depiction (Bowie)
4. 20220705 - Special Warranty Deed Improvements (Bowie) final

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE CITY MANAGER TO ENTER INTO A FOURTH
AMENDMENT TO A LEASE AGREEMENT FOR THE PROPERTY KNOWN AS
“BOWIE COMMONS” WITH NORTH MERUST LIMITED PARTNERSHIP TO
AUTHORIZE THE ASSUMPTION OF THE LEASE BY BOWIE HOUSING
PARTNERS, LIMITED PARTNERSHIP AND TO FURTHER AUTHORIZE THE
CITY MANAGER TO EXECUTE A DEED FOR THE IMPROVEMENTS UPON THE
LEASED PREMISES TO BOWIE HOUSING PARTNERS LP SUBJECT TO A
REVERSION OF TITLE TO THE CITY UPON THE EXPIRATION OR OTHER
PROPER TERMINATION OF THE LEASE

WHEREAS, the City of Bowie (“the City”) entered into an Indenture of Lease (“the Lease”) dated November 8, 1982 with North Merust Limited Partnership (“North Merust”), a Maryland limited partnership, which Lease was recorded on November 9, 1982 in Liber 5603, at folio 224 among the Land Records for Prince George’s County, Maryland, whereby North Merust leased a certain parcel of land owned by the City, containing approximately 4.0278 acres, with a street address of 3909 New Haven Court, Bowie, Maryland 20716 (the “Demised Premises”); and

WHEREAS, the Lease currently has a term of fifty-seven (57) years and expires at midnight on November 8, 2039 (the “Expiration”); and

WHEREAS, the Lease was amended by an Amendment to Indenture of Lease dated January 7, 1997 and recorded May 5, 1997 in Liber 11409, at folio 338 among the Land Records of Prince George’s County, Maryland (the “Land Records”), whereby the City and North Merust revised the provisions of the Lease that pertained to the adjustment of rent; and

WHEREAS, the Lease was further amended by a Second Amendment to Indenture of Lease dated January 5, 1999 and recorded February 25, 1999 in Liber 12860, at folio 549 among the Land Records, whereby the City and North Merust released a portion of the Demised

Premises subject to the Lease, redefined the description of the Demised Premises by reducing the area of the Demised Premises by 0.228 acres, and defined the rights, duties, and liabilities of the parties as they pertain to the redefined description of the Demised Premises (the “Second Amendment”);

WHEREAS, the Lease was further amended by that certain Third Amendment to Indenture of Lease Agreement, dated July 9, 2019, and recorded in Book 42534 at Page 574 among the Land Records, whereby the City and North Merust added a 20-year renewal option to extend the Expiration, and revised the rent escalation terms; and

WHEREAS, pursuant to a separate agreement, North Merust has assigned its interest in and to the Lease and Leasehold to Bowie Housing Partners, LP (“Bowie Housing Partners”), a Maryland limited partnership; and

WHEREAS, the City and Bowie Housing Partners desire to enter into a Fourth Amendment to confirm the City’s consent to the assignment of both the Lease and the rights and obligations thereunder by North Merust to Bowie Housing Partners, and to extend the term of the Lease, to extinguish the Renewal Term created by the Third Amendment, to amend the boundaries of the Leased Premises to correct an apparent error in the original description thereof, and to make various other revisions to the provisions of the Lease; and

WHEREAS, Bowie Housing Partners has requested, for reasons related to the financing of certain improvements it intends to undertake with respect to the Leased Premises, has requested that the City deed to it the improvements constructed therein by North Merust, subject to a reversion of title to the City when the Lease, as amended, expires or is otherwise properly terminated; and

WHEREAS, the City believes the deeding of the improvements to Bowie Housing Partners, subject to the aforesated reversion, is reasonable and necessary to the renovation and repair of the improvements and is in the best interests of both parties to the Lease.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland that the City Manager is authorized to sign an Agreement with the Bowie Housing Partners, LP in substantially similar form attached hereto as Exhibit A, together with a deed in substantially the form attached hereto as Exhibit B.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on July 5, 2022.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor

FOURTH AMENDMENT TO INDENTURE OF LEASE AGREEMENT

This **FOURTH AMENDMENT TO INDENTURE OF LEASE AGREEMENT** (this “**Fourth Amendment**”) is dated this _____ day of July, 2022 (the “**Effective Date**”), made by and between the **CITY OF BOWIE**, a political subdivision of the State of Maryland (the “**Landlord**”) and **BOWIE HOUSING PARTNERS, LP**, a Maryland limited partnership (the “**Tenant**”).

RECITALS

WHEREAS, Landlord and North Merust Limited Partnership, a Maryland limited partnership (“**Original Tenant**”) entered into that certain Indenture of Lease dated November 8, 1982 and recorded on November 9, 1982 in Liber 5603, at folio 224 among the Land Records for Prince George’s County, Maryland (the “**Original Lease**”), whereby Landlord leased a certain parcel of land, containing approximately 4.0278 acres located in the City of Bowie, Maryland, with a street address of 3909 New Haven Court, Bowie, Maryland 20716 (the “**Demised Premises**”);

WHEREAS, the Lease has a term of fifty-seven (57) years and expires at midnight on November 8, 2039 (the “**Expiration**”);

WHEREAS, the Lease was amended by that certain Amendment to Indenture of Lease dated January 7, 1997 and recorded May 5, 1997 in Liber 11409, at folio 338 among the Land Records of Prince George’s County, Maryland (the “**Land Records**”), whereby the Landlord and Original Tenant revised the provisions of the Lease that pertained to the adjustment of rent (the “**First Amendment**”);

WHEREAS, the Lease was further amended by that certain Second Amendment to Indenture of Lease dated January 5, 1999 and recorded February 25, 1999 in Liber 12860, at folio 549 among the Land Records, whereby the Landlord and Original Tenant released a portion of the Demised Premises subject to the Lease, redefined the description of the Demised Premises by reducing the area of the Demised Premises by 0.228 acres, and defined the rights, duties, and liabilities of the parties as they pertain to the redefined description of the Demised Premises (the “**Second Amendment**”);

WHEREAS, the Lease was further amended by that certain Third Amendment to Indenture of Lease Agreement dated July 9, 2019, and recorded in Book 42534 at Page 574 among the Land Records, whereby the Landlord and Original Tenant added a 20-year renewal option to extend the Expiration, and revised the rent escalation terms (the “**Third Amendment**” and, together with the Original Lease, First Amendment and Second Amendment, the “**Lease**”);

WHEREAS, as of the Effective Date, pursuant to a separate agreement, Original Tenant assigned its interest in and to the Lease and Leasehold to Tenant and Tenant assumed the same; and

WHEREAS, Landlord and Tenant desire to enter into this Fourth Amendment to confirm the Landlord’s consent to the assignment of both the Lease and the Tenant’s rights and

obligations thereunder (the “**Leasehold**”) by the Original Tenant to Tenant, to extend the term of the Lease and to extinguish the Renewal Term created by the Third Amendment, and to make various other revisions to the provisions of the Lease.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant hereby agree to amend the Lease, and the Lease is hereby amended, as follows:

1. Consent to Assignment. Landlord hereby consents to the assignment of the Lease and Leasehold by the Original Tenant to the Tenant and the assumption thereof by Tenant.

2. Extension of Term and Extinguishment of Renewal Term. Section 1 of Article I of the Lease is hereby deleted in its entirety, including the provisions concerning the Renewal Option for the Renewal Term, and replaced with the following:

Section 1. TO HAVE AND TO HOLD the Demised Premises unto the Tenant, its successors and assigns, for a term of One Hundred (100) years commencing on the 9th day of November, 1982, and fully ending at midnight on the 9th day of November, 2082, unless this Lease shall be sooner terminated as hereinafter provided, said Tenant yielding and paying therefore during such term a net annual basic rental over the other additional payments to be made by the Tenant as hereinafter provided.

3. Purpose and Use of Demised Premises. The Landlord and the Tenant acknowledge that the use of the improvements upon the Demised Premises will continue as housing for seniors and persons with disability(ies) of limited income; provided, however, the use will be modified somewhat from the use and purpose specified in the third paragraph of Section 1 of Article II, including but not limited to the fact that the financing of the acquisition and renovation of such improvements will not be provided by the Community Development Administration or the Maryland Housing Fund of the Department of Economic Development of the State of Maryland. Pursuant to the second sentence of the third paragraph of Section 1 of Article II of the Lease, the Landlord hereby consents to such change in the use of such improvements for the purposes contemplated by the assignment of the Leasehold to the Tenant.

4. Acknowledgement that Proposed Renovations and Alterations Do Not Require Landlord Consent. The Landlord and the Tenant acknowledge that the Tenant intends to carry out certain renovations and alterations to the improvements upon the Demised Premises, in substantially the manner briefly described in Exhibit “A” attached hereto and made a part hereof (the “**Intended Renovations and Alterations**”). The Landlord and Tenant acknowledge that Tenant intends to apply to the Maryland Department of Housing and Community Development (“**DHCD**”) for federal low-income housing tax credits available pursuant to Section 42 of the Internal Revenue Code to assist with the rehabilitation of the improvements upon the Demised Premises. Provided that the Tenant: (i) does not reduce the number of residential units in the improvements upon the Demised Premises, (ii) does not change the footprint of the residential buildings upon the Demised Premises, (iii) does not change the purpose of the Demised Premises

from that set forth in Section 3 of this Fourth Amendment, and (iv) receives consent from DHCD as to the Tenant's plans and specifications for the rehabilitation, and so long as such Intended Renovations and Alterations do not constitute a major and substantial change to the nature of the improvements, the Landlord acknowledges and agrees that the Intended Renovations and Alterations do not require the consent of the Landlord or the review and approval by the Landlord of detailed plans and specifications for such Intended Renovations and Alterations, as set forth in clauses (ii) through (iv) of Section 2 of Article II of the Lease, because the Landlord acknowledges that such Intended Renovations and Alterations will not change the general character or structure of the initial improvements.

5. Senior Mortgagee Rights for Casualty or Condemnation. Section 6 of Article II of the Lease is hereby deleted in its entirety, and replaced with the following:

Section 6. Notwithstanding anything contained herein to the contrary, so long as a leasehold mortgage encumbers the demised premises: (a) all insurance proceeds payable in connection with any casualty, damage or destruction to any portion of the demised premises to which the Tenant is entitled, and/or any awards or sales proceeds which are attributable to any improvements in the event any portion of the demised premises is taken in any proceedings by public authorities (by condemnation or otherwise) or is acquired for public or quasi-public purposes by sale in lieu of condemnation or similar proceedings, shall be governed by the provisions of the loan documents of the Senior Mortgagee (and all insurance proceeds and condemnation awards relating to the demised premises shall be applied in accordance with the terms and conditions of such loan documents of the Senior Mortgagee), and Landlord hereby subordinates any right that it may have to such proceeds and awards to the rights and liens of the Senior Mortgagee in and to such proceeds and awards; (b) subject to provisions of Section 4 of Article 10 of the Lease, any such condemnation award or proceeds payable to the Senior Mortgagee must not be less than the amount of the total award or proceeds minus the value of the remainder interest in the fee considered as unimproved, but shall not exceed the total amount owed to the Senior Mortgagee, with the remainder to go to Tenant; (c) in the event of a partial taking in condemnation, Tenant shall be permitted to rebuild and restore the improvements, subject to the consent of Landlord, solely as to the design of such improvements, which consent shall not be unreasonably withheld, delayed or conditioned, unless the Senior Mortgagee consents to distribution of such condemnation award;; (d) Senior Mortgagee shall be permitted to participate on Tenant's behalf in the adjustment of losses and settlement in connection with any casualty loss or condemnation.

6. No Casualty Termination. The following is hereby inserted at the end of and as a part of Section 3 of Article IV of the Lease:

This lease may not be terminated in the event of a casualty without the prior written consent of the senior-most leasehold mortgagee (the "Senior Mortgagee").

7. Exception to Consent Requirement for Assignment of Leasehold. Section 2 of Article VIII of the Lease is hereby deleted in its entirety and replaced with the following:

Section 2. Notwithstanding the foregoing, it is understood that, if Tenant is a partnership, the admission of a new partner or partners or the retirement, withdrawal, death, bankruptcy, insanity or other legal disability of any partner, whether general or limited, shall not constitute an assignment of this lease by operation of law or otherwise, provided that the remaining and any such admitted general partners continue the partnership business of the ownership of this lease, and provided that at least twenty percent (20%) of the beneficial interest of Tenant is held by Stephen R. Whyte, or by the estate and/or legal representative of Stephen R. Whyte in the event of his death, and/or by an entity in which Stephen R. Whyte, or his estate or legal representative, as the case may be, holds at least a twenty percent (20%) interest. Notwithstanding any limitations on Tenant's right to assign otherwise contained herein, the provisions of this Section 2 shall not apply to a foreclosure or subsequent assignment of the lease or other conveyance of the leasehold estate following such foreclosure or assignment in lieu of foreclosure, by the Senior Mortgagee or an affiliate of the Senior Mortgagee. Notwithstanding the foregoing, in order to utilize low-income housing tax credits available pursuant to Section 42 of the Internal Revenue Code, the Tenant may admit a nationally recognized federal low-income investor limited partner(s) ("Investor(s)") to the Tenant without the consent of Landlord, provided that the Investor(s) is one or more of the following institutions: J.P. Morgan/Chase, Berkshire Hathaway, Wells Fargo, Alliant/Walker Dunlop, Truist Bank, KeyBank, Regions Bank, Merchants Bank, U.S. Bank, PNC Financial Services, Raymond James, CREA, Stratford and Credit Capital (collectively, the "Approved Investors"). The Tenant shall obtain the consent the Landlord prior to admitting any Investor(s) that is not one of the Approved Investors, which consent shall not be unreasonably withheld, delayed or conditioned.

8. Assignment by Senior Mortgagee. Section 4 of Article VIII of the Lease is hereby deleted in its entirety and replaced with the following:

Section 4. Nothing contained in this Article shall prevent the Tenant (a) from leasing, upon such terms and conditions as the Tenant in its absolute discretion shall deem appropriate and advisable, any dwelling units, garages, and other commercial space and appurtenances of the improvements; (b) from mortgaging its leasehold interest in the demised premises to secure actual indebtedness, but nothing herein contained shall be construed to grant to the Tenant the right to mortgage or otherwise encumber the fee of the premises herein described; (c) from assigning to any leasehold mortgagee any options Tenant may hold under this lease, including any option Tenant may have to renew this lease, subject to any obligations of Tenant under the Lease. The provisions of this Article shall not apply to any assignment of the leasehold by any leasehold mortgagee following a foreclosure or assignment in lieu of foreclosure of the leasehold, by the leasehold mortgagee or an affiliate of the leasehold mortgagee.

9. Leasehold Mortgagee Rights. The following is hereby inserted immediately after Section 4 of Article VIII of the Lease, as a part of such Article VIII:

Section 5. Subject to the provisions of Article XI, Section 2, in the event a leasehold mortgagee acquires the leasehold estate upon foreclosure (whether judicial or non-judicial in nature) or by assignment in lieu of foreclosure, or acquires a leasehold estate in the demised premises pursuant to the terms of a new lease, such party, as the new lessee, shall be personally liable only for the obligations of the Tenant under this lease (or, if applicable, the new lease) arising during the period of time that such party holds title to the leasehold estate created hereby (or, if applicable, the new lease). Such liability shall be limited to the value of leasehold mortgagee's and/or its designee's or affiliate's respective interest in this lease and the leasehold estate. No leasehold mortgagee or its designee or affiliate shall have any liability under this lease for acts or omissions taking place prior to the date it acquires record title to Tenant's interest and assumes Tenant's obligations under this lease (or a new lease). If leasehold mortgagee or its designee or affiliate, or any other party, shall succeed to the interest of Tenant under this lease, whether as a purchaser at a foreclosure sale or by the acceptance of a deed-in-lieu of foreclosure, leasehold mortgagee, its designee or affiliate shall (a) not be liable for any act or omission of Tenant, and (b) be released from all liability prior to the date leasehold mortgagee or its designee or affiliate succeeds to the interest of Lessee and has taken record title to the leasehold estate, such release to be automatic with no further action required by any such party. The Tenant under the Indenture of Lease, as amended, on the Effective Date shall remain responsible for any liability accruing before the assignment of the Leasehold on account of the foreclosure or assignment in lieu of foreclosure of the Leasehold to a leasehold mortgagee or an affiliate of a leasehold mortgagee pursuant to this Article, for a period of ten years on or after the date of such assignment on account of foreclosure or assignment in lieu of foreclosure, and such liability shall be assumed and undertaken by the General Partner of the Tenant on the Effective Date in the event that the Tenant partnership ceases to exist or lacks sufficient assets to satisfy such liability for any reason.

Section 6. Senior Mortgagee shall have the right to foreclose the leasehold estate, or transfer the leasehold estate in lieu of foreclosure, and upon such foreclosure or assignment in lieu of foreclosure of the leasehold estate, the Senior Mortgagee shall have the right to acquire this lease in its own name or the name of a nominee or an affiliated designee without the consent of Landlord. In the event that the leasehold estate is acquired by Senior Mortgagee, or its nominee or affiliated designee, then such Senior Mortgagee or nominee or affiliated designee shall also have the right to further assign the leasehold estate to third parties without Landlord's consent.

Section 7. Landlord agrees that Landlord shall cause any future fee mortgagee of Landlord's interest in the demised premises to execute and deliver to any leasehold mortgagee a commercially reasonable written agreement providing

further assurance that such fee mortgage does not encumber and is subordinate to the lease and to the rights of Tenant and such leasehold mortgagee under the lease. Landlord represents and warrants to Tenant and Tenant's leasehold mortgagee(s) that, as of the Effective Date, there is no existing mortgage or deed of trust lien upon the Landlord's fee interest in the demised premises.

10. Condemnation or Eminent Domain. Article X of the Lease is hereby deleted in its entirety and replaced with the following:

ARTICLE X

CONDEMNATION OR EMINENT DOMAIN

Section 1. If at any time during the term of this lease, title to the whole or materially all of the demised premises shall be taken by exercise of the right of condemnation or eminent domain or by agreement between Landlord and Tenant, and those authorized to exercise such right (all such proceedings being collectively referred to herein as a "taking in condemnation"), this lease shall terminate and expire on the date of such taking.

In the event of the taking of the whole or materially all of the demised premises during the term of this lease, the rights of Landlord and Tenant, subject to the rights of any leasehold mortgagee to share in the net proceeds of any award upon any such taking, shall be as follows:

- (a) Landlord shall be entitled to receive, with any interest paid on such portion of the award by the condemning authority, that portion of the award as shall represent compensation for the value of the demised premises, considered as vacant and unimproved land, such value being hereinafter referred to as the "land value".
- (b) Tenant shall be entitled to receive, with any interest paid on such portion of the award by the condemning authority, that portion of the award as shall represent compensation for the value of the buildings and improvements on the demised premises, such value being hereinafter referred to as the "building value".

Section 2. Notwithstanding anything contained herein to the contrary, so long as a leasehold mortgage encumbers the demised premises: (a) any awards or sales proceeds which are attributable to any Improvements in the event any portion of the demised premises is taken in any proceedings by public authorities (by condemnation or otherwise) or is acquired for public or quasi-public purposes by sale in lieu thereof, shall be governed by the provisions of the loan documents of the Senior Mortgagee (and all condemnation awards and proceeds relating to the demised premises shall be applied in accordance with the terms and conditions of such loan documents of the Senior Mortgagee), and Landlord hereby subordinates any right that it may have to such awards and proceeds, to the rights and liens of the Senior Mortgagee in and to such awards and proceeds; (b) any such

condemnation award or proceeds payable to the Senior Mortgagee must not be less than the amount of the total award or proceeds minus the value of the remainder interest in the fee considered as unimproved, but shall not exceed the total amount owed to the Senior Mortgagee, with the remainder to go to Tenant; (c) in the event of a partial taking in condemnation, Tenant shall be permitted to rebuild and restore the improvements, subject to the consent of Landlord, solely as to the design of such improvements, which consent shall not be unreasonably withheld, delayed or conditioned, unless the Senior Mortgagee consents to distribution of such condemnation award; (d) Senior Mortgagee shall be permitted to participate on Tenant's behalf in the settlement in connection with any condemnation.

Section 3. If title to less than the whole or materially all of the demised premises shall be taken in condemnation, this lease shall continue in effect, but the net rent from and after the date of the vesting of title in the condemnor shall be equitably reduced in the proportion that the rental area of the part taken or condemned bears to the total rental area of the demised premises immediately prior to such condemnation, subject to any contrary provisions of the governing loan documents of the Senior Mortgagee.

Section 4. If the taking as above set forth shall occur at any time during the last ten (10) years of the term, the Tenant shall be entitled to receive, with interest thereon, that portion of the award, with interest thereon, for the building value, diminished by ten (10%) percent of the award for such value for each full year (and in proportion for a fraction of a year) that elapsed from the first day of the said ten-year period to the date of the vesting of title in condemnor; the remainder of the building value and interest thereon, and the award for land value, and interest thereon, shall belong to Landlord.

11. Senior Mortgagee Rights for Tenant Default. The following is hereby inserted at the end of and as part of Section 3 of Article XI of the Lease:

Notwithstanding the foregoing, if any such default susceptible of being cured by the Senior Mortgagee cannot be cured by the Senior Mortgagee without the Senior Mortgagee first obtaining possession of the demised premises or title to the leasehold estate or if the default is not susceptible of being cured by the Senior Mortgagee, such default shall be deemed to be cured if: (A) within sixty (60) days after the receipt by the Senior Mortgagee of such written default notice, the Senior Mortgagee shall have commenced foreclosure and thereafter diligently pursue such proceedings to completion, or (B) the Senior Mortgagee commences, within such 60-day period, and thereafter diligently pursues, steps to obtain title to the leasehold estate by means of an assignment in lieu of foreclosure. During the course of any such proceedings, such Senior Mortgagee shall pay or cause to be paid all rent as and when the same becomes due and payable under this lease and shall perform all other obligations of the lease. If the Senior Mortgagee is prohibited from commencing or prosecuting foreclosure or other appropriate proceedings in the

nature thereof by any process or injunction issued by any court or by reason of any action by any court having jurisdiction over any bankruptcy or insolvency proceeding involving Tenant, the times specified in this Section for commencing or prosecuting foreclosure or other proceedings shall be extended for the period of the prohibition, provided that the Senior Mortgagee shall have fully cured any monetary default and shall continue to pay rent as and when the same become due, and shall perform all other obligations of the lease. The Tenant shall remain liable to the Landlord for any damages arising out of such an uncured default.

12. Notice Address of New Tenant. The second sentence of the first paragraph of Article XIII of the Lease is hereby deleted and replaced with the following:

All notices, demands and requests by the Landlord to the Tenant shall be sent by United States Registered Mail, postage prepaid, addressed to the Tenant, Bowie Housing Partners, LP, c/o Bowie Housing Management, LLC, 415 First Avenue North #19240, Seattle, WA 98109, or at such other place as the Tenant may from time to time designate in a written notice to the Landlord.

13. Copies of Notices to Senior Mortgagee. The following is inserted at the end of, and as part of, Article XIII of the Lease, as a separate paragraph:

Notwithstanding anything contained herein, Landlord shall provide to the Senior Mortgagee a courtesy copy of all notices sent to Tenant, except for rent and periodic billing notices, in the manner described in the Senior Mortgagee's loan documents.

14. Modifications to Lease. The title of Article XVII of the Lease is hereby deleted and replaced with the following: "CUMULATIVE REMEDIES - NO WAIVERS - NO ORAL CHANGE - MODIFICATION". The following is hereby inserted as Section 3 of Article XVII of the Lease:

Section 3. The Landlord and Tenant acknowledge that this lease may not be materially modified, amended or restated without the prior written consent of the Senior Mortgagee for so long as Senior Mortgagee holds a mortgage or deed of trust on the Leasehold.

15. Inapplicability of Article XXI. Article XXI of the Lease is hereby deleted in its entirety.

16. Leasehold Estate for Access. The Demised Premises are hereby amended to include the land depicted and described on Exhibit "B".

17. Landlord's Acknowledgment. Landlord hereby acknowledges and agrees that each of the Original Tenant and Tenant is currently not in default of any obligations or conditions contained in the Lease, specifically regarding any obligations to develop and operate its business in the Demised Premises or any rent payment obligations as set forth in the Lease.

18. Titles of Sections. The section titles used in this Fourth Amendment are for convenience of reference only, and shall not constitute a part of this Amendment, nor shall they affect the meaning, construction, or effect of this Fourth Amendment or the Lease.

19. Definitions. Unless otherwise set forth in this Fourth Amendment, all capitalized terms shall have the same meaning ascribed to them in the Lease.

20. Interpretation. All other terms, covenants, and conditions of the Lease shall remain unchanged and continue in full force and effect except as such terms, covenants, and conditions have been amended or modified by this Fourth Amendment, and this Fourth Amendment shall, by this reference, constitute a part of the Lease.

21. Successors and Assigns. This Fourth Amendment and the terms, covenants, and conditions herein contained shall inure to the benefit of and be binding upon Landlord and its successors and assigns, and Tenant and its permitted successors and assigns.

22. Governing Agreement. In the event of a conflict between the Lease, the First Amendment, the Second Amendment, the Third Amendment, and this Fourth Amendment, this Fourth Amendment shall control.

23. Governing Law. This Lease shall be interpreted in accordance with the laws of the State of Maryland. Any suit to enforce the terms hereof or for damages or other remedy for breach or anticipated breach hereof shall be brought exclusively in the courts of the State of Maryland for Prince George's County and the parties expressly acknowledge that venue is proper therein and consent to the jurisdiction thereof and waive any right that they may otherwise have to bring such action in or transfer or remove such suit to the courts of any other jurisdiction.

[Signature pages immediately follow; remainder left intentionally blank]

IN WITNESS WHEREOF, Landlord and Tenant have caused this Fourth Amendment to Indenture of Lease Agreement to be duly executed under seal on their behalf by their duly authorized representative, as of the date first above written.

WITNESS:

LANDLORD:

CITY OF BOWIE

By: _____

Name: Alfred Lott

Title: City Manager

STATE OF MARYLAND)
) ss.
COUNTY OF _____)

I HEREBY CERTIFY that on the _____ day of _____, 2022, before me, the subscriber, a Notary Public in and for the jurisdiction aforesaid, personally appeared Alfred Lott, known to me or satisfactorily proved to be the person whose name is subscribed to the within instrument, who acknowledged himself to be the City Manager of the City of Bowie, a political subdivision of the State of Maryland, and that he, as such City Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the City of Bowie by himself as City Manager.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

EXHIBIT “A”

Rehabilitation Plan and Green Design

The rehabilitation will include improvements to the general site such as adding an improved outdoor gathering area, and evaluating the parking areas for handicap accessibility and resurfacing and restriping, and performing such rehabilitation as appropriate. Building exterior upgrades will include evaluating the siding, windows, and roof for replacement, and performing such rehabilitation and/or replacement as appropriate. The interior renovation will include items such as upgrading the plumbing fixtures with low flow fixtures, replacing lighting fixtures with high efficiency lighting, and evaluating unit flooring, appliances, and cabinets for replacement, and performing such replacement as appropriate. The rehabilitation will be completed with minor disruption to the residents.

The Tenant maintains a commitment to environmentally friendly construction and energy efficient housing. To honor this commitment, upgrades will include high efficiency lighting packages, low-E coated windows, ENERGY STAR qualified appliances, and high efficiency plumbing fixtures.

EXHIBIT "B"

Land for Access

A CERTAIN PARCEL OF LAND SITUATE IN COUNTY OF PRINCE GEORGES, STATE OF MARYLAND AND DESCRIBED AS FOLLOWS:

BEGINNING AT A SET MAG NAIL IN THE CENTERLINE OF NEW HAVEN COURT, BEING A POINT ON THE NORTHERN RIGHT-OF-WAY OF NEW HAVEN DRIVE,

THENCE LEAVING SAID RIGHT-OF-WAY LINE AND ALONG THE CENTERLINE OF NEW HAVEN COURT N40°00'02"E A DISTANCE OF 270.00' TO A POINT;

THENCE S07°35'11"W A DISTANCE OF 33.72' TO A POINT;

THENCE S40°00'02"W A DISTANCE OF 241.85' TO A POINT ON THE NORTHERN RIGHT-OF-WAY OF NEW HAVEN DRIVE;

THENCE WITH SAID RIGHT-OF-WAY N48°58'25"W A DISTANCE OF 18.08' TO THE POINT OF BEGINNING, CONTAINING THEREIN AN AREA OF 0.106 ACRES (4626.52 SQUARE FEET) MORE OR LESS.

SPECIAL WARRANTY DEED

THIS DEED, made as of July __, 2022, between the CITY OF BOWIE, a political subdivision of the State of Maryland ("**Grantor**"), and BOWIE HOUSING PARTNERS, LP, a Maryland limited partnership ("**Grantee**"), whose address is 415 First Avenue North, #19240, Seattle, WA 98109.

WITNESSETH, THAT FOR AND IN CONSIDERATION OF THE SUM OF TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants and conveys to Grantee and its successors and assigns, the buildings and other improvements located on, together with all fixtures installed or erected in or upon (collectively called the "**Improvements**") that certain real property (the "**Real Property**") located in Prince George County, Maryland, which is more particularly described on Exhibit "A", attached hereto and made a part hereof for all purposes, subject to, however, any and all covenants, conditions and restrictions of record affecting such Improvements (the "**Permitted Encumbrances**").

TO HAVE AND TO HOLD the Improvements, subject to the Permitted Encumbrances, unto Grantee, its successors and assigns until the expiration or other termination of the Ground Lease, as hereinafter defined, and Grantor does hereby bind itself and its successors and assigns to WARRANT the Improvements, subject to the Permitted Encumbrances, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

By the execution of this Deed, Grantor certifies under penalties of perjury that Grantor is a "resident entity" as defined by Code of Maryland Regulations (COMAR) 03.04.12.02B(11).

Grantor and North Merust Limited Partnership, a Maryland limited partnership ("**Original Tenant**") entered in that certain Indenture of Lease dated November 8, 1982 and recorded on November 9, 1982 in Liber 5603, at folio 224 among the Land Records for Prince George's County, Maryland (the "**Land Records**"), as amended by that certain Amendment to Indenture of Lease by Grantor and Original Tenant, dated January 7, 1997 and recorded May 5, 1997 in Liber 11409, at folio 338 among the Land Records, as amended by that certain Second Amendment to Indenture of Lease by Grantor and Original Tenant, dated January 5, 1999 and recorded February 25, 1999 in Liber 12860, at folio 549 among the Land Records, as amended by that certain Third Amendment to Indenture of Lease Agreement by Grantor and Original Tenant, dated July 9, 2019, and recorded in Book 42534 at Page 574 among the Land Records, as assigned by Original Tenant to Grantee pursuant to that Assignment and Assumption of Indenture of Ground Lease dated July __, 2022, and recorded in Book _____ at Page _____ among the Land Records, and as further amended by that certain Fourth Amendment to Indenture of Lease Agreement by Grantor and Grantee, dated July __, 2022, and recorded in Book _____ at Page _____ among the Land Records (collectively, the "**Ground Lease**"). Pursuant to the terms of the Ground Lease, upon either the termination or expiration of the Ground Lease, all title to and ownership of the Improvements granted herein shall automatically and immediately vest (without

the necessity of any further action being taken by Grantor or Grantee or any instrument being executed and delivered by Grantee to Grantor) in Grantor and Grantor may then record the reversionary deed, a copy of which is designated as Exhibit "B" hereto, the original of which, until such time, shall be held in escrow by Grantor.

[Signature Page Follows]

IN WITNESS WHEREOF, Grantor has signed this Deed or caused it to be signed on its behalf by its authorized representative, on the date first above written.

WITNESS:

GRANTOR:

CITY OF BOWIE

By: _____

Name: Alfred Lott

Title: City Manager

STATE OF MARYLAND)
) ss.
COUNTY OF _____)

I HEREBY CERTIFY that on the _____ day of _____, 2022, before me, the subscriber, a Notary Public in and for the jurisdiction aforesaid, personally appeared Alfred Lott, known to me or satisfactorily proved to be the person whose name is subscribed to the within instrument, who acknowledged himself to be the City Manager of the City of Bowie, a political subdivision of the State of Maryland, and that he, as such City Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the City of Bowie by himself as City Manager.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

[Certification Follows]

I CERTIFY that this document was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

_____, Esquire

TO THE CLERK: When recorded, please return this document to the following address:

Winthrop & Weinstine, P.A.
225 S 6th Street, Suite 3500
Minneapolis, MN 55402
Attn: Paul K. Manda

EXHIBIT A

LEGAL DESCRIPTION

EXHIBIT B

FORM OF RECONVEYANCE DEED

THIS DEED, made as of _____, 2____, between the BOWIE HOUSING PARTNERS, LP, a Maryland limited partnership ("**Grantor**"), and CITY OF BOWIE, a political subdivision of the State of Maryland ("**Grantee**"), whose address is _____.

WITNESSETH, THAT FOR AND IN CONSIDERATION OF THE SUM OF TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants and conveys to Grantee and its successors and assigns, the buildings and other improvements located on, together with all fixtures installed or erected in or upon (collectively called the "**Improvements**") that certain real property (the "**Real Property**") located in Prince George County, Maryland, which is more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes, subject to, however, any and all covenants, conditions and restrictions of record affecting such Improvements (the "**Permitted Encumbrances**").

TO HAVE AND TO HOLD the Improvements, subject to the Permitted Encumbrances, unto Grantee, its successors and assigns FOREVER, and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Improvements, subject to the Permitted Encumbrances, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

By the execution of this Deed, Grantor certifies under penalties of perjury that Grantor is a "resident entity" as defined by Code of Maryland Regulations (COMAR) 03.04.12.02B(11).

Grantee and North Merust Limited Partnership, a Maryland limited partnership ("**Original Tenant**") entered in that certain Indenture of Lease dated November 8, 1982 and recorded on November 9, 1982 in Liber 5603, at folio 224 among the Land Records for Prince George's County, Maryland (the "**Land Records**"), as amended by that certain Amendment to Indenture of Lease by Grantee and Original Tenant, dated January 7, 1997 and recorded May 5, 1997 in Liber 11409, at folio 338 among the Land Records, as amended by that certain Second Amendment to Indenture of Lease by Grantee and Original Tenant, dated January 5, 1999 and recorded February 25, 1999 in Liber 12860, at folio 549 among the Land Records, as amended by that certain Third Amendment to Indenture of Lease Agreement by Grantee and Original Tenant, dated July 9, 2019, and recorded in Book 42534 at Page 574 among the Land Records, as assigned by Original Tenant to Grantor pursuant to that Assignment and Assumption of Indenture of Ground Lease dated July ____, 2022, and recorded in Book _____ at Page _____ among the Land Records, and as further amended by that certain Fourth Amendment to Indenture of Lease Agreement by Grantor and Grantee, dated July ____, 2022, and recorded in Book _____ at Page _____ among the Land Records (collectively, the "**Ground Lease**"). This Deed is granted pursuant to the terms of such Ground Lease.

[*Signature Page Follows*]

IN WITNESS WHEREOF, Grantor has signed this Deed or caused it to be signed on its behalf by its authorized representative, on the date first above written.

WITNESS:

GRANTOR:

BOWIE HOUSING PARTNERS, LP, a Maryland limited partnership

By: Bowie Housing Management, LLC, a Maryland limited liability company,
its General Partner

By: Vitus Development IV, LLC
a Delaware limited liability company,
its Sole Member and Manager

By: _____
Name: Stephen R. Whyte
Title: President

STATE OF _____)
) ss.
COUNTY OF _____)

I HEREBY CERTIFY that on the _____ day of _____, 2022, before me, the subscriber, a Notary Public in and for the jurisdiction aforesaid, personally appeared Stephen R. Whyte, known to me or satisfactorily proved to be the person whose name is subscribed to the within instrument, who acknowledged himself to be the President of Vitus Development IV, LLC, a Delaware limited liability company, the Manager and Sole Member of Bowie Housing Management, LLC, a Maryland limited liability company the General Partner of Managing Partner of Bowie Housing Partners, LP, a Maryland limited partnership, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited partnership by himself as President of the Manager and Sole Member of the General Partner on behalf of such limited partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

[Certification Follows]

I CERTIFY that this document was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

_____, Esquire

TO THE CLERK: When recorded, please return this document to the following address:

[ADDRESS]

EXHIBIT A
LEGAL DESCRIPTION

[TBD]

24228696v4



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Setting Forth Regulations for the Virtual Attendance of Council Members at City Council Meetings
Resolution R-35-22

DATE: 06/30/2022

Resolution R-35-22 sets forth regulations for the virtual attendance of Council members at City Council meetings.

ATTACHMENTS: 1. 20220705 - Resolution R-35-22

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
SETTING FORTH REGULATIONS FOR THE VIRTUAL ATTENDANCE OF
COUNCILMEMBERS AT CITY COUNCIL MEETINGS

WHEREAS, beginning in early 2020, the world experienced a public health crisis caused by the spread of a virus that causes the illness known as COVID-19, which sickened and killed millions of people and quickly reached pandemic proportions; and

WHEREAS, the COVID-19 pandemic initially required the closure of many businesses, the implementation of severe restrictions on the movements of members of the public, and the establishment of public health protocols and precautionary measures to control the spread of the disease; and

WHEREAS, the City of Bowie (“the City”), like governments throughout the world, adopted various policies to combat the spread of COVID-19; and

WHEREAS, among the policies adopted by the City to respond to the emergency, the City Council temporarily transitioned to virtual City Council meetings, requiring members of the City Council, as well as staff members and members of general public, to attend meetings solely via virtual meeting applications; and

WHEREAS, in the wake of the development of vaccines that reduce the prevalence of COVID-19 infections in the general population and have greatly reduced the severity of illness in vaccinated individuals who become infected, the City, like other governments, has gradually resumed in-person operations at all levels; and

WHEREAS, one lesson of the pandemic has been that the virtual meeting format allowed many individuals to view and participate in City Council meetings who might otherwise have been prevented from doing so by disability, logistics or other constraints; and

WHEREAS, for the foregoing reason among others, the City continues to live-stream its meetings and intends to do so indefinitely; and

WHEREAS, while the City Council expresses its intention that its members will generally attend Council meetings in person, there may be reasons from time to time that a member of the City Council cannot do so but is able to attend virtually; and

WHEREAS, as the COVID-19 emergency has subsided the Council wishes to establish rules relating to virtual attendance of City Councilmembers at Council meetings; and

WHEREAS, Section 6 of the City Charter provides that a member of the City Council or the Mayor shall be deemed to have vacated his or her office where such member fails to attend three (3) consecutive regular meetings or properly noticed special meetings or work session meetings of the Council for reasons unrelated to the health of the member, military service or other reason acceptable to a majority of the Council;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that:

Section 1. The City declares its policy in favor of the in-person attendance of City Councilmembers at regularly scheduled meetings, absent unusual and unforeseeable circumstances that would prevent such attendance.

Section 2. A Councilmember who attends a meeting virtually shall have his or her camera on during the meeting.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on July 5, 2022 by a vote of a majority of the members of the Council.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez, MMC
City Clerk

Timothy J. Adams
Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Authorizing the Placement of Speed Cameras in Residential Districts
Ordinance O-3-22

DATE: 06/30/2022

City of Bowie residents have long expressed concern over speeding on residential roads in the City.

Per the urging of City Council, the Police Department will be managing a program to deploy speed cameras in residential zones. Currently, speed cameras are only permitted to be placed in designated School Zones.

In order to accomplish this change, Ordinance O-3-22 is being proposed to authorize the placement of speed cameras in residential districts within the City that have a maximum posted speed limit of 35 miles per hour.

ATTACHMENTS: 1. 20220705 - Ordinance O-3-22

ORDINANCE
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AMENDING BOWIE CITY CODE, CHAPTER 14 “MOTOR VEHICLES AND
TRAFFIC”, ARTICLE III, § 14-17B “SPEED MONITORING SYSTEMS” TO
AUTHORIZE THE PLACEMENT OF SPEED CAMERAS IN THE CITY OF
BOWIE ON HIGHWAYS IN RESIDENTIAL DISTRICTS THAT HAVE A
MAXIMUM POSTED SPEED LIMIT OF 35 MILES PER HOUR

WHEREAS, pursuant to § 5-202 of the Local Government Article, Annotated Code of Maryland, the Council of the City of Bowie (hereinafter, the “City”) has the power to adopt ordinances as it deems necessary to protect the health, safety and welfare of the residents of the City; and

WHEREAS, § 21-809 of the Transportation Article, Annotated Code of Maryland, as amended (hereinafter “§ 21-809”), authorizes the City, by local law of its governing body, to operate a speed monitoring system to enforce the speed limit in school zones and within ½ mile of an institution of higher education in the City, provided that the City follows the procedures and requirements set forth in § 21-809; and

WHEREAS, pursuant to § 21-809, the City Council adopted an ordinance enacting Bowie City Code, § 14-17.B. Speed Monitoring System; and

WHEREAS, § 21-809 was amended by the Maryland General Assembly to authorize municipalities in Prince George’s County to place speed cameras on highways in residential districts with a maximum posted speed limit of 35 miles per hour; and

WHEREAS, the Bowie City Council has determined that the adoption of the expanded authority provided by the amendment to § 21-809 will further protect the health, safety and welfare of the residents of the City.

Section 1. **NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Council of the City of Bowie, Maryland that Bowie City Code, Chapter 14 “Motor Vehicles and Traffic”, § 14-17.B. “Speed Monitoring Systems,” shall be and is hereby amended to read as follows:

Sec. 14-17B. Speed Monitoring Systems IN SPEED ZONES.

(a) In this section, the following words have the meanings indicated.

Underlined small caps	:	Indicate matter added to existing law.
[Boldface Brackets]	:	Indicate matter deleted from law.
Asterisks * * *	:	Indicate matter remaining unchanged in existing law but not set forth in the Ordinance.

(1) “BUSINESS DISTRICT” MEANS AN AREA THAT ADJOINS AND INCLUDES A HIGHWAY WHERE AT LEAST 50 PERCENT OF THE FRONTAGE ALONG THE HIGHWAY, FOR A DISTANCE OF AT LEAST 300 FEET, IS OCCUPIED BY BUILDINGS USED FOR BUSINESS.

(2) "DEPARTMENT" MEANS THE BOWIE POLICE DEPARTMENT.

(3) "Owner" means the registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of 6 months or more, except that "owner" does not include:

(a) A motor vehicle rental or leasing company; or

(b) A holder of a special registration plate issued under MD. Code Ann., Transp. Art., Title 13, Subtitle 9, Part III.

[(2)] "Department" means the Bowie Police Department.]

[(3)](4) "Recorded Image" means an image recorded by a speed monitoring system on a photograph, a microphotograph, an electronic image, a videotape, or any other medium, and showing:

(a) The rear of a motor vehicle;

(b) At least two time-stamped images of the motor vehicle that include the same stationary object near the motor vehicle; and

(c) On at least one image or portion of tape, a clear and legible identification of the entire registration plate number of the motor vehicle.

[(4)](5) “RESIDENTIAL DISTRICT” MEANS AN AREA THAT: (1) IS NOT A BUSINESS DISTRICT; AND (2) ADJOINS AND INCLUDES A HIGHWAY WHERE THE PROPERTY ALONG THE HIGHWAY, FOR A DISTANCE OF AT LEAST 300 FEET, IS IMPROVED MAINLY WITH RESIDENCES OR RESIDENCES AND BUILDINGS USED FOR BUSINESS.

(6) “SCHOOL ZONE” MEANS A DESIGNATED ROADWAY SEGMENT WITHIN UP TO A HALF-MILE RADIUS OF A SCHOOL FOR ANY OF GRADES KINDERGARTEN THROUGH GRADE 12 WHERE SCHOOL-RELATED ACTIVITY OCCURS, INCLUDING: TRAVEL BY STUDENTS TO OR FROM SCHOOL ON FOOT OR BY BICYCLE, OR THE DROPPING OFF OR PICKING UP OF STUDENTS BY SCHOOL BUSES OR OTHER VEHICLES.

(7) "Speed Monitoring System" means a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

[(5)](8) "Speed Monitoring System Operator" means a representative of the Department or a contractor that operates a speed monitoring system.

(9) “SPEED ZONE” MEANS AN AREA IN WHICH THE CITY IS AUTHORIZED BY MARYLAND CODE ANN., TRANSPORTATION ARTICLE, SECTION 21-809 TO MONITOR VEHICULAR SPEED AND TO ISSUE CITATIONS TO THE VEHICLE OPERATOR FOR VIOLATIONS OF THE POSTED SPEED LIMIT USING A SPEED MONITORING SYSTEM, INCLUDING AREAS PROPERLY DESIGNATED IN ACCORDANCE WITH THAT SECTION THAT ARE ADJACENT TO PRIMARY OR SECONDARY SCHOOLS, INSTITUTIONS OF HIGHER EDUCATION, AND ON HIGHWAYS IN RESIDENTIAL DISTRICTS WITH A MAXIMUM POSTED SPEED LIMIT OF 35 MILES PER HOUR

Underlined small caps

[Boldface Brackets]

Asterisks * * *

:

:

:

Indicate matter added to existing law.

Indicate matter deleted from law.

Indicate matter remaining unchanged in existing law but not set forth in the Ordinance.

(b) (1) The City Council, by Resolution, following reasonable notice to the public and a public hearing, may establish a school zone on any road under the City's jurisdiction within one-half mile of a school and MAY ESTABLISH AN AUTHORIZED SPEED ZONE, AND FOR ANY SCHOOL ZONE OR SPEED ZONE so established, shall set a maximum speed limit, provided that the designation of such school zone and the maximum speed limit set for such zone shall not become effective until the City installs signs designating the school zone and indicating the maximum speed limit applicable in the school zone.

(2) The City may install or erect traffic control devices in [the]A designated [school]SPEED zone in addition to the signs required by Subsection (b)(1), including timed flashing warning lights and including a Speed Monitoring System as defined in Subsection (a) of this Section.

(c) Before activating [an unmanned stationary speed monitoring system] A SPEED MONITORING SYSTEM, the City Manager or his OR HER designee shall:

(1) Publish notice of the location of the Speed Monitoring System on the City's website and in a newspaper of general circulation in the City; and

(2) Ensure that each sign that designates a [school zone] SPEED ZONE indicates that a Speed Monitoring System is in use in the [school zone] SPEED ZONE AND THAT THE SIGN CONFORMS TO THE SPECIFICATIONS SET FORTH IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES ADOPTED BY THE STATE HIGHWAY ADMINISTRATION UNDER § 25-104 OF THE TRANSPORTATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

(d) A Speed Monitoring System in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m. A SPEED MONITORING SYSTEM IN A LOCATION OTHER THAN A SCHOOL ZONE MAY OPERATE 24 HOURS PER DAY, SEVEN DAYS PER WEEK.

*

*

*

Section 2. **AND, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF BOWIE** that, this Ordinance shall become effective thirty (30) days after its enactment by the Council of the City of Bowie, Maryland provided that a fair summary of this Ordinance is published at least once prior to the date of passage and at least once within ten (10) days after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Council of the City of Bowie, Maryland at a Regular Meeting on _____, 20____.

PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on _____, 20____.

Underlined small caps
[Boldface Brackets]
Asterisks * * *

: Indicate matter added to existing law.
: Indicate matter deleted from law.
: Indicate matter remaining unchanged in existing law but not set forth in the Ordinance.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor

**APPROVED AS TO FORM AND
SUFFICIENCY:**

Elissa D. Levan, City Attorney

Underlined small caps
[Boldface Brackets]
Asterisks * * *

:
:
:

Indicate matter added to existing law.
Indicate matter deleted from law.
Indicate matter remaining unchanged in existing law but not set forth
in the Ordinance.



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Revision to Detailed Site Plan #DSP-07031-05, Melford Pod 6

DATE: 06/30/2022

See attached staff report for Revision to DSP #07031-05, Melford Pod 6.

ATTACHMENTS: 1. 20220705 - City Council Staff Report DSP 07031-05

LAND USE PETITION IN THE BOWIE PLANNING AREA

Maryland - National Capital Park and Planning Commission ID: Revision to Detailed Site Plan #DSP-07031-05

Melford Pod 6

Bowie Advisory Planning Board #22-04

Date: June 29, 2022

INTRODUCTORY NOTE: The proposed application is a request for approval:

- ☐ (a) of a zoning type case involving the specific use of land;
☐ (b) of a conceptual site plan;
☐ (c) to subdivide property into building lots and obtain adequate public facilities approval;
☒ (d) of a site plan for building and parking design, landscaping, architecture, etc. under the development regulations of Prince George's County. The application has been referred to the City for our review and recommendation. The position of the Bowie Advisory Planning Board in this matter is advisory to the City Council. The City Council will also conduct a public hearing on this application and their vote will become the final City recommendation. Persons wishing to participate in these hearings must submit written testimony or sign up to speak at each public hearing. Each person wishing to speak at the City's hearings will be given up to five minutes. To participate in the County's hearings, you must make a separate, written request to become a person of record.

GENERAL DATA:

1. Nature of Petition: Revision to Detailed Site Plan
2. Petitioner: St. John Properties, Inc. (Mid-Atlantic Builders)
3. Represented by: Mr. Robert Antonetti, Shipley & Horne, PA
4. Location of Petitioned Property: South of Melford Blvd, north of Howerton Way, east Tesla Drive
5. Proposed Use of Petitioned Property: 59,640 square feet of research and development/flex space
6. Size/Zone of Petitioned Property: 15.68 acres/Zoned: TAC-E (Town Activity Center-Edge)
7. Date of Hearing before BAPB: Tuesday, June 28, 2022 at 7:00 P.M.
8. Date of Hearing before City Council: Tuesday, July 5, 2022 at 8:00 P.M.
9. Date of Hearing before M-NCPPC: TBD
10. Date of Hearing before Hearing Examiner: N/A
11. Date of Hearing before District Council: N/A

NOTICES/LEGALS

	Date	Number of Mailing/Signs
Notice sent to Adj. Properties:	5/31/22	86
Notice sent to Parties of Record:	N/A	
Date Signs Posted:	6/15/22	6
Date Legal Sent:	N/A	
Date Legal Appeared:	N/A	

RECOMMENDATIONS:

12. Department of Planning & Community Development Recommendation:
The Department of Planning and Sustainability staff recommends **APPROVAL**.
13. Bowie Advisory Planning Board Recommendation:
The Bowie Advisory Planning Board recommends **APPROVAL**.



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

MEMORANDUM

TO: City Council

FROM: Mr. Terry Rogers, Chair
Bowie Advisory Planning Board

SUBJECT: Revision to Detailed Site Plan #DSP-07031-05
Melford Pod 6

DATE: June 29, 2022

The Bowie Advisory Planning Board (BAPB) met on Tuesday, June 28th, to review a Revision to Detailed Site Plan #DSP-07031-05 for Melford. The subject property contains approximately 15.68 acres and is zoned Town Activity Center-Edge (TAC-E). The location of the proposed development is south of Melford Boulevard, north of Howerton Way, and east Tesla Drive. St. John Properties, Inc, developer of Melford, has filed an application to revise the approved Detailed Site Plan for Pod 6 (DSP-07031) for the purpose of substituting 59,640 square feet of research and development/flex space instead of office uses within the project, which is permitted under current approvals.

Presentations

Mr. Joe Meinert, City Planning Director, reviewed the staff report and stated that the application meets all the applicable requirements and staff recommends approval.

Attorney Robert Antonetti introduced the application and gave an orientation to the property and its development history. He noted that the proposed amount of flex space in Pod 6, 338,849 square feet, is about 40,000 square feet less than what was originally approved. Mr. Antonetti stated that the request for additional flex space is consistent with the current market. He then briefly discussed the architectural style and elevations of the proposed buildings.

Mr. Andrew Roud of St. John Properties, Inc., pointed out that the proposed Detailed Site Plan revision will result in approximately 178 new jobs and an estimated \$202,000 per year in additional City tax revenue. Mr. Roud noted that approximately 40,000 square feet of Class A office space is still vacant in the two, four-story office buildings located at the entrance to Melford, demonstrating a continuing trend away from traditional office products.

Questions by BAPB Members

Questions by BAPB members centered on the following:

- How many assisted living units are being built at Melford? (A: The Tribute has 140 assisted living beds and the Encompass Health rehabilitation facility will have 60 beds.)

- When will the Melford project be completed? (A: There is still a lot of construction left in the Melford Village section. The townhouse section may start construction by August-September and take about five years to build. It could be completed sooner if the strong market continues. The foundation for The Aspen apartment building parking garage is under construction and the building permit for the entire building was just issued today. St. John Properties paid \$9 million for the school impact fee, just for The Aspen.)
- Explain the reason for the number of loading spaces increasing from 38 to 62 spaces. (A: Because of the transition from office space to flex space, the number of loading spaces increased. Flex space is designed to have loading areas in the rear of each tenant space, thus the reason for the increase.)
- What is the occupancy of the two existing office buildings? (A: One of the buildings is almost entirely occupied; however, the second building continues to have approximately 40,000 square feet vacant. One reason why there is a lingering vacancy is because the construction of 300,000 square feet of Class A office space in this part of Prince George's County was too much to begin with. The vacancy has existed since 2008.)
- Will development of the remaining sections of Melford help alleviate the office vacancy? (A: Yes. In addition, the existence of hotel space also helps support office occupancy, and the Melford hotel appears to be doing well. The hotel site is already approved for an expansion, as well.)
- Will a flex project like this succeed, even with the scaled back square footage? (A: Yes, a high demand continues for flex space.)

Public Hearing

No one was present for the public hearing.

BAPB Motion

Mr. Carl Schuettler moved approval of the Revision to Detailed Site Plan #DSP-07031-05, as the applicant has met the requirements for approval. Mr. Michael Byrd seconded the motion, which passed unanimously.



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

MEMORANDUM

TO: City Council

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

SUBJECT: Revision to Detailed Site Plan 07031-05
Melford Pod 6

DATE: June 29, 2022

I. General Information

Applicant: St. John Properties, Inc.

Location: South of Melford Blvd, north of Howerton Way, east Tesla Drive (Attachment #1)

Acreage: 15.68 acres

Existing Zoning: TAC-E (Town Activity Center-Edge)

Existing Land Use: Flex space, County 911 Call Center, Encompass Health rehabilitation hospital (under construction)

Proposal: Substituting 59,640 square feet of research and development/flex space instead of office uses within the project

Surrounding Land Uses and Zoning:

North: The Tribute assisted living facility and vacant land (graded) proposed for Melford townhomes, zoned TAC-E

South: Existing flex space and flex space under construction, zoned TAC-E

East: Encompass Health rehabilitation hospital (under construction), zoned TAC-E

West: Office building, zoned TAC-E

Master Plan Land Use Category: Mixed-Use

Sectional Map Amendment: Via SMA #2, the Melford property was changed from the E-I-A zone to the M-X-T zone in the 2006 Bowie and Vicinity Area Master Plan

Water and Sewer Categories: W-3 and S-3 (Public water and sewer exist)

Police: City of Bowie Police Department

MAYOR Timothy J. Adams

MAYOR PRO TEM Adrian Boafu

COUNCIL Michael P. Esteve • Henri Gardner • Ingrid S. Harrison • Roxy Ndebumadu • Dufour Woolfley **CITY MANAGER** Alfred D. Lott

City Hall (301) 262-6200 FAX (301) 809-2302 TDD (301) 262-5013 WEB www.cityofbowie.org

Fire and Rescue: The proposed project is served by the Northview Fire/EMS Station 816, as the first due response station (within a maximum of seven (7) minutes travel time), located at 14901 Health Center Drive.

II. Background

The following approvals have been completed for Pod 6:

- November 5, 2020 – Prince George’s County Planning Board APPROVAL of the Detailed Site Plan for a one-story, 61,809 square foot, 60-bed (Phase 1) in-patient physical rehabilitation facility (Encompass Health).
- March 23, 2015 – Prince George’s District Council APPROVAL of Conceptual Site Plan revision establishing an integrated, mixed-use development on the entire Melford property.
- July 24, 2008 – Prince George’s County Planning Board APPROVAL of a Detailed Site Plan which includes 381,340 sq. ft. of commercial space in 12 buildings on 38.56 acres in Pod 6.
- May 28, 2008 – Prince George’s County Planning Board APPROVAL of a Preliminary Plan of subdivision containing 29 lots of varying sizes on 176.17 located in Pods 1, 5, 6, and 7.

The construction status of the overall Melford development includes the following:

Melford Employment Center - Rezoning from R-R to E-I-A and Basic Plan for up to 6.4 million square feet approved, 1982. Comprehensive Design Plan approved, 1986. Preliminary Subdivision Plan for 1.95 million square feet in the E-I-A zone re-approved, 1999. Preliminary Subdivision Plan for three (3) parcels in Phase 2 approved, 2003. Comprehensive rezoning from E-I-A to M-X-T approved, 2006. Preliminary Subdivision Plan for nine parcels approved, 2008.

Melford Employment Center site plans approved for:

- 699,520 square feet of office space;
- 532,260 square feet of flex space;
- 24,375 square feet of retail space;
- 117,000 supercomputing research center;
- 130,000 Census Bureau computing facility;
- 40,000 square foot County 911 Call Center;
- 235,289 square feet in three, five-story hotels with 352 rooms;
- a 60,500 square foot national training center and office, and three-story 45,500 main building and dormitory and 5,000 square foot addition for the International Masonry Institute; and
- a one-story, 61,809 square foot, 60-bed in-patient physical rehabilitation facility.

Completed: 440,040 square feet of office space, 430,800 square feet flex space, a supercomputing research center, a Census Bureau facility, one hotel (Courtyard), International Masonry Institute training center and dormitory, and County 911 Call Center. Building permit issued for 8,167 retail building, 2021. Retail building under construction and grading/site work for rehabilitation facility underway.

**Revision to Detailed Site Plan 07031-05
Melford Pod 6**

Melford Village Mixed Use Community - Conceptual Site Plan revision for a mixed-use development containing up to 2,500 single-family attached and multi-family residential units, 260,000 square feet of office space and 268,500 square feet of retail space on 276 acres approved by District Council, 2015. Preliminary Plan of subdivision for 1,793 dwelling units, including 293 townhouse units, 1,000 multi-family market rate units, 500 senior age-restricted multi-family units and 528,500 square feet of commercial and office uses approved by County Planning Board, 2016.

Melford Village site plans approved for:

- The Aspen - 388-unit/461,819 square foot, multi-family building and a 1,152 square foot bath house;
- Retail Village East - 57,845 square feet of retail space;
- Melford Mansions - 435 multi-family dwelling units/705,919 gross square feet and a clubhouse building;
- The Berkleigh - Infrastructure only, for a future multi-family residential wrap with 472 dwelling units; and
- Tribute Assisted Living - 140-unit /116,081 square foot assisted living facility

Detailed Site Plan for revisions to Retail Village West approved by City in 2021 and Detailed Site Plan for Mid-Atlantic townhome architecture approved by County Planning Board, 2022.

Completed: 116,081 square foot assisted living facility. Grading and site work, as well as roadway and utility construction for Lake Melford Boulevard and Retail Village East, underway. Construction is also underway on the foundation of The Aspen apartment building.

The purpose of the Detailed Site Plan revision is to replace two single story flex/office buildings (25,840 sq ft each) and one multi-story office building (42,000 square feet) with two flex/R&D buildings (37,560 and 19,920 square feet respectively). The resulting development represents an overall reduction of approved/built square footage for Pod 6 from 372,889 square feet to approximately 338,849 square feet.

III. Stakeholders Meeting

A virtual City Stakeholders Meeting was held on June 13, 2022. Two stakeholders attended the meeting but did not ask any questions.

IV. Revision to Detailed Site Plan 07031-05

A copy of the Revision to Detailed Site Plan 07031 (Attachment #2) and architecture for flex Buildings A and G (Attachments #3 and #4) are attached. The applicant's Statement of Justification is provided as Attachment #5.

Pursuant to Section 27-285(b) of the Zoning Ordinance, the following required finding must be made to approve a Detailed Site Plan:

- “(1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility

**Revision to Detailed Site Plan 07031-05
Melford Pod 6**

of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.”

The proposed Detailed Site Plan revision was reviewed for compliance with the Zoning Ordinance’s design guidelines and prior approvals, including the approved Detailed Site Plan. The revision to the Detailed Site Plan was also reviewed for compatibility with the City’s Development Review Guidelines and Policies. As a result of this review, staff finds that Revision to Detailed Site Plan 07031-05 complies with the standards in the Zoning Ordinance and prior approvals as well as the City’s Development Review Guidelines.

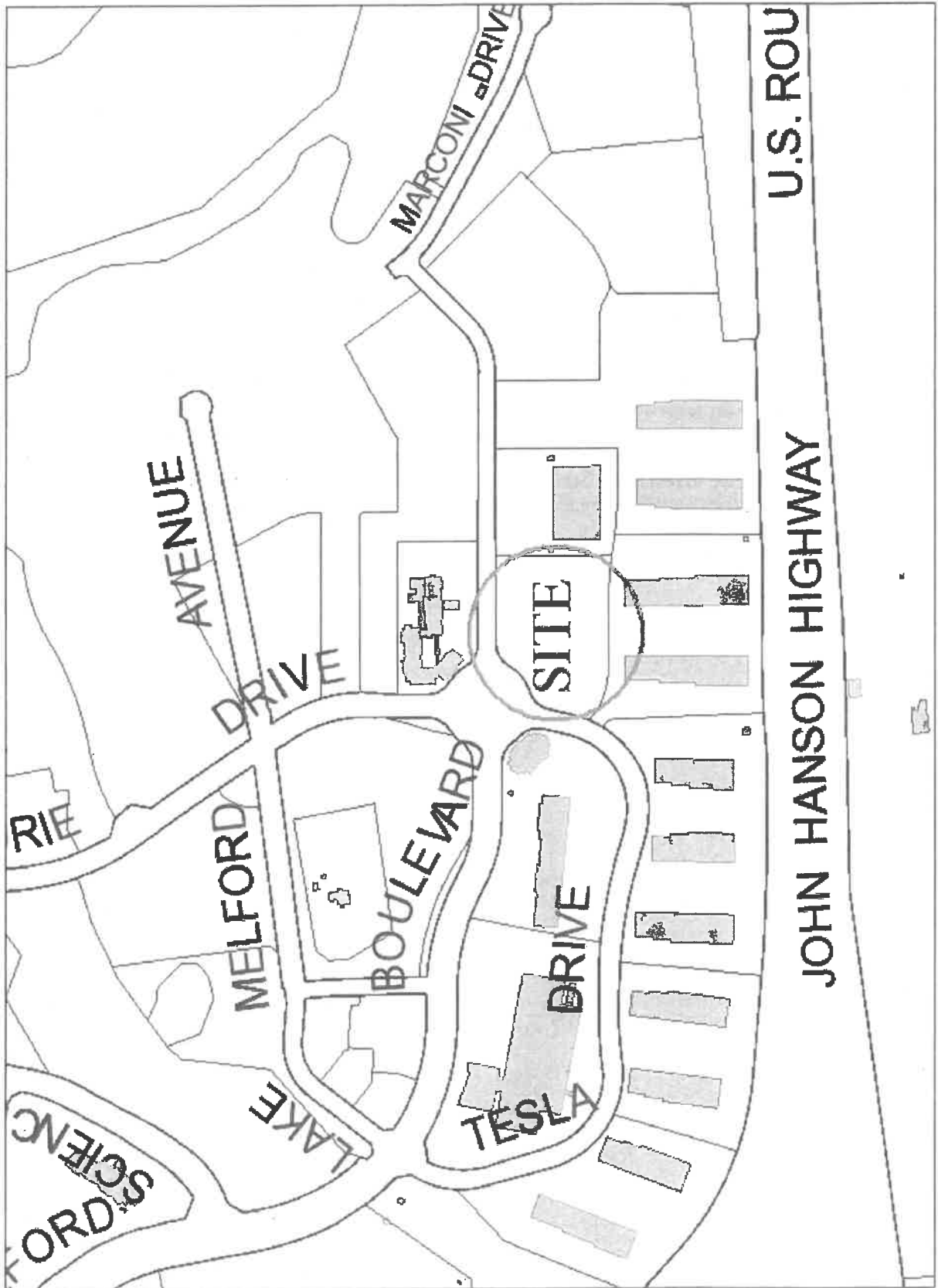
V. Outstanding Issues

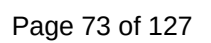
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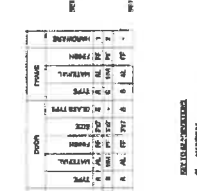
VI. Recommendation

Staff finds the proposed Detailed Site Plan represents a reasonable alternative for satisfying the Zoning Ordinance’s site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. Because the application to revise the Detailed Site Plan for Pod 6 meets the criteria for approval set forth in Section 27-285(b), staff recommends **APPROVAL** of **Revision to Detailed Site Plan 07031-05**.

Melford Pod 6 DSP Revision







④

MELFORD
BUILDING A
PRINCE GEORGES COUNTY, MD

PRELIMINARY -
NOT FOR
CONSTRUCTION

ST. JOHN
PROPERTIES

2520 LIND BLVD. SUITE 200
BETHESDA, MD 20814
(301) 251-1000

ARCHITECTS
ASSOCIATES, INC.

10000 WOODBURN AVE. SUITE 100
FARMERS BRANCH, MD 20741
(301) 251-1000

PROJECT NO. 21385

DATE: 04-21-07

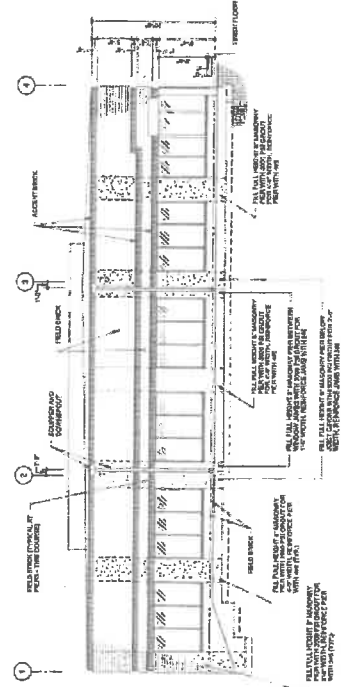
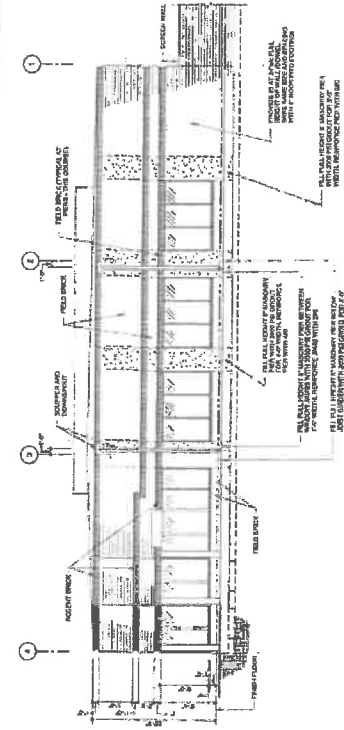
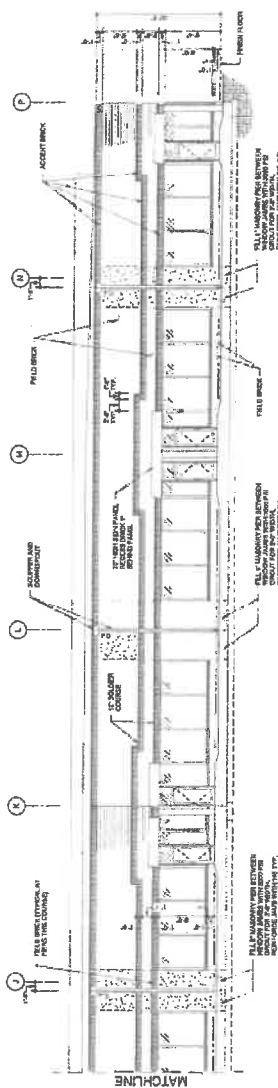
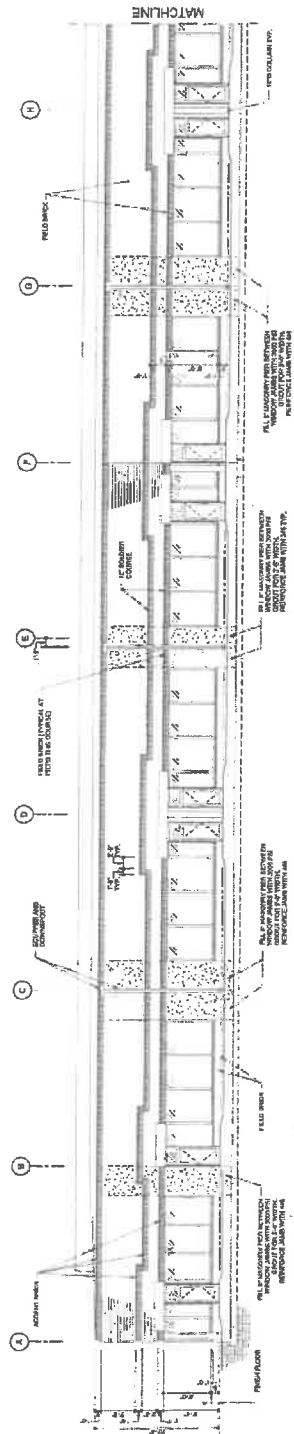
SCALE: 1/8" = 1'-0"

SHEET NO. A-2

ARCHITECTURAL
ELEVATIONS
BUILDING A

Sheet No. A-2

ALL REINFORCING BARS IN
BLOCK WALLS SHALL EXTEND
FROM TOP OF FOOTING TO
TOP OF WALL LAP SPICE
ALL BARS 36" MINIMUM



RIGHT SIDE ELEVATION

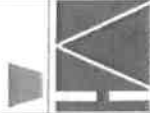
LEFT SIDE ELEVATION

MELFORD
BUILDING 'A'
PRINCE GEORGES COUNTY, MD

PRELIMINARY -
NOT FOR
CONSTRUCTION

ST. JOHN
PROPERTIES

1515 22ND STREET
BETHESDA, MD 20814



ARCHITECTS
HUTCHINS
ASSOCIATES, INC.
and Business Assoc. Inc. 100
1000 10th Street, Suite 100
Bethesda, MD 20814
Tel: 301-221-1234
Fax: 301-221-1235

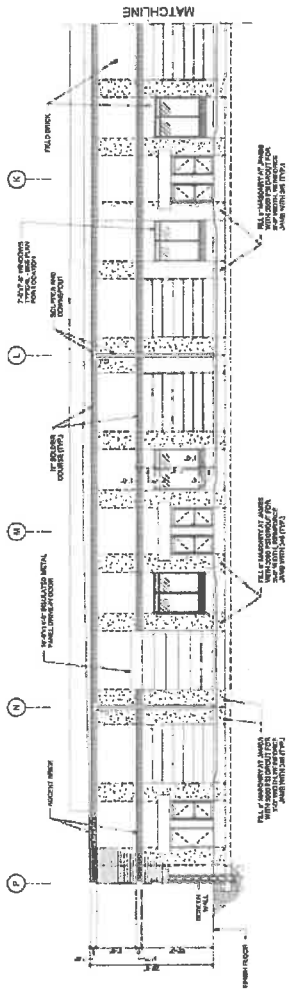
mp
consultants

1000 10th Street, Suite 100
Bethesda, MD 20814
Tel: 301-221-1234
Fax: 301-221-1235

Project No.: 64-01-52
Date: 6-4-01-52
Scale: 1/8" = 1'-0"

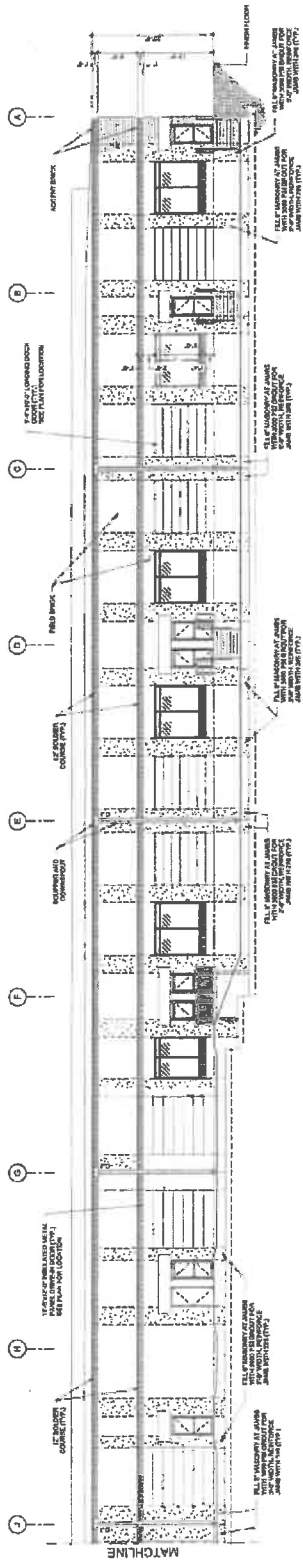
Sheet No.: A-3

ARCHITECTURAL
BUILDING
BUILDING 'A'
BUILDING 'A'



REAR ELEVATION

ALL REINFORCING BARS IN
BLOCK WALLS SHALL EXTEND
FROM TOP OF FOOTING TO
TOP OF WALL LAP SPICE
ALL BARS 35" MINIMUM



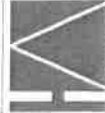
REAR ELEVATION

LEFT SIDE ELEVATION:

PRELIMINARY -
NOT FOR
CONSTRUCTION

STJOHN
PROPERTIES

410-780-8800
Baltimore, MD 21204
3000 BALTIMORE AVENUE
SUITE 200

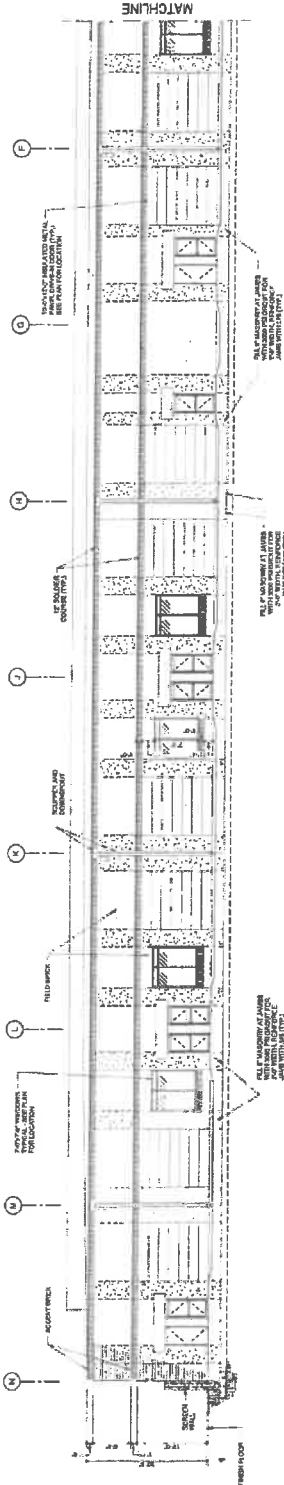


ARCHITECTS
HOFFMANN
ASSOCIATES, INC.
1000 BROADWAY, SUITE 1100
NEW YORK, NY 10018
212-691-1111

movable
CONSULTANTS

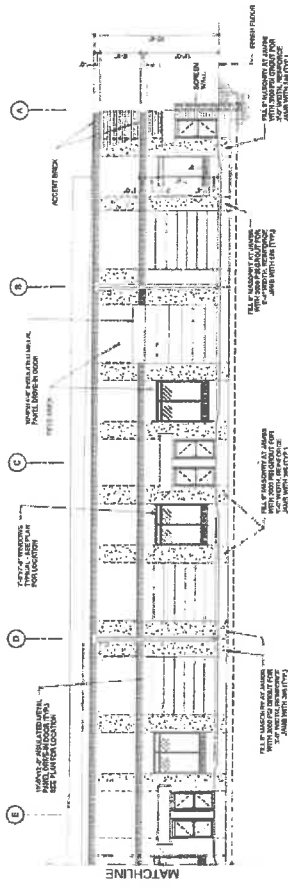
1000 BROADWAY, SUITE 1100
NEW YORK, NY 10018
212-691-1111

DATE	10/11/11
PROJECT NAME	MELFORD BUILDING G.
PROJECT NO.	21098
DATE	04/01/12
SHEET	11P - 1 of 2
SHEET TITLE	ARCHITECTURAL ELEVATIONS BUILDING G.
SHEET NO.	A-3



REAR ELEVATION

ALL REINFORCING BARS IN
BLOCK WALLS SHALL EXTEND
FROM FOOT-TO-FOOTING TO
TOP OF WALL. ALL BARS
TO BE 3/4\"/>



REAR ELEVATION

LAW OFFICES
SHIPLEY & HORNE, P.A.

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
www.shpa.com

Bradley S. Farrar
L. Paul Jackson, II*
* Also admitted in the District of Columbia

June 6, 2022

VIA ELECTRONIC MAIL

Ms. Jill Kosack, Acting Supervisor
Urban Design Section
Development Review Division
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

**RE: REQUEST FOR AMENDMENT
Detailed Site Plan (DSP-07031-05) – Melford POD 6**

Dear Jill:

On behalf of St. John Properties, Inc., we are respectfully requesting your support for approval of a revision to Detailed Site Plan 07031-04 (the "DSP") which was adopted by the Planning Board on November 5, 2020 (PGCPB No. 2020-157). The purpose of this request is to replace two single story flex/office buildings (25,840 sq ft each) and one multi-story office building (42,000 square feet) with two flex/R&D buildings (37,560 and 19,920 square feet respectively). The resulting development represents an overall reduction of approved/built square footage for Pod 6 from 372,889 square feet to approximately 338,849 square feet.

For purposes of background, it should be noted that the subject property is located on the north side of US 50 and southeast of the intersection of Melford Boulevard and Tesla Drive. The property represents a portion of the overall mixed-use project known as Melford. The subject site has approximately 1,280 linear feet of frontage on US 50/US 301 and is served by the internal street system within the Melford development. The site is roughly rectangular in shape and consists of 38 acres of land. The site was previously graded and contains little to no woodland. The approved detailed site plan for Pod 6 includes research and development space (i.e. flex space), office, rehabilitation facility, and stormwater management on the site, on six separate lots. Lot 3, is an existing Prince George's County public office use (911 Call Center).

ELECTION TO UTILIZE PRIOR M-X-T ZONING PROCEDURES (Section 27-1704 (b))

On April 1, 2022, the approved Countywide Sectional Map Amendment ("CMA") and the updated Prince George's County Zoning Ordinance ("New Zoning Ordinance") became effective and rezoned the entire Melford project to the newly created TAC-E Zone (Town Activity Center-Edge). Notwithstanding, the Applicant elects to amend DSP-07031 utilizing the

applicable provisions of the prior zoning ordinance pursuant to Section 27-1704(b) which states in pertinent part:

Section 27-1704. Projects Which Received Development or Permit Approval Prior to the Effective Date of this Ordinance

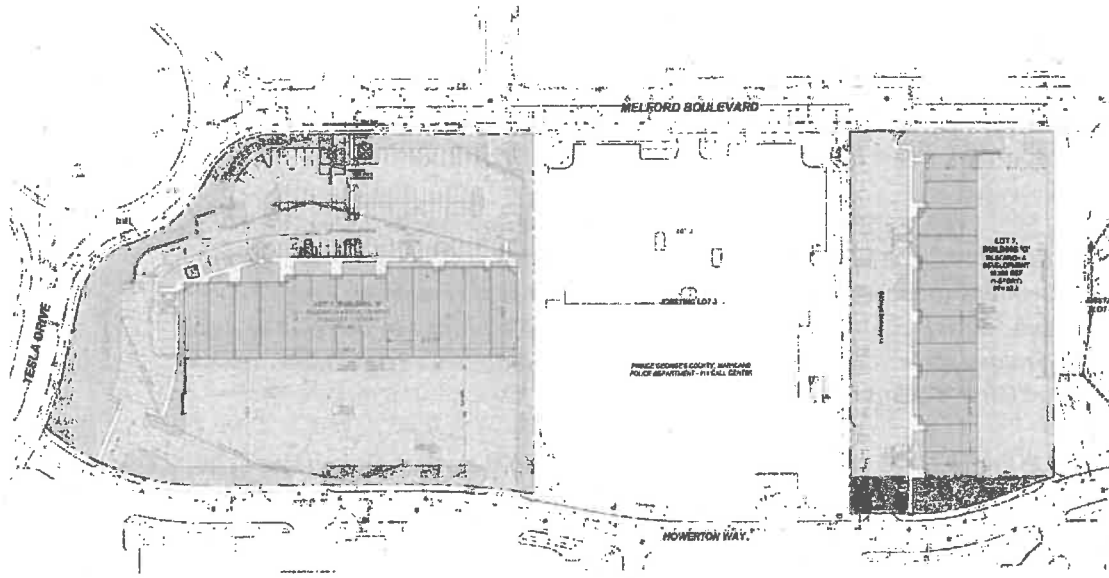
(b) Until and unless the period of time under which the development approval or permit remains valid expires, the project may proceed to the next steps in the approval process (including any subdivision steps that may be necessary) and continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved.

DSP-07031-04 was approved by the Planning Board on November 5, 2020 and is valid until November 5, 2023. Further, the underlying CSP-06002-01 is valid until April 1, 2042. Since these underlying approvals are currently valid, the Applicant can proceed with applications utilizing the provisions of the Zoning Ordinance that existed prior to April 1, 2022, (per Section 27-1704(b) of the New Zoning Ordinance). DSP-07031-05 is being filed in accordance with the appropriate provisions of the Prince George's County Zoning Ordinance and the M-X-T Zone that existed prior to April 1, 2022. As such, the applicant respectfully requests that the Pre-Application Conference be waived in this instance.

A. Description of the Proposed Revisions:

The subject detailed site plan amendment requests development changes to two (2) lots located in Pod 6 of the existing Melford development in Bowie, MD. The two lots which are the subject of this DSP are Lot 1 and Lot 7. Both lots are located directly south of the existing Melford Boulevard, north of existing Howerton Drive and east of existing Tesla Drive. Lot 1 and Lot 7 are separated by existing Lot 3, which is the current site of a Prince George's County 911 Call Center.

Multiple site changes to the approved detailed site plan are being requested due to recent development approval changes in Pod 6 and other relevant market trends. Lot 1 was previously approved with a 42,000 GSF (3 story) Office Building and a 25,840 GSF (1 story) Office Building which is being replaced with a 37,560 GSF (1-story) flex building. The area comprising Lot 7 was previously approved with a 25,840 GSF (1 story) office building which is being replaced with a 19,920 GSF (1 story) flex building. The parking facilities for both Lot 1 and 7 have been adjusted to accommodate the new proposed buildings. The westernmost entrance to Lot 1 along Melford Boulevard has been curbed off to allow space for a 16'x16' pavilion. Minor grading, storm drain, water, sewer, lighting and landscaping adjustments have been made to accommodate the new layout. The proposed layout for Lot 1 and Lot 7 is below:



The architectural elevations for the 2 newly proposed buildings reflect a height of approximately 19 feet. Each proposed flex building will be constructed largely of masonry materials and utilizes a simple rectangular shape that includes multiple entrances regularly placed along the front elevations. The rear elevation of each building is lined with loading doors placed approximately four feet above grade, raised entrances with stairs and double pane windows. The proposed buildings are similar to other flex/R&D buildings that have been constructed in Pod 6.

The proposed DSP revisions also includes necessary changes to the parking layout and vehicular circulation patterns to accommodate the two proposed buildings. Similarly, the request also includes revisions to the approved landscape plan for Pod 6. The Applicant also proposes building mounted signage that is consistent with what has previously been erected on existing buildings within Pod 6 at Melford. Specifications for all proposed signage is shown on Sheet SD-3 of the DSP plan set.

Development Data Summary - The following information relates to the subject DSP for the entirety of Pod 6 within Melford:

	EXISTING	PROPOSED
Zone	TAC-E (M-X-T)	TAC-E(M-X-T)
Use(s)	Flex/R&D, Institutional	Flex/R&D, Institutional
Acreage (Gross)	38.88	38.88
Building Square Feet (GSF)	372,889	338,849
Parking Spaces	--	--
Standard Spaces	1,183	1,124
Compact Spaces	0	0
Total spaces	1,183	1,124
Loading Spaces (12 ft. x 33 ft.)	38	62
Residential Units	N/A	N/A
Variance	No	No

B. Conformance to Zoning Ordinance

Section 27-281: - Purposes of Detailed Site Plans:

(b) General DSP Purposes:

(1) The general purposes of Detailed Site Plans are:

- (A) To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;***

RESPONSE: The subject property will be developed in accordance with the relevant land use policy recommendations contained in the 2035 General Plan and 2022 Bowie-Mitchellville & Vicinity Master Plan (2022 Master Plan). Specifically, the overall Melford project is designated to be part of the Bowie local “town center” designation. It should be noted that the 2035 General Plan created many new “center” designations (including the concept of local “town centers”). According to the approved 2035 General Plan, the site is located within an Employment Center, and is designated as a “Local Town Center” as shown on the Growth Policy Map. The mix of uses proposed in the approved CSP and PPS are consistent with the vision, policies and strategies of the 2035 General Plan. Specifically, page 108 of the approved 2035 General Plan explains the Local Town Centers concept as follows:

Town Centers (Local)			
• Bowie • Brandywine • Konterra • Landover Gateway • Westphalia Center		A range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall the centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. The centers typically have a walkable “core” or town center. Often the mix of uses is horizontal across the centers rather than vertical within individual buildings. While master plans may call for future heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction. Town Centers such as Brandywine, Konterra, and Westphalia are currently under construction and have received significant public and private investment for infrastructure improvements. These centers are envisioned to develop per the guidelines of Plan 2035 to help fulfill countywide goals.	
New Housing Mix	Average Housing Density for New Development	FAR for New Commercial Development	Transportation Characteristics
Low-rise apartments and condos, townhomes, and small, single-family lots.	10-60 Dwelling Units/Acre	1-2.5	Largely automobile-oriented with access from arterial highways. Limited bus service along with on-demand bus service.

As noted above, the 2035 General Plan intends that Local Town Centers offer a range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall, the local centers are less dense and intense than other center types (in the 2035 General Plan) and may be larger than half mile in size due to their auto orientation. Further, the 2022 Master Plan recommends a “Mixed Use” designation for the entire Melford project. Said land use category is defined as follows:

Table 3. Future Land Use Categories

Color	Designation	Description	Density (dwelling units per acre) Based on Center
	Mixed-Use	Areas of various residential, commercial, employment, and institutional uses. Residential uses may include a range of unit types. Mixed-use areas may vary with respect to their dominant land uses, i.e., commercial uses may dominate in one mixed-use area, whereas residential uses may dominate in another. Large-scale mixed-use development should be limited to designated Centers and other areas where it currently exists.	

The development proposed in this application represents an appropriate addition of employment uses to the overall mix of uses within the Melford project. As such, the proposed development in this DSP is consistent with the recommendations of the 2035 General Plan and 2022 Master Plan.

(B) To help fulfill the purposes of the zone in which the land is located;

The purposes of the M-X-T Zone are found in Section 27-542 and include the following:

(a) The purposes of the M-X-T Zone are:

(1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

RESPONSE: Melford is geographically located at the site of a major interchange of two highways (i.e. US 50 and MD3/US 301. As previously discussed in this statement of justification, the site is also located within the boundaries of a local center as designated by the 2035 General Pan and the 2022 Master Plan.

(2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;

RESPONSE: The subject property will be developed in accordance with the relevant land use policy recommendations contained in the 2035 General Plan and 2022 Master Plan as described in this statement of justification.

(3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;

RESPONSE: The development proposed in this DSP will ultimately lead to the enhancement of the value of surrounding land and buildings by unlocking the mixed-use potential of the overall Melford project. The additional flex/R&D buildings proposed in this application will lead to future employment opportunities for County residents (consistent with the approved CSP and PPS), which in turn will be an important element of the vibrant mixed-use community planned within the boundaries of Melford. If this development were not to

move forward, the mix of uses planned for the overall project would likely otherwise be spread inefficiently throughout other portions of the County.

(4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;

RESPONSE: Public transportation will eventually be in Melford upon further development of Melford as contemplated in CSP-06002/01. The street system in Melford has been designed to accommodate bus service. Further specifics regarding the location and appearance of bus stops will be forthcoming in future detailed site plans. As public and privately funded community improvements continue to be implemented in accordance with the approved CSP and PPS, the subject property will become easily accessible to the surrounding community. Further, the ultimate location of a diverse mix of uses within the Melford Town Center (and the overall Melford project), will allow persons the opportunity to work, shop and live within the same community (thus reducing automobile usage and promoting walkable communities).

(5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;

RESPONSE: The proposed flex/R&D buildings will support the eventual creation of a larger and vibrant mixed-use community (as further described through future detailed site plan applications).

(6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;

RESPONSE: The proposed flex/R&D buildings will support the eventual creation of a vibrant mixed-use community (as further described through future detailed site plan applications). The future mix of uses will be represented in a mix of vertical and horizontal structures given the finite land area of Melford.

(7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;

RESPONSE: The proposed flex/R&D buildings will support the eventual creation of a vibrant mixed-use community (as further described through future detailed site plan applications). Future development applications will reflect and emphasize the maximum relationships between individual uses to create a distinctive visual character and identity.

(8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;

RESPONSE: Stormwater management policies and other smart growth principles are incorporated into the site's development. A Stormwater Management (SWM) Concept Plan for the proposed development has been submitted, reviewed and approved.

(9) To permit a flexible response to the market and promote economic vitality and investment; and

RESPONSE: The approval and construction of the flex/R&D buildings proposed in this DSP will ultimately allow Melford to develop in a manner that will permit a flexible response to market conditions. The creation of an appropriate employment population within Melford will encourage the development of new and complimentary retail opportunities that otherwise would not come without an appropriate on-site population to service. Similarly, new retail uses will help bolster existing and future employment opportunities within the overall Melford project.

(10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

RESPONSE: The instant DSP proposes development that responds to existing site conditions (i.e. topography, environmental conditions). The architectural design of the 2 new flex/R&D buildings are wholly consistent with other structures that have been constructed within Pod 6 of Melford.

(C) To provide for development in accordance with the site design guidelines established in this Division; and

RESPONSE: The proposed development is designed in accordance with site design guidelines in this Division. The "general" site design guidelines are found in Section 27-283 and require the following:

- (a) The Detailed Site Plan shall be designed in accordance with the same guidelines as required for a Conceptual Site Plan (Section 27-274).*
- (b) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development, and the specific zone in which it is to be located.*

(c) *These guidelines may be modified in accordance with Section 27-286.*

RESPONSE: The subject DSP has been developed in accordance with the Conceptual Site Plan design guidelines contained in Section 27-274 that pertain to the following relevant design elements:

(1) - *General*

(A) *The Plan should promote the purposes of the Conceptual Site Plan.*

RESPONSE: The proposed flex/R&D buildings in this DSP are consistent with the design approved in CSP-00002/01 for a mixed-use community. The location of the proposed development was identified as an office/research & development/institutional area in both the CSP and the PPS. Moreover, the PPS approved a lot and parcel layout that is overwhelmingly similar to the layout proposed in this DSP.

(2) *Parking, loading, and circulation.*

(A) *Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:*

- (i) *Parking lots should generally be provided to the rear or sides of structures;*
- (ii) *Parking spaces should be located as near as possible to the uses they serve;*
- (iii) *Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;*
- (iv) *Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and*
- (v) *Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.*

RESPONSE: The surface parking lots proposed in this DSP have been designed to conform to the above standards.

(B) *Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:*

- (i) *Loading docks should be oriented toward service roads and away from major streets or public view; and*
- (ii) *Loading areas should be clearly marked and should be separated from parking areas to the extent possible.*

RESPONSE: The loading spaces proposed are visually unobtrusive, and are largely oriented away from the main spine road of Melford Boulevard.

(C) *Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:*

- (i) *The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;*
- (ii) *Entrance drives should provide adequate space for queuing;*
- (iii) *Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;*
- (iv) *Parking areas should be designed to discourage their use as through-access drives;*
- (v) *Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;*
- (vi) *Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;*
- (vii) *Parcel pick-up areas should be coordinated with other on-site traffic flows;*
- (viii) *Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;*
- (ix) *Pedestrian and vehicular circulation routes should generally be separated and clearly marked;*
- (x) *Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and*
- (xi) *Barrier-free pathways to accommodate the handicapped should be provided.*

RESPONSE: The proposed DSP includes streets and alleys that were evaluated at the time of PPS and found to be safe and efficient. Pedestrian and vehicular circulation routes will be separated with the use of sidewalks to avoid any conflicts between vehicular and pedestrian movements. All crosswalks along pedestrian sidewalks routes will be prominently identified/marked, and all ADA compliant curb cuts will be installed to accommodate handicapped access requirements.

(3) *Lighting.*

(A) *For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:*

- (i) *If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;*
- (ii) *Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;*
- (iii) *The pattern of light pooling should be directed on-site;*
- (iv) *Light fixtures fulfilling similar functions should provide a consistent quality of light;*
- (v) *Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and*
- (vi) *If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.*

RESPONSE: The lighting proposed in this DSP meets all of the above requirements.

(4) *Views.*

(A) *Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.*

RESPONSE: The instant DSP proposes the addition of 2 flex/R&D buildings that will be consistent with surrounding development in Pod 6, and will not impair or impact any scenic views both to and from the Melford House.

(5) *Green area.*

(A) *On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:*

- (i) *Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;*

- (ii) *Green area should link major site destinations such as buildings and parking areas;*
- (iii) *Green area should be well-defined and appropriately scaled to meet its intended use;*
- (iv) *Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;*
- (v) *Green area should be designed to define space, provide screening and privacy, and serve as a focal point;*
- (vi) *Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and*
- (vii) *Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.*

RESPONSE: The instant DSP contains an appropriate amount of green area for the 2 proposed flex/R&D buildings. Further, Lot 1 proposes a pavilion along its frontage with Melford Boulevard.

(6) *Site and streetscape amenities.*

(A) *Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:*

- (i) *The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;*
- (ii) *The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;*
- (iii) *Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;*
- (iv) *Amenities should be functional and should be constructed of durable, low maintenance materials;*
- (v) *Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;*
- (vi) *Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and*
- (vii) *Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.*

RESPONSE: The instant DSP proposes a pavilion along for Lot 1 along its frontage with Melford Boulevard.

(7) *Grading.*

(A) *Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:*

- (i) *Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;*
- (ii) *Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;*
- (iii) *Grading and other methods should be considered to buffer incompatible land uses from each other;*
- (iv) *Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and*
- (v) *Drainage devices should be located and designed so as to minimize the view from public areas.*

RESPONSE: All grading will conform to regulations and the approved Stormwater Management Plan. Excessive grading will be avoided through the proposed design and all proposed drainage devices will be designed to minimize views from public areas to fullest extent practicable.

(8) *Service areas.*

(A) *Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:*

- (i) *Service areas should be located away from primary roads, when possible;*
- (ii) *Service areas should be located conveniently to all buildings served;*
- (iii) *Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and*
- (iv) *Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.*

RESPONSE: This DSP contains a landscape plan that reflects an appropriate amount of planting to effectively screen service areas from Melford Boulevard. Further, the building proposed on Lot 7 includes to appropriately sized screening walls in the rear of the building.

(9) Public spaces.

(A) *A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed:*

- (i)** *Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;*
- (ii)** *The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;*
- (iii)** *Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;*
- (iv)** *Public spaces should be readily accessible to potential users; and*
- (v)** *Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.*

RESPONSE: The instant DSP contains an pavilion to be constructed on Lot 1 along its frontage with Melford Boulevard.

(10) Architecture.

(A) *When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.*

(B) *The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.*

(C) *These guidelines may be modified in accordance with Section 27-277.*

RESPONSE: The instant DSP includes high quality architecture that is wholly consistent with flex/R&D buildings constructed within Pod 6.

(B) Specific DSP Purposes:

(1) *The specific purposes of Detailed Site Plans are:*

- (A) *To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;*
- (B) *To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site;*
- (C) *To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and*
- (D) *To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.*

RESPONSE: The DSP and related plans show all the above information proposed for the site.

(C) **Section 27-285 (b): Required findings for Detailed Site Plans:**

(1) *The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.*

(2) *The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).*

(3) *The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.*

RESPONSE: It is the Applicant's belief that the proposed development represents a reasonable alternative to satisfying all site design guidelines in view of the physical development constraints represented on the Property. The proposal will allow the Applicant to develop the site without requiring unreasonable costs and without detracting from the utility of the proposed development, its intended purpose as a mixed-use center, or the surrounding uses. The proposed development in this DSP is consistent with the design principles approved in CSP-00002/01. The development proposed in this DSP also satisfies the site design guidelines as contained in Section 27-274 (as explained in this statement of justification), prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge. Further, the proposed detailed site plan is consistent with the increased density and commercial FAR targeted for local town centers in the 2035 General Plan. The development proposed in this DSP is consistent with the "mixed-use" land use

recommendations set forth in the 2022 Master Plan. As such, it is certainly the most reasonable alternative for the Planning Board to support the proposed DSP in light of its conformance to the planning considerations and land use policy goals proposed for local town centers in the 2035 General Plan and the 2022 Master Plan.

(D) Section 27-546 - Site plans in M-X-T Zone:

(a) *A Conceptual Site Plan and a Detailed Site Plan shall be approved for all uses and improvements, in accordance with Part 3, Division 9, of this Subtitle.*

(b) *In addition to the information required by Part 3, Division 9, for Conceptual Site Plans, the following information shall be included on Plans in the M-X-T Zone:*

(1) *A general description of the pedestrian system proposed;*

RESPONSE: The instant DSP includes the development of streets that were approved as part of the PPS. All streets will have sidewalks on both sides of the right-of-way.

(2) *The proposed floor area ratio;*

RESPONSE: The instant DSP includes an FAR of 0.09. The total FAR for the Melford project per the approved CSP is 1.4.

(3) *The type and location of uses proposed, and the range of square footage anticipated to be devoted to each;*

RESPONSE: The instant DSP reflects the square footages of the 2 flex/R&D buildings proposed in this DSP amendment.

(4) *A general description of any incentives to be used under the optional method of development;*

RESPONSE: This DSP is part of the approved CSP for the Melford. The CSP was approved using the optional method of development for the MXT Zone as set forth in Section 27-545 of the Zoning Ordinance. As such Melford is entitled to an optional method FAR of 1.4 (.4 base FAR + 1.0 bonus FAR for including 20 or more residential units). The instant DSP includes an FAR of 0.09.

(5) *Areas proposed for landscaping and screening;*

RESPONSE: A Landscape Plan is included in the DSP plan set and is compliance with the applicable requirements of the County's Landscape Manual.

(6) *The proposed sequence of development; and*

RESPONSE: The development proposed in this DSP will be conducted in one phase.

- (7) *The physical and functional relationship of the project uses and components.*

RESPONSE: The instant DSP proposes two new flex/R&D buildings that will be wholly compatible with the existing buildings and uses in Pod 6 within Melford.

- (8) *Property placed in the M-X-T Zone by a Sectional Map Amendment shall provide supporting evidence which shows whether the proposed development will exceed the capacity of transportation facilities that are existing, are under construction, for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program or within the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in a specific public facilities financing and implementation program.*

RESPONSE: The instant DSP will be served by available and adequate public facilities as determined in the approved CSP and PPS. The overall Melford project has a significant onsite road network that can accommodate existing and future traffic levels. Similarly, the Applicant has completed significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for future Melford traffic (pursuant to the County's approved Transportation Design Guidelines).

- (c) *In addition to the information required by Part 3, Division 9, for Detailed Site Plans, the following information shall be included on Plans in the M-X-T Zone:*

- (1) *The proposed drainage system;*
- (2) *All improvements and uses proposed on the property;*
- (3) *The proposed floor area ratio of the project, and detailed description of any bonus incentives to be used; and*
- (4) *Supporting evidence which shows that the proposed development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program or within the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in a specific public facilities financing and implementation program, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last.*

RESPONSE: The instant DSP reflects all of the required plan details (as appropriate) noted above. Also, as previously stated herein, the traffic generated from the proposed development will not exceed existing transportation facilities. The overall Melford project has a significant onsite road network that can accommodate existing and future traffic levels. Similarly, the Applicant has completed (or otherwise has agreed to install)

significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for future Melford traffic (pursuant to the County's approved Transportation Design Guidelines).

(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

(1) The proposed development is in conformance with the purposes and other provisions of this Division;

RESPONSE: The Applicant has followed the general requirements and procedures contained in Part 3 Division 9 (Site Plans) for submitting Detailed Site Plans and the proposal conforms to the following purposes pursuant to Section 27-272 of the Zoning Ordinance (as explained in earlier portions of this statement of justification):

- 1. To provide requirements for the preparation and approval of all Conceptual and Detailed Site Plans;*
- 2. To assure site plans help to fulfill the purposes of the zone in which the land is located;*
- 3. To provide simple, efficient procedures for the review and approval of site plans;*
- 4. To provide simple, straightforward explanations of the information that is to appear on each plan.*

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

RESPONSE: The subject property was placed in the M-X-T Zone on February 7, 2006, via the Bowie and Vicinity Master Plan and SMA. Thus, the above section does not apply to this application.

(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;

RESPONSE: The proposed development is designed to be physically integrated with both existing and future adjacent development in the area. The DSP is visually integrated with existing and future uses through the use of connecting streets and pedestrian systems as reflected on the DSP. Additionally, the approved CSP requires the construction of pedestrian system from the main entrance boulevard (i.e. Melford Boulevard) to the adjacent residential neighborhood to the west (located in the City of Bowie). This pedestrian

connection will add a further element of an outward orientation to surrounding land uses/development.

- (4) *The proposed development is compatible with existing and proposed development in the vicinity;*

RESPONSE: The proposed development is anticipated by the 2035 General Plan, the appropriate portions of the 2022 Master Plan and CSP-06002/01 and is therefore compatible with the development concept and other design elements recommended for the area.

- (5) *The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;*

RESPONSE: The proposed development in this DSP has been designed in anticipation of additional uses and structures that will be developed in future phases of the project.

- (6) *If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;*

RESPONSE: The development shown in the instant DSP will be completed in one phase.

- (7) *The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;*

RESPONSE: The overall Melford development plan (as reflected in approved CSP-06002/01) includes sidewalks on both sides of the internal roads and several internal trail/bicycle connections, in addition to a future Master Plan trail. The trail along the Patuxent River corridor is shown as two connections from both the north and south ends of the development. These connections are designed to meet the intent of the master plan recommendations. The proposed road network in this detailed site plan will accommodate relatively small block sizes and include sufficient crossing opportunities for pedestrians.

- (8) *On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and*

RESPONSE: The instant DSP is for 2 flex/R&D building within the existing Pod 6 within Melford. As stated previously, the proposed buildings architecture and size is wholly compatible with existing development within Pod 6. Further, the Applicant is proposing a pavilion on Lot 1 along its frontage with Melford Boulevard.

- (9) *On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are*

under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

RESPONSE: As previously stated herein, the overall Melford project has significant onsite road networks that can accommodate existing and future traffic levels. Similarly, the Applicant has completed (or otherwise has agreed to install) significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for future Melford traffic (pursuant to the County's approved Transportation Design Guidelines).

(E) Section 27-548 – Additional M-X-T Zone Regulations:

(a) *Maximum floor area ratio (FAR):*

- (1) *Without the use of the optional method of development – 0.40 FAR; and***
- (2) *With the use of the optional method of development – 8.00 FAR.***

RESPONSE: This DSP is part of the approved CSP for the Melford. The CSP was approved using the optional method of development for the MXT Zone as set forth in Section 27-545 of the Zoning Ordinance. The instant DSP proposes an FAR of 0.09. The total FAR for the Melford project (including the development in this DSP) is 0.68. This is within the FAR maximum of 1.4 set forth in the approved CSP.

(b) *The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.*

RESPONSE: The instant DSP includes 2 new flex/R&D buildings to be located on Lot 1 and Lot 7 within Pod 6 of Melford.

(c) *Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.*

RESPONSE: The dimensions for coverage, height and location of all improvements are reflected on the DSP plan sheets.

(d) *Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to*

protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

RESPONSE: All landscaping will be provided in accordance with relevant requirements in the Landscape Manual.

- (e) *In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.*

RESPONSE: instant DSP proposes an FAR of 0.09. The total maximum FAR for the Melford project (including the development in this DSP) is 0.68. This is within the FAR maximum of 1.4 set forth in the approved CSP.

- (f) *Private structures may be located within the air space above, or in the ground below, public rights-of-way.*

RESPONSE: No structures that will infringe upon public rights of way.

- (g) *Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.*

RESPONSE: All lots and parcels will have adequate street access as determined in the PPS.

- (h) *Townhouses developed pursuant to...*

RESPONSE: The instant DSP does not include any townhouses. Thus, this section does not apply to the instant DSP.

- (i) *The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.*

RESPONSE: The instant DSP does not propose any multifamily buildings. Thus, this section does not apply to the instant DSP.

- (j) *As noted in Section 27-544(b), which references property placed in the M-X-T Zone*

through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

RESPONSE: As previously discussed herein, the Property was rezoned to the M-X-T Zone on February 7, 2006. Thus, this section does not apply to the instant DSP.

(F)

Section 27-586 – Limiting the review:

(a) In general, the required findings and site design guidelines and criteria are intended to apply to the review of all Detailed Site Plans, as they reasonably relate to the purposes of the zones and of this Division. However, a more limited review may be imposed by other parts of this Subtitle or by another authority requiring the review. In these cases, specific issues to be reviewed shall be stated. Only those submittal requirements (Section 27-282) and site design guidelines (Section 27-283) which apply to the issue shall be considered.

(b) An applicant may submit a Detailed Site Plan for Infrastructure in order to proceed with limited site improvements. These improvements must include infrastructure which is essential to the future development of the site, including streets, utilities, or stormwater management facilities. Only those regulations, submittal requirements, and site design guidelines which are applicable shall be considered. The Planning Board may also consider the proposal in light of future requirements, such that the plan cannot propose any improvements which would hinder the achievement of the purposes of the zones, the purposes of this Division, or any conditions of previous approvals in the future. The Planning Board shall also consider any recommendations by the Department of Permitting, Inspections, and Enforcement and the Prince George's Soil Conservation District.

RESPONSE: All applicable (and/or appropriate) site design guidelines have been addressed in this statement of justification.

(G) Section 27-574 – Number of Spaces required in the M-X-T Zone.

(a) The number of parking spaces required in the M-X-T Zone and in a Metro Planned Community are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.

(b) The number of off-street parking spaces required for development in the M-X-T Zone and in a Metro Planned Community shall be calculated using the following procedures:

(1) Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one (1) hour and are to known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).

(2) For each hour of the day the number of parking spaces to be occupied by each use shall be calculated. These numbers are known as the hourly fluctuation pattern. For each use, at least one (1) hour shall represent the peak parking demand, and the remaining hours will represent a percentage of the peak. There may be more than one (1) hour at the peak level.

(3) The total number of parking spaces required for all uses proposed in the M-X-T Zone and in a Metro Planned Community shall be the greatest number of spaces in any one (1) hour for the combined total of all uses proposed, based on the calculations in paragraphs (1) and (2), above. This total is known as the base requirement.

(4) The base requirement may be reduced in the following manner:

(A) Conservatively determine the number of trips which are multipurpose. A multipurpose trip is one where a person parks his car and uses a number of facilities (i.e.; an office, eating or drinking establishment, and store) without moving the car. The number of spaces required for a multi-purpose trip shall be the greatest number of parking spaces required by Section 27-568 for any one (1) use within the multipurpose trip. The base requirement may be reduced by the number of parking spaces for the other uses involved in the multipurpose trip.

(B) Determine the number of parking spaces which will not be needed because of the provision of some form of mass transit, such

as rapid rail, bus, forced carpool, van pool, and developer provided services. The base requirement may be reduced by this number.

(5) *In addition to the foregoing calculations, the Planning Board shall take the following into consideration:*

(A) *The number of off-street parking spaces which are to be held as exclusively reserved spaces for any period of time during the day. These parking spaces may not be made available for other uses during the time they are reserved; and*

(B) *The location of parking spaces relative to the uses they serve. If the shared parking spaces are so remote that the walking distance is unacceptable for some uses, the effectiveness of shared parking will be reduced. The Planning Board may require a number of parking spaces (in addition to the base requirement) to be reserved for any specific use that is in need of spaces in the immediate vicinity of that use.*

RESPONSE: The number of spaces required under Section 27-568 is 775 total spaces. Please see attached memo from Lenhart Traffic Consultants dated June 2, 2022 demonstrating how the development proposed in the instant DSP provides a total of 1,060 spaces within Pod 6 (which is a surplus of 285 spaces).

(c) *Notwithstanding the provisions of Section 27-573(a), required off-street parking spaces may be provided on a lot other than the lot on which the mixed use development is located, provided:*

(1) *The other lot is used in accordance with the requirements of the zone in which it is located; and*

(2) *The Planning Board determines that the other lot is convenient to the mixed use development, taking into account the location of the lot, the uses to be served, the safety of persons using it and any other considerations.*

RESPONSE: The attached memo from Lenhart Traffic Consultants dated June 2, 2022 demonstrates how the development in the instant DSP provides the minimum amount of parking spaces pursuant to Section 27-574 of the Zoning Ordinance on-site. The proposed parking for Pod 6 is explained as follows:

Parking Schedule for DSP-07031-05			
Lot	Required Parking per 27-568	Provided Parking	Surplus Spaces
Pod 6 - Existing Lot 1	73	131	58
Pod 6 - Existing Lot 2	160	217	57
Pod 6 - Existing Lot 3	103	160	57
Pod 6 - Existing Lot 7A	48	67	19
Pod 6 - Existing Lot 7B	240	270	30
Pod 6 - Existing Lot 7C	61	72	11
Pod 6 - Existing Lot 8	90	143	53
Pod 6 Lot 6	n/a	SWM Facility	n/a

H. PREVIOUS APPROVALS

Since the original rezoning of Melford in 2006, two conceptual site plans (CSP-06002 and CSP-06002-01) five detailed site plans (DSP-07031 and DSP-07031-01 through 04), and four preliminary plans (4-98076, 4-02093, 4-07055) have been approved which affect Pod 6. The only preliminary plan that is relevant to this DSP is 4-07055. The applicable conditions of PPS 4-07055 (PGCPB No. 08-86) are as follows:

2. **A Type II tree conservation plan shall be approved in conjunction with detailed site plans.**

RESPONSE: The instant DSP is accompanied by a TCP Type 2 Plan.

3. **Development of this site shall be in conformance with the Stormwater Management Concept Plan #01-0907-207NE15, issued by the City of Bowie and any subsequent revisions.**

RESPONSE: The instant DSP in conformance with an approved Stormwater Management Concept issued by the City of Bowie.

4. **Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.**

RESPONSE: Condition 4 of PPS 4-07055 provided a trip cap of 874 AM and 1,272 PM trips for Pods 5, 6, 7, and P2. Pod 5 was part of a subsequent Preliminary Plan of Subdivision 4-1006 with a new trip cap for the area including Pod 5 (as part of the Melford Town Center portion of the overall Melford project). Therefore, the remainder of PPS 4-07055 (Pods 6, 7, and P2) retain the 4-07055 trip cap of 874 AM and 1,272 PM Trips. The parking and trip generation analysis included with this DSP calculates that Pods 6, 7, and P2 will generate a total of 550 AM and 540 PM peak hour trips which will remain well within the trip cap.

5. **Prior to the issuance of any building permits within the subject property (with the exception of Pod 1), the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

(A) At MD 3/MD 450/gas station access intersection

The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

(B) At US 301/Governor Bridge Road/Harbor Way intersection

The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane. Governor Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

RESPONSE: The above road improvements have been completed by the Applicant.

- 10. As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or a justification as to why these techniques cannot be implemented on this project shall be submitted.**

RESPONSE: Pod 6 is largely developed, and the Applicant included low impact development techniques that included 2 bioretention recharge areas providing water quality recharge for impervious areas within Pod 6. The approved stormwater management plans for Pod 6 address water quality, CPV, and 10-year controls for the entirety of Pod 6.

- 11. Detailed site plans for the development shall include a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.**

RESPONSE: The Applicant proposes the following green building techniques:

- Designed to LEED standards (strive for LEED Gold)
- Water efficient Landscaping
- Water Use Reduction fixtures
- Fundamental commissioning of the Buildings Energy System
- Optimize Energy Performance
- Fundamental Refrigerant Management
- Storage and Collection of Recyclables
- Waste Management
- Regional Materials
- Certified Wood
- Environmental Tobacco Smoke (ETS) Control
- Outdoor Air Delivery Monitoring
- Low-Emitting Materials (Adhesives, Paints)
- Daylight and views
- Low Mercury Lighting

- 12. The DSP shall demonstrate the use of full cut-off optics for all commercial and industrial lighting fixtures and for the proposed street lighting.**

RESPONSE: The development in the instant DSP includes full cut-off optics for proposed lighting.

- 32. Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision prior to the approval of detailed site plans.**

RESPONSE: The development in the instant DSP is for commercial/employment space and does not include residential uses.

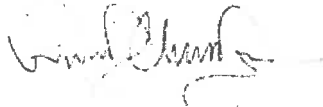
Ms. Jill Kosack
DSP-07031-05
June 6, 2022
Page 28

I. CONCLUSION

In consideration of the foregoing statement of justification, the Applicant respectfully requests approval of DSP-07031-05 for Pod 6 within Melford. Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact me.

Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert J. Antonetti, Jr.", with a stylized flourish at the end.

Robert J. Antonetti, Jr.

cc: St. John Properties. Inc.

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

Memorandum:

Date: June 2, 2022

TO: M-NCPPC - Development Review Division
Room 4150
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

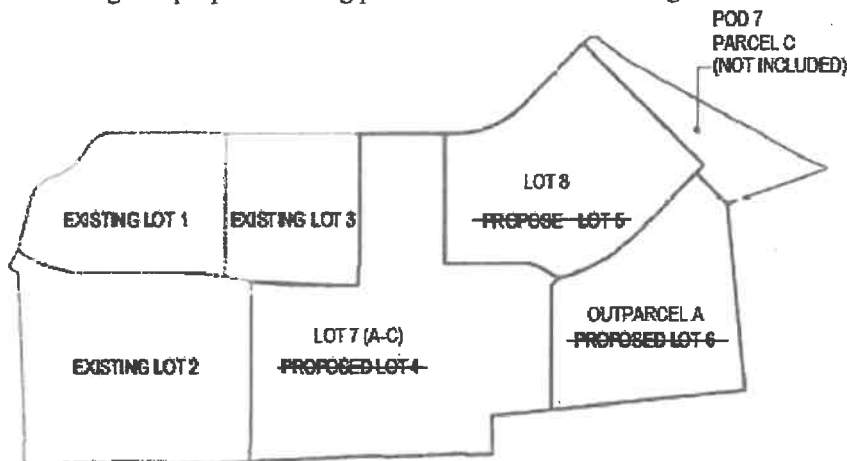
FROM: Mike Lenhart

RE: DSP 07031-5 Parking and Trip Cap Memo

This memorandum has been prepared to address the following two issues.

1. The first is to determine how this application fits within the overall trip cap for the entirety of Melford.
2. The second is to provide a parking analysis to satisfy 27-572 of the Zoning Ordinance.

The existing and proposed lotting pattern of Pod 6 and lot designations are shown below.



Trip Cap Analysis

- Pod 6, Lots 1-6 were approved as part of the Preliminary Plan of Subdivision for 4-07055. Condition 4 of PPS 4-07055 provided a trip cap of 874 AM and 1,272 PM trips for Pods 5, 6, 7, and P2. Pod 5 was part of a subsequent Preliminary Plan of Subdivision 4-16006 with a new trip cap for the area including Pod 5 of Melford Village. Therefore, the remainder of PPS 4-07055 (Pods 6, 7, and P2) retain the 4-07055 trip cap of 874 AM and 1,272 PM trips. The trip generation table below is based on current trip generation rates from MNCPPC and/or the ITE Trip Generation Manual. This table shows that the current program generates 550 AM and 540 PM trips within Pods 6, 7, and P2; therefore the trip generation remains within the approved trip cap for 4-07055.

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EMAIL: mlenhart@lenharttraffic.com

Lenhart Traffic Consulting, Inc.

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<u>Land use</u>	<u>Trip Generation Rate</u>	<u>Distribution</u>
Research & Dev. Center (ksf, ITE-760)	Morning Trips = 1.03 x (ksf) Evening Trips = 0.98 x (ksf)	82/18 16/84
General Office (Prince Georges County Rates)	Morning Trips = 2.0 x ksf Evening Trips = 1.85 x ksf	90/10 19/81
Nursing Home / Rehab Center (ksf, ITE-620)	Morning Trips = 0.55 x ksf Evening Trips = 0.59 x ksf	78/22 41/59
Warehousing (0.3 FAR, Prince Georges County Rates)	Morning Trips = 0.40 x ksf Evening Trips = 0.40 x ksf	80/20 20/80

Trip Generation Chart for Pod 6			AM	PM
Pod 6 - Existing Lot 1	36,120	sq ft R&D (ITE Rates, 11th Edition)	37	35
Pod 6 - Existing Lot 2	78,240	sq ft R&D (ITE Rates, 11th Edition)	81	77
Pod 6 - Existing Lot 3	40,000	sq ft office (County Rates)	80	74
Pod 6 - Existing Lot 4 (Proposed Lot 7A-C)	122,680	sq ft R&D (ITE Rates, 11th Edition)	126	120
Pod 6 - Existing Lot 5 (Proposed Lot 8)	61,809	sq ft Medical Rehab Center (Nursing Facility)	34	36
Pod 6 - Existing Lot 6 (Proposed Outparcel A)	n/a	SWM Facility	0	0
Total Pod 6 Trips:			358	342

Trip Generation Chart for Pod 7, P2			AM	PM
Pod 7, Lots 1 & 2	66,820	sq ft office (County Rates)	133	123
	79,900	sq ft museum (County Warehouse Rates)	32	32
Pod 7, Parcels A/B		Woodland Conservation Parcels	2	2
Pod P2	140	bed Thrive Building	25	41
Total Pod 7 and P2 Trips:			192	198
Total Trips for Pod 6, 7, and P2:			550	540
Trip Cap for Pods 6, 7, and P2:			874	1,272

It should be reiterated that Pod 6 was not part of 4-16006 and is not subject to any of the conditions or findings associated with 4-16006. However, Pod 6 was included in the 2014 CSP amendment for CSP-06002-01. CSP-06002-01 contained the following transportation conditions related to a trip cap and offsite improvements:



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CSP-06002-01

Condition #1: The proposed development shall be limited to a mix of uses where the trip cap associated with the uses within the boundary of CSP-06002-01 shall not exceed 4,441 AM and 4,424 PM peak hour trips.

Response: The approved TIA dated for Melford 4-16002 included a trip table for the overall Melford development. (See attached Exhibits 12a-b). This table reflects the overall allocation of trips between various blocks and pods within the entirety of Melford that were approved or assumed at that time.

Condition #23: A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Blvd/Science Dr roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the building permit for the 300th dwelling unit, subject to the approval of the Maryland SHA.

Response: This application is not a residential use, however, it should be noted that the offsite pedestrian sidewalk connection as required in this condition has been designed, bonded, and permitted for construction with the MD SHA under Access Permit #18APPG02019.

Parking Analysis

DSP-07031-05 contains a parking schedule that shows the following required and proposed parking spaces.

Parking Schedule for DSP-07031-05			
Lot	Required Parking per 27-568	Provided Parking	Surplus Spaces
Pod 6 - Existing Lot 1	73	131	58
Pod 6 - Existing Lot 2	160	217	57
Pod 6 - Existing Lot 3	103	160	57
Pod 6 - Existing Lot 7A	48	67	19
Pod 6 - Existing Lot 7B	240	270	30
Pod 6 - Existing Lot 7C	61	72	11
Pod 6 - Existing Lot 8	90	143	53
Pod 6 Lot 6	n/a	SWM Facility	n/a

Detailed Site Plans (DSPs) in the M-X-T zone require a parking analysis subject to the requirements. Section 27-574(a) of the Zoning Ordinance provides that "the number of parking spaces required in the M-X-T Zone are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations." This memorandum is to provide a parking assessment for the proposed development as required for the M-X-T zone in Section 27-574(a) of the Zoning Ordinance.

The number of parking spaces required is to be calculated in accordance with the methodology set forth in Section 27-574(b). The first step in determining the number of required spaces is to calculate the peak



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Transportation Planning & Traffic Engineering

parking demand. In this regard, Section 27-574(b)(1) states as follows. "Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one (1) hour and are to be known as the peak parking demand for each use. These peak parking numbers are calculated as directed in the "Schedule of Parking Spaces" requirements as shown in Section 27-568. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied)." Section (b)(2) and (b)(3) go on to recommend an hourly distribution of each use within the M-X-T zone to determine the hourly fluctuation and the resulting peak parking demand for the overall site.

A review of the parking table above shows that each lot will exceed the required parking requirements per 27-568 that are needed to satisfy the parking requirements for each lot. Given that these uses generally peak at the same time of day (daytime hours associated with office and R&D type uses), and given that each lot provides sufficient parking to satisfy parking needs, there would be no reduction for shared parking. Therefor the base parking requirement would be consistent with the required parking as noted for each lot in the table above. Since the provided parking exceeds the base parking requirement, this DSP satisfies 27-574 of the Zoning Ordinance.

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Thanks,
Mike Lenhart



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Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Annual Update from the Green Team

DATE: 06/30/2022

The Chair of the Green Team Executive Committee will brief the Council on their FY22 work, their upcoming FY23 work, and the Sustainable Maryland Certified 2022 recertification.

ATTACHMENTS: 1. 20220705 - GT2022SMCupdate

Green Team Executive Committee Annual Update

Michelle Balfe, Green Team Chair



Executive Committee



Green
Schools



Energy



MAPS



Natural
Resources



Food, Health,
Wellness

Community Action

Community Based Food System

Energy

Greenhouse Gas

Health & Wellness

Local Economies

Natural Resources

Planning & Land Use

Historic Preservation

Transportation



Sustainable MD Certified

- SMC mandates Green Teams
- Template for objectives, goals, action items
- Bowie certified since 2013, re-cert 2022
- 3-year action plan



BOWIE GREEN TEAM 3- YEAR ACTION PLAN: SUSTAINABLE MARYLAND CERTIFIED 2022 RECERTIFICATION

1



	Subgroup	Cost	Partners	Fiscal Year
Continue to Promote Bowie Green Expo	All	\$500	Bowie Lions Club	23, 24, 25
Continue Green Citizen award	All	\$200	EAC	23, 24, 25
Promote Local Farmers Market	All		Bowie Lions Club, Staff, Citizens	23, 24, 25
Continue Weed Warrior Program- at least 6 workdays per year	Natural Resources	\$200	Volunteers, PGCC	23, 24, 25
Maintain Monarch Waystations at Centennial Park, Senior Center, Belair Meadows & cleanups	Natural Resources	\$300	Volunteers	23, 24, 25
Conduct 1-2 Container Planting workshops and 1-2 lawn care/maintenance workshops	Natural Resources	\$400		23, 24, 25
Provide opportunities for Boy and Girl Scouts to earn merit badges	Natural Resources	\$100	Scouts	23, 24, 25
Continue to implement Pet Waste Awareness Campaign	Natural Resources	\$50	Animal Control, Bowie CLAW	23, 24, 25
Partner with Garden Club to host and advertise Spring Plant Sale	Food, Health, Wellness	\$200	Bowie-Crofton Garden Club	23, 24, 25
Host a Citizen Mobility networking event (MAPS)	Multi-modal	\$100		23, 24, 25
Host annual Earth Day concert (or other events promoting sustainability in the community)	Outreach	\$1,500	Schools	23, 24, 25

Events, Outreach, and Advocacy





Accomplishments

Overall

- Formulation of the Sustainability Plan
- Formulation of CAP
- Formulation of CAP Implementation Plan
- Creation of 3 Monarch Waystations
- Advocating for EV's and electrification overall

FY20-FY22 (COVID)

- Workshops at Kenhill Center and Senior Center
- On-site cleanups at monarch waystations
- Weed Warrior workdays
- Plant Sale
- Memorial Day Parade
- Bowie Fest

FY23 & beyond

- New wellness focus i.e., movie nights, zumba, yoga, walks
- Advocating for native species plantings in City stormwater upgrades and Parks & Grounds maintenance
- Continued work on SMC Action Plan
- Residential outreach and education on EV's, solar, and electrification



Learn To Plant Pollinator Gardens LIVE DEMO

October 16



Bring butterflies & bees to your garden
Learn how to have years of plentiful harvest, beautiful gardens, and pollinator sightings!

- A project of the Bowie Green Team with FREE PLANTS
- Light refreshments served
- Learn about what plants to use & why



Weed Warrior Workday March 19, April 2, April 23

9am- noon
Earn SSL hours



Contact
adias@cityofbowie.org

Thank you



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Watermain Breaks Report - June 2022

DATE: 06/30/2022

Per Council's request, please find attached a memorandum explaining the recent watermain breaks from the Director and Assistant Director of the Department of Public Works.

ATTACHMENTS: 1. 20220705 - Watermain Breaks Report



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

MEMORANDUM

TO: Alfred Lott, City Manager

FROM: Jose Aldayuz, Director of Public Works
Hong Yin, Assistant Director of Public Works

SUBJECT: Moylan Dr Watermain Break and Associated Multiple Waterline Breaks

DATE: June 29, 2022

On 6/25/22, Saturday, and 6/27/22, Monday, a total of 5 watermain breaks and 1 meter leak calls took place at the City of Bowie's water distribution system, 4 on Saturday and 2 on Monday (Figure 1). An investigation was carried out after the incidents to identify what may have caused the watermain breaks. This memorandum summarizes the investigation findings and potential causes.

On Friday, 6/24/22, the contractor hired by the City of Bowie excavated the ground to expose a water service connection at the 16" watermain (3501 Moylan Drive), in preparation for the upcoming Tee branch abandonment work scheduled for Monday, 6/27/22. The following text is a chronological register of the watermain breaks:

6/25/22 Saturday

On Saturday Morning, 6/25/22 at around 3:30 AM, the Tee branch pipe burst at the 16"X6" Tee. The branch line broke apart at multiple spots.

Two more watermain breaks were called out at Canfield Lane and Manvel Lane on Saturday. In addition, a faulty meter was leaking at Morningside Lane. Details related to the pipe damage observations are listed below. The Moylan Dr watermain break was fixed at around 2:30 pm.

Moylan Dr: 6" diameter branch pipe blown off at the 16"X6" Tee into multiple pieces

Canfield Lane: 6'-long longitudinal break on the top of a 6" diameter pipe

Manvel Lane: 3'-long hairline crack on the bottom of the 6" diameter pipe

Morningside Lane: Leak at the meter

6/27/22 Monday

On Monday, 6/27/22, our Contractor needed to remove a Tee branch line from the 16" watermain. The Utilities Division tried to completely shut down the watermain, but the effort was not successful because the valves leaked. This meant that the work had to be done under

residual water pressure. Initially our Contractor tried to plug the Tee with a blank flange. It did not work, and water leaked at the Tee. Then they cut off the 16" main and installed a spool piece, which was successful. Two watermain breaks happened during this event as detailed in the approximate timeline listed below. The work site and fire hydrant location are shown in Figure 2.

10:00-10:30 AM	Shut valves down.
10:00-10:30 AM	FH-924 (Moylan Dr) opened
11:00-11:30 AM	FH-155 (Malin Ln) opened
11:30 AM	FH-368 (Melling Ln) opened
10:30-11:30 AM	The contractor installed a blank flange plug for the Tee. The Tee sealed ok right after the bolts were tightened.
11:30-12 PM	Soon after the Tee plug leaked water.
11:30 AM	Watermain break call at Ithan Ln (Pin hole at the 6" pipe bottom)
2:30-3:00 PM	Our Contractor finished the watermain work.
3:00-3:30 PM	Water valves were opened
3:30-4:15 PM	All fire hydrants were closed
5:20 PM	Watermain break call at 12221 Marne Ln (Multiple pin holes on the top of the 6" pipe, spanning about 2' long. Pipe wall appears thin). (This watermain broke before)

Conclusions:

1. The Saturday's watermain break at Moylan Drive was likely due to multiple weak connections at the Tee branch line. According to the Contractor, the bolts holding the connections appeared rusted, not in good shape. This may be the cause for the weak connections. The pipe has been buried underground for over 60 years. Some components apparently have severely deteriorated.
The watermain breaks and meter leak at the other locations are likely associated with the watermain break at Moylan Drive. A water hammer was likely created during the break and caused more damages to the pipes.
2. Monday's watermain break.
When the Moylan Drive watermain was partially shut down, water pressure north of Millstream Drive cannot be maintained. The booster pump was turned on to make up the pressure, however, the pressure went as high as 125 psi. A few minutes later the fire hydrant was opened, and the big booster pump was swapped to a smaller pump to relieve the high pressure. In the afternoon when the repair was finished, the pressure also

fluctuated during the closing of the valves and hydrants and booster pump shutdown. The pressure fluctuation may have caused water hammer and pipe movement, which resulted in pin hole leak at vulnerable spots of some already weakened pipes, which are likely the cases for both Ithan Lane and Marne Lane breaks.

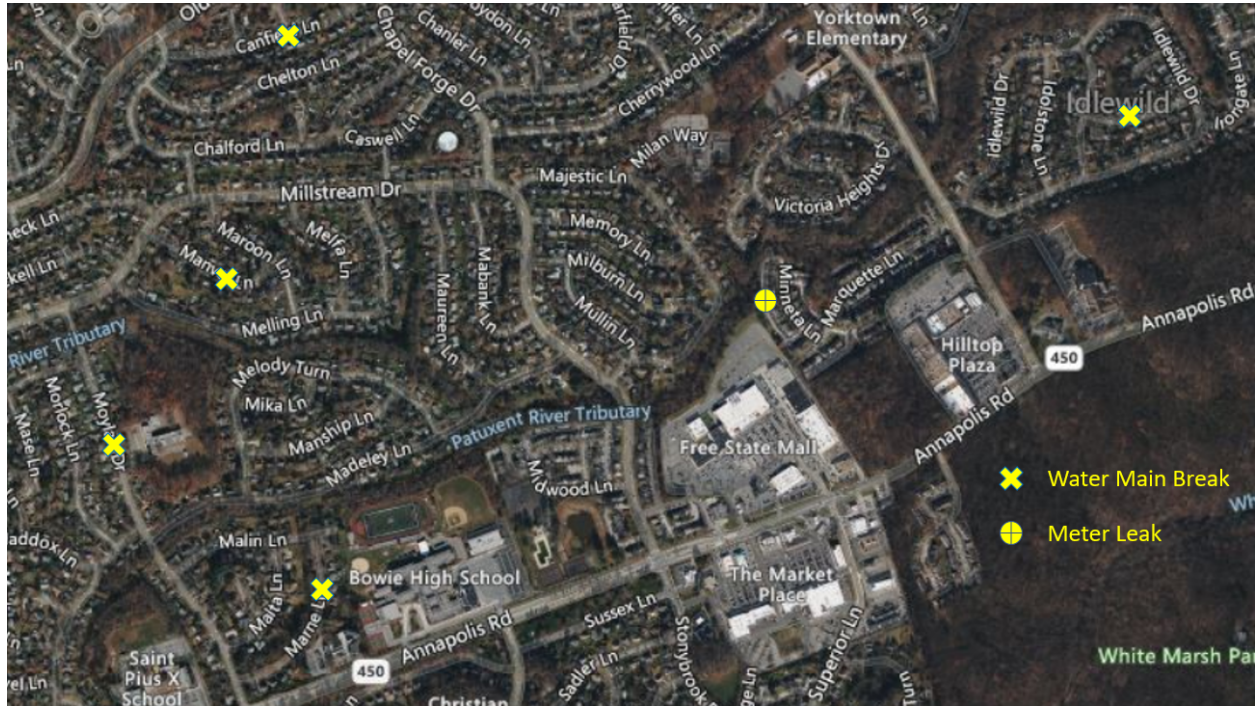


Figure 1: Location of Watermain Breaks and Meter Leak

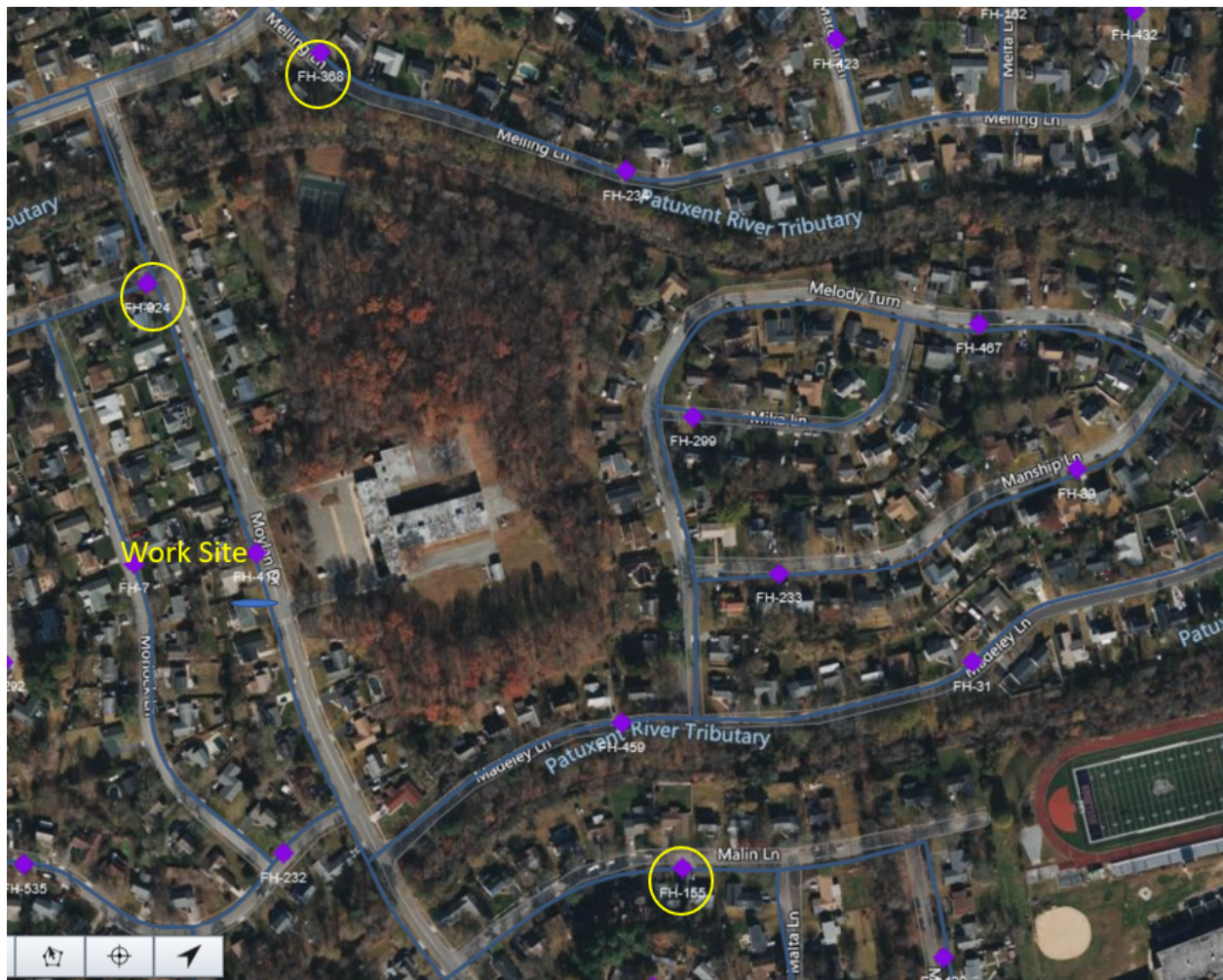


Figure 2: Work Site and Fire hydrant Location