



City of Bowie

Regular City Council Meeting

Tuesday, January 3, 2023
Council Chambers - 8 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.** Adoption of Resolution R-2-23 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 Ford F-550 Dump Truck, Through a Baltimore County Procurement
 - B.** Adoption of Resolution R-3-23 Approving the Award of the City's Arts Committee FY23 Grants
 - C.** Adoption of Resolution R-4-23 Authorizing the Issuance of a Purchase Order to Gant Brunnett Architects, Inc. for Task Order/RFP#7-14 in Accordance with the Master Contract Approved on January 7, 2019
 - D.** Adoption of Resolution R-5-23 Authorizing the Issuance of a Purchase Order to EBA Engineering, Inc. for Task Order/RFP#5-03 in Accordance with the Master Contract Approved on January 22, 2019
 - E.** Adoption of Resolution R-6-23 Authorizing the Issuance of a Purchase Order to A. Morton Thomas & Associates, Inc. for Task Order/RFP#3-15 in Accordance with the Master Contract Approved on October 31, 2018
 - F.** Adoption of Resolution R-7-23 Authorizing Access Easement between City of Bowie and Canning Solar Energy Center LLC for use of Public Works Road
 - G.** Adoption of Resolution R-8-23 Awarding a Contract for Phase II SCADA System Upgrades at the Wastewater Treatment Plant

- H. Adoption of Resolution R-9-23 Awarding a Contract for Rehabilitation of Cast Iron Pipe (CIP) Water Mains Using Class IV Structural Cured-In-Place (CIPP) Lining in the Kenilworth Section of the City

XI. OLD BUSINESS

- A. Adoption of Ordinance O-6-22 Amending the Code of the City of Bowie, Maryland, Chapter 2, "Administration," Article V "Public Ethics," to Incorporate Changes Required by State Law to Local Ethics Ordinances Regarding Conflicts of Interest (City Code, Sec. 2-70) and Financial Disclosures (City Code, Sec. 2-68 and 2-71), and to Update References to State Law - **Public Hearing/Eligible for Action**

XII. NEW BUSINESS

- A. Detailed Site Plan DSP-98061-05, Raising Cane's Restaurant - The developer is requesting the City's approval recommendation for a 3,331 square foot restaurant, with drive-through service. The subject property is located at 16401 Heritage Boulevard on 2.08 acres, zoned TAC-E (Town Activity Center, Edge) - **Public Hearing/Eligible for Action**
- B. Planning Assistance to Municipalities Potential Project - Staff from the Department of Planning and Sustainability will brief City Council on a funding opportunity to conduct a State of Place community planning assessment of the Bowie Center and other areas of the City
- C. County Legislation Update - The City's Planning Director will provide an update on development legislation recently proposed by the Prince George's County Council
- D. Budget Guidance for FY 2024 – The Finance Department will provide trend information and major themes to City Council for the upcoming FY 2024 Budget process. City Council budget objectives will be discussed at this meeting

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 1/4/23 and 1/7/23 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 2023 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 - TUESDAY, JANUARY 17,
2023 - COUNCIL CHAMBERS - 8:00 P.M.**



Memorandum

TO: City Council

FROM: Awilda Hernandez, City Clerk

SUBJECT: City Committee Appointments/Reappointments/Swearing-In

DATE: 12/29/2022

Committee Appointments and Swearing-in:

1. Ms. Barbara Johnson was interviewed on November 7 for appointment to the Economic Development Committee. Council concurred to appoint her to the committee as a member for a 2-year term. Please move to appoint her.
2. Mr. Clinton Truesdale, Sr. was interviewed on November 21 for appointment to the Economic Development Committee. Council concurred to appoint him to the committee as a member for a 2-year term. Please move to appoint him.
3. Mr. Zachariah Lowe was interviewed on November 21 for appointment to the Education Committee. Council concurred to appoint him to the committee as a member for a 2-year term. Please move to appoint him.
4. Ms. Adrienne Bigelow Lewis was interviewed on December 5 for appointment to the Economic Development Committee. Council concurred to appoint her to the committee as a member for a 2-year term. Please move to appoint her.
5. Ms. Kara Hunt was interviewed on December 5 for appointment to the Diversity Committee. Council concurred to appoint her to the committee as a member for a 2-year term. Please move to appoint her.

ATTACHMENTS: None



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Purchase of a Ford F550 Dump Truck – Replacement of #208
Pursuant to Charter Section 62, Cooperative Bidding
Resolution R-2-23

DATE: 12/29/2022

The FY23 budget allows for the replacement of dump truck #208, which will be used by the Streets Division. The Public Works Department determined that Baltimore County Contract #0004504 awarded to, among other entities, Apple Ford of Columbia, Maryland, including dump trucks, meets the needs of the streets division. Because Baltimore County used competitive bidding procedures substantially similar to those of the City, seeking bids through a City-issued RFB is not expected to yield better results.

The cost of the dump truck is \$120,686.70, which is \$22,186.70 over budget due to a 60-70% increase in material costs since the FY23 budget was developed. However, there are sufficient funds in the Equipment Acquisition and Replacement fund to absorb the additional cost.

In accordance with City Charter Section 62, staff recommends that Council authorize the issuance of a purchase order to Apple Ford in the amount of \$120,686.70.

I concur with the above recommendation and request your approval of Resolution R-2-23.

ADL:JA:jt

ATTACHMENTS: 1. 20230103 - Resolution R-2-23

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
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 FORD F-550 DUMP TRUCK,
THROUGH A BALTIMORE COUNTY PROCUREMENT

WHEREAS, the Charter of the City of Bowie, Maryland (hereinafter, “the City”) requires, in Section 62, that all expenditures, including inter alia, materials, construction of public improvements or contractual services involving more than twenty-five thousand dollars be made by written contract upon sealed bids to the lowest responsible bidder, except where the City Council by two-thirds vote waives the bidding requirement for good cause shown; and

WHEREAS, the FY23 budget allows for the replacement of dump truck #208, to be used by the Streets Division; and

WHEREAS, the Public Works Department received and analyzed Baltimore County Contract #0004504 awarded to, among other entities, Apple Ford of Columbia, Maryland; and

WHEREAS, the Baltimore County contract includes dump trucks meeting the needs of the City’s Streets Division; and

WHEREAS, given that the Baltimore County contract was awarded using competitive bidding processes substantially similar to those of the City, seeking new bids is not expected to yield better results; and

WHEREAS, the proposed purchase price for the equipment to be procured will exceed twenty-five thousand dollars and the City Council deems the aforesated economic efficiencies to constitute good cause to waive the bidding requirements otherwise required by the Charter.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, by at least two-thirds vote, that:

Section 1. The competitive bidding requirements of Section 61 of the Bowie City Charter are for good cause shown, hereby waived.

Section 2. The City Manager is hereby authorized to issue a purchase order to the said company for the above-mentioned vehicle.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland, at a meeting on January 3, 2023, by a vote of at least two-thirds of the members of the Council.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Arts Committee FY23 Grants
Resolution R-3-23

DATE: 12/29/2022

The FY23 budget appropriated \$18,000 for Arts Grants, which are designed to support public awareness of artistic enterprises and involve Bowie residents in an interactive arts experience. Similar to last year, COVID concerns required that proposed grants follow all state and local COVID-19 mandates and have the ability to be implemented virtually if necessary.

The following summarizes the process followed and the FY23 awards:

Arts Committee Grants

The Arts grant program was advertised on the City website, the Bowie Spotlight, and social media. The announcement was also shared with more than 400 contacts that included previous grant applicants, artists and several arts organizations. Eleven (11) applications were received with requested amounts totaling over \$40,000. The Arts Committee selected four (4) grant recipients from the compliant applications.

The 2022-23 Arts Grant recipients selected are:

Grantee	Grant Title	Amount
Kamryn Pittman	Kolor Me Awesome Masks	\$ 1,600.00
Bowie-Crofton Camera Club	Art of Photography	\$ 619.00
BSU Fine Arts Department	City Hall Art Exhibition	\$ 4,874.00
Heather Hills Elementary School	Amplifying Our Voices	\$10,172.00
Total		\$17,265.00

ATTACHMENTS: 1. 20230103 - Resolution R-3-23

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
APPROVING THE AWARD OF THE CITY'S ARTS COMMITTEE FY23 GRANTS

WHEREAS, the City Council of the City of Bowie has established the Arts Committee and has provided funding for grants to individuals or organizations who wish to support public awareness of artistic enterprises, creative excellence, artistic diversity and overall involvement of the arts in our community; and

WHEREAS, the grants are awarded in areas supporting multiple art forms and art education; and

WHEREAS, this year, \$18,000 is available to be awarded to successful applicants through a competitive selection process; and

WHEREAS, the Arts Committee has reviewed grant applications for compliance with the City's requirements; and

WHEREAS, the Arts Committee determined that certain grant applicants have met the requirements of the grant program and recommends that Council award certain grants to said applicants; and

WHEREAS, the City Council accepts the recommendations of the Arts Committee as reasonable and well-considered.

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

Grantee	Grant Title	Amount
Kamryn Pittman	Kolor Me Awesome Masks	\$ 1,600.00
Bowie-Crofton Camera Club	Art of Photography	\$ 619.00
BSU Fine Arts Department	City Hall Art Exhibition	\$ 4,874.00
Heather Hills ES	Amplifying Our Voices	\$10,172.00
	Total	\$17,265.00

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on January 3, 2023.

ATTEST:

THE CITY OF BOWIE, MARYLAND

 Awilda Hernandez
 City Clerk

 Timothy J. Adams
 Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Architect/Engineering Open End Contract Category 7-Architectural Design RFP/Task Order #7-14
Resolution R-4-23

DATE: 12/29/2022

On January 7, 2019, the City entered into an Architect/Engineering Open End Agreement with Gant Brunnett Architects, Inc. (GBA), Frederick Ward Associates (FWA), Wheeler Goodman Masek & Associates, Inc. (WGMA), Buchart-Horn, Inc. (BH), and Bignell Watkins Hasser Architects, PC (BWHA) for Category 7-Architectural Design. Professional Services delivered through this Agreement are negotiated and procured on a Task Order basis as the City's needs arise.

On October 13, 2022, the Department of Community Services advertised a Notice of Intent to Negotiate for Task Order/RFP#7-14– Architectural/Engineering design and construction management/inspection for repairing the Golf Course clubhouse foundation under the Architect/Engineering Open End Agreement. Proposals were accepted from firms BWHA, FWA, and GBA which have Open End Professional Services Agreements with the City for Architectural Design. For this task, the proposal from GBA was selected based on cost, capacity to perform in a timely manner and understanding of the project.

In accordance with City Charter Section 61(b)(4), a fee of \$59,361.31 for the required services was negotiated. This is within the amount budgeted in the FY23 Bowie Golf Course Capital Outlay Account.

The Department of Community Services recommends that Council authorize the issuance of a Purchase Order to GBA for Task Order/RFP#7-14 pursuant to the Master Contract approved on January 7, 2019.

I concur with the recommendation of the Department of Community Services and request your approval of Resolution R-4-23.

ATTACHMENTS: 1. 20230103 - Resolution R-4-23

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO GANT
BRUNETT ARCHITECTS, INC. FOR TASK ORDER/RFP#7-14 IN ACCORDANCE
WITH THE MASTER CONTRACT APPROVED ON JANUARY 7, 2019

WHEREAS, on January 7, 2019, the City entered into an Architect/Engineering Open End Agreement with Gant Brunnett Architects, Inc. (GBA), Frederick Ward Associates (FWA), Wheeler Goodman Masek & Associates, Inc. (WGMA), Buchart-Horn, Inc. (BH), and Bignell Watkins Hasser Architects, PC (BWhA) for Category 7-Architectural Design; and

WHEREAS, on October 13, 2022, the Department of Community Services advertised a Notice of Intent to Negotiate for Task Order/RFP#7-14–Architectural/Engineering design and construction management/inspection for repairing the Golf Course Clubhouse foundation under the Architect/Engineering Open End Agreement; and

WHEREAS, proposals were accepted from the three (3) firms BWhA, FWA, and GBA which have Open End Professional Services Agreements with the City for Architectural Design; and

WHEREAS, for this task, the proposal from GBA was selected based on cost, capacity to perform in a timely manner and understanding of the project; and

WHEREAS, in accordance with City Charter Section 61(b)(4), a fee of \$59,361.31 for the required services was negotiated. This is within the amount budgeted in the FY23 Golf Course Capital Outlay Account.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the Council authorizes the issuance of a Purchase Order to GBA for Task Order/RFP#7-14 in accordance with the Master Contract approved on January 7, 2019.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on January 3, 2023.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Architect/Engineering Open End Contract
Category 5-Roadways/Bridges Design
RFP/Task Order #5-03 Award
Resolution R-5-23

DATE: 12/29/2022

On November 21, 2022, Council awarded Task Order/RFP#5-03-Complete Streets Implementation on Kenhill Drive and MD 197 to EBA Engineering, Inc. under the Architect/Engineering Open End Agreement (R-67-22).

After award, EBA contacted the Public Works Department and stated that there was an error on the Cost Summary. The Indirect Labor Subtotal was listed as \$200 and it should have been \$62,700.15 (see attached Cost Summaries). EBA has requested a revised award amount. All other bid items were depicted correctly.

In accordance with City Charter Section 61(b)(4), a revised total fee of \$131,769.67 for the required services was negotiated. This is within the budgeted amount in the FY23 Public Works Streets Resurfacing Budget.

The Public Works Department recommends that Council authorize the issuance of a Purchase Order to EBA for Task Order/RFP#5-03 pursuant to the Master Contract approved on January 22, 2019.

I concur with the recommendation of the Public Works Department and request your approval of Resolution R-5-23.

ATTACHMENTS:

1. 20230103 - Resolution R-5-23
2. 20230103 - Cost Proposal_EBA_Error
3. 20230103 - Cost Proposal_EBA_Combined_Corrected

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO EBA
ENGINEERING, INC. FOR TASK ORDER/RFP#5-03 IN ACCORDANCE WITH THE
MASTER CONTRACT APPROVED ON JANUARY 22,2019

WHEREAS, on November 21, 2022, Council awarded Task Order/RFP#5-03-Complete Streets Implementation on Kenhill Drive and MD 197 to EBA Engineering, Inc. under the Architect/Engineering Open End Agreement (R-67-22); and

WHEREAS, after award, EBA contacted the Public Works Department and stated that there was an error on the Cost Summary. The Indirect Labor Subtotal was listed as \$200 and it should have been \$62,700.15 (see attached Cost Summaries). EBA has requested a revised award amount. All other bid items were depicted correctly; and

WHEREAS, in accordance with City Charter Section 61(b)(4), a revised total fee of \$131,769.67 for the required services was negotiated. This is within the budgeted amount in the FY23 Public Works Streets Resurfacing Budget; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the Council authorizes the issuance of a Purchase Order to EBA for Task Order/RFP#5-03 in accordance with the Master Contract approved on January 22, 2019.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on January 3, 2023.

ATTEST:

THE CITY OF BOWIE, MARYLAND

 Awilda Hernandez
 City Clerk

 Timothy J. Adams
 Mayor

Cost Summary Format				
Part I - General				
1. Project Title			2. Project No.	
Complete Streets Implementatin on Kenhill Drive and MD 197			RFP#5-03	
3. Name of Consultant			4. Date	
EBA Engineering, Inc.			November 8, 2022	
5. Address of Consultant				
6100 Chevy Chase Drive, Suite 200, Laurel, MD 20707				
Part II- Cost Summary				
6. Direct Labor				Totals
Labor Categories	Hours	Hourly Rate	Estimated Cost	
Project Manager	85	\$ 70.00	\$ 5,950.00	
Roadway /Traffic/ Civil Engineer	340	\$ 65.00	\$ 22,100.00	
CADD Technicain	211	\$ 45.00	\$ 9,495.00	
		Direct Labor Subtotal	\$ 37,545.00	
7. Indirect Costs	Rate	x Direct Labor Total	Estimated Cost	
Overhead and Payroll Burden	1.67	\$ 37,545.00	\$ 62,700.15	
Indirect Labor Subtotal			200	
8. Total of Direct Labor and Indirect Costs (Combined Sum of Items 6 & 7)				
9. Profit (10% of Item 8)				\$ 6,290.02
10. Total Professional Fee (Combined Sum of Items 8 & 9)				\$ 69,190.17
11. Subconsultant Fee (Inclde Detailsin another Cost Summary Form)				\$ 21,500.00
12. Other Direct Costs (Combined Sum of Items a & b)				
a. Equipment, Materials, Supplies	Quantity	Unit Cost	Estimated Cost	
Equipment, Materials, Supplies Subtotal				
b. Other			Estimated Cost	
Other Subtotal				
13. Total Price (Combined Sum of Item 10, 11, and 12)				\$ 90,690.17

Cost Summary Format				
Part I - General				
1. Project Title			2. Project No.	
Complete Streets Implementatin on Kenhill Drive and MD 197			RFP#5-03	
3. Name of Consultant			4. Date	
EBA Engineering, Inc.			November 8, 2022	
5. Address of Consultant				
6100 Chevy Chase Drive, Suite 200, Laurel, MD 20707				
Part II- Cost Summary				
6. Direct Labor				Totals
Labor Categories	Hours	Hourly Rate	Estimated Cost	
Project Manager	85	\$ 70.00	\$ 5,950.00	
Roadway /Traffic/ Civil Engineer	340	\$ 65.00	\$ 22,100.00	
CADD Technicain	211	\$ 45.00	\$ 9,495.00	
		Direct Labor Subtotal	\$ 37,545.00	
7. Indirect Costs	Rate	x Direct Labor Total	Estimated Cost	
Overhead and Payroll Burden	1.67	\$ 37,545.00		
Indirect Labor Subtotal			\$ 62,700.15	
8. Total of Direct Labor and Indirect Costs (Combined Sum of Items 6 & 7)				
9. Profit (10% of Item 8)				\$ 10,024.52
10. Total Professional Fee (Combined Sum of Items 8 & 9)				\$ 110,269.67
11. Subconsultant Fee (Inclde Detailsin another Cost Summary Form)				\$ 21,500.00
12. Other Direct Costs (Combined Sum of Items a & b)				
a. Equipment, Materials, Supplies	Quantity	Unit Cost	Estimated Cost	
Equipment, Materials, Supplies Subtotal				
b. Other			Estimated Cost	
Other Subtotal				
13. Total Price (Combined Sum of Item 10, 11, and 12)				\$ 131,769.67



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Architect/Engineering Open End Contract
Category 3-Stormwater Management and Ecological (Design & CMI)
RFP/Task Order #3-15 MB-MS-3 Stream Restoration
Resolution R-6-23

DATE: 12/29/2022

On October 31, 2018, the City entered into an Architect/Engineering Open End Agreement for Category 3-Stormwater Management and Ecological (Design & CMI) with KCI Technologies, Inc. (KCI) of Sparks, Maryland, Rummel, Klepper & Kahl, LLP (RK&K), of Baltimore, MD, A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD, Brudis & Associates, Inc.(BAI), of Columbia, MD and BayLand Consultants & Designs, Inc., (BayLand) of Columbia, MD. Professional Services delivered through these Agreements are negotiated and procured on a Task Order basis as the City's needs arise.

On November 18, 2022, the Public Works Department advertised a Notice of Intent to Negotiate with KCI, RK&K, AMT, BAI and BayLand for RFP/Task Order #3-15 MB-MS-3 Stream Restoration Project under the Architect/Engineering Open End Agreement. Proposals were received from RK&K, AMT, BAI, KCI and BayLand. A Proposal was accepted from AMT for this task and selected based on cost, capacity to perform in a timely manner and understanding of the project.

In accordance with City Charter Section 61(b)(4), a fee of \$151,829.87 for the required services was negotiated. This includes the Design and Bid Phases. This is within the amount budgeted in the FY23 CIP Chesapeake Bay account.

The Public Works Department recommends that Council authorize the issuance of a Purchase Order to AMT for Task Order/RFP#3-15 pursuant to the Master Contract approved on October 31, 2018.

I concur with the recommendation of the Public Works Department and request your approval of Resolution R-6-23.

ATTACHMENTS: 1. 20230103 - Resolution R-6-23

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO A. MORTON
THOMAS & ASSOCIATES, INC. FOR TASK ORDER/RFP#3-15 IN ACCORDANCE
WITH THE MASTER CONTRACT APPROVED ON OCTOBER 31, 2018

WHEREAS, on November 18, 2022, the Public Works Department advertised a Notice of Intent to Negotiate for RFP/Task Order #3-15 MB-MS-3 Stream Restoration Project; and

WHEREAS, an RFP was issued to five (5) firms which have open ended professional services agreements with the City for Stormwater Management and Ecological Design. These firms include KCI Technologies, Inc. (KCI) of Sparks, Maryland, Rummel, Klepper & Kahl, LLP (RK&K), of Baltimore, MD, A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD, Brudis & Associates, Inc. (BAI), of Columbia, MD and BayLand Consultants & Designs, Inc., (BayLand) of Columbia, MD; and

WHEREAS, for this Task, the City received Proposals from RK&K, AMT, BAI, KCI and Bay Land. The Proposal from AMT was selected based on cost, capacity to perform in a timely manner and understanding of the project.

WHEREAS, in accordance with City Charter 61(b)(4) a fee of \$151,829.87 for the required services was negotiated. This includes the Design and Bid Phases. This is within the amount budgeted in the FY23 CIP Chesapeake Bay account; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the Council authorizes the issuance of a Purchase Order to AMT for Task Order/RFP#3-15 pursuant to the Master Contract approved on October 31, 2018.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on January 3, 2023.

ATTEST:

THE CITY OF BOWIE, MARYLAND

 Awilda Hernandez
 City Clerk

 Timothy J. Adams
 Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Authorizing Access Easement between City of Bowie and Canning Solar Energy Center LLC for Use of Public Works Road
Resolution R-7-23

DATE: 12/29/2022

In August of 2022, Brian Quinlan, CEO of Calvert Energy LLC approached the city with three (3) solar projects that his company is planning on developing on the closed Bowie-Belair landfill located adjacent to the Public Works Complex, but outside of incorporated Bowie. The Bowie-Belair landfill property ("Property") is owned by the Corporation of the Roman Catholic Clergymen ("Corporation"). The Corporation leased the Property to Canning Solar Energy Center LLC ("Canning") for the three (3) solar projects.

In 1976, the City of Bowie ("City") purchased the property that is now known as the City of Bowie Public Works Complex. This complex property was also acquired from the Corporation. In the Deed recorded at Liber 4617, Folio 00497, the Corporation reserved an ingress and egress easement to access its remaining Property from MD Rt. 450. The easement area is located within the Bowie Public Works Complex and is now known as Public Works Road. Public Works Road is a paved roadway maintained by the City to access the City of Bowie Public Works Complex and is accessed off MD Rt. 450.

As the sole means of access from MD Rt. 450 to the Property, the City and Canning have decided to formalize the access easement. In the access easement, Canning will use a portion of Public Works Road to access the Property from Md. Route 450 for the purpose of the three (3) solar projects. The access easement agreement sets forth terms and conditions for the use of the easement.

Recommendation: Staff recommends Council adopt Resolution R-7-23 authorizing the City Manager to enter into an Access Easement with Canning Solar Energy Center LLC.

ATTACHMENTS: 1. 20230103 - Resolution R-7-23

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING ACCESS EASEMENT BETWEEN CITY OF BOWIE AND CANNING
SOLAR ENERGY CENTER LLC FOR USE OF PUBLIC WORKS ROAD

WHEREAS, Canning Solar Energy Center LLC (“Canning”) approached the City of Bowie (“City”) to formalize the use of the Public Works Road for Canning’s three solar projects being developed on the closed Bowie-Belair landfill located adjacent to the Public Works Complex, but outside of the incorporated City; and

WHEREAS, the City owns certain real property located in the City of Bowie, Prince George’s County, Maryland commonly known as the City of Bowie Public Works Complex that it acquired from the Corporation of the Roman Catholic Clergymen; and

WHEREAS, in the Deed recorded at Liber 4617, Folio 00497, the Corporation of Roman Catholic Clergymen reserved an ingress and egress easement to access its remaining property also known as the Bowie-Belair Landfill from Md. Route 450, using Public Works Road; and

WHEREAS, Canning is the lessee of certain real property, also located in Prince George’s County, Maryland, adjoining a portion of Public Works Road, which is owned by the Corporation of Roman Catholic Clergymen commonly known as 16600 Annapolis Road, Bowie, Maryland, and which is located between Public Works Road, Route 450 and Route 301; and

WHEREAS, Public Works Road is a paved roadway maintained by the City to access the City’s Public Works complex; and

WHEREAS, Canning desires to develop it’s solar projects on the Bowie-Belair Landfill property; and

WHEREAS, the sole means of access to the Bowie-Belair Landfill property from Md. Route 450 is via the Public Works Road; accordingly, Canning desires to use a portion of Public Works Road to access the Bowie-Belair Landfill Property from Md. Route 450; and

WHEREAS, Canning has requested that the City grant certain easement rights over a portion of the Public Works Road.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the City of Bowie authorizes Canning Solar Energy Center LLC the easement to access the Bowie-Belair Landfill Property for the purpose of their solar projects via the Public Works Road from Route 450.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on January 3, 2023.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Phase II SCADA System Upgrades - Wastewater Treatment Plant
Resolution R-8-23

DATE: 12/29/2022

Legal notices were placed and bid packages were sent to firms to provide design build services for the Wastewater Treatment Plant Phase II SCADA system upgrade. At the close of bidding at 11:00 a.m., Tuesday, November 29, 2022, two (2) bid proposals were received from Industrial Monitoring and Control Systems, Inc. and EverSolve Technologies. Attached are the bid results.

After careful review of the proposals submitted, EverSolve Technologies' proposal was determined to be non-responsive for proposing a system not requested in the specifications. Industrial Monitoring and Control Systems, Inc. submitted a responsive and responsible bid proposal, however, the total proposal is over the \$249,000 budget.

The Public Works Department recommends that Task 1, Items 1.1 and 1.2; Task 2, Part A, Item A-2; and Task 2, Part B, Item B-6 of the proposal from Industrial Monitoring and Control Systems, Inc. in the amount of \$239,668 be accepted.

I concur with the above recommendation to award to Industrial Monitoring and Control Systems, Inc. at a cost of \$239,668 and request your approval of Resolution R-8-23.

ATTACHMENTS:

1. 20230103 - Resolution R-8-23
2. 20230103 - Bid Results R-8-23

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
ACCEPTING BID FOR DESIGN BUILD SERVICES FOR THE WASTEWATER
TREATMENT PLANT PHASE II SCADA SYSTEM UPGRADES

WHEREAS, advertisements were placed and requests for proposals were sent to firms to provide design build services for the Wastewater Treatment Plant Phase II SSCADA system upgrades; and

WHEREAS, at the close of bidding at 11:00 a.m., Tuesday, November 29, 2022, the City received two (2) bid proposals; and

WHEREAS, after a careful review of the bid proposals submitted, it was determined that Industrial Monitoring and Control Systems, Inc. had submitted a responsible and responsive bid proposal.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the Council hereby accepts Task 1, Items 1.1 and 1.2; Task 2, Part A, Item A-2; and Task 2, Part B, Item B-6 of the bid proposal of Industrial Monitoring and Control Systems, Inc. at a cost of \$239,668 and hereby directs the City Manager to sign a contract with Industrial Monitoring and Control Systems, Inc.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland, at a Regular Meeting on January 3, 2023.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor

Task 1: Completion of the Design

Item	Description	Unit Size	Est. Quantity	EverSolve Technologies Lubbock, Texas		Industrial Monitoring & Control Systems, Inc. New Windsor, Maryland	
				Unit Price	Total	Unit Price	Total
1.1	70% Design	LS	1		\$ 27,900.00		\$ 35,520.00
1.2	100% Design				\$ 11,900.00		\$ 25,200.00
TOTAL - Task 1					\$ 39,800.00		\$ 60,720.00

Task 2: Construction

Part A: BASE BID ITEMS

Item	Description	Unit Size	Est. Quantity	Unit Price	Total	Unit Price	Total
A-1	WWTP Fiber Optic Ring Topology Network Upgrade Pertaining to All Remaining Plant PLCs except for PLC-ADMIN and PLC-ENR	LS	1		NO BID	\$	377,520.00
A-2	EQ Tanks, PLC-EQ SCADA Upgrade	LS	1		\$ 60,275.00		\$ 111,459.00
SUBTOTAL PART A ITEMS					\$ 60,275.00		\$ 488,979.00

Part B: Add Alternate (Selected Item(s) in Part B may be awarded

Item	Description	Unit Size	Est. Quantity	Unit Price	Total	Unit Price	Total
B-1	Clarifier 3 & Plant Drain PS, PLC-DRAIN SCADA Upgrade	LS	1		\$ 52,435.00		\$ 89,389.00
B-2	Service Building & Effluent, PLC-SERV SCADA Upgrade	LS	1		\$ 68,225.00		\$ 107,477.50
B-3	Clarifiers 1 & 2, PLC-SLUDGE SCADA Upgrade	LS	1		\$ 51,425.00		\$ 111,453.00
B-4	Filter & UV Building, PLC-UV SCADA Upgrade	LS	1		\$ 51,425.00		\$ 79,790.00
B-5	Blower Chemical, PLC-B/C SCADA Upgrade	LS	1		\$ 52,435.00		\$ 105,648.00
B-6	SPS (No. 1-9) I/O Integration	LS	1		\$ 94,375.00		\$ 67,489.00
SUBTOTAL PART B ITEMS					\$ 370,320.00		\$ 561,246.50

Part C: Contingency Bid Items

Item	Description	Unit Size	Est. Quantity	Unit Price	Total	Unit Price	Total
C-1	Additional Hours for Programming	HR	40	195.00	7,800.00	\$ 130.00	\$ 5,200.00
C-2	Install Additional Conduit and Wiring (#14 XHHW in 3/4" PVC Coated Conduit)	LF	400	3.50	1,400.00	16.72	\$ 6,688.00
C-3	Install Additional 3/4" SCH 80 Conduit, Direct Buried	LF	100	4.05	405.00	18.70	\$ 1,870.00
C-4	Install Additional Conduit and Wiring (#16 TPS in 3/4" PVC Coated Conduit)	LF	100	3.50	350.00	19.36	\$ 1,936.00
C-5	Concrete Encased Duct Bank (4-way)	LF	50		NO BID	165.00	\$ 8,250.00
SUBTOTAL PART C ITEMS					\$ 9,955.00		\$ 23,944.00

TOTAL Task 1 + Task 2A					\$ 100,075.00		\$ 549,699.00
TOTAL Task 1 + Task 2 (A+B+C)					\$ 480,350.00		\$ 1,134,889.50

TOTAL Task 1 Items 1.1 and 1.2, Task 2 Part A Item A-2, Task 2 Part B Item B-6						\$	239,668.00
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Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Kenilworth Water Main Rehabilitation Part A
Resolution R-9-23

DATE: 12/29/2022

Legal notices were placed and bid packages were sent to firms for the rehabilitation of cast iron pipe (CIP) water mains using Class IV structural cured-in-place pipe (CIPP) lining in the Kenilworth section of the City. At the close of bidding at 11:00 a.m., Wednesday, November 30, 2022, two (2) bid proposals were received. Below is a tabulation of the bids received:

J. Fletcher Creamer & Son, Inc. Hackensack, New Jersey	\$2,339,205.00
Anchor Construction Corporation Washington, DC	\$3,742,022.76

The FY23 scheduled work was divided into two parts. The scope of work for part A was for 1.93 miles of water main to be replaced. However, due to budget constraints, Kornett Lane (.26 mile) was removed from part A and will be bid with part B. This work is being performed in accordance with the Capital Improvement Program.

The Public Works Department recommends awarding the bid proposal from J. Fletcher Creamer & Son, Inc for \$2,339,205.00 which is within the budget appropriated in the CIP.

I concur with the above recommendation to award to J. Fletcher Creamer & Son, Inc. and request your approval of Resolution R-9-23.

ATTACHMENTS: 1. 20230103 - Resolution R-9-23

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
ACCEPTING BID FOR REHABILITATION OF CAST IRON PIPE (CIP) WATER
MAINS USING CLASS IV STRUCTURAL CURED-IN-PLACE (CIPP) LINING IN
THE KENILWORTH SECTION OF THE CITY

WHEREAS, advertisements were placed and bid packages were sent to firms for the rehabilitation of cast iron pipe (CIP) water mains using Class IV structural cured-in-lace pipe (CIPP) lining in the Kenilworth section of the City; and

WHEREAS, at the close of bidding at 11:00 a.m., Wednesday, November 30, 2022, the City received two (2) bid proposals; and

WHEREAS, the FY23 scheduled work was divided into two parts; and

WHEREAS, the scope of work for part A was for 1.93 miles of water main to be replaced; and

WHEREAS, Kornett Lane (.26 mile) was removed from part A and will be bid with part B; and

WHEREAS, after a careful review of the bid proposals submitted, and negotiations with J. Fletcher Creamer & Son, Inc were completed, it was determined that J. Fletcher Creamer & Son, Inc. of Hackensack, New Jersey had submitted a responsible and responsive bid proposal of \$2,339,205.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the Council hereby accepts the proposal of J. Fletcher Creamer & Son, Inc., in the amount of \$2,339,205, and authorizes the City Manager to enter into a contract with J. Fletcher Creamer & Son, Inc.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland, at a Regular Meeting on January 3, 2023.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Ordinance Amending Chapter 2, Ethics
Ordinance O-6-22

DATE: 12/29/2022

House Bill 363 and House Bill 1058 were enacted during the 2021 General Assembly session, which made multiple modifications to the State Ethics Law, which change the requirements for local government ethics laws. Those changes include new conflict of interest provisions and additional disclosures for State elected officials that local governments must incorporate into their ethics ordinances for their elected officials. The State Ethics Commission updated its local government regulations in COMAR 19A.04 to reflect the required changes. The City's Ethics Commission reviewed the required changes at their October 12, 2022 meeting and unanimously voted to recommend the changes included in this Ordinance which must be included in a law to be compliant with State law.

ATTACHMENTS:

1. 8.26.22 Letter Regarding Changes to Ethics Law
2. 20230103 - Ordinance O-6-22



COMMISSION MEMBERS:

JANET E. McHUGH, *Chair*
BONNIE A KIRKLAND
JAMES N. ROBey, JR.
CRAIG D. ROSWELL
GENEAU M. THAMES

STATE ETHICS COMMISSION

**45 CALVERT STREET, 3rd FLOOR
ANNAPOLIS, MARYLAND 21401
410-260-7770 / 1-877-669-6085
FAX: 410-260-7746**

JENNIFER K. ALLGAIR
Executive Director
WILLIAM J. COLQUHOUN
General Counsel
KATHERINE P. THOMPSON
Staff Counsel
ANA L. HENRY
Assistant General Counsel

August 26, 2022

Re: Required Amendments to Local Ethics Laws

Dear Municipal Official:

I am writing to notify your municipality that the requirements under the State Ethics Law are changing. House Bill 363 and House Bill 1058 were enacted during the 2021 General Assembly session, which made multiple modifications to the State Ethics Law, which will change the requirements for local government ethics laws. Those changes include new conflict of interest provisions and additional disclosures for State elected officials that local governments must incorporate into their ethics ordinances for their elected officials. The State Ethics Commission updated its local government regulations in COMAR 19A.04 to reflect the required changes. I have included an attachment describing the changes that need to be included in the new drafts of the ethics law, highlighting the additional provisions that must be included in a law to be compliant with State law. In addition, I have also included our new model laws with the changes highlighted.

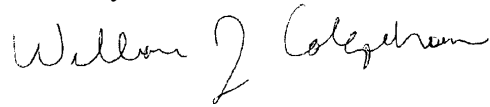
As you are aware, counties and municipalities are required to adopt local ethics laws or ordinances that must include conflict of interest and financial disclosure provisions for local elected officials that are at least equivalent to the State's provisions; financial disclosure provisions for candidates for local elected office that are at least equivalent to State provisions; conflict of interest and financial disclosure provisions for local employees and appointed officials that are similar to State provisions; and local lobbying provisions that are substantially similar to State provisions. (SB315 – Chapter 277 of the Acts of 2010 and Subtitle 8 of Maryland Public Ethics Law).

Commission staff is available to provide guidance and assistance to your municipality as you work through updating your law to incorporate the new changes. Please do not hesitate to contact us should you have any questions regarding the new local government ethics law requirements. As a reminder, any and all future changes to the ethics ordinance must be submitted to the Commission for review and approval in compliance with Subtitle 8 of the Maryland Public Ethics Law and COMAR 19A.04.

Please also note that there were changes that were required as a result of legislation passed in the 2017 General Assembly Session (House Bill 879). If your municipality has not updated your ordinance to reflect those required modifications, please let me know and I will send you information regarding those changes.

Finally, Section §5-807(c) of the Public Ethics Law requires each local jurisdiction to file the Local Government Ethics Law Annual Certification by October 1 of each year. The certification form is attached to this email and may be returned electronically or by regular mail. Please contact our office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Colquhoun". The signature is fluid and cursive, with a large, stylized "W" and "C".

William J. Colquhoun
General Counsel

enc.

ORDINANCE
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AMENDING THE CODE OF THE CITY OF BOWIE, MARYLAND, CHAPTER 2,
“ADMINISTRATION,” ARTICLE V “PUBLIC ETHICS,” TO INCORPORATE
CHANGES REQUIRED BY STATE LAW TO LOCAL ETHICS ORDINANCES
REGARDING CONFLICTS OF INTEREST (CITY CODE, SEC. 2-70) AND
FINANCIAL DISCLOSURES (CITY CODE, SEC. 2-68 AND SEC. 2-71), AND TO
UPDATE REFERENCES TO STATE LAW

WHEREAS, pursuant to Md. Code Ann., Local Gov’t. Article, § 5-202 the Council of the City of Bowie has the authority to pass such ordinances as it deems necessary to assure the good government of the City; protect and preserve the City’s rights, property, and privileges; and preserve peace and good order; and

WHEREAS, Md. Code Ann., Gen. Provisions. Art., Title 5, the Maryland Public Ethics Law, provides in § 5-807 that, each municipal corporation in the State shall enact provisions to govern the public ethics of local officials relating to conflicts of interest, financial disclosure, and lobbying; and

WHEREAS, pursuant to this authority, the Council of the City of Bowie enacted Chapter 2, Article V “Public Ethics” of the Code of the City of Bowie, Maryland; and

WHEREAS, the Maryland General Assembly passed legislation ~~during its 2021 session~~ that made various modifications to the State Ethics Law that require changes to local government ethics laws regarding conflicts of interest and financial disclosures for State elected officials that local governments must incorporate into their ethics ordinances; and

WHEREAS, the Council of the City of Bowie desires to make the required amendments to the City’s Public Ethics Ordinance to incorporate revisions to State law.

Section 1. NOW THEREFORE BE IT ORDAINED AND ENACTED by the Council of the City of Bowie, that the Code of the City of Bowie, Chapter 2, Article V “Public Ethics,” § 2-68 “Definitions,” shall be and hereby is amended to read as follows:

§ 2-68. Definitions.

UNDERLINED SMALL CAPS: Indicate language added to the existing law.

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The words used in this Article shall have their normal accepted meanings except as set forth below:

*

*

*

D. “DESIGNATED SECOND HOME” MEANS (1) IF AN INDIVIDUAL OWNS ONE SECOND HOME, THE INDIVIDUAL'S SECOND HOME; OR (2) IF AN INDIVIDUAL OWNS MORE THAN ONE SECOND HOME, ANY ONE SECOND HOME THE INDIVIDUAL IDENTIFIES TO THE COMMISSION AS THE INDIVIDUAL'S DESIGNATED SECOND HOME.

E. "Doing business with" means: Having or negotiating a contract that involves the commitment, either in a single transaction or a combination of transactions of Five Thousand Dollars (\$5,000) or more of City or City-controlled funds or being regulated by or otherwise subject to the authority of the City; or being registered as a lobbyist in accordance with Section 2-73A of this Article.

~~F.~~ “Elected official” means any individual who holds an elective office of the City.

~~G.~~ “Employee” means an individual who is employed by the City. “Employee” does not include an elected official.

~~H.~~ "Financial interest" means:

1. Ownership of any interest as the result of which the owner has received, within any of the past three (3) years, or is presently receiving, or in the future is entitled to receive, more than One Thousand Dollars (\$1,000) per year; or

2. Ownership, or the ownership of securities of the kind representing or convertible into ownership, of more than three (3) percent (3%) of a business entity by a City official or employee, or the spouse of an official or employee.

~~I.~~ "Gift" means the transfer of anything of economic value regardless of the form without adequate and lawful consideration. “Gift” does not include a political campaign contribution regulated under the Elections Article, Annotated Code of Maryland, or any other provision of state or local law regulating the conduct of elections or the receipt of political campaign contributions.

J. “HOME ADDRESS” MEANS THE ADDRESS OF AN INDIVIDUAL’S PRINCIPAL HOME AND DESIGNATED SECOND HOME, IF ANY.

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~~IK.~~ "Immediate family" means an individual's spouse and dependent children.

~~IL.~~ "Interest" means any legal or equitable economic interest, whether or not subject to an encumbrance or a condition, that is owned or held, in whole or in part, jointly or severally, directly or indirectly. For purposes of Section 2-71 of this Article, "interest" includes any interest(s) held at any time during the reporting period. "Interest" does not include:

1. An interest held in the capacity of an agent, custodian, personal representative, trustee, or other fiduciary unless the holder has an equitable interest therein;
2. An interest in a time or demand deposit in a financial institution;
3. An interest in an insurance or endowment policy or annuity contract under which an insurer promises to pay a fixed number of dollars either in a lump sum or periodically for life or some other specified period;
4. A common trust fund or a trust that forms part of a pension or profit sharing plan that has more than twenty-five (25) participants and that has been determined by the Internal Revenue Service to be a qualified trust under the Internal Revenue Code;
5. A college savings plan under the Internal Revenue Code; or
6. A mutual fund that is publicly traded on a national scale unless the mutual fund is composed primarily of holdings of stocks and interests in a specific sector or area that is regulated by the City.

~~KM.~~ "Lobbying" means:

1. Communicating in the presence of a City official or employee with the intent to influence any official action of that official or employee; or
2. Soliciting others to communicate with a City official or employee with the intent to influence that official or employee.

~~LN.~~ "Lobbyist" means a person or entity that engages in lobbying.

~~MO.~~ "Official " means any person elected or appointed to the Bowie City Council, and any person appointed to any City committee, board, commission, or similar entity having decision making authority: (1) whether or not paid in whole or in part with City funds; and (2) whether or not compensated.

~~NP.~~ "Person" includes an individual or business entity.

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Q. “PRINCIPAL HOME: MEANS THE SOLE RESIDENTIAL PROPERTY THAT AN INDIVIDUAL OCCUPIES AS THE INDIVIDUAL'S PRIMARY RESIDENCE, WHETHER OWNED OR RENTED BY THE INDIVIDUAL.

~~OR.~~ “Qualified relative” means a spouse, parent, child, brother or sister.

S. “QUASI-GOVERNMENTAL ENTITY” MEANS AN ENTITY THAT IS CREATED BY STATE STATUTE, THAT PERFORMS A PUBLIC FUNCTION, AND THAT IS SUPPORTED IN WHOLE OR IN PART BY THE STATE BUT IS MANAGED PRIVATELY.

T. “SECOND HOME” MEANS A RESIDENTIAL PROPERTY THAT:

- (1) AN INDIVIDUAL OCCUPIES FOR SOME PORTION OF THE FILING YEAR; AND
- (2) IS NOT A RENTAL PROPERTY OR A TIME SHARE.

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Council of the City of Bowie, that the Code of the City of Bowie, Chapter 2, Article V “Public Ethics,” § 2-69 “Administration,” shall be and hereby is amended as follows:

§ 2-69 Administration.

* * *

H. The Commission shall certify to the State Ethics Commission on or before October 1 of each year that the City is in compliance with the requirements of ~~State Government Article, Title 15, Subtitle 8,~~ GENERAL PROVISIONS ARTICLE, TITLE 5, SUBTITLE 8, Annotated Code of Maryland for elected officials.

I. The Commission may recommend changes to this Article that, in the Commission’s opinion, may be required for the city to be in compliance with the requirements of ~~State Government Article, Title 15, Subtitle 8,~~ General Provisions Article, Title 5, Subtitle 8, Annotated Code of Maryland, and shall forward any such recommended changes and amendments to the City Council for its consideration.

* * *

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Section 3. BE IT FURTHER ORDAINED AND ENACTED by the Council of the City of Bowie, that the Code of the City of Bowie, Chapter 2, Article V “Public Ethics,” § 2-70 “Prohibited conduct and interests,” shall be and hereby is amended as follows:

§ 2-70. Prohibited conduct and interests.

A. Participation Prohibitions.

* * *

3. A FORMER REGULATED LOBBYIST WHO IS OR BECOMES SUBJECT TO THIS CHAPTER AS AN EMPLOYEE OR OFFICIAL, OTHER THAN AN ELECTED OFFICIAL OR AN APPOINTED OFFICIAL, MAY NOT PARTICIPATE IN A CASE, CONTRACT, OR OTHER SPECIFIC MATTER AS AN EMPLOYEE OR OFFICIAL, OTHER THAN AN ELECTED OFFICIAL OR APPOINTED OFFICIAL, FOR ONE CALENDAR YEAR AFTER THE TERMINATION OF THE REGISTRATION OF THE FORMER REGULATED LOBBYIST IF THE FORMER REGULATED LOBBYIST PREVIOUSLY ASSISTED OR REPRESENTED ANOTHER PARTY FOR COMPENSATION IN THE MATTER.

* * *

F. Solicitation or acceptance of gifts.

* * *

3. No official or employee may knowingly accept any gift, directly or indirectly, from any person that he THE OFFICIAL OR EMPLOYEE knows or has reason to know:

- a. Is doing business with or is seeking to do business with the City;
- b. Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of ~~his~~ THE official duties OF THE OFFICIAL OR EMPLOYEE;
- c. Is engaged in an activity regulated or controlled by the City; ~~or~~
- d. Is a lobbyist with respect to matters within the jurisdiction of the official or employee; OR

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E. IS AN ASSOCIATION OR ANY ENTITY ACTING ON BEHALF OF AN ASSOCIATION THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL CORPORATIONS.

* * *

G. Disclosure of confidential information. Other than in the discharge of his official duties, an official or employee OR FORMER OFFICIAL OR EMPLOYEE may not disclose or use for his own economic benefit or that of another confidential information ~~which he~~ THAT THE OFFICIAL OR EMPLOYEE has acquired by reason of his THE OFFICIAL'S OR EMPLOYEE'S public position OR FORMER PUBLIC POSITION and ~~which~~ THAT is not available to the public.

* * *

I. AN OFFICIAL OR EMPLOYEE MAY NOT RETALIATE AGAINST AN INDIVIDUAL FOR REPORTING OR PARTICIPATING IN AN INVESTIGATION OF A POTENTIAL VIOLATION OF THE LOCAL ETHICS LAW OR ORDINANCE.

Section 4. BE IT FURTHER ORDAINED AND ENACTED by the Council of the City of Bowie, that the Code of the City of Bowie, Chapter 2, Article V “Public Ethics,” § 2-71 “Financial Disclosure - Elected Officials and Candidates to be Elected Officials,” shall be and hereby is amended as follows:

§ 2-71. Financial Disclosure - Elected Officials and Candidates to be Elected Officials.

* * *

D. Candidates to be Elected Officials.

* * *

3. If a candidate fails to file a statement required by this section after written notice of his obligation to do so is provided by the City Clerk or Board of Election Supervisors, given at least ~~twenty (20)~~ EIGHT (8) days before the last day for the withdrawal of candidacy, he shall be deemed to have withdrawn his candidacy

* * *

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5. Within thirty (30) days of the receipt of a statement required by this section, the City Clerk or Board of Election Supervisors shall forward it to the Commission for the Commission to review in accordance with Section ~~H~~ I below.

E. Public Record. All Financial Disclosure Statements filed pursuant to this section shall be maintained by the City Clerk and shall be made available during normal office hours for examination and copying by the public, subject, however, to such reasonable fees and administrative procedures as the City Council may establish from time to time. The forms shall be retained for four (4) years from the date of receipt. Any person examining or copying these statements shall be required to record his OR HER name, home address, and the name of the person whose disclosure statement was examined or copied. This record shall be forwarded upon request to the person whose disclosure statement is so examined or copied. Notwithstanding the foregoing, FOR STATEMENTS FILED AFTER JANUARY 1, 2019, the City Clerk may not make available for examination and copying by the public any portion of a Financial Disclosure Statement that includes an individual's home address that the individual has identified as the individual's home address. ADDITIONALLY, NEITHER THE COMMISSION NOR THE CITY CLERK SHALL PROVIDE PUBLIC ACCESS TO INFORMATION RELATED TO CONSIDERATION RECEIVED FROM:

1. THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;
2. A GOVERNMENTAL ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE; OR
3. A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE.

F. Contents of statement. All Financial Disclosure Statements filed pursuant to this section shall be on a form developed by the Commission with the assistance of the City Attorney, and shall disclose the following interests, if known:

* * *

4. Gifts. A statement filed under this section shall include a schedule of each gift exceeding \$20 in value, or a series of gifts totaling One Hundred Dollars (\$100) or more received during the reporting period, from, or on behalf of, directly or indirectly, any one person who does business with the City OR FROM AN ASSOCIATION, OR ANY ENTITY ACTING ON BEHALF OF AN ASSOCIATION THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL

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CORPORATIONS. This schedule, as to each gift, shall include a description of the nature and value of the gift; and the identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.

* * *

9. RELATIONSHIP WITH UNIVERSITY OF MARYLAND MEDICAL SYSTEM, STATE OR LOCAL GOVERNMENT, OR QUASI-GOVERNMENTAL ENTITY.

A. AN INDIVIDUAL SHALL DISCLOSE THE INFORMATION SPECIFIED IN GENERAL PROVISIONS ARTICLE §5-607(J)(1), ANNOTATED CODE OF MARYLAND, FOR ANY FINANCIAL OR CONTRACTUAL RELATIONSHIP WITH:

1. THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;
2. A GOVERNMENTAL ENTITY OF THE STATE OR LOCAL GOVERNMENT IN THE STATE; OR
3. A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR LOCAL GOVERNMENT IN THE STATE.

B. FOR EACH FINANCIAL OR CONTRACTUAL RELATIONSHIP REPORTED, THE SCHEDULE SHALL INCLUDE:

1. A DESCRIPTION OF THE RELATIONSHIP;
2. THE SUBJECT MATTER OF THE RELATIONSHIP; AND
3. THE CONSIDERATION.

(10) Additional information. A statement filed under this section may also include such additional interests or information as the person making the statement wishes to disclose.

G. Interests Attributable to Person Making Statement. For the purposes of subsections F1, 2 and 3, the following interests shall be considered to be the interests of the person making the statement:

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~~DOUBLE STRIKETHROUGH:~~ Indicates language deleted from the existing law after introduction of the Ordinance.

1. Any interest held by a member of the immediate family of the person making the statement, if such interest was, at any time during the reporting period, directly or indirectly controlled by the person making the statement.

2. ~~Any~~AN interest held, ~~by a business entity in which the individual held a thirty (30) percent (30%) or greater interest~~ at any time during the APPLICABLE reporting period, BY:

A. A BUSINESS ENTITY IN WHICH THE INDIVIDUAL HELD A 10% OR GREATER INTEREST;

B. A BUSINESS ENTITY DESCRIBED IN SECTION A OF THIS SUBSECTION IN WHICH THE BUSINESS ENTITY HELD A 25% OR GREATER INTEREST;

C. A BUSINESS ENTITY DESCRIBED IN SECTION B OF THIS SUBSECTION IN WHICH THE BUSINESS ENTITY HELD A 50% OR GREATER INTEREST; AND

D. A BUSINESS ENTITY IN WHICH THE INDIVIDUAL DIRECTLY OR INDIRECTLY, THROUGH AN INTEREST IN ONE OR A COMBINATION OF OTHER BUSINESS ENTITIES HOLDS, A 10% OR GREATER INTEREST.

* * *

H. REQUIRED INFORMATION REGARDING AN IDENTIFIED BUSINESS. AN INDIVIDUAL WHO IS REQUIRED TO DISCLOSE THE NAME OF A BUSINESS UNDER THIS SECTION SHALL DISCLOSE ANY OTHER NAMES THAT THE BUSINESS IS TRADING AS OR DOING BUSINESS AS.

I. Review of statements.

* * *

IJ. The Commission may, after consulting with counsel, grant exemptions to or modifications of this section as to elected City officials or candidates to be elected City officials, where it finds that the application of the section would constitute an unreasonable invasion of privacy and would significantly reduce the availability of qualified persons for public service and it also finds that the exemption or modification would not be contrary to the purposes of this Article.

Section 5. **BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF BOWIE** that, the City Clerk is directed to promptly transmit a copy of this Ordinance

UNDERLINED SMALL CAPS: Indicate language added to the existing law.

*** Asterisks: Indicate language contained in the existing law that remains unchanged and is not reproduced in the ordinance.

Strikethrough: Indicates language deleted from the existing law.

DOUBLE UNDERLINED SMALL CAPS: Indicates language added to the existing law after introduction of the Ordinance.

DOUBLE STRIKETHROUGH: Indicates language deleted from the existing law after introduction of the Ordinance.

following its adoption to the Maryland State Ethics Commission to request its approval of the contents hereof.

Section 6. **BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF BOWIE** that, this Ordinance shall become effective upon the later of its approval by the State Ethics Commission or 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 the ____ day of _____, 2022.

PASSED by the Council of the City of Bowie, Maryland at a regular meeting on the ____ day of _____, 2023.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez, City Clerk

By: _____
Timothy J. Adams, Mayor

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:**

Elissa D. Levan, City Attorney

UNDERLINED SMALL CAPS: Indicate language added to the existing law.

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~~DOUBLE STRIKETHROUGH:~~ Indicates language deleted from the existing law after introduction of the Ordinance.



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Detailed Site Plan DSP-98061-05, Raising Cane's Restaurant

DATE: 12/29/2022

Attached please find the City staff report for Detailed Site Plan DSP-98061-05.

ATTACHMENTS: 1. 20230103 - City Council Staff Report DSP-98061-05

LAND USE PETITION IN THE BOWIE PLANNING AREA

Maryland - National Capital Park and Planning Commission ID: Revision to Detailed Site Plan DSP-98061-05
Raising Cane's Restaurant

Bowie Advisory Planning Board #22-09

Date: December 28, 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: Raising Cane's Restaurants, LLC
3. Represented by: Mr. Daniel Lynch, McNamee Hosea
4. Location of Petitioned Property: Southwest quadrant of US 301 and Heritage Boulevard
5. Proposed Use of Petitioned Property: 3,331 square foot restaurant, with drive-through service,
6. Size/Zone of Petitioned Property: 2.08 acres/Zoned: TAC-E (Town Activity Center-Edge)
7. Date of Hearing before BAPB: Tuesday, December 6, 2022 at 7:00 P.M.
8. Date of Hearing before City Council: Tuesday, January 3, 2023 at 8:00 P.M.
9. Date of Hearing before M-NCPPC: Thursday, January 5, 2023
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:	11/21/22	20
Notice sent to Parties of Record:	N/A	
Date Signs Posted:	11/21/22	2
	12/19/22	2
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. Michael Byrd, Chair
Bowie Advisory Planning Board

SUBJECT: Revision to Detailed Site Plan DSP-98061-05
Raising Cane's Restaurant

DATE: December 28, 2022

The Bowie Advisory Planning Board (BAPB) met on Tuesday, December 6th, to review the revision to Detailed Site Plan DSP-98061-05 for a Raising Cane's restaurant. The DSP is a redevelopment proposal that includes a 3,331 square foot restaurant, with drive-through service, at the site of the closed Chili's restaurant. The subject property contains approximately 2.08 acres and is zoned Town Activity Center-Edge (TAC-E). The location of the proposed redevelopment is in the southwestern quadrant of US 301 and Heritage Boulevard in the Bowie Gateway Center development.

Presentations

Mr. Joe Meinert, City Planning Director, noted that the Conceptual Site Plan was approved by the County earlier this year, and the City conducted a Stakeholders Meeting on that plan. Three residents attended that meeting. Planning Director Meinert reviewed the staff report and stated that the application meets all the applicable requirements. There are no outstanding issues and staff recommends approval.

Attorney Daniel Lynch reviewed some of the more recent history of the site, including the Conceptual Site Plan approval. Mr. Lynch reviewed a Powerpoint presentation that included renderings of the site. He noted that the City previously had some concern about traffic impacts of the proposal, and the applicant has conducted studies and designed the site in such a way that it will address those issues. He pointed out that outdoor dining would be possible in a small area near the building. The applicant is also working on several other locations to build the same type of restaurant. After further describing the circulation pattern and site details, Mr. Lynch concluded by stating that he agrees with the staff recommendation of approval with no conditions. He believes the applicant has complied with all the relevant requirements and criteria for approval.

Questions by BAPB Members

Questions by BAPB members included:

- Mr. Jim Golato asked Mr. Lynch to review the ordering and pick up locations. Mr. Lynch pointed out that vehicles have the ability to go into two lanes to place orders and then a single lane to receive their orders.

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

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Revision to Detailed Site Plan DSP-98061-05
Raising Cane's Restaurant

- Mr. Golato asked how wide the building is, and how many seats are in the restaurant. The building is 152' x 50' with 77 seats.
- Mr. Golato asked how the restaurant would operate—self-serve or full-serve? Mr. Lynch described that you order at the counter and then take the food to your table. There is no table service.
- Mr. Ron Skotz stated that he supports the project, but he asked if any projections were done for the drive-through. He compared the drive-through to the Chick-Fil-A, which has a very high-volume business. Mr. Lynch replied that mistakes were made with the original Chick-Fil-A and were corrected with the new restaurant. Much more queuing area is provided there, as well as at this site. He estimated that approximately 30 vehicles could be accommodated at the drive-through. He is confident that the demand will be accommodated, even during the peak hours. Mr. Skotz continued to voice his concern that the main thoroughfare accessing the Bowie Gateway Center might experience traffic issues. He noted that there is a single point of access to the other restaurant site and the credit union, and he hoped that traffic congestion would not be a problem.
- Mr. Terry Rogers asked if Raising Cane's owns the other restaurant site and whether there were any plans for it. Mr. Lynch replied that Raising Cane's has no plans to develop the other site, and it will go on the market.
- Vice-Chair Carl Schuettler observed that the site is somewhat less visible from US 301 and wondered if there would be efforts made to promote the site. Mr. Lynch replied that there will be signage on US 301 and the site will be visible from the southbound lanes. Vice-Chair Schuettler said he believes the previous two restaurants suffered from a lack of visibility.
- Mr. Jim Golato asked who is Raising Cane's parent company? Mr. Lynch replied that the same owner has operated the businesses since 1996. There is no parent company.

Public Hearing

No one was present for the public hearing.

BAPB Motion

Mr. Terry Rogers moved to recommend **APPROVAL** of the Revision to Detailed Site Plan DSP-98061-05 for Raising Cane's Restaurant in accordance with the staff recommendation. The motion was seconded by Robert Day and 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: Detailed Site Plan DSP-98061-05
Raising Cane's Restaurant, LLC

DATE: December 28, 2022

I. Background and Proposal

The property owner, Raising Cane's Restaurant, LLC, has submitted a revision to the Detailed Site Plan for Bowie Gateway Center to allow a proposed 3,331 square foot Raising Cane's restaurant, with drive-through service, at the location of the former Chili's restaurant. The 2.08-acre subject property is located at 16401 Heritage Boulevard in the Bowie Gateway Center in the Town Activity Center-Edge (TAC-E) zone (see Attachment #1). The Town Activity Center-Edge zone permits restaurants with drive-through service as a matter of right. Under the grandfathering provisions of the current Zoning Ordinance, the Detailed Site Plan is being reviewed under the provisions of the prior Zoning Ordinance in accordance with the regulations for the C-M (Commercial Miscellaneous) zone.

In 1975, the District Council changed the zoning on the property from R-R (Rural Residential) to C-M (Commercial-Miscellaneous) as part of the former International Renaissance Center (IRC) (a.k.a. the "City of Capitals" subdivision). The general purpose of the C-M Zone is to provide locations for concentrations of miscellaneous commercial uses; these locations should be on nonresidential streets. The C-M Zone generally allows varied retail uses, including office and highway-oriented uses. In addition to zoning use restrictions, the property was made subject to a Conceptual Site Plan (#CSP-78080) which illustrates the types of uses and general building locations. Submission of a Conceptual Site Plan was required by the District Council as part of the Sectional Map Amendment (SMA) zoning approval in 1975. The original Conceptual Site Plan, showing the subject property as a non-fast food restaurant use, was approved by the County Planning Board in July, 1979 (see Attachment #2). The zoning of the subject property was changed to the TAC-E zone on April 1, 2022, the effective date of the Countywide Map Amendment.

On March 7, 2022, the City Council conducted a public hearing on a revision to the Conceptual Site Plan for Bowie Gateway Center to allow a proposed 3,331 square foot Raising Cane's restaurant, with drive-through service, at the location of the former Chili's restaurant. The Council voted to recommend approval of the revision to #CSP-78080-12, which was also approved by the County's Planning Director.

A Statement of Justification was submitted for this application (see Attachment #3). The Detailed Site Plan is Attachment #4. The Landscape Plan is Attachment #5. Building elevation drawings are Attachment #6, and the Signage Plan and details are Attachment #7.

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

II. Stakeholders Meeting

A separate Stakeholders Meeting was not held for the revision to the Detailed Site Plan. However, on February 9th, Planning staff conducted a virtual Stakeholders Meeting to review a revision to Conceptual Site Plan #CSP-78020-12 for Bowie Gateway Center, proposed by Raising Cane's Restaurants, LLC. A total of three stakeholders attended the meeting. Raising Cane's, based in Louisiana, is proposing their first restaurant in this part of the country. They have 600 restaurants in the Midwest and western states. Their main menu choice is chicken fingers. The company is very active in community events and often donates to local causes. Stakeholders had only several questions, including: What would be the revenue impact of a drive-through restaurant, and, what are the plans for the adjacent (now closed) On The Border restaurant? The Raising Cane's representative indicated that the revenue impact would be positive, and that 65-70% of their sales come from drive-through service. The company purchased the On The Border site as a condition of purchasing the Chili's lot, but currently there is no plan for that property.

III. Revision to Detailed Site Plan DSP-98061-05

Section 27-285(b)(1) of the County Zoning Ordinance requires that the following finding be made for a Detailed Site Plan to be approved by the County Planning Board:

The Planning Board may approve a Detailed Site Plan if it finds that the Plan represents a most reasonable alternative for 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 this finding, the Planning Board may disapprove the Plan.

Site design guidelines include: parking, loading and circulation; lighting; grading; service areas; and, architecture. The DSP may be approved since it will represent a reasonable alternative without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. Staff finds the proposed development will enhance the utility of the specific site and the entire Bowie Gateway Center. Additionally, there are no outstanding issues.

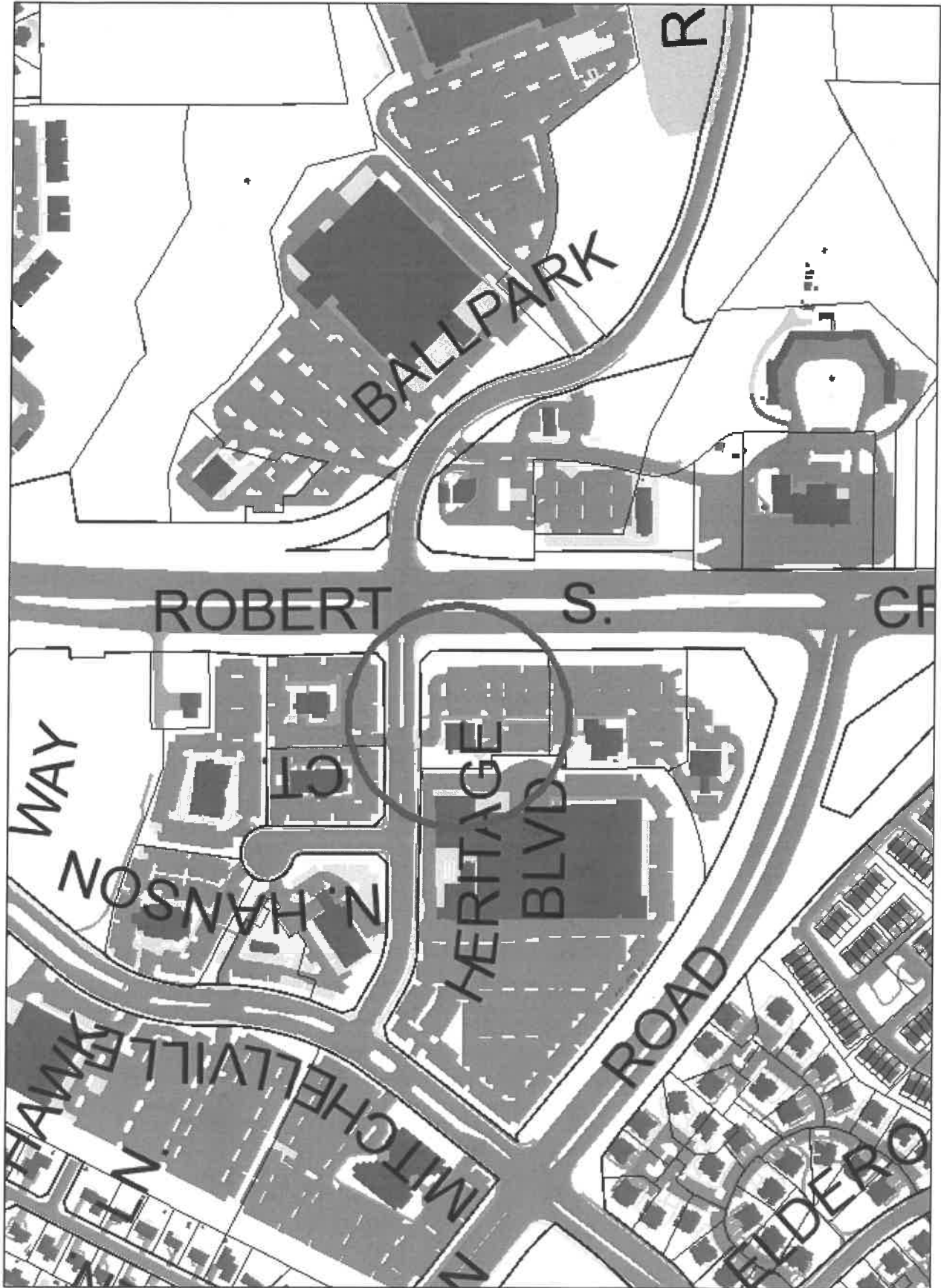
IV. Outstanding Issues

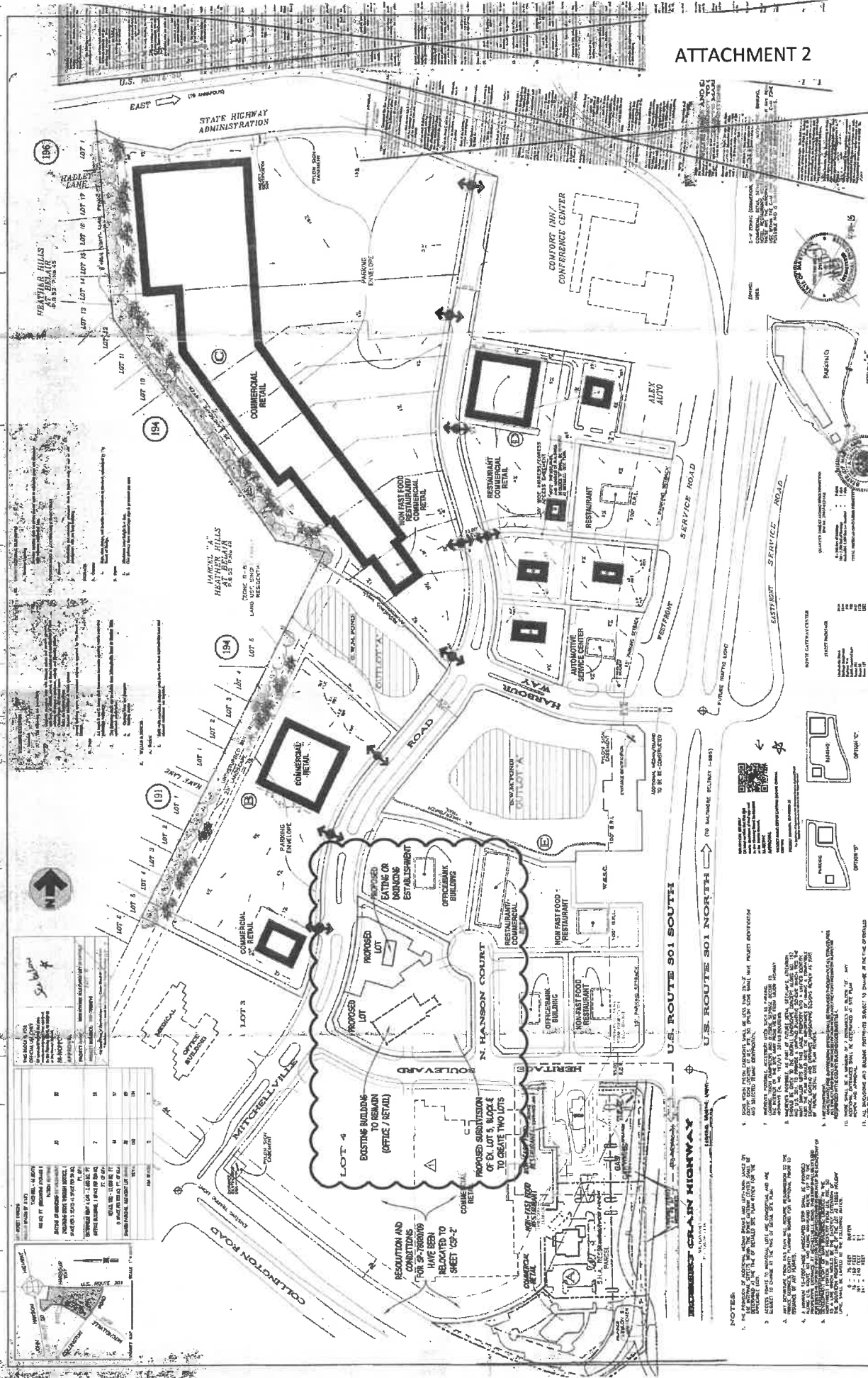
None

V. Recommendation

Staff finds the proposed revision to the Detailed Site Plan for Bowie Gateway Center meets the requirements for approval. Therefore, staff recommends **APPROVAL** of the revision to DSP-98061-05 for a fast-food restaurant, with drive-through service, as proposed by Raising Cane's Restaurant, LLC.

Location Map





NOTES		REVISIONS	
1.	THE PROPOSED SUBDIVISION OF EX. LOT 3, BLOCK 1 TO CREATE TWO LOTS IS SHOWN IN THE ATTACHED MAP. THE PROPOSED SUBDIVISION IS SUBJECT TO THE APPROVAL OF THE PRINCE GEORGES COUNTY BOARD OF SUPERVISORS AND THE PRINCE GEORGES COUNTY DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS.	DATE	BY
2.	THE PROPOSED SUBDIVISION OF EX. LOT 3, BLOCK 1 TO CREATE TWO LOTS IS SHOWN IN THE ATTACHED MAP. THE PROPOSED SUBDIVISION IS SUBJECT TO THE APPROVAL OF THE PRINCE GEORGES COUNTY BOARD OF SUPERVISORS AND THE PRINCE GEORGES COUNTY DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS.	DATE	BY
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CONCEPTUAL SITE PLAN
BOWIE GATEWAY CENTER
 Queen Anne (7th) Election District
 Prince George's County, Maryland

McLaren
 10000 Rte. 100, Suite 100
 P.O. Box 100, Landover, MD 20785
 Tel: 410-588-1000
 Fax: 410-588-1001
 Email: info@mlaren.com

Kimley-Horn
 10000 Rte. 100, Suite 100
 P.O. Box 100, Landover, MD 20785
 Tel: 410-588-1000
 Fax: 410-588-1001
 Email: info@kimley-horn.com

SP-1
 Sheet 1 of 2
 Date: 10/15/2014
 Project: Bowie Gateway Center
 Client: Prince George's County, Maryland
 Designer: Kimley-Horn
 Checker: Kimley-Horn
 Engineer: Kimley-Horn
 Surveyor: Kimley-Horn
 Planner: Kimley-Horn
 Architect: Kimley-Horn
 Civil Engineer: Kimley-Horn
 Mechanical Engineer: Kimley-Horn
 Electrical Engineer: Kimley-Horn
 Environmental Engineer: Kimley-Horn
 Land Use Planner: Kimley-Horn
 Transportation Planner: Kimley-Horn
 Urban Planner: Kimley-Horn
 Regional Planner: Kimley-Horn
 State Planner: Kimley-Horn
 Federal Planner: Kimley-Horn
 International Planner: Kimley-Horn
 Other: Kimley-Horn

**STATEMENT OF JUSTIFICATION
DSP-98061/05**

APPLICANT: Raising Cane's
6800 Bishop Road
Plano, TX 75024

CORRESPONDENT: Daniel F. Lynch, Esq
McNamee Hosea
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420 Voice
(301) 982-9450 Fax
dlynch@mhlawyers.com

REQUEST: Detailed Site Plan in accordance with Section 27-285(b) of the
Zoning Ordinance.

I. DESCRIPTION OF PROPERTY

1. Address – 16401 Heritage Boulevard, Bowie, Maryland 20716
2. Use – Eating and drinking establishment with drive-through
3. Incorporated Area - Bowie
4. Council District – 4th
5. Lots – Lot 7, Block A
6. Total Area – 2.08 Acres
7. Tax Map – Map 55/Grid D2
8. Location – Located on the south side of Heritage Boulevard at its intersection with US 301.
9. Zoned: TAC-e Zone
10. Owner – Raising Canes Restaurant, LLC
11. Zoning Map – 206NE14

II. APPLICANT'S PROPOSAL

The applicant, Raising Cane's, is requesting the approval of a Detailed Site Plan for that property located at 16401 Heritage Boulevard, Bowie, Maryland (the "Subject Property") in conformance with the criteria set forth in Section 27-285(b) of the Zoning Ordinance. The purpose of this application is to locate an eating and drinking establishment on a parcel previously approved for a non-fast-food restaurant. The applicant is proposing to develop the Subject Property in conformance with the C-M Zone Pursuant to with 27-1900 of the Zoning Ordinance.

The Subject Property was developed as a Chili's Restaurant which is closed. The existing restaurant building is currently vacant. The applicant is proposing to raze all structures on the Subject Property and construct a Raising Cane's restaurant. The applicant obtained the approval of an amendment to the approved Conceptual Site Plan (CSP-78020/12) on February 14, 2022 to allow the drive-through component on the Subject Property.

III. DEVELOPMENT HISTORY

The City of Capital property, commonly known as Bowie Gateway Center was originally rezoned from the R-R Zone to the C-M Zone by the Prince George's County Council in 1975 as part of the Bowie-Collington Sectional Map Amendment (CR-108-1975, Amendment 14). The conditions of the rezoning required the approval of Comprehensive Site Plan, which would include a conceptual development plan for the entire property, by the Planning Board. On July 26, 1979, the Planning Board approved a development concept plan, CSP-7808/01 (entitled "Comprehensive Design Plan") as part of the "Comprehensive Site Plan" for the City of Capital. The development site plan approval required that prior to the development of any portion of the site, a Detailed Site Plan for that portion be approved by the Planning Board. The approved development concept plan, along with the Detailed Site Plans for individual lots, would constitute the "Comprehensive Site Plan" required by Amendment 14 of CR-108-1975.

Subsequent to this approval, a number if Detailed Site Plans for various buildings within the center have been approved, the most recent of which, DSP-91016/02 was approved for a bank (NFCU) in 2016. In addition, a number of amendments to the Conceptual Site Plan have been approved for the center and the most recent was CSP-78020/12 to allow an eating and drinking establishment with drive-through service on the Subject Property.

IV. COMMUNITY

The subject property is located on the south side of Heritage Boulevard at its intersection with US 301. The property is located in the Bowie Local Town Center as designated in the 2022

Approved Bowie-Mitchellville and Vicinity Master Plan. The property is surrounded by the following uses:

North: Heritage Boulevard and on the north side of Heritage Boulevard is an eating and drinking establishment in the C-M Zone.

South: Vacant building in the TAC-e Zone

East: US 301 and across US 301 retail commercial uses (gas station and Chick-fil-A) in the TAC-e Zone.

West: Building supply store (Lowe's) in the TAC-e Zone.

V. CRITERIA FOR APPROVAL

The criteria for approval of a Detailed Site Plan are set forth in Section 27-285(b) and the Site Design Guidelines are set forth in Section 27-274.

Section 27-285

(b) Required findings.

- (1) 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;

Comment: This Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines. The plan does not require unreasonable costs nor does it detract substantially from the utility of the proposed development for its intended use as an eating and drinking establishment with drive-through service. The site design guidelines are found in section 27-274 of the Zoning Ordinance.

Section 27-274 Design Guidelines

(1) General.

- (A) The Plan should promote the purposes of the Detailed Site Plan.

Comment: The purposes of the Detailed Site Plan are found in Section 27-281 (b) & (c).

Section 27-281. Purposes of Detailed Site Plans.

(b) General 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;

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

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

(D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.

(c) Specific purposes.

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

(A) To show the specific location and delimitation 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.

Comment: This Detailed Site Plan promotes the purposes of Detailed Site Plans. Specifically, this plan helps to fulfill the purposes of the C-M Zone in which the subject land is located. An eating and drinking establishment with drive-through service is a permitted use in the C-M Zone. The plan gives an illustration as to the approximate location and delineation of the building, its parking, streets, green areas, and other similar physical features and land uses proposed for the site.

In addition to the purposes set forth in Section 27-281, Section 27-274 further requires the Applicant to demonstrate the following:

(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.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.

Comment: This Detailed Site Plan demonstrates conformance with this Design Guideline. The plan shows that a majority of proposed parking spaces associated with the eating and drinking

(3) Lighting.

- Page 51 of 145

Comment: This plan complies with the design guidelines outlined in sub-part (3). Adequate lighting will be provided to illuminate entrances and parking areas throughout the site. Lighting Details are shown on the photometric plan.

(4) Views.

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

Comment: This Detailed Site Plan complies with the design guidelines outlined in sub-part (4) and the plan is designed to preserve, create, or emphasize views from the public roads that surround the property. The applicant is providing a 15-foot wide landscape strip along the US 301 frontage in compliance with the approved CSP and a 4.2 landscape strips located along the Heritage Boulevard frontage. The applicant is also providing a 4.7 buffer along the western property line it shares with Lowe's. The applicant believes that these landscape strips and landscape buffer will enhance the views of this property from travelers along US 301 and Heritage Boulevard.

(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.

Comment: The Detailed Site Plan notes that the site will comply with the green space requirements and the Tree Canopy Coverage requirements.

(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.

Comment: As indicated above, the applicant is proposing to install a 15-foot landscape strip along the US 301 frontage and a 4.2 Landscape Strip along the Heritage Boulevard frontage. The Landscape Plan also provides for compliance with Section 4.3 of the Landscape Manual. Given the size of the property and the nature of the use, the applicant is not proposing any other streetscape amenities.

(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.

Comment: The site is currently developed with an eating and drinking establishment and the applicant is proposing a minimal amount of additional grading as part of this redevelopment proposal.

(8) Service Areas.

(A) Service areas should be accessible, but unobtrusive.

Comment: The proposed loading space located on the north side of the property and complies with 4.4 of the Landscape Manual. The trash and recycling area will be surrounded by screening walls and landscaping.

(9) Public Spaces.

(A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.

Comment: The applicant is not proposing to provide public space as part of this amendment.

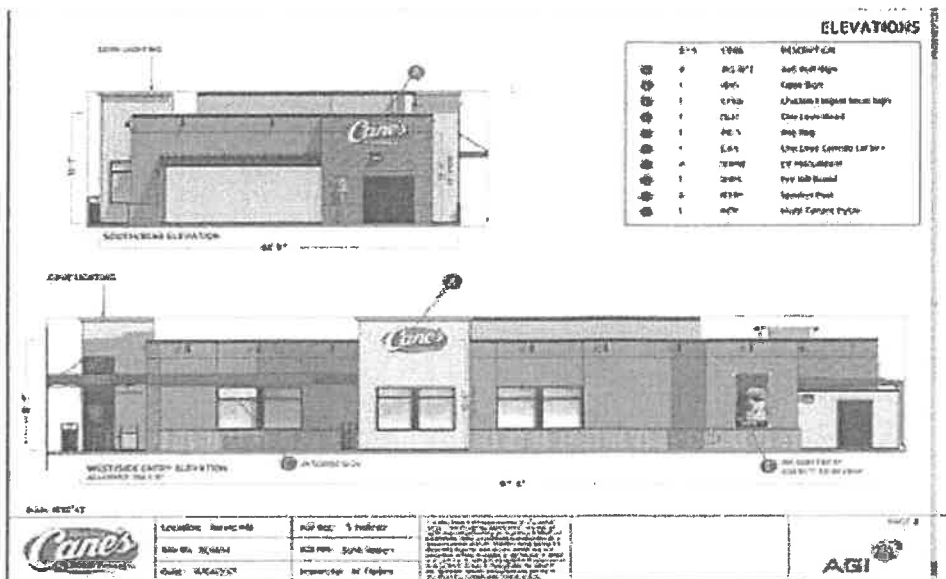
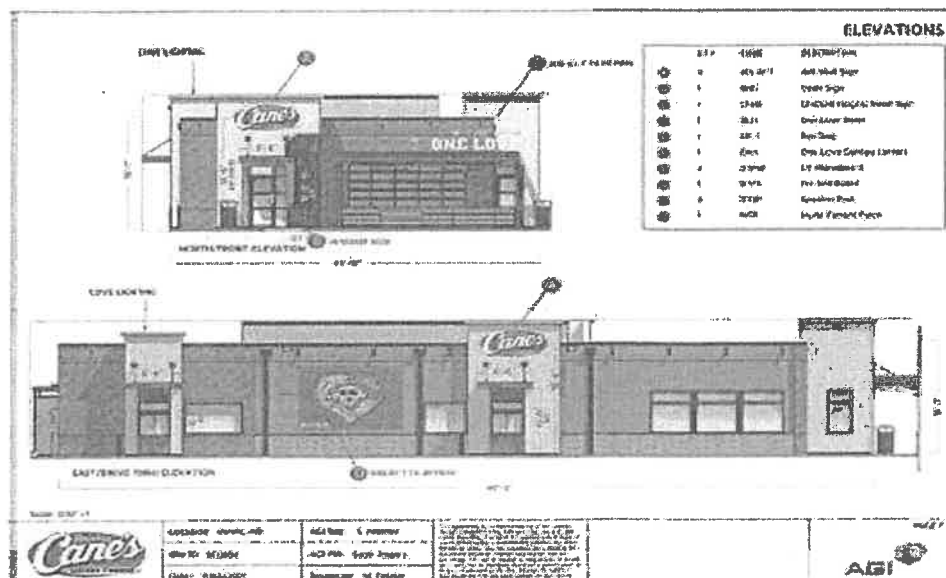
(10) Architecture.

(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 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.

Comment: This Detailed Site Plan complies with the design guidelines outlined in sub-part (10). As stated earlier, this Detailed Site Plan provides the front, rear and side exterior elevations of the proposed building. This Detailed Site Plan also provides the building materials, such as the brick stucco, veneer, glass, steel and aluminum that will be used for the proposed building. The applicant is also proposing two steel canopies on the building. One will be associated with the drive-through and the other will be associated with the outdoor eating area.



With regard to the proposed signage for the site, the Detailed Site Plan contains a compliance chart demonstrating that the building mounted signage and freestanding signage complies with the standards for the C-M Zone.

In addition to the requirements outlined in Section 27-274, Section 27-285 further requires that the Applicant demonstrate the following:

- (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);

Comment: The DSP has been designed in accordance with the underlying conditions of approval of CSP-78020, as amended.

(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.

Comment: Not applicable.

VI. PURPOSES OF C-M ZONE

The purposes of the C-M Zone are set forth in Section 27-259(a) of the Zoning Ordinance. The applicant's proposal complies with said purposes as follows:

- (A) To provide locations for miscellaneous commercial uses which may be disruptive to the harmonious development, compactness, and homogeneity of retail shopping areas;

Comment: The applicant is not proposing to develop the site with a commercial miscellaneous use, rather an eating and drinking establishment with drive-through service. However, this use will be separated from the retail commercial uses located in the center and therefore any impacts normally associated with this use will be less disruptive to the retail commercial uses located in the center. The closest retail use is the Kohl's department store located on Lot 4, Block B which is approximately 740 feet from the subject property.

- (B) To provide these locations, where possible, on nonresidential streets; and

Comment: The proposed development is located on the south side of Heritage Boulevard at its intersection with US 301. Both Heritage Boulevard and US 301 are nonresidential streets.

- (C) To provide concentrations of these uses which are relatively far apart.

Comment: The Subject property is located along US 301 in Bowie. This property is located in an area of TAC-e zoned property located along US 301 that not only includes the Bowie Gateway Center, but also includes the properties located on the east side of US 301 that include Rips Restaurant, Home Depot, AutoZone, BJ's and Ourisman's Chevrolet. The next concentration of similar uses is further south and located in the Pointer Ridge Shopping Center.

VII. PRIOR APPROVALS

The prior approvals are set forth in Section III above. The two prior approvals that are relevant to this application are CSP-78020/02, CSP-78020/12 and 4-98060. First, CSP-78020/12 was approved by the Planning Director for the purpose of amending the use on the subject property to reflect an eating and drinking establishment with drive-through service. CSP-78020/02 was

approved by the Planning Board on September 10, 1982 subject to 5 conditions. Each relevant condition is listed in below, followed by comment.

4. **Development of individual lots along US 301 and MD 192 shall provide consistent landscaping/berming within the 15-foot wide landscape strip along US 301 and MD 197 to tie the individual development into a coherent identity.**

Comment: The Landscape Plan submitted in conjunction with the DSP set shows the 15 foot wide landscape strip. The landscape strip is consistent with other property with frontage on US 301 and MD 197.

5. **The design of signs, lighting and entrance features on individual lots shall be carefully coordinated throughout the entire center to ensure the compatibility among these elements and to enhance the overall development character and appearance. National logos shall not be prohibited. Monumental signs for the center (not for individual businesses) shall be permitted at the locations shown on the subject plan.**

Comment: The detailed site plan demonstrates conformance with this condition. Sheet 8 of the plan set contains the detail sheet for the site. The applicant is not proposing an entrance feature for the site and the monumental sign for the center is not located on the subject property.

4-98060 was approved by the Planning Board on November 19, 1998, subject to 5 conditions. The relevant condition is as follows, subject to comment:

1. **The Detailed Site Plan shall ensure that vehicular access to the site from Heritage Boulevard shall be located to directly align with that of Lot 8, Block E; Applebee's site.**

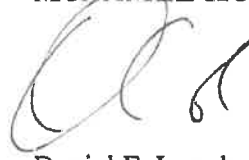
Comment: The existing access drive that was originally installed as part of the original development will not be relocated.

VIII. CONCLUSION

The applicant respectfully submits that all of the criteria for granting the proposed conceptual site plan have been met and on behalf of Raising Cane's requests the approval of DSP-98061/05 for a Raising Cane's Restaurant on Lot 7, Block A of the Bowie Gateway Center.

Respectfully submitted,

MCNAMEE HOSEA

A handwritten signature in black ink, appearing to read 'D. F. Lynch', with a large loop at the beginning and a stylized end.

Daniel F. Lynch

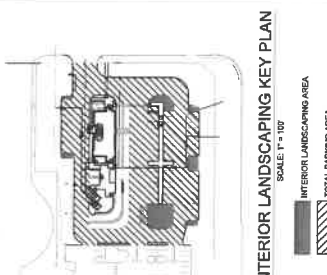


C-201

[illegible]

PROJECT NUMBER

118 **BELOW**
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[illegible]

Note: The area for redevelopment of a previously developed site, which does not qualify for an exemption under subsection 25-127(b), shall be subject to the tree canopy coverage requirements based on the area within the limit of disturbance as shown on any Site Plan.

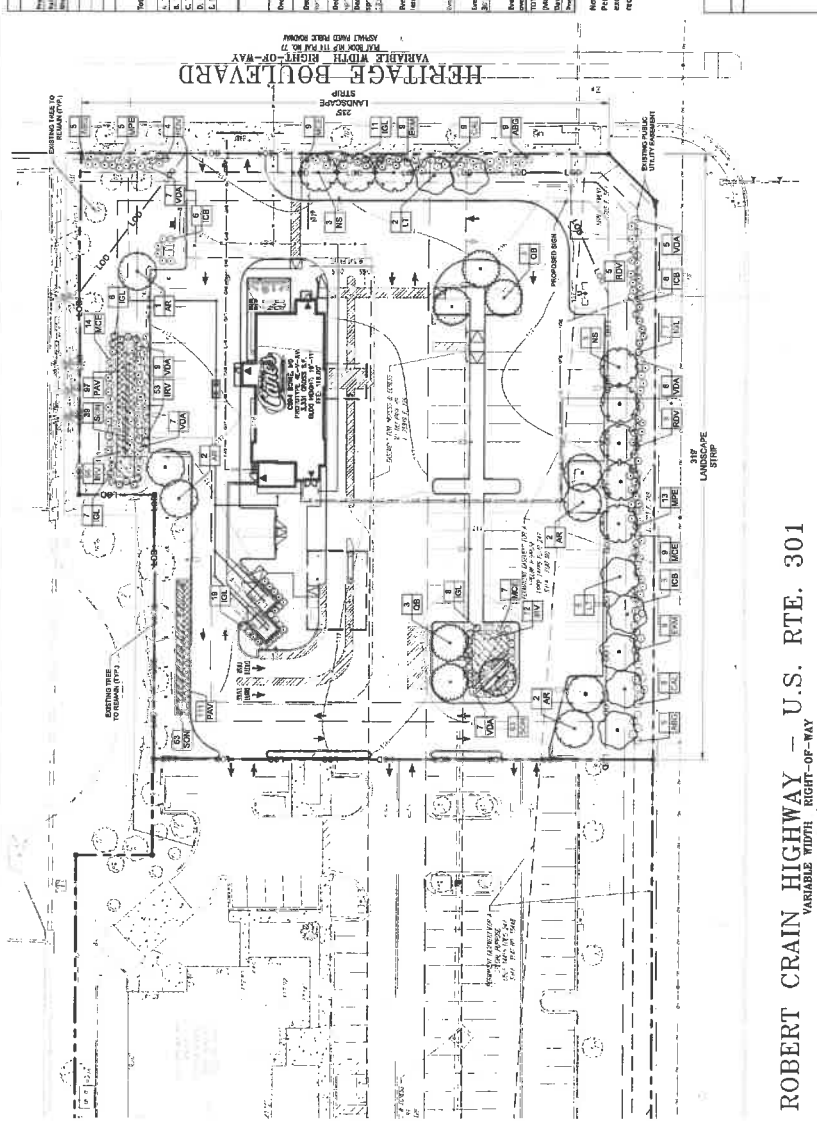
[illegible]

Landscaping Strip	LA 4-85-19-15	15
Earthwork for General Planting Activities		15
Recept Pit for Highway		15
Along Private Boundary	Length= 15'	15
Landscaping Strip Type= Option 1	Width= 12'	15
Public Utility: Curb and Pavement: Yes		15
Plant Material: Tree	Quantity Provided	15
Crookley Tree	Canopy Tree	30
Shrub	Shrub	30
Heritage Redwood		15
Along Northern Boundary	Length= 20'	15
Landscaping Strip Type= Option 1	Width= 12'	15
Public Utility: Curb and Pavement: Yes		15
Plant Material: Tree	Quantity Provided	15
Crookley Tree	Canopy Tree	30
Shrub	Shrub	30
Heritage Redwood		15
Along 2.3 Mile Tracer	Length= 2.3 Miles	15
Landscaping Strip Type= Option 1	Width= 12'	15
Public Utility: Curb and Pavement: Yes		15
Plant Material: Tree	Quantity Provided	15
Crookley Tree	Canopy Tree	30
Shrub	Shrub	30
Heritage Redwood		15

Shrubs	10 per 35 LF = 68	68
Grass:		
length of landscape strip excludes driveway openings (LM 4.2(d) (3) (A)(1)).		

[illegible]

Source: *U.S. Census Bureau, Current Population Reports, 1990*

ROBERT CRAIN HIGHWAY - U.S. RTE. 301
VARIABLE WIDTH RIGHT-OF-WAY

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

PLANT SCHEDULE									
THRESH	QTY	BOTANICAL NAME	COMMON NAME	CONT.	CH. ALT.	NATIVE			
AT	7	ALYX BURMENSIS	RED MAPLE	8.5 L	2' - 3' CH	YES			
BT	1	ALYX BURMENSIS	RED MAPLE	8.5 L	2' - 3' CH	YES			
CB	9	NYSSA SYRIACA	BLACK OAK	8.5 L	2' - 3' CH	YES			
CD	8	NYSSA SYRIACA	BLACK OAK	8.5 L	2' - 3' CH	YES			
CE	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CF	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CH	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CI	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CJ	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CK	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CL	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CM	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CN	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CO	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CP	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CQ	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CR	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CS	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CT	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CU	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CV	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CW	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CX	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CY	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
CZ	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
DA	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			
DB	8	QUERCUS BICOLOR	SWAMP WHITE OAK	8.5 L	2' - 3' CH	YES			

NOTE:
CONTRACTOR TO LEAVE NURSERY PLANT TAGS ON LANDSCAPE MATERIAL UNTIL AFTER LANDSCAPE CERTIFICATION HAS BEEN COMPLETED.

CALL 48 HOURS

1-800-368-8888

**CALL 800-800-8000
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DIAL 811
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Below.
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C-2



BUILDING SIGN TABLE				
ITEM	LENGTH	MULTIPLIER	PROPOSED	
			SQ. FT	
400 WALL SIGN	100 L F	2.89 F T	289 S F	1.6 (3.15) * 100 S F
400 SIGN CASE	100 L F	2.89 F T	289 S F	1.6 (3.15) * 100 S F
TOTAL			400 S F	126.31 S F

NOTES:

1. ALLOWABLE SIGNAGE AREA CALCULATED PER APPLICABLE CODE SECTION 22.02(C)(5-C)
2. SIGNAGE TYPE: BUILDING SIGNAGE IN 100 S F

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811



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Planning Assistance to Municipalities Potential Project

DATE: 12/29/2022

At Tuesday's meeting, staff from the Department of Planning and Sustainability will brief City Council on a funding opportunity to conduct a State of Place community planning assessment of the Bowie Center and other areas of the City.

In the City Council's September 2021 letter to the Prince George's County District Council and Planning Board regarding the Preliminary Bowie-Mitchellville and Vicinity Area Master Plan, Council expressed a desire to have further analysis conducted of the Bowie Center. The City stated the following:

A Plan 2035 assessment of the Bowie Local Town Center, using the Diagnostic Index formulated for analysis of the General Plan Centers, is overdue. Such an assessment will update the cursory analysis performed when the General Plan was approved in 2014 and will analyze the seven elements determined by the County to be important to the make-up of a "complete center"—defined as an economically viable and sustainable place positioned to attract new development, business and residents. Those elements include People, Walkability, Place, Transit and Access, Market, Leverage and Capacity. The assessment should address the 31 indicators cited in Appendix A of Plan 2035 and provide recommendations for raising the "Completeness Score".

Recommendation: The City Council recommends that the Preliminary Master Plan include a Plan 2035 assessment of the expanded Bowie Local Town Center shown in Attachment 1 and recommendations for fulfilling its potential as a Local Center, in an Appendix to the Master Plan.

Despite the City's recommendation, the Approved Master Plan did not include an assessment of the Bowie Center. The General Plan's Complete Center Indicators are attached.

Staff recently became aware of a funding opportunity related to an alternative Center assessment, which exists under The Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Assistance to Municipalities and Communities (PAMC) Program. City staff identified a potential project that might focus on the Bowie Center, as well as other areas of the City such as Old Town Bowie. The potential project would involve a State of Place analysis conducted for these areas. See attached material describing a State of Place analysis. In 2012, City staff participated in a Metropolitan Washington Council of Governments project which involved State of Place sampling in many COG member communities. At that time, an assessment of a portion of the

Bowie Town Center area was completed. See attached results.

The State of Place product will generate evidence-based urban design recommendations based on the economic outcomes the City wishes to optimize. While the study would cost roughly \$40,000 - \$60,000, the PAMC Program would fund 100% of this effort, which would include a one-year subscription for the City to use the vendor software to perform additional analyses.

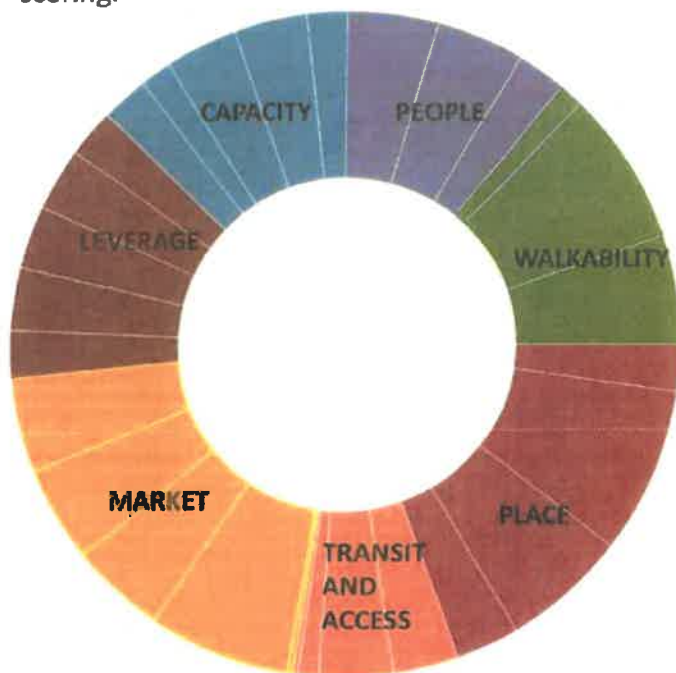
Staff would like to discuss this opportunity and receive the Council's comments and direction.

ATTACHMENTS: 1. 20230103 - State of Place Attachments

Priority Investment District (PID) Diagnostic Index: An Analysis of the General Plan Centers

The Weighting

The Plan Prince George's 2035 Team developed a quantitative analysis tool to evaluate and rank the 27 activity centers identified in the 2002 *Prince George's County Approved General Plan*. The analysis includes the 31 indicators listed to the right. In order to score and compare the centers, the 31 indicators were given different weights to allow the most important criteria, such as the strength of the commercial office market and the presence of Metrorail and large employers or institutions, to be emphasized. The chart below shows the weighting that the team used to develop the initial scoring.



Weighting Table

Category	Indicator	% of Total
PEOPLE	Educational Attainment	4.2%
	Population Density	4.2%
	Household Income	2.4%
	Disposable Income	1.2%
People Total		12%
WALKABILITY	Walk Score	7.5%
	Intersection Density	5.25%
	Street Tree Canopy	2.25%
Walkability Total		15%
PLACE	Large Employer	8%
	Major Attractors	6%
	Violent Crime	3%
	Property Crime	3%
Place Total		20%
TRANSIT AND ACCESS	Metrorail	3.5%
	Transportation Choice	1%
	Highway Proximity	0.25%
	Highway Access	0.25%
Transit and Access Total		5%
MARKET	Commercial Development	6.9%
	Employment Growth	4.6%
	Job Access	4.6%
	Jobs-Housing Ratio	3.45%
	Employment Density	2.3%
	Retail Sales	1.15%
Market Total		23%
LEVERAGE	Commercial Permit Activity	3%
	Public and Institutional Vacant Property	3%
	Incentive Eligibility	3%
	Regional Development	2.25%
	Residential Permit Activity	2.25%
	Corridor Density	1.5%
Leverage Total		15%
CAPACITY	Commercially Zoned Vacant Land	3.5%
	Housing Unit Density	3.5%
	Commercially Zoned Underdeveloped Land	2%
	Commercially Zoned Land	1%
Capacity Total		10%
GRAND TOTAL		100%

The Results

Utilizing the weighting shown to the right, the following centers have the highest "Completeness Scores." The "Completeness Score" is the total reached for a center after scoring each indicator and applying the weighting.

1. *Prince George's Plaza Metro*
2. *New Carrollton Metro*
3. *College Park/University of MD Metro*
4. *Suitland Metro*
5. *Riverdale MARC*
6. *West Hyattsville Metro*
7. *Largo Town Center Metro*
8. *Greenbelt Metro*
9. *Branch Avenue Metro*
10. *Cheverly Metro*

Priority Investment District (PID) Diagnostic Index: An Analysis of the General Plan Centers

The Plan Prince George's 2035 Team developed a quantitative analysis tool to evaluate and rank the 27 activity centers identified in the 2002 *Prince George's County Approved General Plan*. The analysis includes the 31 indicators listed below, which represent the assets and opportunities each center has to support the center's development into a complete Downtown that can be a **regionally competitive, economic generator** for Prince George's County. The results allow us to compare the centers and ultimately identify action items, including strategic public investments to support the creation of two or three Downtowns in the county.

The Indicators

Category	Indicator	
PEOPLE <i>The demographic factors that make an area attractive for development.</i>	Educational Attainment	Distance between activity center and nearest cluster of Census Tracts where 32 percent or more of the adults possess a 4-year college degree.
	Population Density	Number of people per square mile.
	Household Income	Distance between activity center and nearest cluster of Census Tracts where 35 percent or more households have income greater than \$100,000.
	Disposable Income	Percentage of Census Block Groups where combined housing and transportation costs account for less than 45 percent of median household income
WALKABILITY <i>The presence of small block sizes, urban and pedestrian amenities promote compact development and increase the likelihood of walking.</i>	Walk Score™	Rating (from 0-100) of the ease and accessibility of walking routes from the center to nearby amenities (such as grocery stores, schools, parks, restaurants, and retail).
	Intersection Density	Number of intersections per square mile.
	Street Tree Canopy	Percentage of land along roadways with trees.
PLACE <i>The absence of major deterrents & the presence of major employers or attractors that may serve as anchors for future development.</i>	Large Employer	Number of firms with more than 750 employees at a single site within a half-mile of the center.
	Major Attractors	Distance between activity center and nearest regionally-serving education, historical/cultural, entertainment, and retail destinations.
	Violent Crime	Number of reported violent crime incidents per person.
	Property Crime	Number of reported property crime incidents per person.
CAPACITY <i>The existing development density and potential for commercial development.</i>	Commercially Zoned Vacant Land	Percent of acres of unused land in all commercial or mixed-use zones.
	Housing Unit Density	Number of housing units per acre.
	Commercially Zoned Underdeveloped Land	Percent of acres of property containing buildings in commercial or mixed-use zones where the value of the land exceeds the value of the improvements.
	Commercially Zoned Land	Percent of acres of commercial or mixed-use zoning.

Category	Indicator	
TRANSIT AND ACCESS <i>The proximity to Metrorail and the abundance of transportation options available improve land value and development potential.</i>	Metrorail	Whether an activity center contains a Metrorail station.
	Transportation Choice	Number of transportation choices within a half-mile radius (subway, light rail, commuter rail, regional bus, local bus).
	Highway Access	Distance between activity center and nearest freeway or expressway.
	Highway Density	Number of interchanges with a limited access highway within an one-mile radius of the activity center.
MARKET <i>The existing market conditions that lend to the attractiveness of an area for transit-oriented development investment.</i>	Commercial Development	Rating of the strength of the commercial office market—occupied space, vacancy, absorption, and leasing rates.
	Employment Growth	Percentage job growth (2002-2010).
	Job Access	Number of jobs reachable within 45 minutes (via car and transit) from the activity center
	Jobs-Housing Ratio	Number of jobs per housing unit.
	Employment Density	Number of jobs per square mile.
LEVERAGE <i>The existing public or private sector investment that can act as a catalyst for future development.</i>	Retail Sales	Consumer expenditures for all retail stores including restaurants.
	Commercial Permit Activity	Number of square feet for new commercial buildings constructed (2007-2011) and permits issued for commercial buildings (2012).
	Public and Institutional Vacant Property	Percent of acres of unused land with public/institutional ownership.
	Incentive Eligibility	Sum of the percentage of activity center that falls within incentive zones. Zones include Historically Underutilized Business Zones, Enterprise Zones, Priority Funding Areas, Revitalization Tax Credit Areas, Transforming Neighborhood Initiative, and Special Assessment Taxing Districts.
	Regional Development	Distance between activity center and the nearest walkable urban place in the Washington, D.C. region.
	Residential Permit Activity	Number of housing units of new residential buildings constructed (2007-2011) and permits issued for residential building (2012).
	Corridor Density	Distance between activity center and nearest activity center.

APPENDIX I

PRIORITY INVESTMENT DISTRICT (PID) DIAGNOSTIC INDEX: AN ANALYSIS OF THE GENERAL PLAN CENTERS

HOW THE CENTERS WERE SELECTED

Priority Investment District (PID) Diagnostic Index: An Analysis of the General Plan Centers

The 2002 *Prince George's County Approved General Plan* identified 27 centers for future mixed-use growth. Plan Prince George's 2035 recommends that two or three Priority Investment Districts (PIDs) be identified to refine and accelerate implementation of the 2002 plan's vision. PIDs are growth areas selected for long-term, strategic, and coordinated application of public resources, infrastructure, and incentives to catalyze business and job creation, a diversification of housing options, and private investment. Our initial analysis identified three "high-performing" centers (The top 3 centers in "The Results") and three "game-changing" centers.

The Weighting

The Plan Prince George's 2035 Team developed a quantitative analysis tool to evaluate and rank the 27 activity centers identified in the 2002 *Prince George's County Approved General Plan*. The analysis includes the 31 indicators listed to the right. In order to score and compare the centers, the 31 indicators were given different weights to allow the most important criteria, such as the strength of the commercial office market and the presence of Metrorail and large employers or institutions, to be emphasized. The chart below shows the weighting that the team used to develop the initial scoring.



The Results

Utilizing the weighting shown to the right, the following centers have the highest "Completeness Scores." The "Completeness Score" is the total reached for a center after scoring each indicator and applying the weighting.

1. Prince George's Plaza Metro
2. New Carrollton Metro
3. College Park/University of MD Metro
4. Suitland Metro
5. Riverdale MARC
6. West Hyattsville Metro
7. Largo Town Center Metro
8. Greenbelt Metro
9. Branch Library Avenue Metro
10. Cheverly Metro

Game Changers

Several large-scale developments may radically transform the economic landscape and market potential of three other centers in Prince George's County—Greenbelt Metro, Largo Town Center Metro, and Branch Avenue Metro. These developments could stimulate significant private sector interest and justify a redirection of public investment towards facilitating spin-off growth and redevelopment.

Final Selections

The Six Regional Transit Centers, the top three “high performers” and the three “game changers” were presented to participants at the June 15th Town Hall meeting for discussion of the and for addition input from stakeholders on the viability of each location as a regionally competitive economic generator or “downtown”. Following the meeting each location received additional analysis including a review of proposed investments, development capacity and additional assets and challenges for each location. Following this review and consultation with the Planning Board, staff selected the following centers as PID’s.

- Prince George’s Plaza Metro
- New Carrollton
- Largo Town Center

Each site has unique development opportunities and impediments, and one of the first steps in Implementing Plan 2035 is to create a multi-agency team tasked with creating and implementing a work program to catalyze development at these locations. The following summary of key indicators for each site from the PID analysis, along with the descriptive site plan, initial implementation recommendations, and Priority CIP projects approved for each site should provide a foundation for that work.

College Park Metro-UM Metro/Riverdale Park and Greenbelt Metro Centers have been selected as Primary Employment Areas because of the emphasis on existing and future employment growth at these locations. Although additional housing should be introduced these locations, the Jobs to Household ratio will be heavily weighted towards employment with housing being a secondary component to support an active street light past 5 p.m. and support restaurants and other retail amenities.

Table 24. Weighting Table

Category	Indicator	% of Total
PEOPLE	Educational Attainment	4.2
	Population Density	4.2
	Household Income	2.4
	Disposable Income	1.2
People Total		12%
WALKABILITY	Walk Score	7.5
	Intersection Density	5.25
	Street Tree Canopy	2.25
Walkability Total		15%
PLACE	Large Employer	8
	Major Attractors	6
	Violent Crime	3
	Property Crime	3
Place Total		20%
TRANSIT AND ACCESS	Metrorail	3.5
	Transportation Choice	1
	Highway Proximity	0.25
	Highway Access	0.25
Transit and Access Total		5%
MARKET	Commercial Development	6.9
	Employment Growth	4.6
	Job Access	4.6
	Jobs-Housing Ratio	3.45
	Employment Density	2.3
	Retail Sales	1.15
Market Total		23%
LEVERAGE	Commercial Permit Activity	3
	Public and Institutional Vacant Property	3
	Incentive Eligibility	3
	Regional Development	2.25
	Residential Permit Activity	2.25
	Corridor Density	1.5
Leverage Total		15%
CAPACITY	Commercially Zoned Vacant Land	3.5
	Housing Unit Density	3.5
	Commercially Zoned Underdeveloped Land	2
	Commercially Zoned Land	1
Capacity Total		10%
GRAND TOTAL		100%

PRINCE GEORGE'S PLAZA



WHAT'S THERE NOW?



WHAT ELSE COULD BE THERE IN THE FUTURE?



The Prince George's Plaza Metrorail station serves a rapidly growing area. The station is connected to the Metro Shops (Belcrest Center) while a pedestrian bridge leads to The Mall at Prince Georges, a regional mall (900,000 square feet) anchored by Macy's, JC Penney, and Target. The Prince George's Plaza Community Center, located less than one-half mile away, is the site of a future regional community center/library facility. Nearby, University Town Center includes 1.3 million square feet of office space and a range of retail and housing options. Post Park, a 396-unit rental community, recently opened on the north side of East West Highway.

Strengths and Weakness

Top 7 Indicators (out of 31):

- Commercial permit activity
- Employment density
- Large employer
- Employment growth
- Residential permit activity
- Commercial development
- Educational attainment/Major attractors/Regional scale development

Bottom 3 Indicators (out of 31):

- Highway proximity
- Highway access
- Income

PID Index for Prince George's Plaza Metro

Total Completeness Score- 66 out of 100



Implementation Narrative

Additional language will be added to describe the center's strengths and weaknesses based on the highest and lowest scoring indicators in the PID Index. Specific implementation strategies will be described to maintain and capitalize on the areas of strength and address the low scoring indicators.

Priority CIP Recommendations

- Construct Prince George's Plaza community center and public library complex close to the Metro
- Provide traffic calming along East-West Highway
- Provide Traffic signal at Belcrest Road and Toledo terrace
- Provide civic spaces (plazas and pavilions)
- Reconstruct intersection - MD 500 at Queensbury/Belcrest Roads
- Renovate the existing pedestrian bridge over MD 410 to provide a more open and inviting environment and accommodate a large volume of pedestrians
- Provide a pedestrian-activated signal for a mid-block crossing of MD 410 in the vicinity of America Boulevard
- Provide ADA compliant pedestrian access and safety – cross-walks, street lights, bridges
- Construct Hyattsville-Dietz Neighborhood Playground
- Construct new Hyattsville fire/EMS

NEW CARROLLTON METRO



New Carrollton Metrorail station is the eastern end of the Orange Line. It is a unique transportation hub with access to Amtrak's Northeast Corridor, MARC trains, Greyhound Bus, Prince George's County's TheBus, and Metro Bus, along with the Capital Beltway (I-95/495) and John Hanson Highway (Route 50). It is also the planned end for the proposed Purple Line. The station is connected to the U.S. Internal Revenue Service headquarters that employs approximately 4,400 employees. The 200-acre Metro East Office Park is located to the south and east of the station. WMATA and the State of Maryland have an active joint development agreement with Forest City Enterprises and Urban Atlantic Development.

Strengths and Weakness

Top 7 Indicators (out of 31)

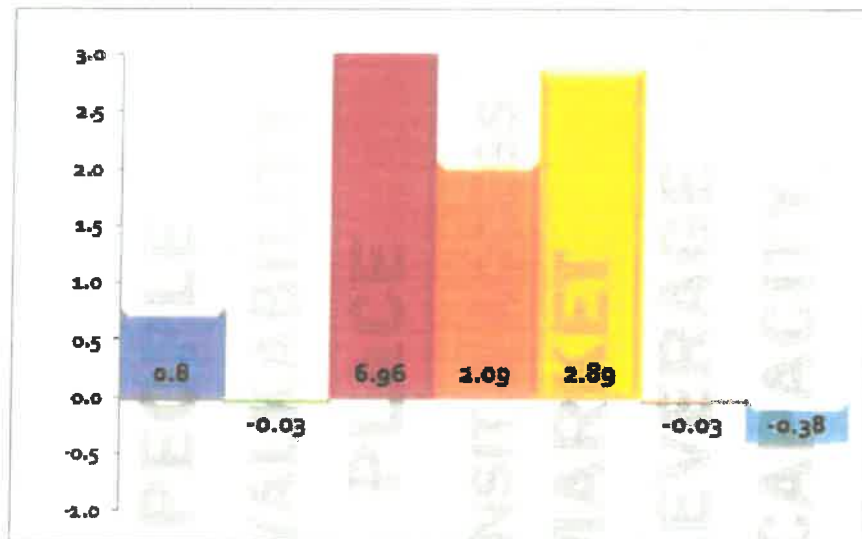
- Large employer
- Employment density
- Jobs-housing ratio
- Highway access
- Employment growth
- Commercial development
- Income/Highway proximity/Regional scale development

Bottom 3 Indicators (out of 31):

- Commercial permit activity
- Residential permit activity
- Violent crime

PID Index for New Carrollton Metro

Total Completeness Score- 65 out of 1



Implementation Narrative

Additional language will be added to describe the center's strengths and weaknesses based on the highest and lowest scoring indicators in the PID Index. Specific implementation strategies will be described to maintain and capitalize on the areas of strength and address the low scoring indicators.

Priority CIP Recommendations

- Redesign and rebuild Metro Station (per 2007 ULI Technical Assistance Panel recommendation)
- Construct Purple Line Station
- Implement a road diet along MD 450 between 65th Avenue and Gallatin Street, replacing the outside curb lanes with a cycle track and striped buffer
- Install a sidewalk or shared use path along the east side of Veterans Parkway
- Install a sidewalk along the north side of Garden City Drive
- Provide new elementary school (per Public Facilities Analysis)
- Provide green and civic spaces incorporated into gateways to TOD area
- Provide a shared use path or wide sidewalk along MD 450
- Provide a pedestrian-activated signal for the mid-block crossing of MD 450 near Saint Mary's Catholic School
- Provide designated bike lanes along 85th Avenue
- Provide shared lane markings and bikeway signage along Harkins Road
- Construct gateways and intersection improvements along MD 450 at MD 410, Harkins and 85th Avenue
- Increase signage in the Metro and surrounding area to improve access and way finding

LARGO TOWN CENTER



WHAT'S THERE NOW?



The Largo Town Center Metrorail station is at the eastern terminus of the Blue/Silver Line has been selected as the site for a new regional medical center in the county. Prince George's County, the State of Maryland, the University of Maryland Medical System, and Dimensions Healthcare System have entered into a Memorandum of Understanding to construct a new regional medical center. The new \$600 million state-of-the art medical complex will become a hub for health care services, teaching, and medical and biopharmaceutical research. The location of the complex is expected to be announced in summer 2013. Construction could begin as early as 2014. The station is adjacent to "The Boulevard at Capital Centre", a 69 acre lifestyle center that is anchored by a Magic Johnson Theater, DSW, Sports Authority, and HH Gregg. The station area is located within the Largo Economic Development Submarket and includes more than 3000 employees within the ½ mile radius. The Prince George's County also owns XXXX square for government offices within ¾ miles of the station.

Strengths and Weakness

Top 7 Indicators (out of 31):

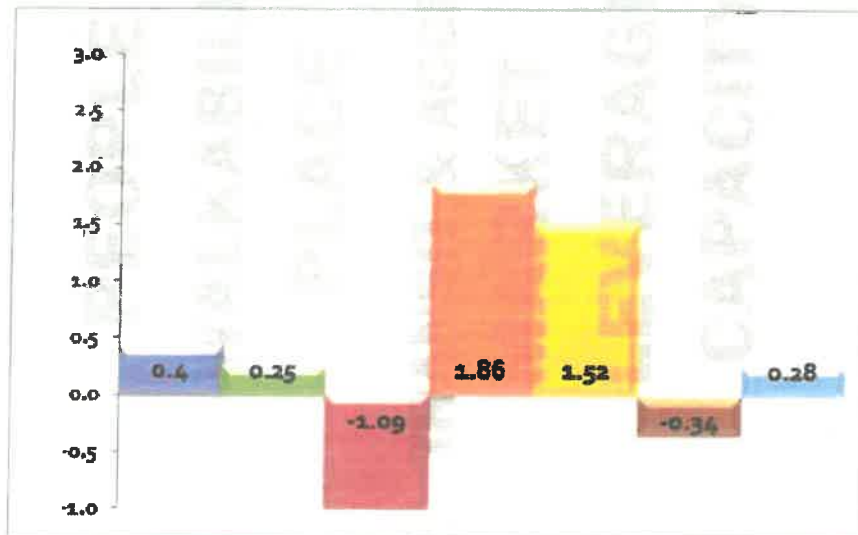
- Highway Access
- Commercial Development
- Highway Proximity
- Employment growth
- Income
- Metrorail
- Educational attainment

Bottom 3 Indicators (out of 31):

- Property Crime
- Large Employer
- Commercial Permit Activity

PID Index for Largo Town Center Metro

Total-52 of 100



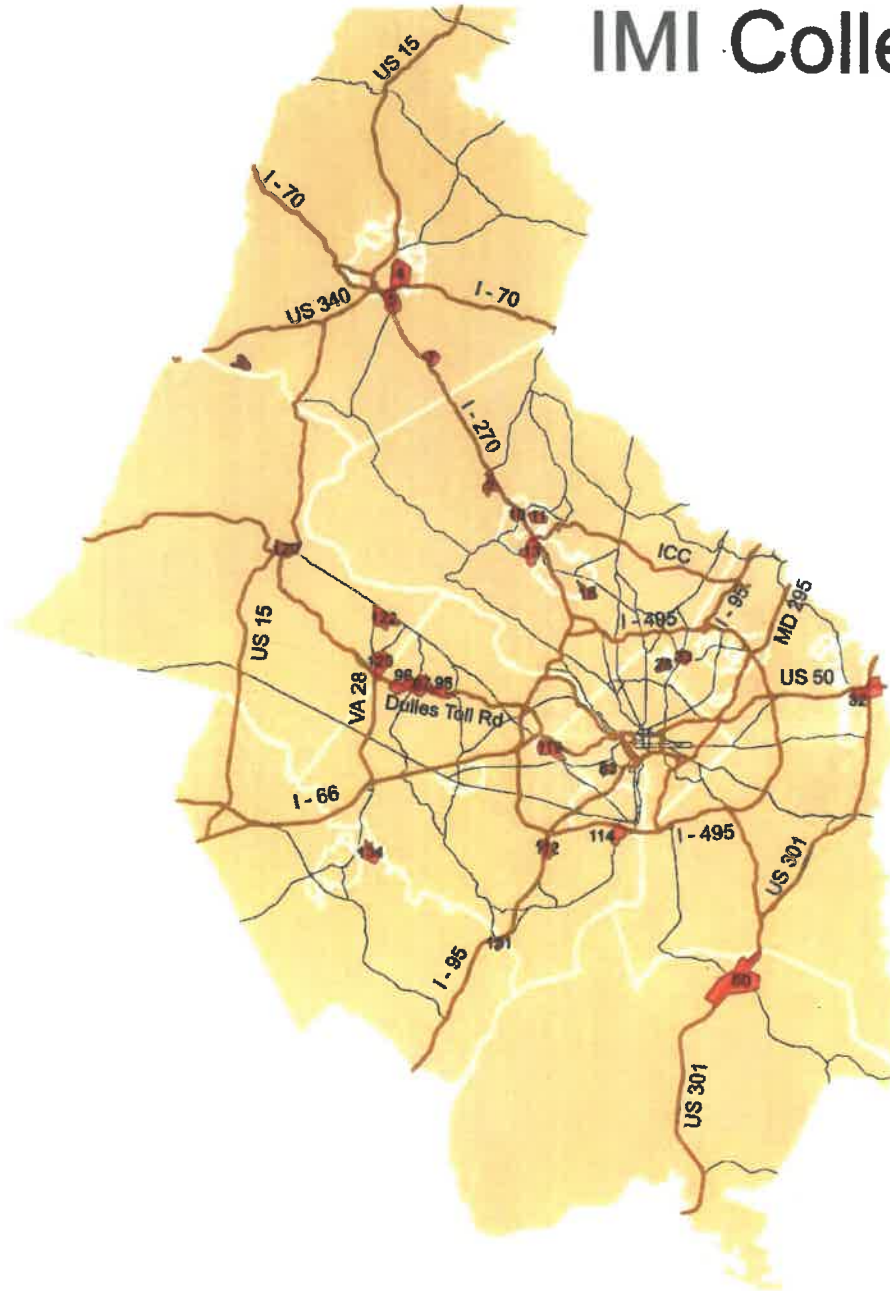
Implementation Narrative

Additional language will be added to describe the center's strengths and weaknesses based on the highest and lowest scoring indicators in the PID Index. Specific implementation strategies will be described to maintain and capitalize on the areas of strength and address the low scoring indicators.

Priority CIP Recommendations

- Redesign Harry Truman Drive to terminate in Largo Shopping Center instead of around it
- Enhance the capacity and alignment of water transmission in the Largo Metro area
- Connect St. Josephs Drive at St. Joseph's Church to Campus Way North for easy access from the new state-of-the-art fire station to Largo Metro Station
- Provide civic spaces (plaza and pavilion) at entrance to Metro station and intersection of Arena Drive and Harry Truman Drive
- Improve the intersection at MD 202 and Brightseat Road for vehicular circulation and pedestrian safety.
- Provide a complete and green streets as part of all new road construction, frontage improvements, and road improvement projects i.e. Harry S. Truman Drive, Lottsford Road, and Arena Drive, with accommodations for bicyclists and pedestrians and improved stormwater management
- Enhance Largo Town Center Lake Site Park to include pedestrian bridge, water play area, and ornamental fencing
- Install traffic calming along Largo Center Drive, Arena Drive and Lottsford Road north of Arena Drive
- Redesign cross-section of Harry Truman Drive to include two way street, bike lane, sidewalks, pedestrian walkway (ADA compliant), and buffer between sidewalk and travel lanes

IMI Collection Sites Master Map

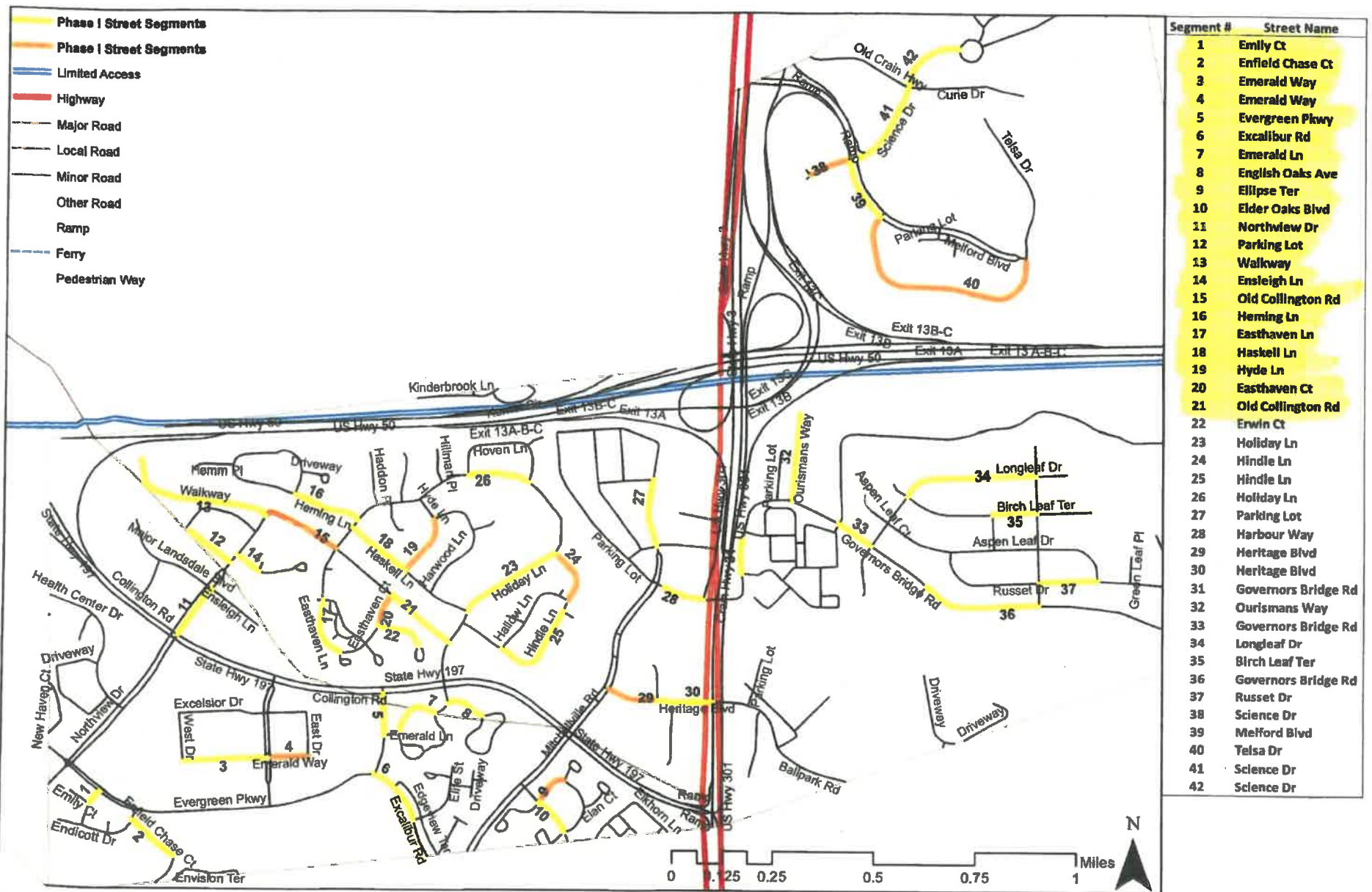


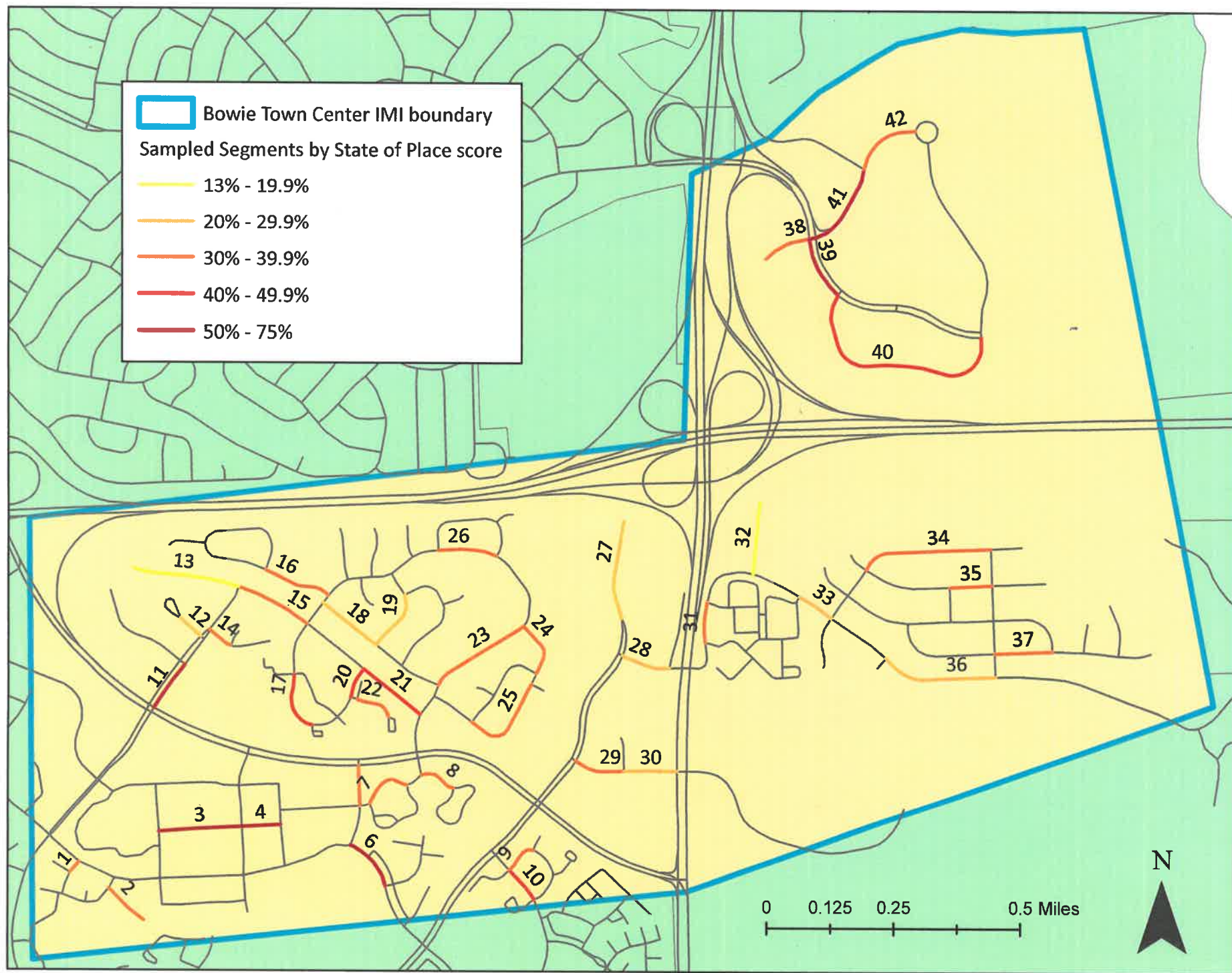
- 4) East Rising
- 5) Francis Scott Key Mall
- 6) Brunswick
- 7) Urbana
- 9) Germantown
- 10) Metropolitan Grove
- 11) Gaithersburg Central
- 13) Life Sciences / Crown Farm
- 18) Twinbrook
- 28) Takoma Park
- 33) Langely Park
- 32) Bowie Town Center
- 50) Waldorf
- 83) Columbia Pike Town Center
- 96) Herndon / Monroe
- 97) Reston West
- 98) Reston East
- 112) Springfield
- 114) Huntington / Penn Daw
- 119) Falls Church
- 120) Leesburg
- 122) Dulles Town Center
- 125) Route 28 South
- 134) Manassas Park
- 131) North Woodbridge

Phase I Activity Centers

Activity Center #32 - Bowie Town Center

Prince George County, Maryland







Bowie Town Center

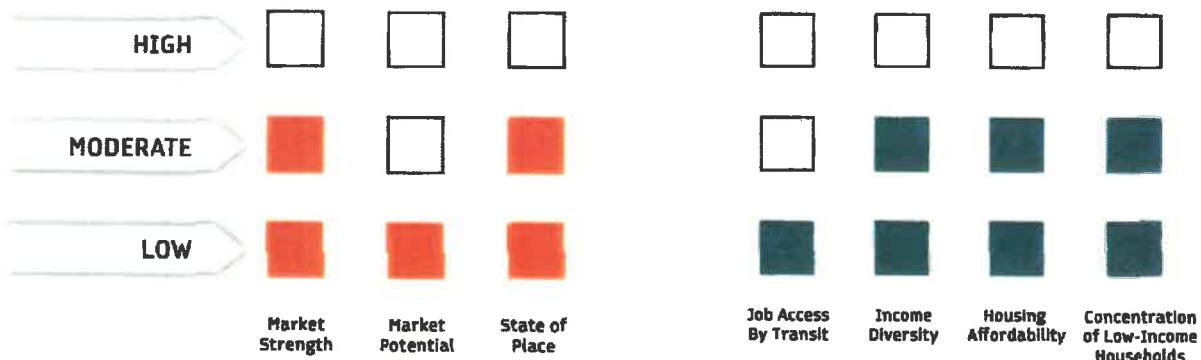
City of Bowie, MD



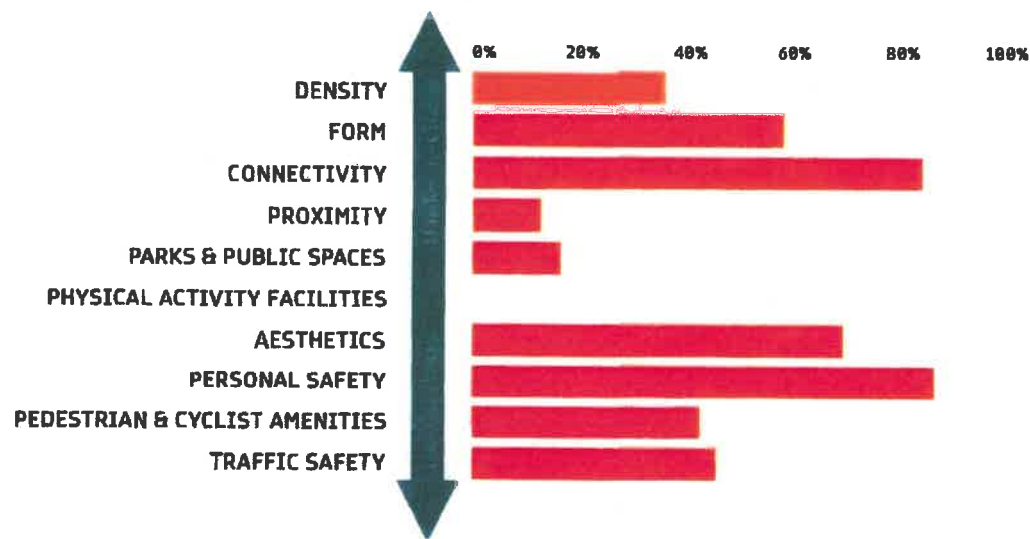
PLACE INDICATORS



OPPORTUNITY INDICATORS



BOWIE TOWN CENTER STATE OF PLACE™ INDICATORS



Source: Indicators collected from a representative sample of blocks and analyzed using State of Place™ by Urban Imprint. For details on State of Place™ methodology, and detailed placemaking strategies, see Technical Appendix.

Development Roadmap

PLACE TYPE: Satellite City

OPPORTUNITY TYPE: Stable Center

GOALS:

- Encourage Additional Mix of Uses
- Create Framework for Redevelopment

PLACE STRATEGIES:

- Zoning Intervention
- Public Finance Options
- Development Incentives
- Public-Private Partnership
- Branding/Marketing

(Complete Place Strategies & Tools: Section IV)

OPPORTUNITY STRATEGIES:

- Planning & Community Building
- Diversification of Housing Stock
- Commercial & Job Diversification
- Transportation Access & Infrastructure Improvements

(Complete Opportunity Strategies & Tools: Section IV)

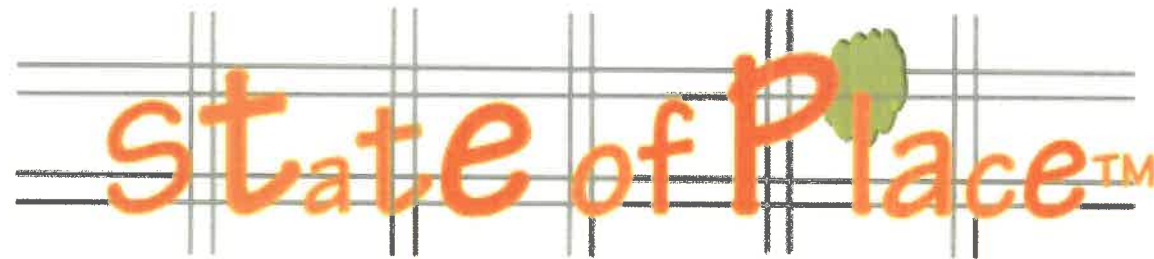
STATE OF PLACE™ STRATEGIES:

- Proximity

(Complete Placemaking Strategies in Technical Appendix)

CURRENT PLANNING & INVESTMENT:

- Harmony Place (Underway)
- Melford (Approved)
- Mill Branch Crossing (Approved)
- Bowie Town Hall and Police Station (Completed)
- US 301/MD 197 Interchange (Planned)
- MD 3 Improvements (Planned)
- MD 197 South Landscaping Plan (Planned)



A neighborhood **credit rating** and **diagnostic** tool

Enhancing the triple bottom line through urban design



The Power of **PLACE**

“**Places**” have become **products** – they are consumed, branded, advertised, differentiated

Their “sellers” – place managers – **compete** with each other **for resources** – educated residents, “talent,” businesses, investment

Americans are **choosing** which locations to “consume” based on **place quality**



Increasing demand for Walkability = Proxy for place quality

58% of Americans prefer to live in a neighborhood where you can easily walk to stores and businesses (NAR, 2012)

Two-thirds factor walkability into their home purchase decisions

Demographic trends pushing preferences for walkable places

But “walkable” housing undersupplied by 19%; “drivable” housing oversupplied by 18%



In this stiff competitive **place** “marketplace” –
walkability is **no longer** an “intangible luxury”

And walkability = **economic indicator***

Can quantify the value of place....

Based on study* of 61 neighborhoods in the Washington DC region, walkability as measured by the State of Place™ index is linked to premiums of *up to*:

+74% residential rents/unit

+\$1200/unit residential rent

+108% office rents

+84% retail rents

+23% premium valuation before recession;

+44% premium post

For DC, this translates into *up to*:

**+\$744 mill in residential property taxes/
neighborhood**

**+\$96 mill in retail taxes generated/
neighborhood**



*Based on Leinberger & Alfonzo, "Walk this Way," Brookings Institution, May 2012



So...why the shortage of walkability?

Public policy hurdles +

Legal issues +

NIMBYism +

Lack of benchmarks and metrics

= More difficult to finance/underwrite



State of Place™ Index = solution

Based on extensive list of built environment features – collected on-site at the street block level

Divided into ten sub-scores of urban design tied to walkability

Five walkability levels

Linked to economic performance – for overall index and sub-scores

Can be used by: 1) Planning agencies; 2) Real estate lenders, investors & developers; 3) Funding agencies; 4) International agencies

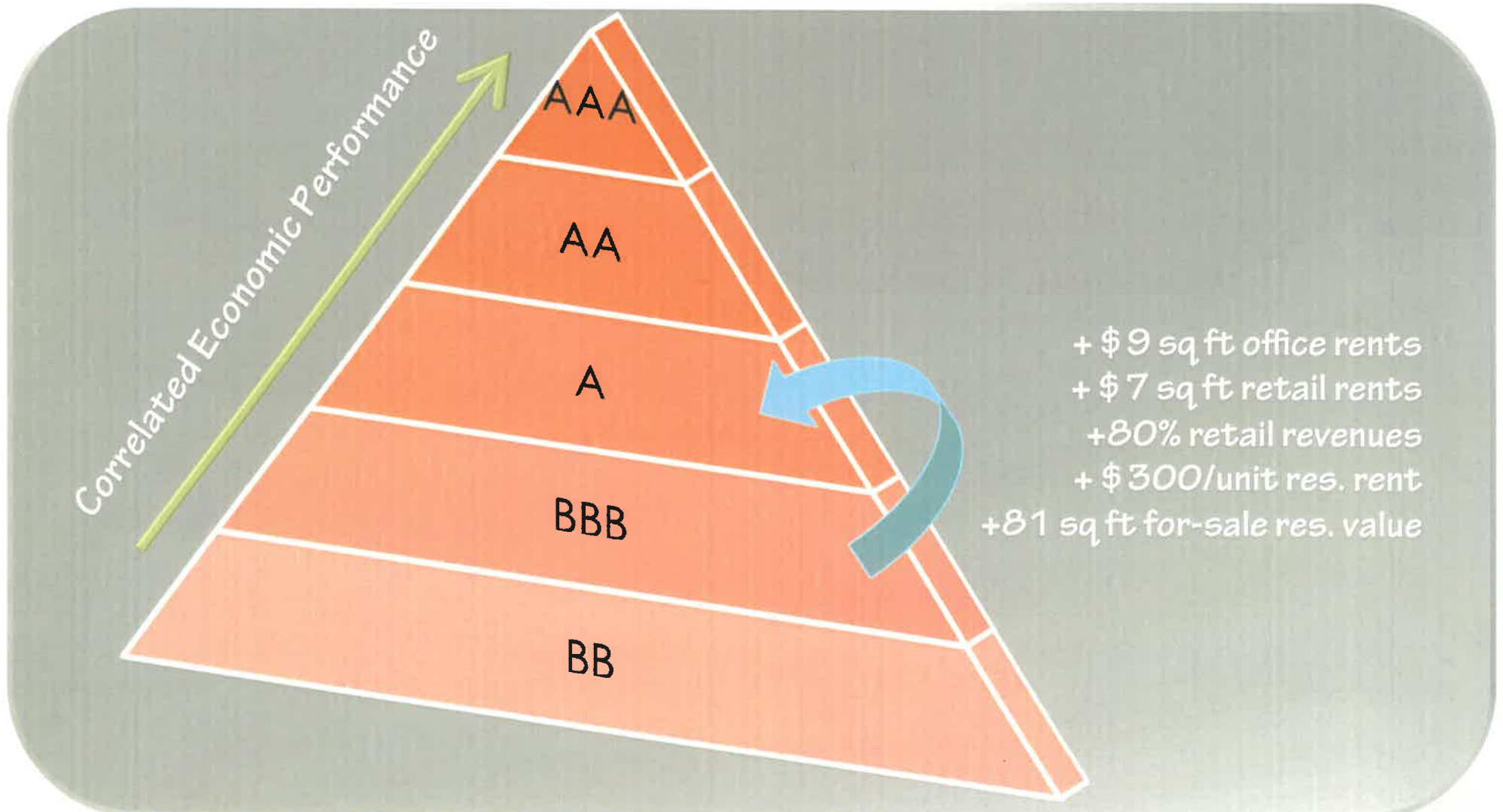
what *is* State of Place™?

Works like an S&P rating for neighborhoods



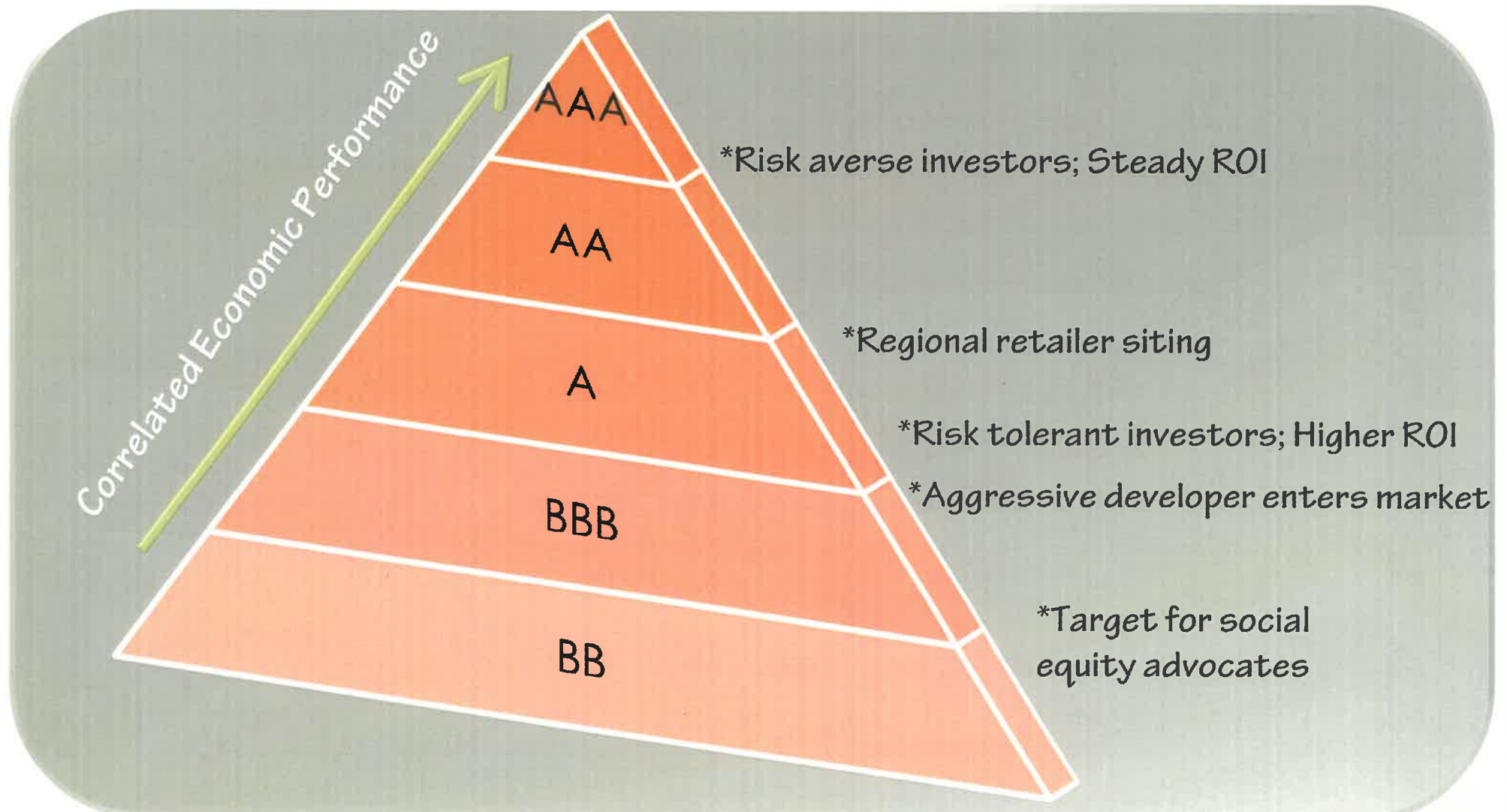
what *is* State of Place™?

That Ties Built Environment & Economic Value



what *is* State of Place™?

Helps guide investment & underwriting; Aids branding



what *is* State of Place™?

With diagnostic capacity

Sub Indices

Form/Layout

Density

Proximity

Connectivity

Public Space/Parks

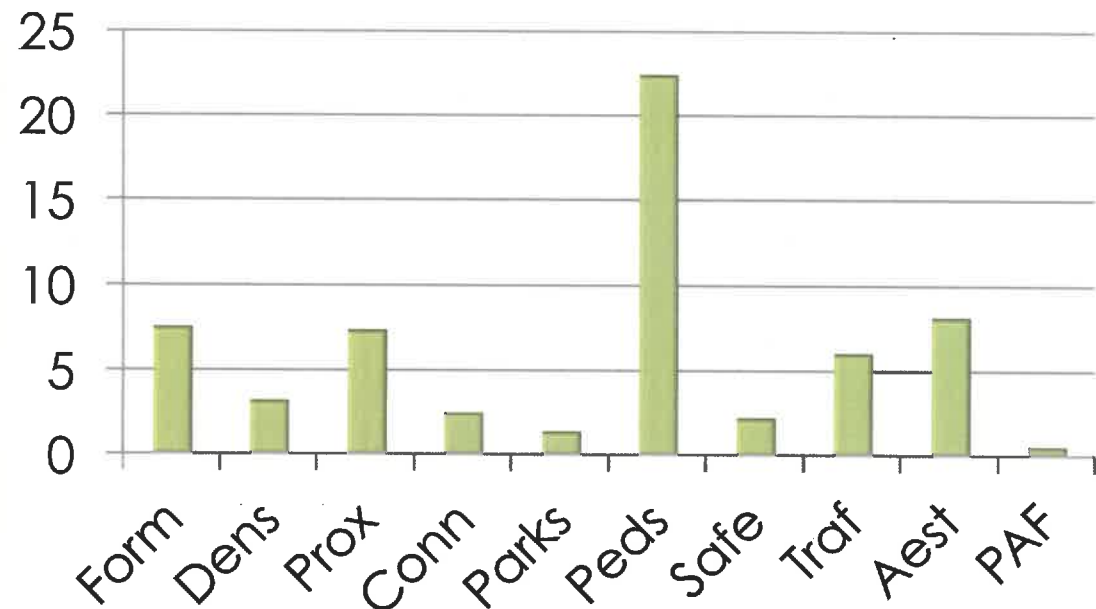
Crime Safety

Traffic Safety

Aesthetics

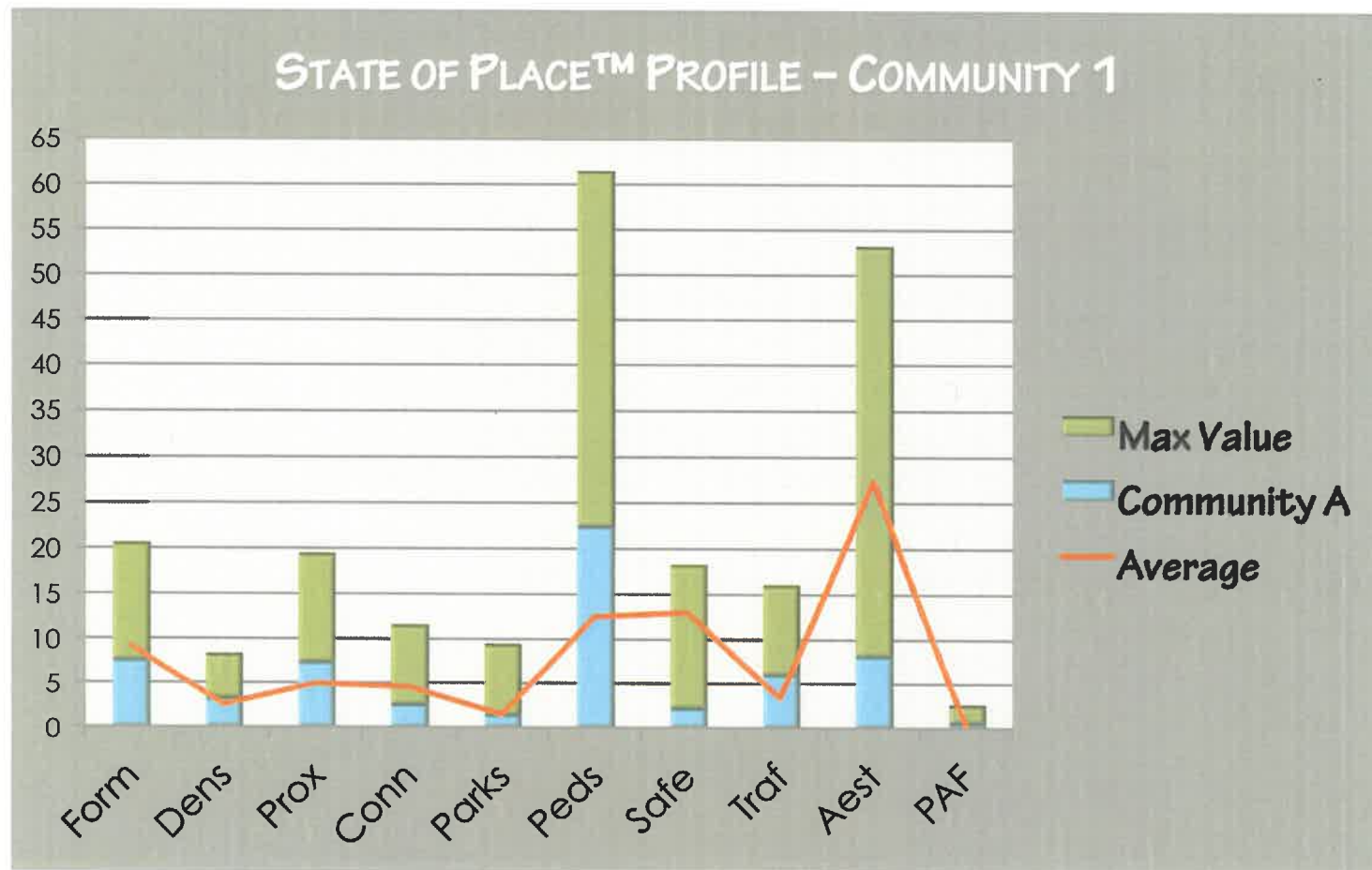
Physical Activity
Facilities

State of Place™ Sub-indices



what *is* State of Place™?

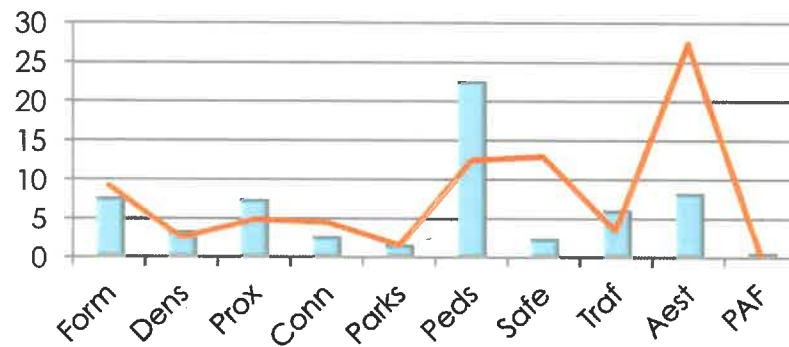
**That Provides a Roadmap; Establishes Benchmark;
Facilitates Accountability**



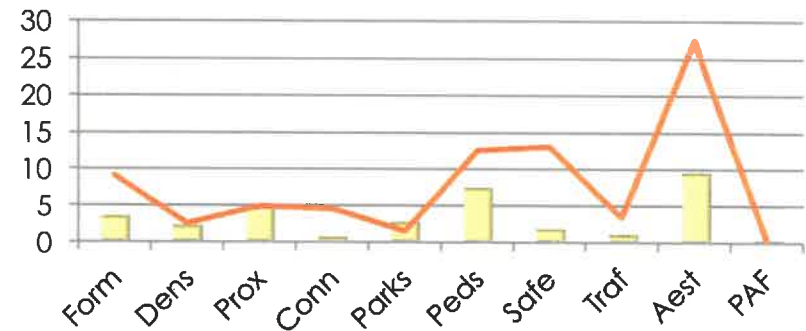
what *is* State of Place™?

Guides Customizable, Contextual Solutions

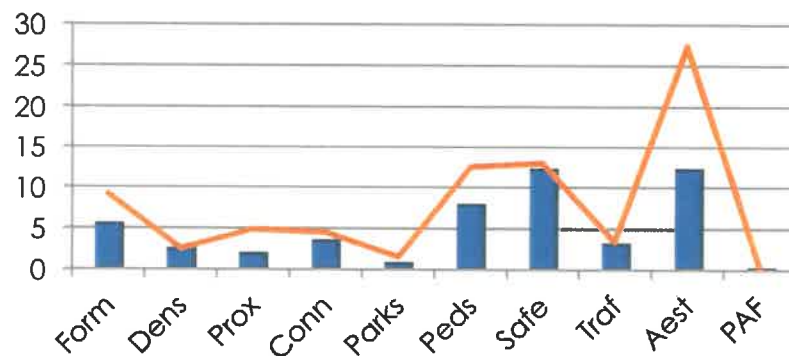
Community 1 –
Strong Form, Peds; Weak Aest.



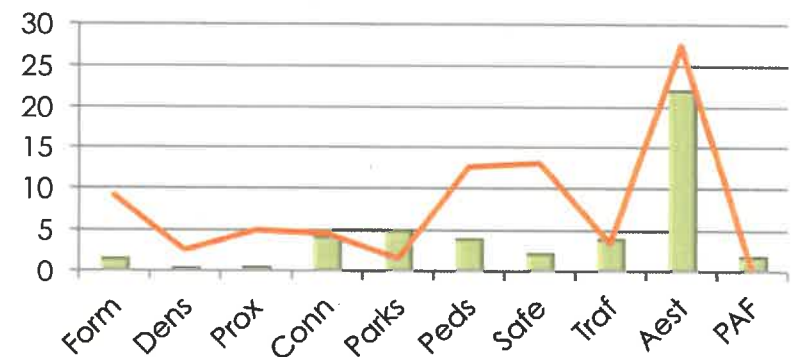
Community 2 –
Strong Prox., Weak Safety



Community 3 –
Strong Safe, Traf.; Weak Prox.

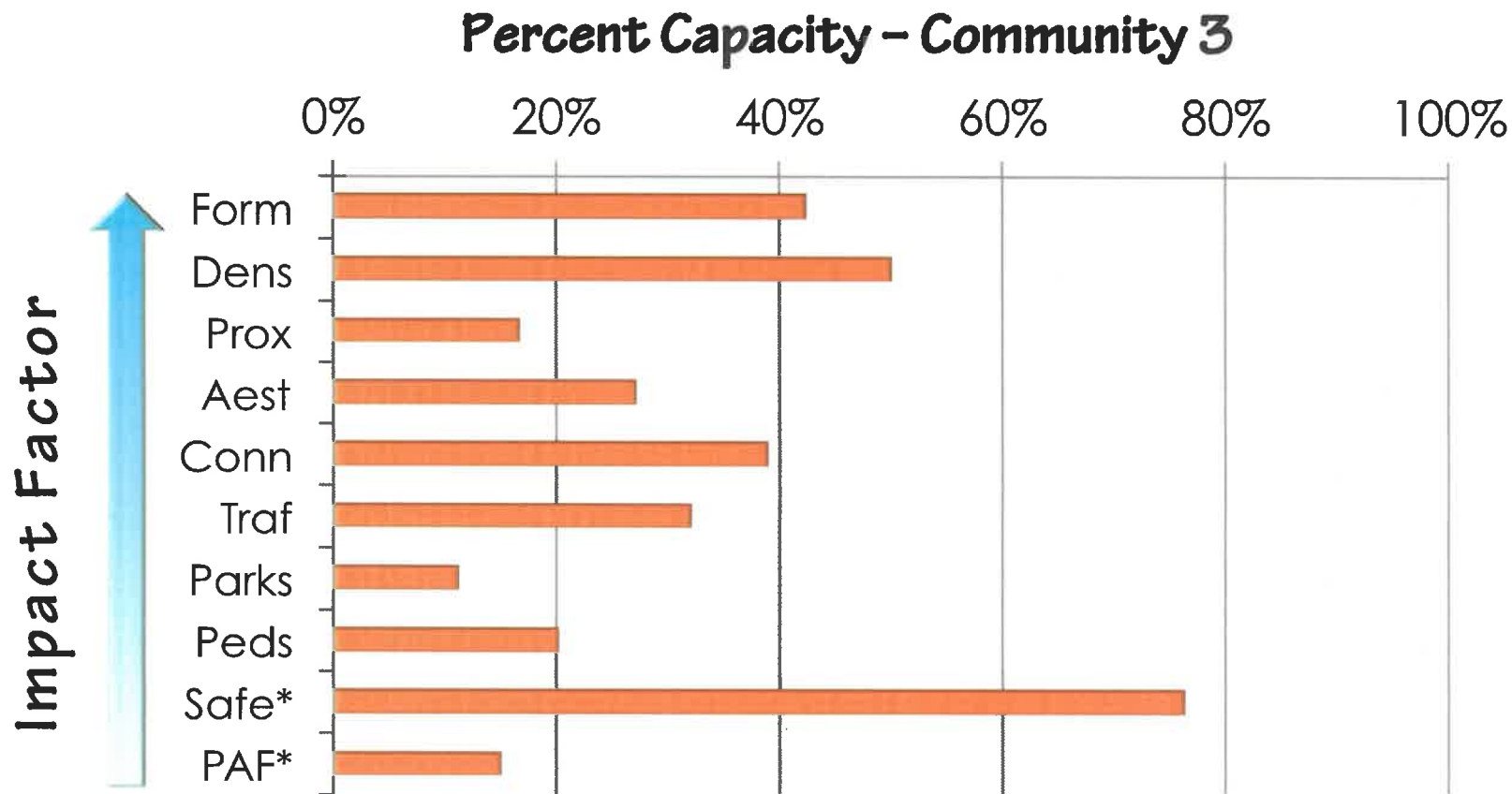


Community 4 –
Strong Aest., Weak Form, Peds.



what *is* State of Place™?

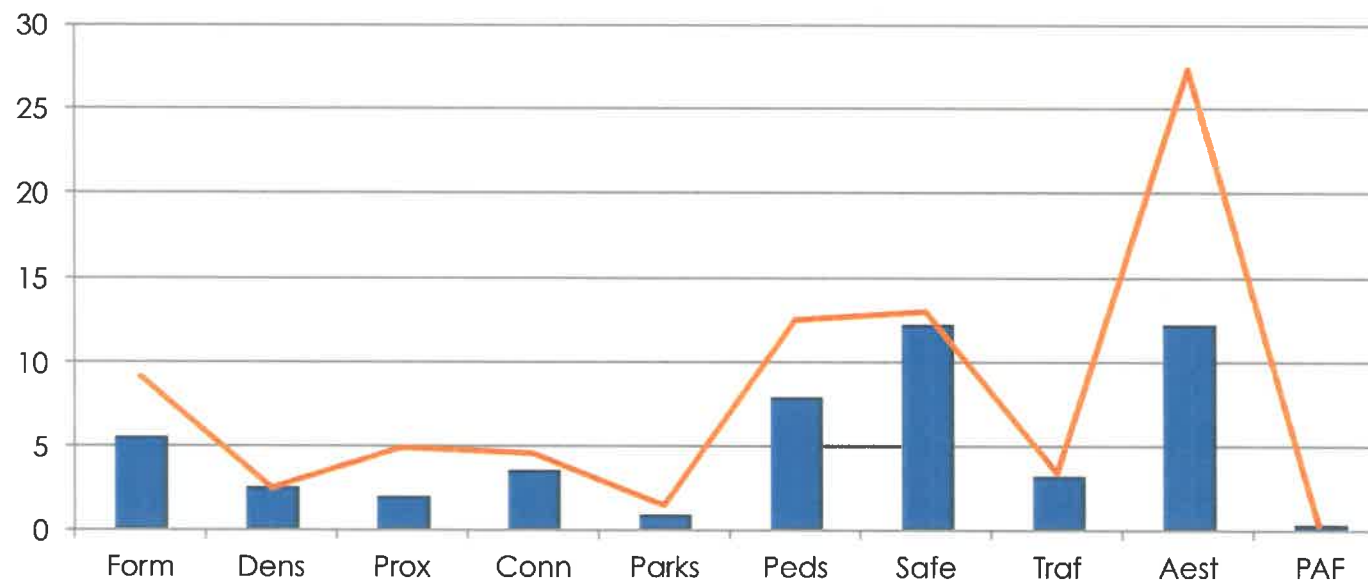
Can prioritize investments based on impact + budget



what *is* State of Place™?

Guides Customizable, Contextual Solutions

Community 3 –
Strong Safe, Traf.; Weak Prox.



Budget = \$150k

Priority foci:

Prox. (e.g. Zoning changes; Retail bonuses)

Aest. (e.g. Façade improvements)



Who can Benefit from State of Place™?

Users	Uses					
	Funding Allocation	Investment Decisions	Policy guidance	Diagnostic	Siting	Branding
Place Managers (Public, Quasi-public & Private Sector)		X	X	X	X	X
Investors (Debt/Equity)		X				
Funders (Non Prof, NGOs)	X		X			
Social Equity Advocates	X			X		
Businesses (Retailers, Corps)		X			X	X
Developers		X		X	X	X



And who Benefits from State of Place™ outcomes?



Lack of walkability = Societal problem

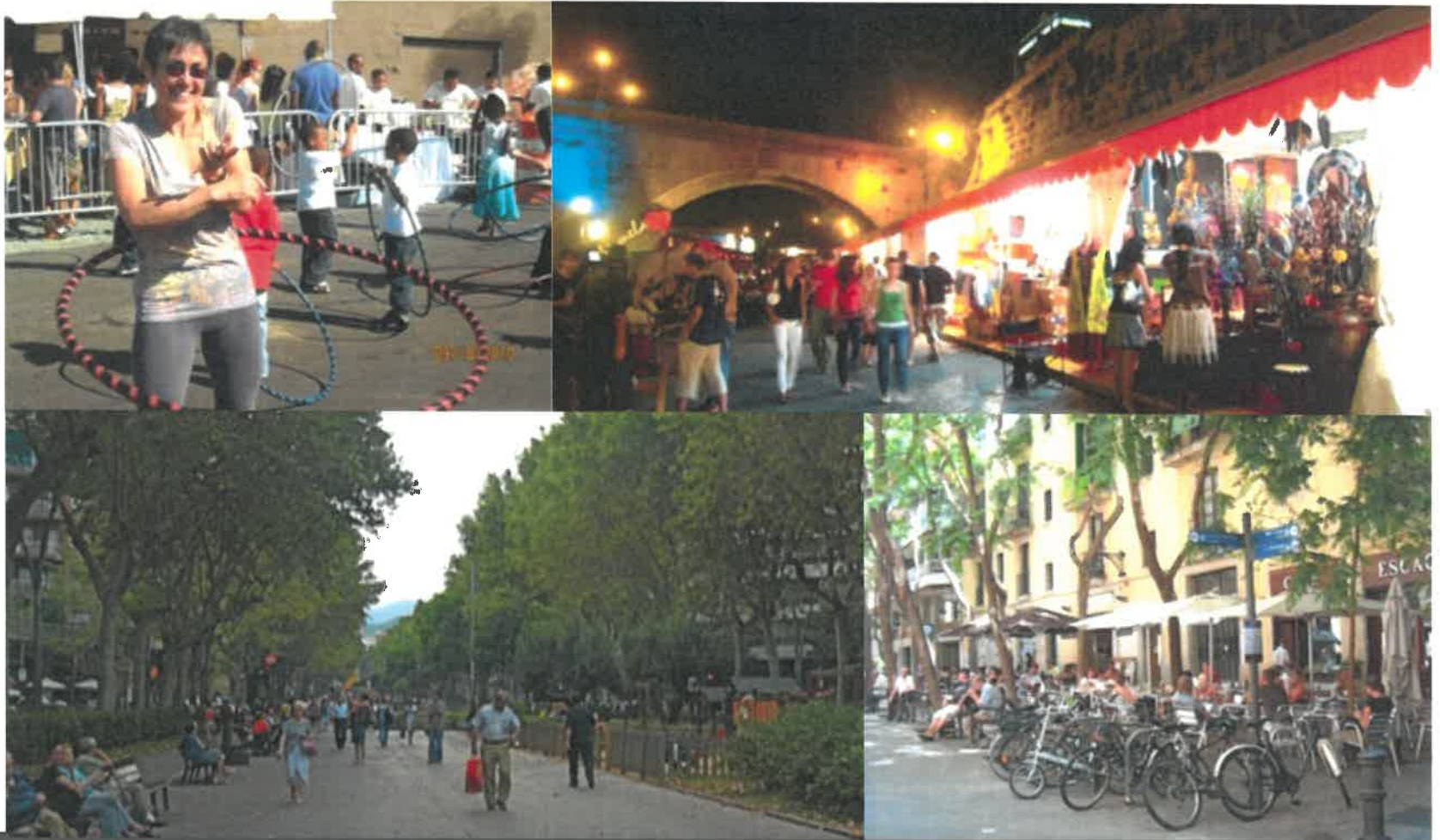
Tied to obesity & chronic diseases:

- In 2010, 35.7% of adults, 16.9% children = obese

Creates pedestrian safety issues + social equity problems

Linked to quality of life concerns

Related to decreased air quality



Increasing walkability = Sustainability

Better public health and reduced rates of chronic illness
Social well-being and mental and spiritual health
Decreased driving rates – tied to reduced CO2 emissions & GHGs
More thriving neighborhoods

How does State of Place™ work ?

Raters receive full day training; tested for accuracy/reliability

Data collected for sample of blocks in a neighborhood

- 7-10 min/block
- Avg. 40-50 blocks/neighborhood

Neighborhood defined based on existing boundaries

State of Place score based on proprietary algorithm

Neighborhood Identification		
1. Are there monuments or markers including neighborhood entry signs that indicate that one is entering a special district or area?	1	yes = 1; no = 0
Street Crossing		
2a. Consider the places on the segment that are intended for pedestrians to cross the street. Are these places marked for pedestrian crossing?	2	all = 3; some = 2; none = 0; NA = 8
2b. What type of marking do the crosswalks have? Mark all that apply.		
White painted lines	3	yes = 1; no = 0
Colored painted lines	4	yes = 1; no = 0
Zebra striping	5	yes = 1; no = 0
Different road surface or paving (e.g. tiles, colored concrete, marble, etc)	6	yes = 1; no = 0
Other	7	yes = 1; no = 0
3. Are there curb cuts at all places where crossing is expected to occur?	8	all = 3; some = 2; none = 0; NA = 8
4. What type of traffic/pedestrian signal(s)/system(s) is/are provided? Mark all that apply.		
Traffic signal	9	yes = 1; no = 0
Stop sign	10	yes = 1; no = 0
Yield sign	11	yes = 1; no = 0
Pedestrian activated signal	12	yes = 1; no = 0
Pedestrian crossing sign	13	yes = 1; no = 0
Pedestrian overpass/underpass/budiver	14	yes = 1; no = 0
5. For an individual who is on this segment, how safe (traffic wise) do you think it is to cross the street from this segment?	15	pretty/very safe = 1; not very safe/unsafe = 0; cul de sac = 8
6. For an individual who is on this segment, how convenient (traffic wise) do you think it is to cross the street from this segment?	16	pretty/very convenient = 1; not very/inconvenient = 0; cul de sac = 8
Answer questions 7-11 while standing at the beginning of the segment		
Neighborhood Identification		
7. Does the segment have banners that identify the neighborhood?	17	some/a lot = 3; few = 2; none = 0
Street Characteristics		
8a. Is this a pedestrianized street?	18	yes = 1; no = 0
8b. Is the street a ...	19	one way = 1; two way = 2
9. Is this segment an alley?	20	yes = 1; no = 0
10. How many vehicle lanes are there for cars? (Include turning lanes).	21	six or more = 6; five = 5; four = 4; three = 3; two = 2; one = 1; NA (no lanes for car travel) = 8
Views		



Dr. Mariela Alfonzo

www.urbanimprint.com

Please contact me to learn more about how State of Place™ can be practically applied to your planning, design, development, or social impact investment projects.

To learn more about the link between walkability and economic performance, see the report I co-authored (with Chris Leinberger) published by the Metropolitan Policy Program at the Brookings Institute, May 2012

Walk this Way: The Economic Promise of Walkable Places in Metropolitan Washington, D.C.



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: County Legislation Update

DATE: 12/29/2022

I. Background

The City's Planning Director will provide an update on development legislation recently proposed by the Prince George's County Council. The new County Council, sworn in on December 5th, convened their first meeting on December 12th and proposed numerous legislative bills and also approved three resolutions affecting actions taken by the prior County Council related to land use and zoning. Among the Council Bills now under consideration are:

[CB-013-2023](#) AN ORDINANCE CONCERNING M-X-T ZONE TRANSITION for the purpose of repealing CB-69-2022 which authorized properties that were in the M-X-T (Mixed Use--Transportation Oriented) Zone prior to the effective date of the new zoning ordinance to elect to conform to the requirement of the CGO (Commercial, General Office) Zone.

[CB-014-2023](#) AN ORDINANCE CONCERNING ZONING-GENERAL PROVISIONS - TRANSITIONAL PROVISIONS for the purpose of repealing CB-77-2022, including Section 27-1706, of the Zoning Ordinance of Prince George's County.

[CB-015-2023](#) AN ORDINANCE CONCERNING ZONING-ZONES AND ZONE REGULATIONS-PRINCIPAL USES-SPLIT-ZONED PROPERTY for the purpose of repealing CB-078-2022 and clarifying the development regulations and use tables applicable to the development of lots that were split zoned as a result of the Countywide Map Amendment by the District Council.

[CB-016-2023](#) AN ORDINANCE CONCERNING IE ZONE TRANSITIONAL PROVISIONS for the purpose of repealing CB-79-2022 and reinstating the lot coverage and green area requirements for previously I-1 (Light Industrial) zoned properties and permitting distribution warehouses in the IE (Industrial, Employment) Zone under the Zoning Ordinance of Prince George's County.

<u>CB-017-2023</u>	AN ORDINANCE CONCERNING GENERAL PROVISIONS - DEVELOPMENT AUTHORITY PURSUANT TO THE PRIOR ORDINANCE - LIMITATION ON TOWNHOUSE AND ONE-FAMILY ATTACHED DWELLINGS-R-A ZONE for the purpose of limiting the authority in the Zoning Ordinance for development of Townhouse and One-family attached dwelling uses under the prior Ordinance in the R-A (Residential Agricultural) Zone of Prince George's County.
<u>CB-018-2023</u>	AN ORDINANCE CONCERNING ZONING-ZONES AND ZONE REGULATIONS-BASE ZONES-EXPEDITED TRANSIT-ORIENTED DEVELOPMENT for the purpose of repealing CB-97-2022 and reinstating the development regulations applicable to certain expedited transit-oriented development in Transit-Oriented/Activity Center Base Zones within the new Zoning Ordinance of Prince George's County, being also Chapter 37, 2018 Laws of Prince George's County, Maryland (CB-013-2018), as amended by Chapter 53, 2021 Laws of Prince George's County, Maryland (CB-98-2021).
<u>CB-002-2023</u>	AN ORDINANCE CONCERNING ADMINISTRATION-PROCEDURES-LEGISLATIVE AMENDMENTS for the purpose of amending the procedures for public notice, review, consideration, and approval of legislative amendments to the text of the Zoning Ordinance of Prince George's County.
<u>CB-003-2023</u>	AN ORDINANCE CONCERNING APPLICATION-SPECIFIC REVIEW PROCEDURES AND STANDARDS-DETAILED SITE PLANS AND SPECIAL EXCEPTIONS for the purpose of amending the decision standards for approval of detailed site plan and special exception applications to include master plan consistency as a required standard for site plan approval.
<u>CB-005-2023</u>	AN ORDINANCE CONCERNING GENERAL PROVISIONS - DEVELOPMENT AUTHORITY PURSUANT TO THE PRIOR ORDINANCE-GAS STATION USES for the purpose of amending the time period in the Zoning Ordinance for development of Gas Station uses pursuant to the prior Ordinance.
<u>CB-009-2023</u>	AN ORDINANCE CONCERNING TOBACCO SHOPS, ELECTRONIC CIGARETTE SHOPS, OR RETAIL TOBACCO SHOPS for the purpose of amending the Zoning Ordinance to include reasonable parameters as to hours of operation as a criterion for approval of Special Exceptions for Tobacco Shops, Electronic Cigarette Shop, or Retail Tobacco Business uses in furtherance of the public safety, health, and welfare of the citizens and residents of Prince George's County.
<u>CB-011-2023</u>	AN ORDINANCE CONCERNING CONSOLIDATED STORAGE for the purpose of prohibiting Consolidated Storage in Non-Residential, Transit-Oriented/Activity Center Based Zones of the Zoning Ordinance of Prince George's County.
<u>CB-012-2023</u>	AN ORDINANCE CONCERNING GENERAL PROVISIONS - DEVELOPMENT AUTHORITY PURSUANT TO THE PRIOR ORDINANCE - LIMITATIONS ON DEVELOPMENT for the purpose of limiting the authority in the Zoning Ordinance for development under the prior Ordinance superseded by the revised Subtitle 27 of the Prince George's County Code, being also the Zoning Ordinance of Prince George's County.

On December 12th, the County Council approved Resolutions CR-3-2023, CR-4-2023 and CR-5-2023, which immediately suspend certain previously enacted laws, pending passage of Ordinances to codify their actions. The proposed 2023 bills that are addressed in the approved Resolutions include:

CR-3-2023: CB-13, CB-14, CB-15, CB-16, and CB-18

CR-4-2023: CB-17

CR-5-2023: CB-12

All the bills listed in the above section were referred to the County Council's Planning, Housing and Economic Development (PHED) Committee for review and recommendations. The Committee intends to take up the bills in January. The PHED Committee consists of the following Council Members: Jolene Ivey (Chair), Eric Olson (Vice Chair), Wala Blegay, Thomas Dernoga and Krystal Oriadha.

In addition, the bills listed immediately above have been introduced for public hearing, a step that normally occurs after the meeting of the PHED Committee. The public hearings will likely take place in February. Comments for CB-12-2023, CB-13-2023, CB-14-2023, CB-15-2023, CB-16-2023, CB-17-2023, and CB-18-2023 are due to PHED by close of business on Wednesday, January 4, 2023. Comments on the other legislation are due by close of business on January 9, 2023.

More details about the specific bills are provided in the section below.

II. Analysis

CB-13-2023, CB-14-2023 and CB-15-2023

The City Council previously reviewed pending legislation and, on September 20th, sent a letter to the Prince George's County Council opposing CB-69, CB-77, CB-78 and CB-92. The staff report analyzing those bills is attached. In November, the bills of interest to the City were acted upon by the Prince George's County Council recently. City Council opposed all four bills listed below.

CB-69 (M-X-T Transition to C-G-O) – Approved, 7-3 (Burroughs, Glaros, Dernoga against).

CB-77 (Transitional Provisions Allowing Use of old Zoning Ordinance) – Approved, 7-3 (Burroughs, Glaros, Dernoga against).

CB-78 (Split Zoned Parcels) – Draft 2 approved, 8-2 (Glaros, Dernoga against).

CB-92 (District Council Review) – Placed on hold indefinitely at request of sponsor, Council Member Mel Franklin.

CB-13-2003, CB-14-2003 and CB-15-2003 will reverse the actions taken on CB-69, CB-77 and CB-78 described above. The City and many municipalities worked hard to try to defeat the original bills, so their reversal will align with City Council's position.

CB-16-2023

The City Council did not review CB-79-2022, affecting the Industrial, Employment (IE) zone. The approved bill reinstated the previous site development standards applicable to the I-1 (Light Industrial) zone and added warehouse distribution uses to the IE zone. Except for several City-owned open space parcels on Gallant Fox Lane, the properties there, as well as the industrial properties located on Zug Road, are 100% developed. Therefore CB-16-2023 has very limited applicability in the City, and there is no reason for the City to comment on the bill.

CB-17-2023

It is instructional to read the Whereas clauses of CB-17-2023 to better understand the intent of the current County Council with respect to their current efforts to alter the land use laws approved by the prior Council. The purpose of this legislation is to reverse the action taken by the previous County Council in support of townhouse development in the prior R-A (Residential Agriculture) zone at Freeway Airport. The bill repeals and reenacts Section 27-1903 of the Zoning Ordinance, specifically adding language that prohibits development of townhouses and attached dwelling units in the R-A zone.

CB-17-2003 states: “Unless an application for development is already filed and accepted and/or constructed, development of Townhouse and One-family attached dwelling units in the R-A (Residential Agricultural) zone is prohibited using the prior Ordinance.” It should be noted that the bill grandfathers developments with filed applications.

In June, the Maryland Court of Special Appeals reversed the decision of the Circuit Court and struck down CB-17-2019, as the Court found the law violates the statutorily prescribed uniformity requirement and is therefore illegal and unenforceable. That decision was appealed to the Court of Appeals, which has elected to review the case in early 2023. Preliminary Plan #4-20006, subdividing the property into 509 lots for the development of 93 single-family detached units and 416 townhouse units, was approved by the Planning Board on November 5, 2020. The outcome of the Court of Appeals’ review has implications for the approval of Preliminary Plan #4-20006, which was approved pursuant to the regulations of the R-A zone in effect at that time.

If the Court of Appeals determines that the Circuit Court decision was the proper one and overrules the Court of Special Appeals, then CB-17-2023 (if approved) would serve to nullify the development intensity allowances enacted in CB-17-2019, except as noted in CB-17-2023. It is City staff’s opinion that the Freeway Airport development plan would be eligible for grandfathering under CB-17-2023 because Preliminary Plan #4-20006 was validly filed and accepted. If the Court of Appeals rules in favor of the Special Appeals Court, CB-17-2019 will no longer have any effect and Preliminary Plan #4-20006 would therefore be precluded from being implemented.

The City Council opposed CB-17-2019, although it also chose to no longer review plans proposed for Freeway Airport since that property is not located in the City. Consistent with the past City position, City Council should SUPPORT CB-17-2023, but recommend that the provisions for grandfathering based on filing and acceptance of a development application (“Unless an application for development is already filed and accepted”) be eliminated from the bill.

CB-18-2023

CB-18-2023 applies to mixed-use development using the Expedited Transit-Oriented Development Review provisions in the LTO zone. This zone does not exist in Bowie. The original intent behind CB-97-2022 was to facilitate development near Metrorail stations. CB-18-2023 will remove the alternative provisions that were established by CB-97-2022. There is no need for the City to comment.

CB-2-2023

This bill modifies the newly adopted process for reviewing legislative amendments to the Zoning Ordinance and zoning laws. CB-2-2003 establishes a specific process for Planning Board public hearings on text amendments, including stringent public notice requirements. The bill sets forth standard criteria for the consideration and approval of legislative amendments. The new language is an effort to increase transparency and requires a vigorous analysis of any proposed amendment. Staff believes CB-2-2023 will go a long way toward addressing many criticisms with the past County Council practices related to zoning text amendments. In previous years, the City

recommended that text amendments be processed in cycles, like the County Water and Sewer Plan amendment cycles. Having all legislative amendments batched into discrete time cycles, rather than individual amendments being processed randomly, will enhance the public's awareness of amendments under review. Staff recommends that the City SUPPORT CB-2-2003 with this revision.

CB-3-2023

CB-3-2023 adds a new requirement that a proposed Special Exception or Detailed Site Plan use be found to be in substantial conformance with the Area Master Plan and other applicable County plans and policy documents. It is notable that the conformity finding related to the Master Plan is currently made during review of a Preliminary Plan of subdivision. Establishing a similar finding for Special Exception or Detailed Site Plan uses, which may not necessarily be required to undergo review of a Preliminary Plan, is helpful in that it demands a showing of how the use is supported or otherwise addressed by the County's Master Plan and other planning policy documents. However, the finding appears redundant if a proposed use has already been evaluated during review of a Preliminary Plan prior to the Special Exception or Detailed Site Plan application being filed for the same use. It is recommended that the City SUPPORT CB-3-2003, with the comment that the decision criterion not apply in instances where the same use was already reviewed and the Master Plan conformance finding made during review of a Preliminary Plan of subdivision.

CB-5-2023

This bill reduces the window of time under which a developer may file a proposal for a new gas station using the prior Zoning Ordinance from two years to one year from the effective date of the new Zoning Ordinance (April 1, 2022). It is not clear why new gas station uses are being singled out for a shorter period. The bill has six sponsors. Staff recommends that the City not comment on this bill.

CB-9-2023

CB-9-2003 is proposed by only two County Council Members, Oriadha and Burroughs. The bill will add specific special exception requirements of the Zoning Ordinance to impose certain parameters regarding hours of operation for approval of special exceptions for Tobacco and Electronic Cigarette Shop uses in the County. The sponsors of the bill wish to address some challenges with existing businesses in their respective Councilmanic districts. Since this is not a known issue in the City, it is recommended that the City not comment on the legislation.

CB-11-2023

According to its sponsors, this bill will prohibit Consolidated Storage in the CS, CGO, NAC, TAC Edge, and LTO Edge Zones of the Prince George's County Zoning Ordinance. Consolidated Storage serves a purpose but does not generate economic activity. As such, Consolidated Storage should not be permitted to be built in areas where the land could be used to better benefit the County and its residents.

There are several properties in the City where consolidated storage facilities are currently under consideration including, but not limited to, Bowie Marketplace, Old Annapolis Road and Elder Oaks Boulevard. These uses will be prohibited upon the effective date of CB-11-2023. In the past, the City encouraged mini storage uses to be located on the periphery of the community, such as along US 301, especially since they are low traffic generators. However, such policies were eventually removed from the City's Development Review Guidelines, in recognition that residents and businesses alike have a need for consolidated storage nearby. It is recommended that the City not comment on CB-11-2023.

CB-12-2023

In consideration and approval of the new Zoning Ordinance for the County via CB-13-2018, CB-98-2021, and CB-68-2022, the County Council carefully evaluated the scope and extent of its transition to implementation of the revised Ordinance as the only body of local zoning laws governing land use and development in the County. Inherent in its legislative power of the Council is the authority to amend such laws as may be deemed necessary and appropriate. Accordingly, this bill will limit authority for development applications in the County using the prior Ordinance.

Again, it is instructional to read the Whereas clauses to better understand the intent of the current County Council with respect to their current efforts to alter the land use laws approved by the prior Council.

The transitional provisions of Section 27-1903 are proposed for modification in CB-12-2023. The bill adds a subparagraph (f) which outlines a number of development applications for which no additional grandfathering will be permitted upon the effective date of the legislation, unless applications have been filed and accepted or the use has been constructed. CB-12 rolls back the permission granted through approval of 18 separate County Council bills enacted from 2018-2021. Briefly, these bills are described below:

- CB-8-2021: Permitting townhouses in the C-O zone
- CB-23-2021: Permitting moving/storage, motor freight shipping/receiving, and warehousing uses in the I-3 zone
- CB-50-2021: Permitting a mix of residential and commercial/retail uses in the R-E zone
- CB-55-2021: Modifying the regulations of the R-55 zone on transit-oriented properties
- CB-81-2021: Allowing varied residential density and lot size in the R-A zone on land currently used for equestrian recreational activity
- CB-83-2021: Permitting apartment housing for the elderly in the R-18 zone without Special Exception approval
- CB-106-2021: Permitting one-family attached dwellings for the elderly in the R-R zone
- CB-41-2020: Amending lot coverage regulations in the R-R zone
- CB-54-2020: Permitting concrete recycling facility uses in the I-1 zone
- CB-69-2020: Permitting multi-family dwellings in the R-55 zone
- CB-10-2019: Permitting limited residential uses in the M-X-T zone
- CB-13-2019: Permitting eating and drinking establishments, with drive through service, in the C-O zone
- CB-18-2019: Adding the definition of a Merchandise Logistics Center and amending the definition of Regional Urban Community
- CB-19-2019: Amending the regulations of the M-X-T zone
- CB-45-2019: Permitting by right 'Gas Station', 'Food or beverage store' in combination with a gas station, 'Apartment housing for the elderly or physically handicapped', 'Dwelling, multifamily', and 'Townhouse' uses in the C-S-C zone
- CB-60-2019: Amending the criteria for development of single-family detached, single-family attached, and townhouse residential uses within the O-S zone
- CB-88-2018: Permitting limited Class 3 fill uses as a method of reclaiming former surface mining properties for public use in the R-A zone
- CB-89-2018: Permitting, without the requirement for a special exception, limited Class 3 fill uses as a method of reclaiming former sand and gravel mining properties for public use in the R-A zone

While City staff continues to review all legislative amendments and zoning text amendments for their potential impact on the City, the City Council adopted a position on only one of the above bills (CB-13-2019). The City supported that bill, which was requested by a developer who redeveloped the vacant bank building at the intersection of MD 197 and Old Chapel Road as a

Dunkin Donuts restaurant. Since the redeveloped use is now existing, CB-12-2023 does not impact that use, except to render it nonconforming. Nonconforming uses may continue to exist and may be expanded or altered, with additional approvals. It should be noted that the standard practice of the County Council is to endeavor to ensure that individual zoning text amendments are drafted with very limiting applicability and do not apply to a single property.

There is a reasoning behind every zoning text amendment. In many cases, County legislators may be asked to provide relief in order to accommodate a valuable economic development opportunity. In other instances, the County Council may act to address an unintended practical issue with existing regulations. City staff sees the merit in legislators having the ability to modify the law to respond to changes in County Council policy. As such, staff strongly believes the larger issue is related to the process rather than the approval of individual legislative products. CB-2-2023, which introduces new process requirements and decision standards for legislative amendments, will address the need for an amendment system that is more transparent and deliberative. As noted above, City staff recommends that CB-2-2023 be revised to require the batching of amendments into discrete cycles throughout the year.

With respect to passage of CB-12-2023, it is staff's belief that the County Council's rescinding of the previous text amendments will not affect any properties in the City, going forward. Therefore, staff recommends that the City not take a position regarding CB-12-2023.

III. Recommendation

Staff recommends that City Council provide recommendations on the following bills:

1. CB-13-2023, CB-14-2023 and CB-15-2023:
SUPPORT

2. CB-2-2023:
SUPPORT, with the recommendation that text amendments be processed in cycles, like the County Water and Sewer Plan amendment cycles. Having all legislative amendments batched into discrete time cycles, rather than individual amendments being processed randomly, will enhance the public's awareness of amendments under review.

3. CB-17-2023:
SUPPORT, but revise the provisions for grandfathering based on filing and acceptance of a development application ("Unless an application for development is already filed and accepted") so that the language is eliminated from the bill.

4. CB-3-2023:
SUPPORT, with the recommendation that the decision criterion not apply in instances where the same use was already reviewed and the Master Plan conformance finding made during review of a Preliminary Plan of subdivision.

ATTACHMENTS: 1. 20230103 - County Legislation Staff Report September 2022



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: County Legislation CB-69, CB-77, CB-78, and CB-92

DATE: 09/15/2022

Several County Council legislative bills of interest have been filed and are moving their way through the Committee review process. They are CB-69, CB-77, CB-78, and CB-92, described further below. All the bills appear to undermine the recently approved Zoning Ordinance Rewrite, and many residents and municipal officials are opposed.

CB-69 – This legislation, sponsored by At-Large Council Member Mel Franklin, enables 7,000+ MXT zoned properties to utilize the new CGO (commercial general office) standards rather than the zone which they were transitioned into as part of the Countywide Map Amendment public process. In effect, this enables these properties to be rezoned without any review by the public or planning department input specific to the property. This will lead to lower building and walkability standards at transit and neighborhood centers as well as in other neighborhoods and will add unnecessary parking and impervious surface at thousands of properties across the county.

CB-69-2022 is a proposal that raises substantial policy implications for Prince George's County and the Planning Board. In summation, it would amount to changes in zoning that were not contemplated in the Countywide Map Amendment (CMA), and which would not be the result of comprehensive or piecemeal rezoning procedures. This bill will affect all properties in the County that were in the M-X-T Zone prior to April 1, 2022. There are approximately 7,093 such properties in the County.

Staff Recommendation (CB-69-2022): OPPOSE

CB-77 – This legislation, sponsored by Council Member Franklin, is a drastic departure from the existing transition and grandfathering provisions and instead allows in perpetuity access by property owners to all prior uses and regulations to reconstruct and expand simply by having an application filed (not approved) by April 2024. In essence, this bill makes it harder to achieve the County's General Plan, discourages transition to higher green building and other standards, decreases public transparency in development review, and will incentivize sprawl instead of focusing development around transit centers. In areas where an overlay zone once existed (which is a significant portion of District 3), this change would be deeply detrimental by allowing uses that even in 2018 were not allowed to happen on properties. Numerous properties across the county and in District 3 could see increased low quality retail or unexpected industrial uses in inappropriate places while provisions to encourage green development, walkability and high-quality design standards would be pushed aside.

Although a short bill, CB-77-2022 is extremely complex and wide-reaching in its potential impact and thus requires careful analysis of what it means and how it would affect the County's new Zoning Ordinance. The bill drastically alters the transitional rules that were placed in the new Zoning Ordinance by the Council in 2018 and 2021.

CB-77-2022 is motivated in part by property owner concerns that the use table of their new zone leaves out some uses that are important and appropriate. If so, the correct approach is to revise the use tables in the new code. Allowing access to two zones and use tables in perpetuity as a solution represents overkill and raises many risks. CB-77-2022 represents a drastic departure from the transitional provisions approved by the County Council in 2018 and 2021. The bill will greatly increase the complexity and decrease the public transparency of development review in the County. The current transitional provisions were the result of a careful, years-long process and should be given a chance to work before making wholesale changes.

Staff Recommendation (CB-77-2022): OPPOSE

CB-78 – This legislation, sponsored by Council Member Franklin, enables 1,284 properties that are split zoned (a parcel that covers more than one land use zone) to be able to use automatically the more intense zone as well as the allowed uses in that higher intensity zone. This means that the developer could automatically chose the more intense zone development regulations to maximize their development on such items as minimum lot size, minimum front setback, minimum yard depths, minimum green area, and maximum lot coverage. For instance, in District 3 a property on Greenbelt Road which has always been in a residential zone and commercial zone will be able to develop their whole parcel under commercial standards and uses even though a portion of their property is in a residential community. Please note split zoned properties are less than ideal, but over the years the community has chosen to maintain them in this way to ensure community compatibility is achieved when development occurs.

This bill would modify zone development regulations ("bulk regulations" such as minimum lot size, minimum front setback, minimum yard depths, minimum green area, maximum lot coverage, etc.) to require the application of the regulations of the highest-intensity zone unless the applicant of a development proposal on a split-zoned lot or parcel opts out. It would also require the highest-intensity zone's use table apply to development of a split-zoned lot or parcel unless the applicant opts out. These mandates would supersede the regulations and uses of lesser-intensity zones.

There may be legal concerns associated with this bill. The concern is that the bill may, in effect, rezone property through legislation rather than an authorized rezoning process.

Staff Recommendation (CB-78-2022): OPPOSE

CB-92 - This bill, sponsored by Council Chair Calvin Hawkins and Council Member Franklin, eliminates the ability of a Council member to ask for a development case to be reviewed by District Council. Removal of this tool is premature especially given the prior legislation also being considered by Council radically alters the county's zoning code. In past years, the City Council has supported the role of the District Council in reviewing development cases as oftentimes community concerns cannot be addressed in any other way.

Staff Recommendation (CB-92-2022): OPPOSE

One other bill, CB-91-2022, sponsored by Council Chair Calvin Hawkins and Council Member Franklin, that would require a supermajority vote for any future changes to the zoning code-

Subtitle 27 was tabled indefinitely by the PHED Committee on September 15th. CB-91 would have established, on an 11-member County Council, a supermajority of eight Council Members. While setting a high bar for zoning changes is worth consideration, implementing a more transparent to pass a legislative amendment to the Zoning Ordinance. An alternative, information-driven process would be a better first step especially as the zoning code is in its early stages of implementation. A supermajority can lead to unnecessary political vote trading.

Recommendation

It is recommended that Council OPPOSE CB-69, CB-77, CB-78, and CB-92 and send the attached letter to the Prince George's County Council. .

ATTACHMENTS: 1. 20220919 - Legislation Letter to County Council



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Budget Guidance for FY 2024

DATE: 12/29/2022

The Finance Department will provide trend information and major themes to City Council for the upcoming FY 2024 Budget process. City Council budget objectives will be discussed at this meeting.

ATTACHMENTS: 1. 20230103 - Budget Guidance FY2024

Council Budget Guidance FY 2024

CITY OF BOWIE

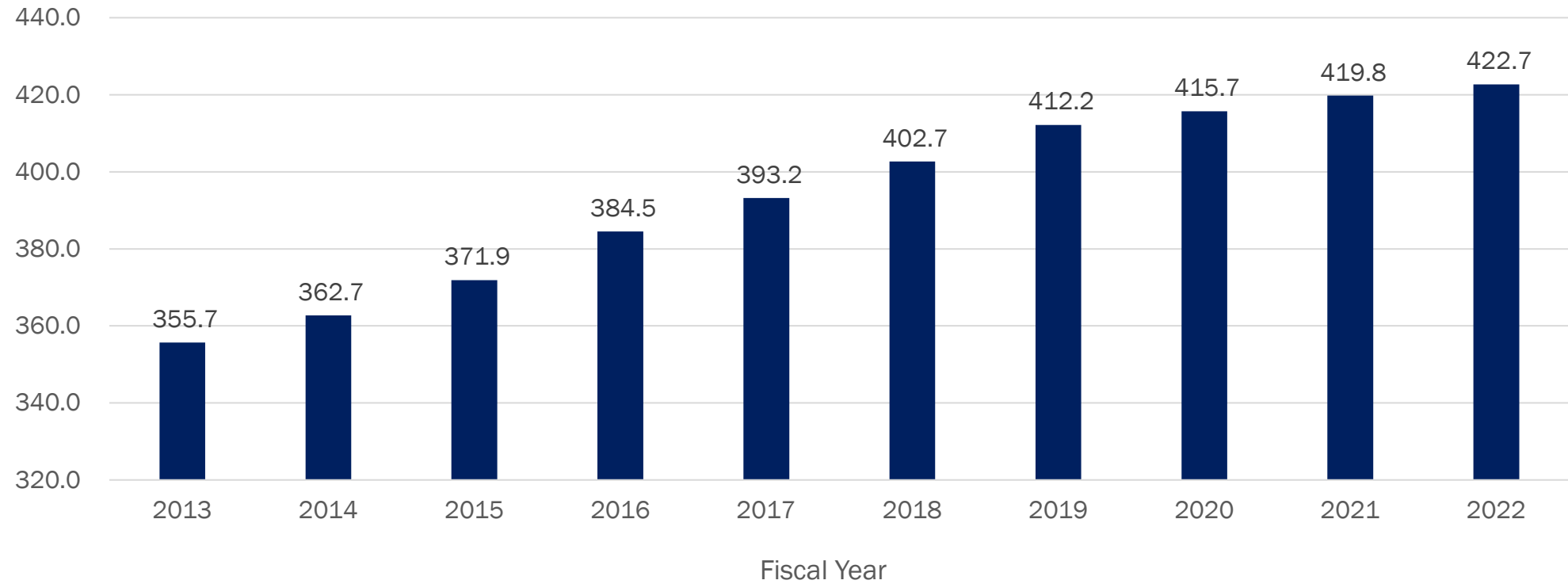


City's Success

- Exceeding fund balance policy of 25 percent of revenues.
- Triple A Rating
- Constant Tax Rate over the last 14 years
- Robust core services
- Development of South Lake
- Staff increases over the last 14 years
- Pandemic survival

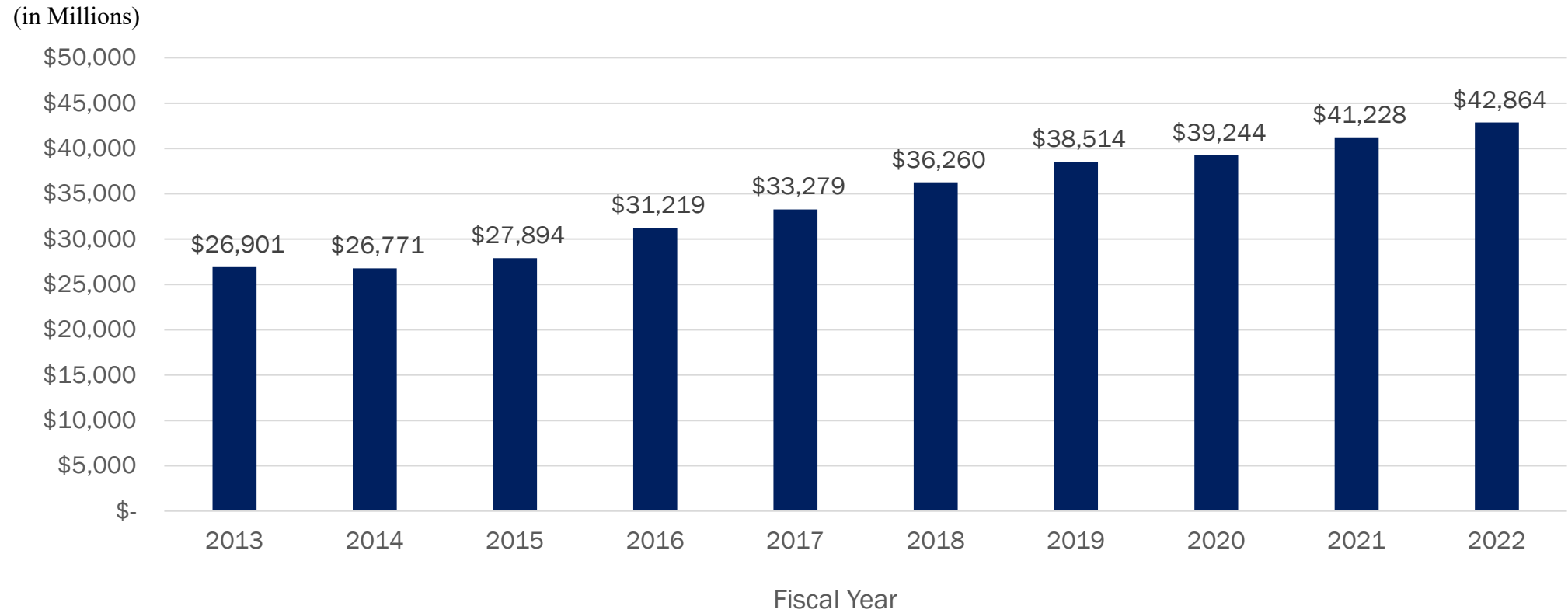
Total Personnel

Authorized Full Time Equivalent (FTEs) - Budget Basis
Last Ten Years



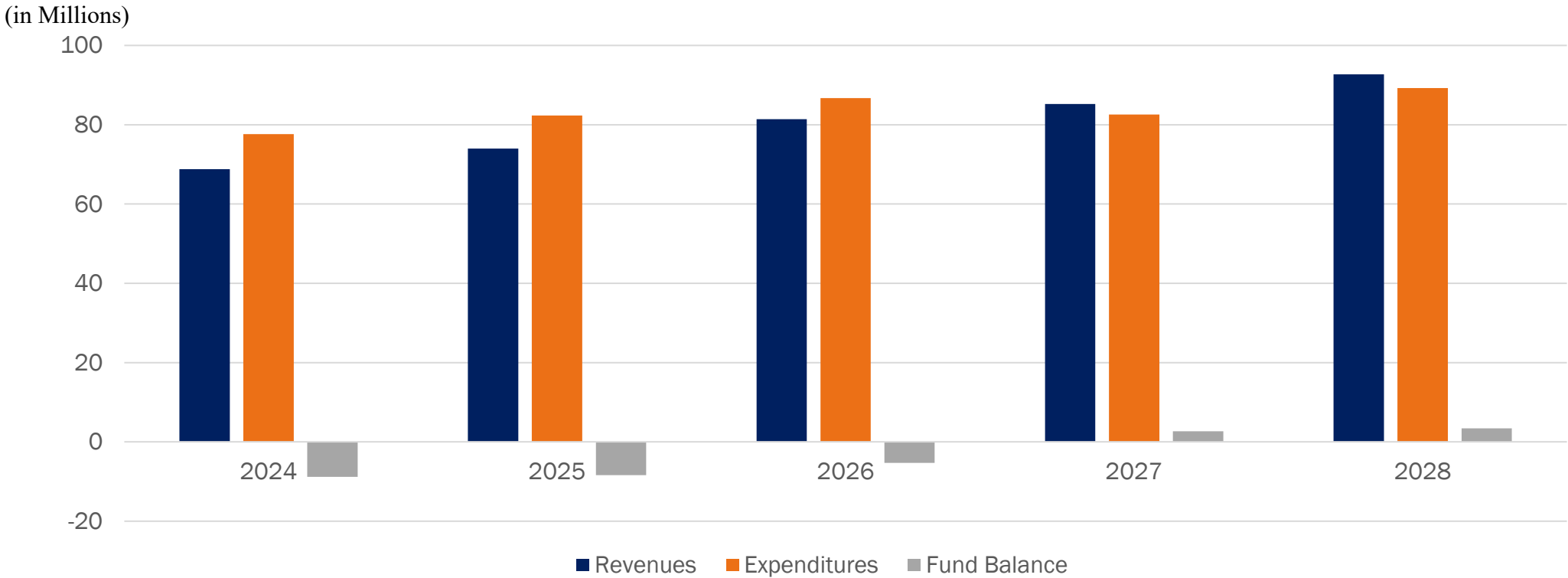
Total Personnel Services Cost

Last Ten Years



Current Trend General Fund Revenue, Expenditures and Fund Balance – With Proposed Tax Increases

FY2024 – FY2028



*No tax increase for 14 years

Source: FY2023 Adopted Budget

Council / Management Responsibility

Balance Budget - The budget must be balanced, meaning the total of the anticipated revenues, including fund balance carried over from previous years, must equal or exceed the total of the proposed expenditures.



Meeting Purpose

- Establish a framework for FY2024 Budget
- Set budget priorities and parameters
- Emphasize importance of using the CIP as a strategic financing and project planning tool
- Consideration of long-term recurring operating costs when adding new Capital Projects
- Consideration of debt affordability
- Consider increasing the property tax rate



Budget Framework



Re-affirm Core Services.



Establish the Property Tax Rate for FY2024.



Examine the need for new Capital Projects.



Examine the funding strategy for Equipment Acquisition and Replacement Fund.

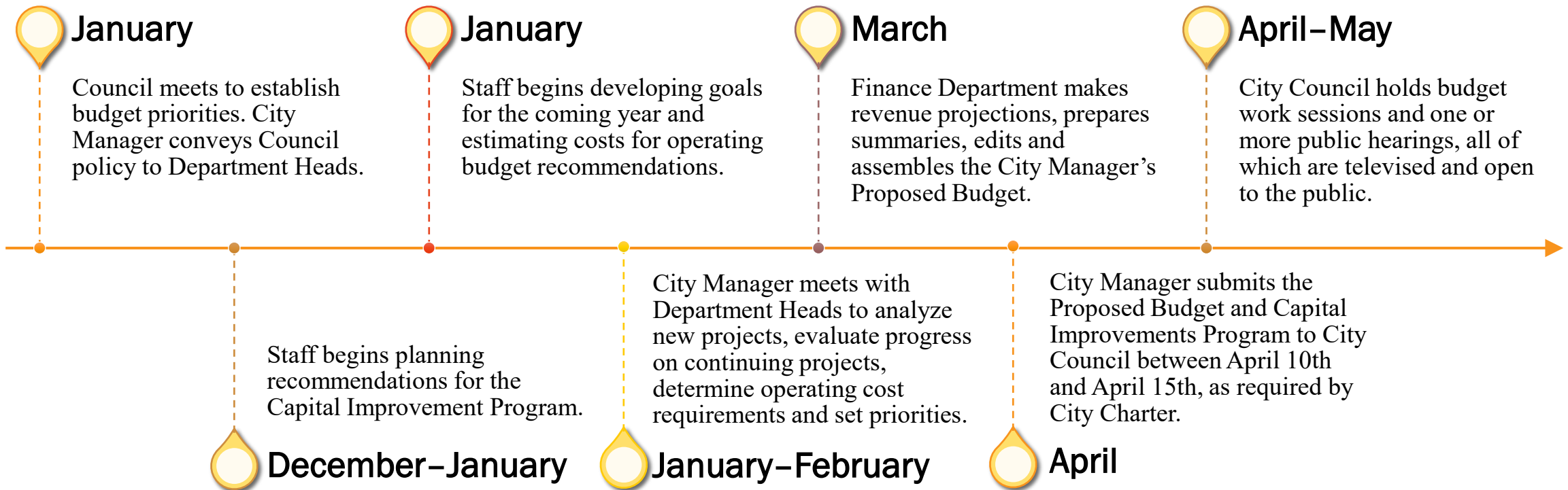


Establish new Water and Sewer Rates.

Current Threats

- Inflation
- Supply chain
- Personnel Cost

Budget Development Schedule



FISCAL POLICIES

Fiscal Policies

- Capital Financing
- Debt Management
- Fund Balance
- Revenues and Expenditures
- Capital Projects



The City will not use long-term borrowing to finance current operations or normal maintenance expenses.



City will maintain a high reliance on pay-as-you-go financing for its capital improvements.



Issue debt for projects included in the Capital Project Program.

Capital Financing

Debt Management



All debt issued will be repaid within a period not to exceed the expected useful life of the improvements financed by debt.



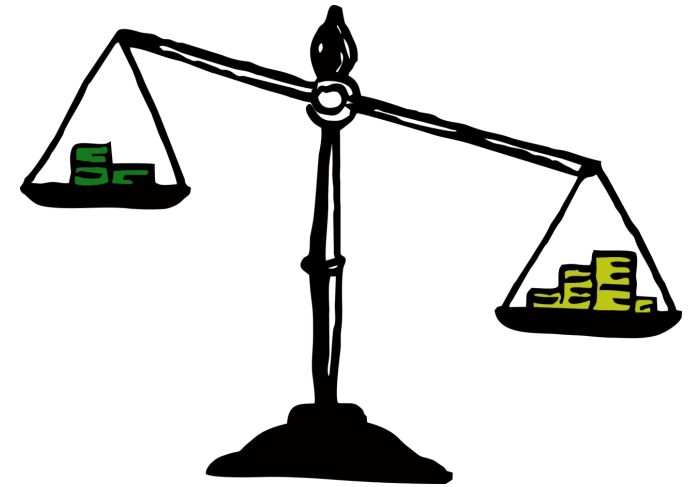
The City will maintain its tax-supported bonded debt at a level not to exceed 0.8 percent of the assessed valuation of taxable property within the City.



The ratio of debt service expenditures as a percent of General Fund revenues shall not exceed 10 percent.

Fund Balance

- The City will maintain a fund balance in the General Fund and the Water and Sewer Fund at a level not less than 25 percent of annual expenditures.
- To the extent that fund balance in the General Fund exceeds the 25 percent level, the City will draw upon the fund balance to provide pay-as-you-go financing for capital projects or for other one-time capital items.



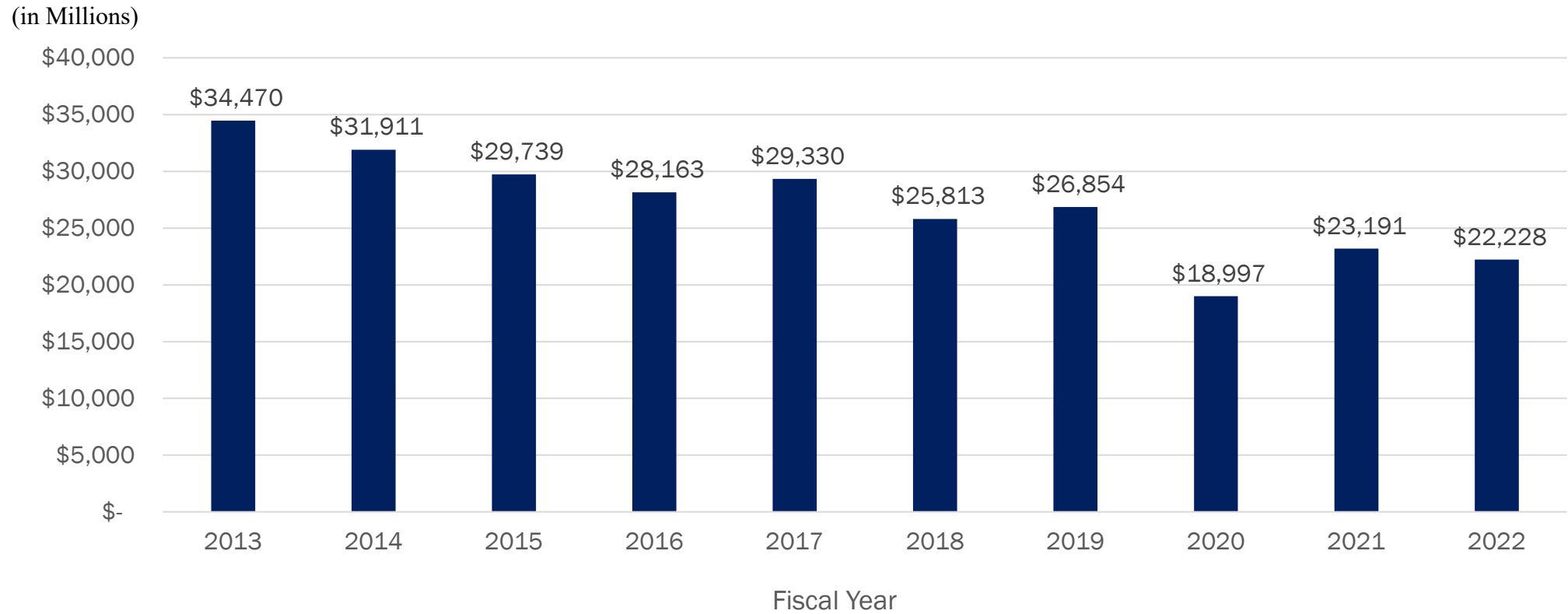
General Fund Balance

Last Ten Years

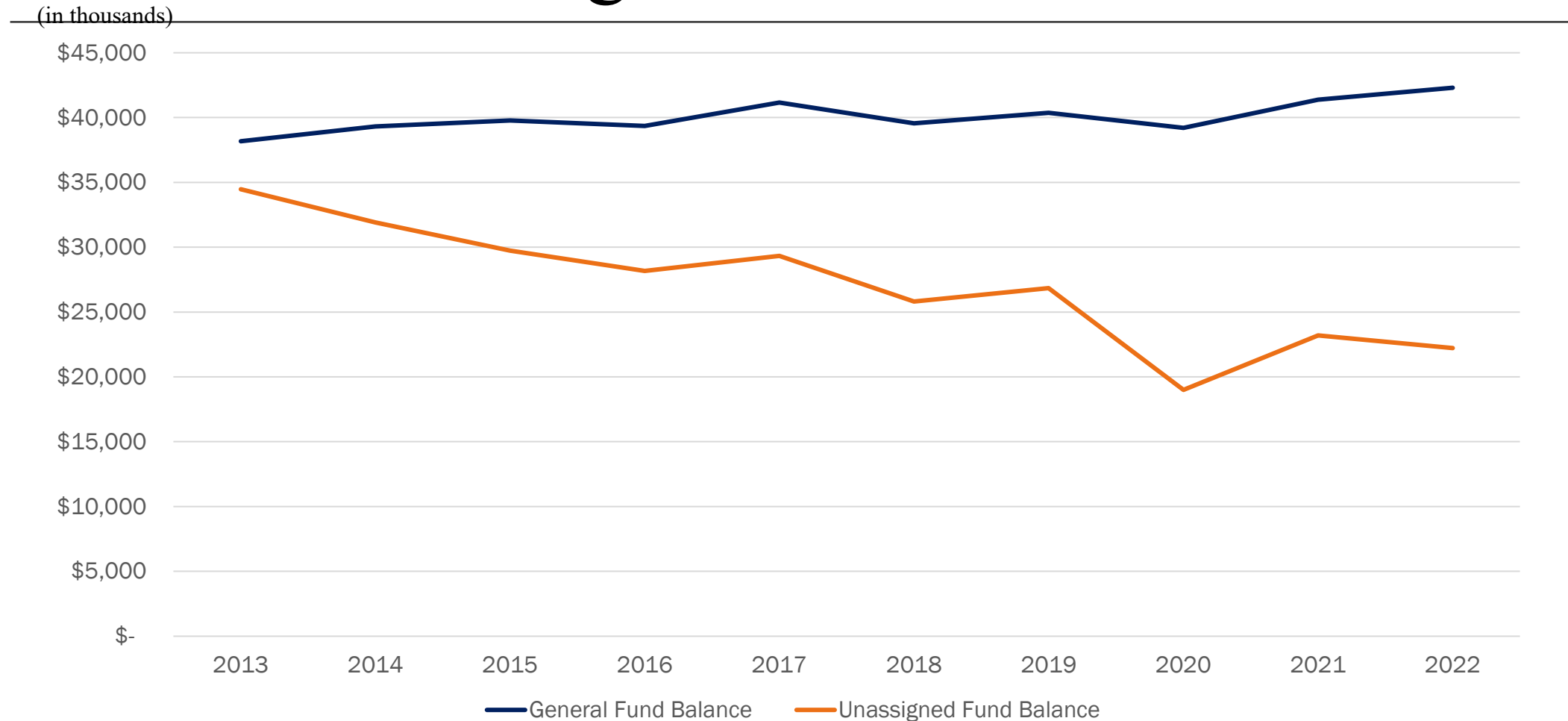


Unassigned Fund Balance

Last Ten Years



General Fund Balance VS. Unassigned Fund Balance



Revenue and Expenditures

The City will strive to adopt an annual General Fund budget in which recurring expenditures do not exceed recurring revenues.

A five-year projection of revenues and expenditures for the General and Water and Sewer Fund will be prepared each fiscal year to provide a long-range, strategic perspective for the annual budget process.

On an annual basis the City will set rates for the Water and Sewer Fund at levels which provide for self-sufficiency.

One-time nonrecurring revenues shall be used for financing capital projects. Examples of one-time revenues include, but are not limited to: proceeds from the sale of surplus property, capital grants and other infrequent, nonrecurring revenues.

The use of one-time revenues for financing ongoing operating expenditures is strongly discouraged.

Capital Project Hierarchy

Capital projects will be approved in the following order:

Mandates from Federal, State, and County governments.



Improvements to City amenities that promote health and wellness.



Restoration of aging infrastructure and buildings.



New Projects.

Capital Project Spending

➤ Set Priorities

- *EPA – Chesapeake Bay*
- *Special Taxing Districts*
- *Water Pipe Recapitalization*
- *Facilities Preventive Maintenance*
- *Ice Arena/Basketball Courts/Golf Course*
- *Set Moratorium on new projects*

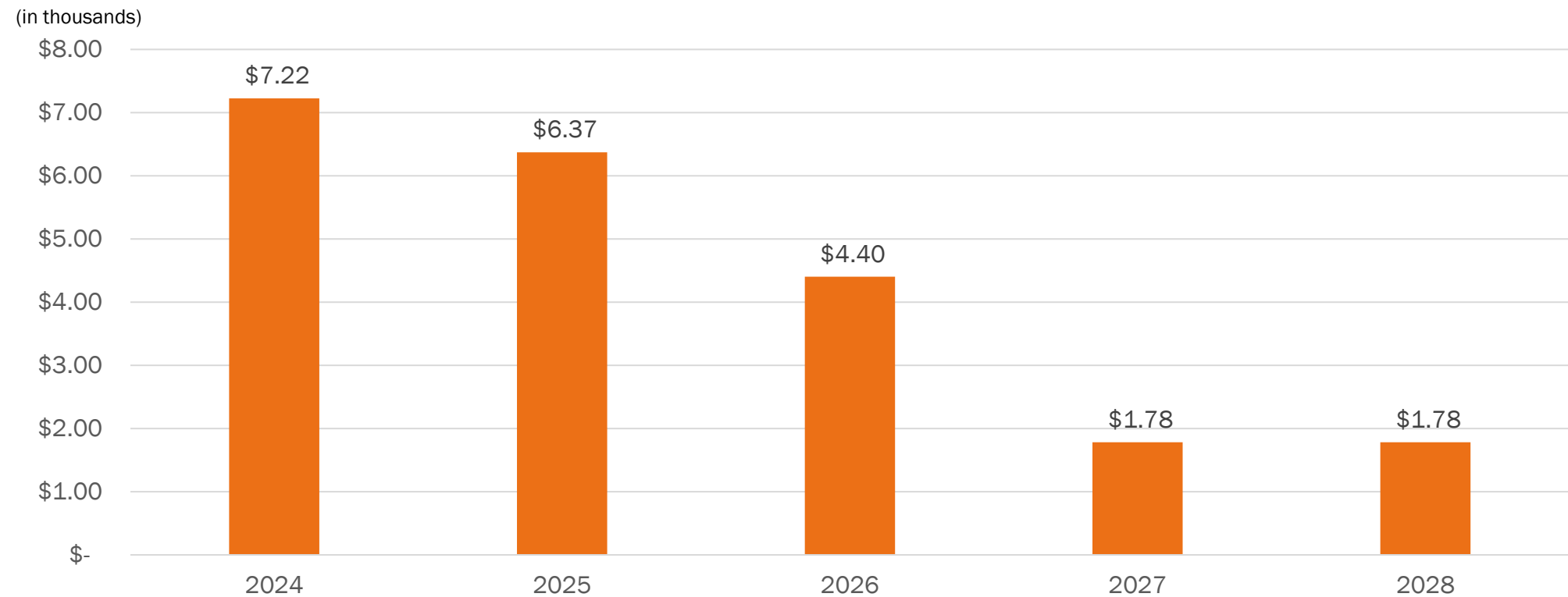
➤ Project Cancellations

- *Cost/benefit approach*

➤ Funding

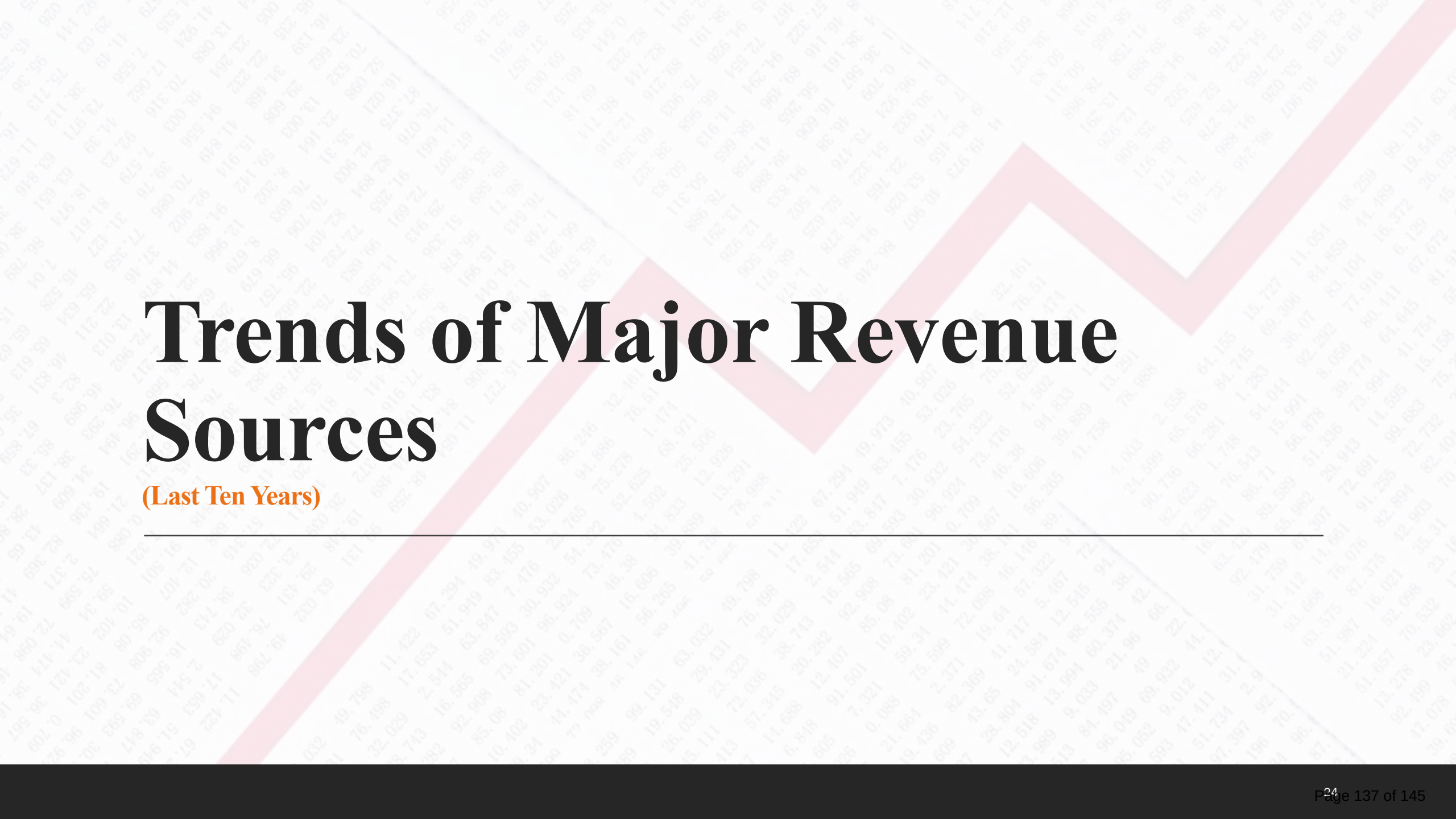
- *PAYGO (Pay as you go)*
- *General obligation bonds*
- *Federal and State Grants*
- *Transfers from the General Fund*

Scheduled CIP Transfers from the General Fund



TRANSFERS FROM THE GENERAL
FUND FOR CAPITAL
IMPROVEMENT PROJECTS
ARE NOT SUSTAINABLE.



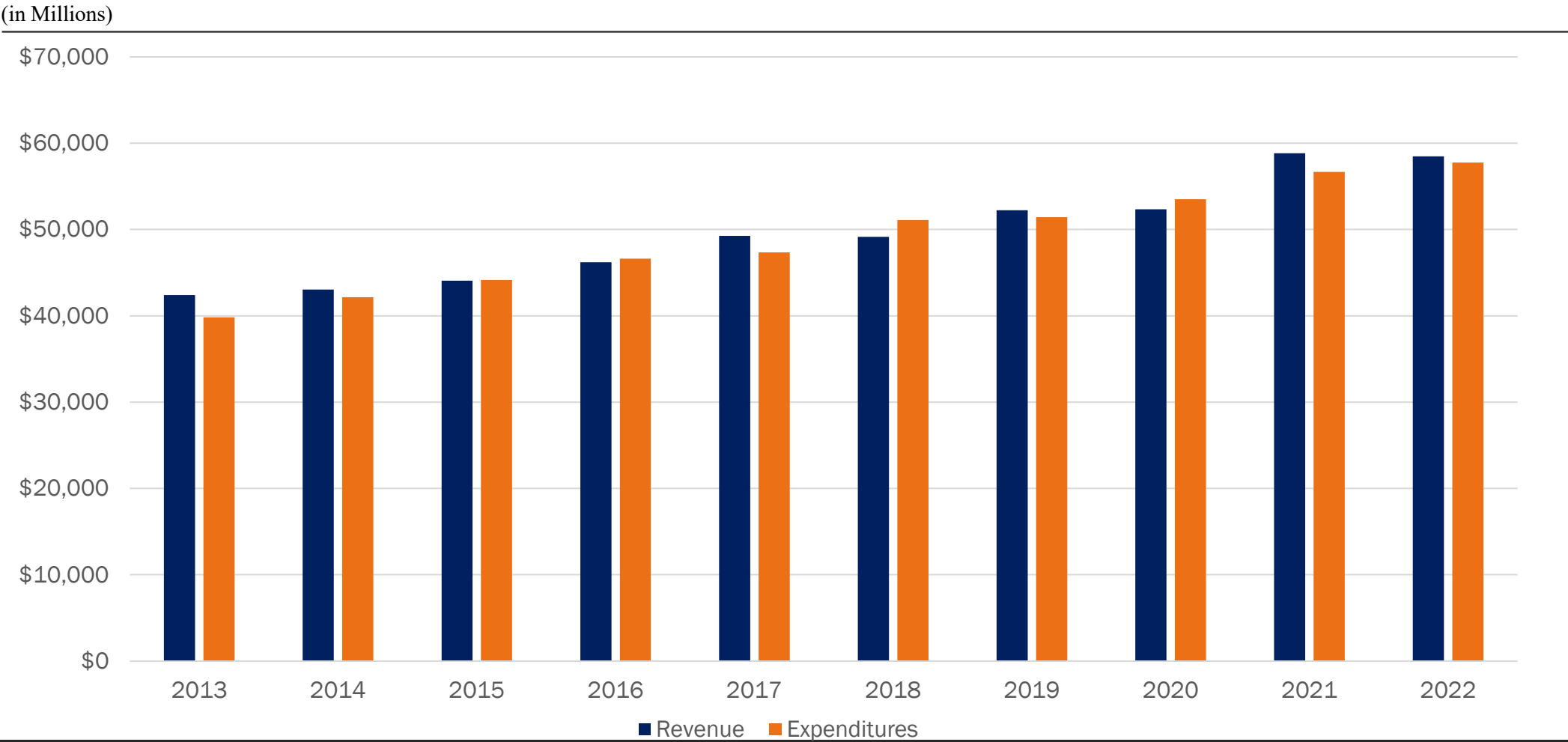


Trends of Major Revenue Sources

(Last Ten Years)

General Fund - Revenues and Expenditures

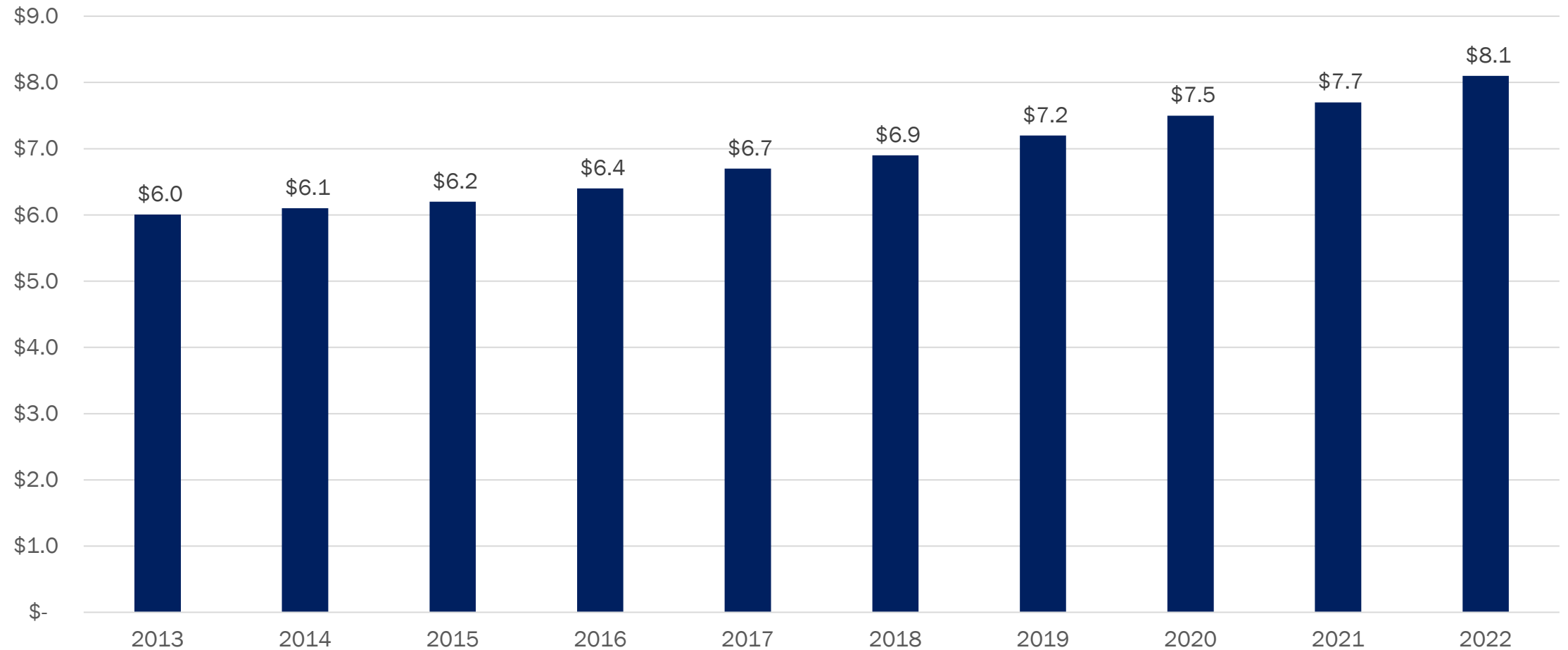
Last Ten Years



Assessed Value of Taxable Property

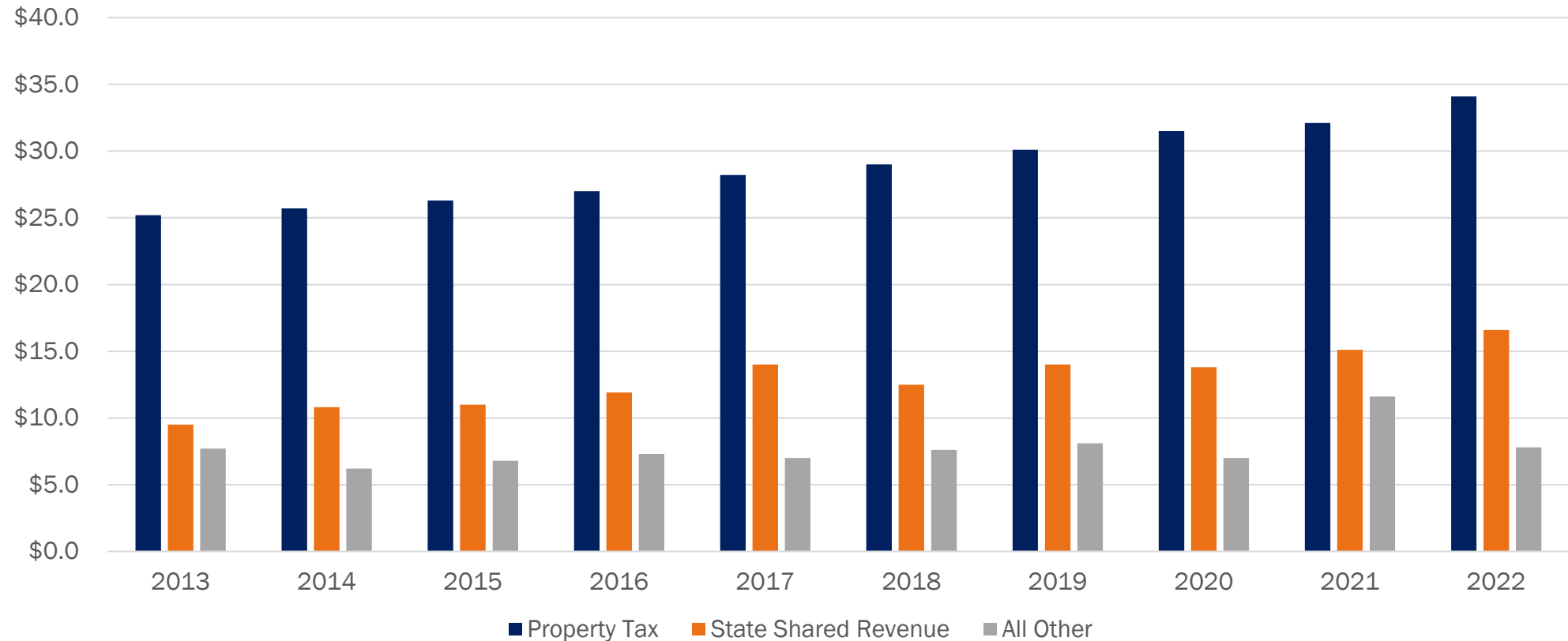
Last Ten Years

(in Billions)



General Fund Major Revenue Categories

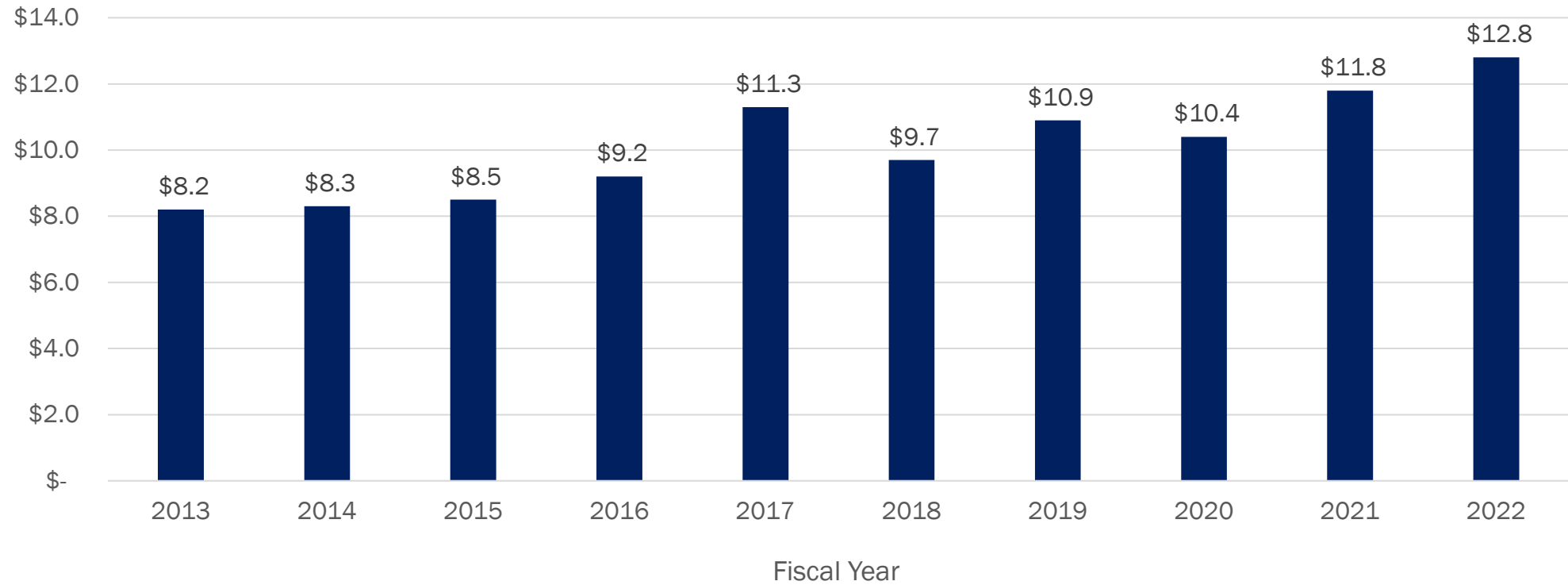
(in Millions)



Income Taxes

Last Ten Years

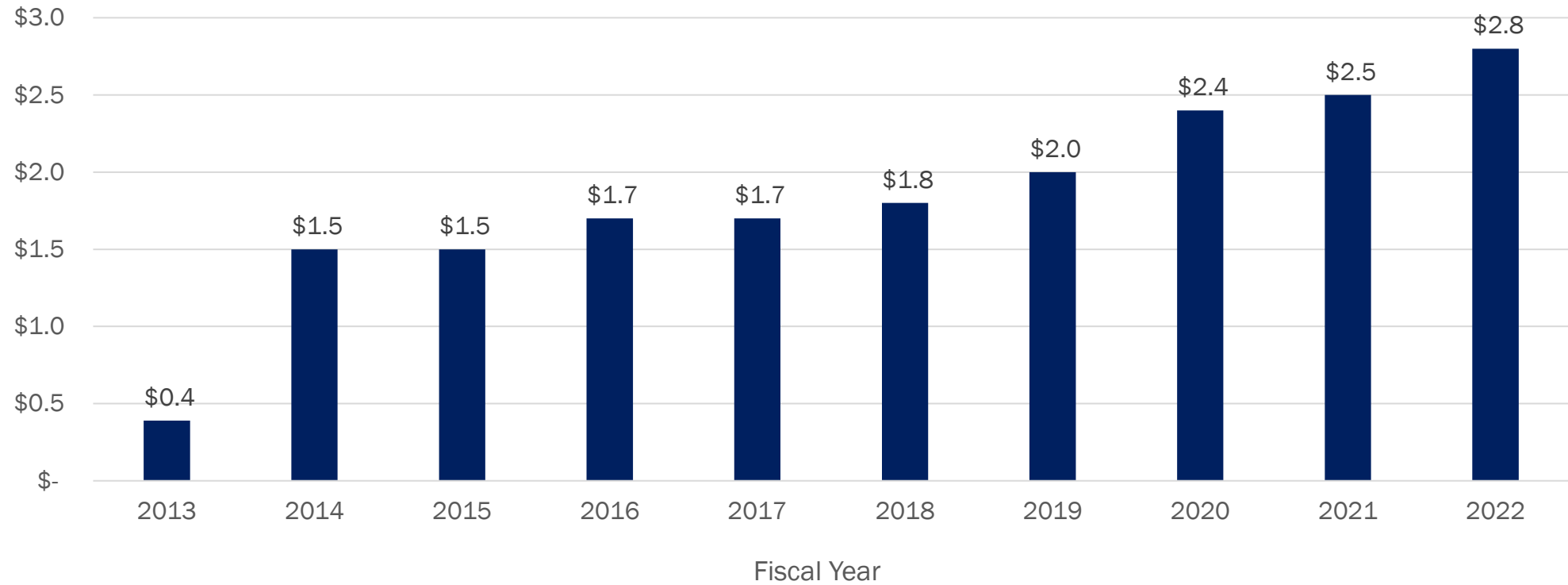
(in Millions)



Highway User Revenue

Last Ten Years

(in Millions)



Revenue from Speed Camera Infractions

Last Ten Years



Budget Guidance

The City's financial position is strong, as demonstrated by affirmation of the City's Aaa rating from Moody's, AAA Standard and Poor's, and AAA Fitch Ratings

- | | |
|---------------------------------------|---------------------------------------|
| • General Fund - Fund Balance | • Unassigned Fund Balance |
| \$42,296,706 72% | \$22,228,310 38% |

Audited financial statement as of June 30, 2022

Percentage of current revenues

Questions and Comments

A thin vertical line is positioned to the right of the text, extending from the top of the word 'Questions' down to the bottom of the word 'Comments'.