

MEMORANDUM

TO: City Council

FROM: David J. Deutsch
City Manager

SUBJECT: *Status Report*

DATE: April 21, 2016

1. Carnival at Bowie Town Center

A City permit has been issued to Reithoffer Shows, Inc. for a carnival to be held at Bowie Town Center from May 5th thru May 15th. The carnival will be open Monday thru Thursday 5-10 p.m., Friday 5-11 p.m., Saturday 1-11 p.m., and Sunday 1-10 p.m. Security will be provided via contract with off-duty City Police Officers.

2. Marketplace Residential

Please see the attached staff report regarding the second Stakeholders Meeting for this project, which was held on April 14, 2016.

Attachment



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

MEMORANDUM

TO: City Council

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City Manager

SUBJECT: Second Stakeholders Meeting
Residential Development at Bowie Marketplace

DATE: April 21, 2016

A second Stakeholders Meeting was held on Thursday, April 14th to review the proposed multifamily residential component envisioned in the southern portion of The Marketplace property. A 5-story/300 unit residential apartment building, including a parking structure, is proposed on the southern five acres of the property. The entire 20 acre site is zone C-S-C (Commercial Shopping Center), where both the retail uses now under construction and the proposed multifamily residential use, are permitted by right under the Zoning Ordinance. Attendees at the meeting included: nearly 80 area residents; City Councilmembers Diane Polangin and Michael Esteve; several members of the developer's team; and, City staff.

Staff made some brief introductory comments, described the Stakeholders process, and presented a PowerPoint show, which summarized the City's development review process, the Development Agreement regarding the subject site and residential proposal, and included a map and text from the Bowie and Vicinity Master Plan showing mixed use development in the shopping centers along MD Route 450, known as Bowie Main Street.

Mr. Brian Berman, with Berman Enterprises, the developer/applicant, addressed the group and reviewed his PowerPoint presentation. Mr. Berman noted that the grand opening for the retail component on the site will likely be at the end of September. A jobs fair for employers and potential employees will be held in May. Mr. Berman continued by stating that concerns raised at the March 8th Stakeholders Meeting have been addressed:

1. **Transparency:** A review of the history of the site, the involvement of Berman Enterprises on the property, and the evolution of the illustrative concept plan were highlighted.
2. **Project Quality:** This will be a Class A residential multifamily development, similar to The Bowen (formerly known as Harmony Place), which is owned by Berman Enterprises. There will be no Section 8 housing in this development, contrary to any rumors which may have been circulating. The monthly rent for an apartment unit in this project is likely to be up to \$3,000 per month, requiring a prospective tenant's annual income to be in the \$95,000 - \$100,000 range.

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Residential Development at Bowie Marketplace**

3. **Safety/Crime:** Vagrancy, vandalism and property destruction were all encountered and addressed when the former building existed. Public safety is addressed via a surcharge payment for the residential units, required by Prince George's County. The surcharge is \$7,300 per unit, resulting in \$2.2 million collected by Prince George's County for public safety.
4. **Property Values:** The site will be a walkable site. Walkability leads to vibrant retail, which in turn leads to increased property values. According to a recent study, property values have increased in the Northview neighborhood since the Bowie Town Center and The Bowen apartments have existed.
5. **Schools:** Few school aged children will be generated from this site and few have been generated from The Bowen development. Nevertheless, Berman Enterprises must pay a School Surcharge fee of \$15,000 per unit for this proposed development, resulting in \$4.6 million collected by Prince George's County for school facilities. There is capacity available at Tulip Grove Elementary School, Tasker Middle School and Bowie High School. At The Bowen, fewer than 20% of the 286 units have children attending Bowie schools.
6. **Parking:** 1.7 parking spaces/unit are proposed for the Marketplace residential units. The retail component of this site has 560 parking spaces. Overall, 932 parking spaces will be constructed, leaving an excess of 372 excess spaces on the 20 acre site. Parking provided at The Bowen is 1.6 spaces per unit, and there are no parking issues.
7. **Traffic:** On-site vehicular circulation includes primary and secondary residential access points. The primary access point is from MD Route 450, while the secondary access points are via Superior Lane, Sage Lane and Stonybrook Drive. A right-in/right-out turning movement is provided at the MD Route 450/site access intersection.

To study the area intersections, the County defined methodology was utilized to investigate the Level-of-Service (LOS) and the functioning of the signalized and unsignalized intersections identified in the County-approved Scoping Agreement. The hours studied at the intersections were the peak hour periods, which are 6:30 – 9:30 AM and 4:00 – 7:00 PM. Growth in traffic and traffic generated from approved developments were also accounted for in the traffic study. Acceptable LOS are A through D, while LOS E and F indicate a failing intersection, where some type of mitigation may be needed. Reviewing an unsignalized intersection can be a three step process, which includes, in sequence and if necessary, delay, volume and an analysis of the Critical Lane Volume (CLV). With the exception of the Superior Lane/Stonybrook Drive intersection, all unsignalized intersections in the study area pass the delay test and operate at an acceptable level. The Superior Lane/Stonybrook Drive intersection passes the CLV test, and therefore operates at an acceptable LOS for an unsignalized intersection. A finding of the report is that, combined, the retail and residential components of the new Marketplace development will generate more AM peak hour trips and fewer PM peak hour trips than the previously-existing all retail development on the site did.

8. **Building Height and Density:** Five locations were identified for visual impacts of the proposed building on the nearby residential neighborhood. The height of the power lines in the rear yards of abutting residential properties was estimated to be approximately 40 feet. Fifteen houses are in the geographical area being impacted by the height of the building. Therefore, the height and mass of the proposed apartment building have been reduced to reduce impacts on those residences and the neighborhood. A maximum 50-foot building height is being imposed by the developer, along with: the construction of a flat roof for the entire structure (rather than a peaked roof); a reduction in the number of stories from five to four in the southern and western sections of the building (the other areas will remain at five stories); and, a decrease in the number of dwelling units from 300 to 285.

Questions from those in attendance included the following:

- **Are any doors proposed on the western side of the building to allow access into the structure?** (RESPONSE: No. Any doors on the western elevation would be exit-only/emergency exit doors. There may be an extremely limited number of units, perhaps seven to 10 units, on the backside of the building with doors for residents to enter and exit their own units.)
- **Will there be a fee charged to the residents for having a second car?** (RESPONSE: Yes.)
- **Were any crime statistics reviewed for The Bowen site before and after that property was developed?** (RESPONSE: No, crime statistics were not studied for that area.)
- **How will the view from the northern elevation of the apartment building, looking at the service areas of the retail uses, be mitigated? How will the noise from that area be attenuated?** (RESPONSE: The area will be heavily landscaped to reduce the visual impact from the apartments to the retail buildings. Noise impacts will be mitigated by using noise attenuating materials and glass in the construction of the residential building. Maryland State codes regulate noise decibel levels.)
- **How will the speeding traffic along Sussex Lane be addressed?** (RESPONSE: Sussex Lane was not identified for study in the traffic scoping agreement. Some site traffic may use Sussex Lane. The City has a Neighborhood Traffic Management Program, which is administered by the City's Department of Public Works. Sussex Lane may be a potential candidate for participation in this program at some point after the development has been completed.)
- **Will Superior Lane be re-stripped to accommodate on-street parking?** (RESPONSE: The traffic study was done assuming 250,000 sq. ft. of retail, which is what previously existed on the site. There is plenty of on-site parking and no need to provide on-street parking along Superior Lane.)

- **What will the rents be for the residential units?** (RESPONSE: Rents will range between \$1,800 and \$3,000 per month.)
- **Has consideration been given to either closing Sage Lane or making it one-way for traffic?** (RESPONSE: The City's Department of Public Works may evaluate that concept.)
- **Why not build on vacant City-owned land?** (RESPONSE: The subject property is being developed because it is owned by Berman Enterprises. Berman does not own any other vacant property in Bowie.)
- **Will there be a scale model of the proposed building to review at future meetings?** (RESPONSE: The preparation of a scale model of the building is not envisioned.)
- **Why is it that the construction of an apartment building is required to be built on this site?** (RESPONSE: The 2006 Bowie and Vicinity Master Plan identified mixed use development on this site, as well as the other two shopping center sites on MD Route 450. From a planning standpoint, it makes sense for multifamily development to be located on this property, since it complements the retail development and vice versa.)
- **Why does the building have to be so large? Why can't it be smaller?** (RESPONSE: A developer takes on tremendous risk and long term commitments when doing a project of this magnitude. Items such as building infrastructure, structured parking, utilities, and building amenities all drive the density of a project.)
- **Will Sage Lane be used by service vehicles to access the site?** (RESPONSE: Trash and delivery vehicles will access the property from MD Route 450.)
- **What is the basis for the vehicle trip credit?** (RESPONSE: The guidelines adopted by Park and Planning, as well as established traffic engineering practices, were employed in preparing the traffic study. The data collection used in the study was done on Tuesday, January 5th. Tuesdays through Thursdays are acceptable days to perform traffic counts under Park and Planning guidelines. While it may have been very cold on January 5th, cold weather days are acceptable days for performing traffic counts under Park and Planning guidelines. Days when school is in session are also acceptable days for performing counts.)
- **Will a pedestrian connection be provided across MD Route 450 between The Marketplace and Free State shopping centers?** (RESPONSE: Such a connection is not part of the redevelopment of The Marketplace property.)
- **Why are apartments being built rather than residential condominiums?** (RESPONSE: Berman Enterprises is in the apartment development and rental business, as evidenced by Berman owning The Bowen apartments and desiring to build rental units on the subject property.)

- **Would Berman Enterprises consider selling the land on The Marketplace site designated for residential development?** (RESPONSE: No, not at this time.)
- **How are the types of road improvements, if any, determined? What is Berman Enterprises doing to help improve the roads?** (RESPONSE: The types of road improvements are determined by the findings of the traffic study and by the different governmental jurisdictions whose roads are being impacted. This project will generate substantial tax revenue that could be used for road improvements.)
- **What are the plans for on-site security of the apartments?** (RESPONSE: Security will be provided by lighting in the rear area of the retail buildings, by security personnel and by utilizing 360° security cameras.)
- **What will be the hours of the swimming pool and will that area be lit?** (RESPONSE: Lights will be provided in the pool area. Pool hours will be limited.)
- **Has Berman Enterprises worked with local emergency response teams in the past?** (RESPONSE: Berman Enterprises has a close working relationship with local police and fire departments. While there is a public safety surcharge that is assessed to new development by Prince George's County, the developer has no control over how or where the funds from that surcharge are allocated.)
- **Will there be any more traffic studies?** (RESPONSE: At this point, there are no plans for the applicant to perform any more traffic studies. The City's Department of Public Works can monitor traffic along adjacent City streets. However, there are no funds in the budget to do any road improvements that may be necessary as a result of this project.)
- **What is the status of the widening of MD Route 450 east of Stonybrook Drive?** (RESPONSE: The City has been working with the State and County over the past several years regarding this project. Project design has been substantially completed; however, there are no funds for purchase of any necessary right-of-way or for construction.)
- **Where will guests of the apartment residents park?** (RESPONSE: It is anticipated that guests will park in the on-site parking areas serving the retail buildings. Berman Enterprises owns both properties, and there will be more than enough parking available.)
- **Is there any truth that the proposed building will be an assisted living facility?** (RESPONSE: No, this will not be an assisted living facility. However, under the agreement Berman Enterprises has with the City, a minimum of 20% of the units in the apartment will be set aside for senior citizens.)
- **How long will it be before there is a traffic light at the Superior Lane/Stonybrook Drive intersection?** (RESPONSE: There are traffic warrants

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for signalization that have to be met before a traffic light is installed at this intersection.)

- **Is the height of the existing 6-foot high fence along the southern property line able to be increased?** (RESPONSE: A variance would have to be approved by the City in order to increase the height of the existing fence.)

Those attendees who remained at the meeting were reminded to sign the sign-in sheet so they would receive notice of future meetings. An additional announcement was made that no City public hearing dates for this proposal have been set.

At the conclusion of the question and answer session, the developer's team and City staff remained to continue a dialogue with interested residents.