

MEMORANDUM

TO: City Council

FROM: David J. Deutsch
City Manager

SUBJECT: *Status Report*

DATE: September 12, 2013

1. City Election

On September 9th Councilmember Todd M. Turner filed his candidacy paperwork for an At-Large Council seat. On September 11th, Mayor G. Frederick Robinson filed his candidacy paperwork for reelection.

2. County Council Results (CB-58-2013)

On Tuesday, September 10th, the Prince George's County Council voted to approve CB-58-2013, a legislative bill which will allow private schools as a permitted use in the C-O (Commercial Office) Zone under certain circumstances. CB-58-2013 was filed by Council Members Turner and Davis specifically to assist The Goddard School, located at 14200 Old Annapolis Road, in changing its status from a day care center to a private school. City Council recommended APPROVAL of CB-58-2013. At the conclusion of the public hearing, Council Member Davis's motion to approve, which was seconded by Council Member Patterson, passed unanimously.

3. Economic Development Committee (EDC)

The EDC met Wednesday for their regular meeting.

After a final discussion, the EDC decided to not send a letter to the City Council about Arts and Entertainment Districts. The matter may be revisited in a future year.

The EDC is preparing a letter about the film industry and Bowie.

The EDC has changed to an "every other month" meeting schedule; the next EDC meeting will be Wednesday, November 13, 2013 at 7:30 a.m. at City Hall.

4. Environmental Finance Center Stormwater Study

As Council is aware, the University of Maryland's Environmental Finance Center (EFC) spent the past year reviewing the City's stormwater management program. A meeting

was held with staff last week to review their preliminary findings. Although the final report has not been completed, EFC Director Joanne Throwe confirmed that the City's program is in very good shape compared to many other jurisdictions, but there are also areas where the City must improve to completely address its responsibilities under the State of Maryland's stormwater permitting requirements. We anticipate that Ms. Throwe will be ready to provide her final presentation to Council in October.

5. Bowie Advisory Planning Board Results

The Bowie Advisory Planning Board (BAPB) conducted a public hearing on Tuesday, September 10th to review #BD-1-13, an application for a Departure from the Required Number of Parking and Loading Spaces (as required by Section 27-568(a)) of the Prince George's County Zoning Ordinance. The application, filed by C. Hope Real Estate, LLC for a laser tag business ("Castle Laser Tag") located at 14201 Woodcliff Court, requested a Departure of 99 on-site parking spaces, from 136 spaces required to 37 spaces existing. The County instructed the applicant to file for and receive a parking Departure prior to a Use and Occupancy Permit (U/O) being issued for the laser tag business, which has been in tandem operation with a gymnastics use ("Silver Star Gymnastics") at the above location since 2008. (The U/O Permit for the gymnastics use became effective in early 2009.) At the public hearing, seven people spoke in support of the Departure, stating that there has never been a parking problem at the subject property, nor in the surrounding commercial area. At the conclusion of the public hearing, the BAPB voted unanimously (9-0) to recommend APPROVAL of #BD-1-13. The Board's resolution will be forwarded to Council in the September 19th package.

6. Zoning Hearing Examiner Decision

On Monday, September 9th, the Zoning Hearing Examiner (ZHE) issued her decision regarding case number A-10029, a Zoning Map Amendment request filed by Santos, LLC to rezone 7.9 acres of vacant property from R-R (Rural Residential) to C-M (Commercial Miscellaneous). The property is located at the eastern end of Woodcliff Court, and is bordered by the Pope's Creek Railroad on the east. The property was annexed into the City on March 4, 2011. The City supported this rezoning case. Testimony was presented at the ZHE hearing on April 23, 2013, however, the record was held open until July 16, 2013 for the receipt of various documents requested by the ZHE. The ZHE's decision in this case was for DENIAL. Any party of record may appeal the ZHE's decision within 30 days of the date of the decision being issued.

7. Walmart Stakeholders Meeting

A Stakeholders Meeting for the proposed new Walmart store on the Mill Branch Crossing property, located at the intersection of U.S. Route 301 (northbound) and Mill Branch Road, will be held at 7 p.m. on Thursday, September 19th in the Council Chambers. This proposal is a Special Exception application (SE-4734) since it is for construction of a department/variety store over 125,000 sq. ft., with a food and beverage component above 10% of the gross floor area. (The new store has a proposed area of 185,989 sq. ft.) No City public hearing dates for this application have been set at this point.

8. County Rain Check Rebate Program

In 2012, the Prince George's County Council passed CB-40-2012, a bill that established the Stormwater Management Retrofit Program. Although City staff monitored the progress of the legislation, it had always been our view that the law would not apply within the City limits, since we have our own stormwater management jurisdiction and are not bound by the State's mandatory stormwater fee law. Recently, Prince George's County posted guidelines for the "Rain Check Rebate Program" created by CB-40-2012 on their website. Property owners can obtain rebates of up to \$2,000 per residential property and \$20,000 for nonresidential properties for planting trees, installing cisterns, rain barrels, rain gardens, permeable pavement and green roofs, and removing impervious surfaces. One of the stated eligibility requirements is that the property must be located within Prince George's County (no mention of exclusion of Bowie). Staff contacted the Department of Environmental Resources, which is administering the program, and was advised that funding for the program comes from the County's Stormwater Management District Fund, and in past years residents of the City have not been charged this fee on their tax bills because the County does not provide any stormwater services in the City. The DER Director, Adam Ortiz, advised that City residents could not participate in the "Rain Check Rebate Program".

Information about the program can be found at:

<http://www.princegeorgescountymd.gov/sites/StormwaterManagement/RainCheck/Pages/default.aspx>