

## MEMORANDUM

TO: City Council

FROM: Daniel J. Mears  
Assistant City Manager

SUBJECT: *Status Report* DATE: October 10, 2019

### *Status Report*

1. Saddlebrook Stream Restoration

On October 23, 2019, the Public Works Department will host a stakeholders meeting at Rockledge Elementary to share information about the City project to restore a section of the stream located in the Rockledge neighborhood. This project is part of the Chesapeake Bay Capital Improvement program which is needed to comply with the City's MS4 permit. Construction is anticipated to start in summer of 2020. A copy of invitation letters that were mailed to residents near the planned work is attached.

2. CB-17-2019 (Freeway Airport) Update

On Tuesday, October 8<sup>th</sup>, the Prince George's County Council directed that an amended version of CB-17-2019 (attached) be sent out for a new public hearing. As Council will recall, Council Members Derrick Leon Davis and Calvin Hawkins introduced Draft #2 of this bill, which would permit townhouses and single family detached dwellings on small lots within the R-A (Residential Agriculture) zone, under certain circumstances, in July. The legislation is intended to facilitate redevelopment of the Freeway Airport property. The amendment introduced this week sets a maximum density limit of 4.5 dwelling units per acre and several design standards for townhouses that will be addressed at the time of Detailed Site Plan review. Nine residents addressed the County Council under the Citizen Participation portion of Tuesday's meeting, stating general concerns about traffic safety and overdevelopment on Church Road and the necessity of Zoning Ordinance text amendments. The public hearing is expected to be scheduled on November 12<sup>th</sup> or 19<sup>th</sup>. Staff sees no reason for the City to change its opposition to CB-17, as the objections stated in your July 9<sup>th</sup> letter (also attached) remain.

DJM: lfr  
Attachments



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

October 7, 2019

## **NOTICE OF CITY STAKEHOLDERS MEETING** **STREAM RESTORATION IN ROCKLEDGE**

**Project: Stream Restoration and Sanitary Sewer Stabilization**

**Location: Saddlebrook Branch between Rockledge Drive and Rambling Lane**

Dear Resident or Stakeholder:

The Public Works Department has been implementing a variety of stormwater improvement projects in Bowie, as required by the State of Maryland to improve the quality of Bowie's streams and the Chesapeake Bay. One of these projects, currently in design, is a stream restoration project in the Rockledge neighborhood (see illustration on reverse).

Stormwater is defined as rainwater or snowmelt that does not soak into the ground. As stormwater travels across yards and roads, it collects harmful pollutants such as trash, sediment, pet waste, and lawn fertilizer. Because the Levitt areas were built before stormwater treatment was required, this polluted runoff flows directly into the storm sewer system and local streams. Recent State regulations require removal of nutrients and sediment from stormwater, which will result from the completion of this stream restoration project.

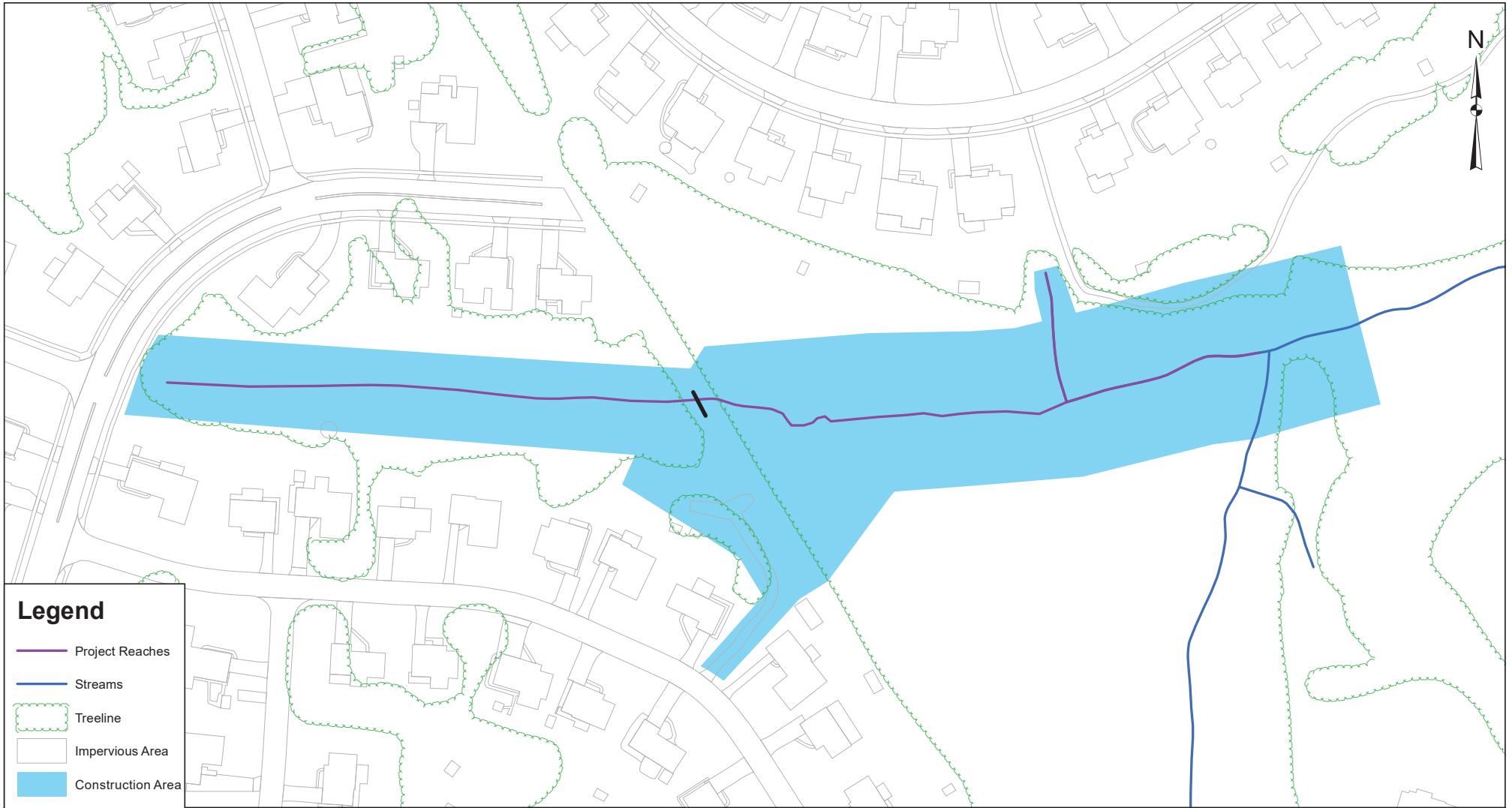
The public is invited to an informational Stakeholders Meeting, which will be held on Wednesday, **October 23**, at 7:00 p.m. at **Rockledge Elementary School** in the Media Center.

This stream restoration project will include tree removal, stabilization of the stream banks and sanitary sewer line, creation of in-stream pools to improve habitat, and native plantings. City staff will provide information on what to expect during construction and will answer questions.

Please plan to attend and participate in this important meeting. Sign language interpretation and/or other accommodations can be provided if requested by Thursday, October 17, 2019. Please contact me at 301-809-3043 or [twright@cityofbowie.org](mailto:twright@cityofbowie.org) with any questions or for accommodations.

Sincerely,

Tiffany Wright  
Watershed Manager



**Legend**

- Project Reaches
- Streams
- Treeline
- Impervious Area
- Construction Area

**BayLand**  
 Consultants & Designers, Inc.  
*"Integrating Engineering and Environment"*  
 7455 New Ridge Road, Suite T Phone: (410) 694-9401  
 Hanover, Maryland 21076 Fax: (410) 694-9405  
 Website: www.baylandinc.com

**FIGURE 4 - RESTORATION REACHES**

**SADDLEBROOK STREAM RESTORATION PROJECT**

1 in = 100 ft  
 0 25 50 100 150 200 Feet

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2019 Legislative Session**

Bill No. CB-17-2019

Chapter No. \_\_\_\_\_

Proposed and Presented by Council Member Davis

Introduced by Council Members Davis & Hawkins

Co-Sponsors \_\_\_\_\_

Date of Introduction: July 2, 2019

**ZONING BILL**

1 AN ORDINANCE concerning

2 R-A Zone

3 For the purpose of permitting Townhouse and One-family detached dwelling uses in the R-A  
4 (Residential Agricultural) Zones of Prince George's County, under certain circumstances.

5 BY repealing and reenacting with amendments:

6 Section 27-441(b),

7 The Zoning Ordinance of Prince George's County, Maryland,  
8 being also

9 SUBTITLE 27. ZONING.

10 The Prince George's County Code  
11 (2015 Edition; 2018 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
14 District in Prince George's County, Maryland, that Section 27-441(b) of the Zoning Ordinance of  
15 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,  
16 be and the same is hereby repealed and reenacted with the following amendments:

17 SUBTITLE 27. ZONING.

18 PART 5. RESIDENTIAL ZONES.

19 DIVISION 3. USES PERMITTED.

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Sec. 27-441. Uses permitted.

(b) TABLE OF USES.

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
(7) Residential/Lodging: Dwelling, one-family detached (in general) * * * * *	P	P <sup>83, 129</sup>	P <sup>83, 134</sup>	P <sup>83</sup>	P <sup>83, 121</sup>	P	P	P	P
Townhouse, all others * * * * *	X	P <sup>129</sup>	X <sup>134</sup>	X	P <sup>79, 120, 123, 126, 127</sup>	X <sup>48, 128</sup>	P <sup>48, 111, 124</sup>	X <sup>48</sup>	P <sup>2</sup>

**134** Notwithstanding any other provision of this Part, townhouses and one-family detached dwellings are a permitted use, provided:

- (a) The use is located on an assemblage of land that:
  - (i) is no less than one hundred (100) acres and no more than one hundred fifty (150) acres in size;
  - (ii) is located within one (1) mile of a municipal boundary;
  - (iii) is within 2,500 feet of land used for purposes of electrical generation, transmission, and distribution in connection with providing public utility service in the County by a regulated public utility; and
  - (iv) has frontage on a public right-of-way classified as a freeway or higher in the Master Plan of Transportation and is maintained by the State Highway Administration.
- (b) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. Regulations concerning the net lot area, lot coverage and green area, lot/width frontage, yards, building height, density, accessory buildings, private streets, minimum area for development, and other requirements of the R-A Zone shall not apply. R-T Zone regulations set forth in Sections 27-433(c)-(k) and 27-442 shall apply, except for those pertaining to lot coverage, lot/width frontage, and building height, which shall be established by and shown on the Detailed Site Plan.

1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-  
2 five (45) calendar days after its adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2019.

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

BY: \_\_\_\_\_  
Todd M. Turner  
Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Acting Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.



COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2019 Legislative Session

Amendment Introduced by \_\_\_\_\_ Council Member Davis

Bill No. \_\_\_\_\_ CB-17-2019 (DR-2)

Amendment No. \_\_\_\_\_ 1

Amendment Introduced by Council on \_\_\_\_\_

PROPOSED AMENDMENT

1  
2 1. On page 2, strike all of Footnote 134 and insert the following:

3 134 Notwithstanding any other provision of this Part, townhouses and one-family detached  
4 dwellings are also a permitted use, provided:

5 (a) The use is located on an assemblage of adjacent properties that:

6 (i) is no less than one hundred (100) acres and no more than one hundred fifty  
7 (150) acres in size;

8 (ii) is located within one (1) mile of a municipal boundary;

9 (iii) is within 2,500 feet of land used for purposes of electrical generation,  
10 transmission, or distribution in connection with providing public utility  
11 service in the County by a regulated public utility; and

12 (iv) a portion of the boundary of the assemblage of adjacent properties has  
13 frontage on a public right-of-way classified as a freeway or higher in the  
14 Master Plan of Transportation and is maintained by the State Highway  
15 Administration.

16 (b) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of  
17 this Subtitle. Regulations concerning the net lot area, lot coverage and green area,  
18 lot/width frontage, yards, building height, density, accessory buildings, private  
19 streets, minimum area for development, and other requirements of the R-A Zone  
20 shall not apply. The maximum density shall not exceed 4.5 dwelling units per  
21 acre, the minimum width for townhouses shall be 22 feet, and the minimum lot  
22 depth for townhouses shall be 80 feet. A minimum of seventy-five percent (75%)  
23 of all townhouse units shall have a full front façade (excluding gables, bay



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windows, trim, and doors) of brick, stone, or stucco. Townhouses shall not contain vinyl siding. Elevations shall be submitted with the Detailed Site Plan that demonstrate an architectural design that is compatible with adjacent residential development. All other regulations for the R-T Zone set forth in Sections 27-433(c)-(g) and (i)-(k) and 27-422 shall apply (to the extent that they do not conflict with the preceding requirements in this footnote). Notwithstanding the above, regulations pertaining to lot coverage, lot/width frontage, and building height shall be established by and shown on the Detailed Site Plan.

(c) Prior to submission of a Detailed Site Plan, a preliminary plan of subdivision must be approved pursuant to Subtitle 24 and shall be subject to all tests for adequacy of public facilities, including, but not limited to transportation.



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

July 9, 2019

Ms. Donna J. Brown, Acting Clerk  
Clerk of the Council  
Prince George's County Council  
County Administration Building  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

RE: CB-17-2019 (Townhouses and One-Family Detached Dwellings in the R-A Zone)

Dear Ms. Brown:

On Monday, June 3, 2019 the Bowie City Council conducted a public hearing on CB-17-2019, which will provide a limited provision for Townhouse and One-Family Detached residential dwelling uses in the R-A (Residential Agricultural) Zone, where the property proposed for the development meets appropriate criteria and has certain residential development regulations imposed on the development of said uses pursuant to a Detailed Site Plan approval process. After hearing from a total of 14 speakers, the majority of whom were against the proposed text amendment, the City Council voted to oppose CB-17. This letter explains the reasons why the legislation should be rejected.

## Density

We understand the legislation is intended to apply to the Freeway Airport property and that the overall density anticipated for the 129-acre property is approximately 4.25 dwelling units per acre, which could potentially yield over 500 dwelling units. However, the proposed legislation could have major land use implications for the Bowie area, since CB-17-2019 would directly allow the maximum densities under the R-T zone, including three family dwellings at 9 dwelling units per acre, townhouses at 8 dwelling units per acre and other attached dwellings at 6 dwelling units per acre.

The current density allowed in the R-A zone is only 0.5 dwelling units per acre. No development in the entire Church Road corridor has a density greater than 1.7 dwelling units per acre (Fairwood mixed use community). Fairwood was rezoned from the 1.0 dwelling unit per acre R-E (Residential Estate) zone to the M-X-C (Mixed Use Community) zone. The approved densities for the two other large planned Church Road communities of Oak Creek Club (1.27 dwelling units per acre) and Locust Hill (1.39 dwelling units per acre) are less than Fairwood. The original Woodmore community on Woodmore Road was developed with 140 single-family detached units and 259 townhouse units, pursuant to the Recreational Community Development provisions of the Zoning Ordinance, and has an overall density of only 0.50 dwelling units per acre, which is the maximum permitted in the R-A zone.

The density allowed by CB-17-2019 is much more than the mixed residential subdivisions of Northridge and Highbridge Park, which are Comprehensive Design Zones developed in the R-S (Residential Suburban 2.7 – 3.5) zone. Under CB-17, the Freeway Airport property is likely to resemble

Letter to Ms. Donna J. Brown re: CB-17-2019

the Princeton Square townhouse community, located at MD 197 and London Lane/Kenhill Drive and zoned R-U (Residential Urban), which has a density of 8 dwelling units per acre.

### Zoning Pattern

CB-17-2019 also conflicts with the zoning pattern established for this part of the Bowie and Vicinity planning area. The Sectional Map Amendment conducted at the conclusion of the 2006 Bowie and Vicinity Area Master Plan update retained the low density zoning pattern on the Freeway Airport parcels, and other properties in the Church Road/Enterprise Road corridor, which was established in the previous Master Plan, the 1991 Bowie-Collington-Mitchellville and Vicinity Area Master Plan. This zoning pattern uses the low density residential zones R-A and R-E to preserve the single-family and rural character of the area between MD 193 and the City of Bowie. The area is recognized as Community VII in the 1991 Master Plan, and that Plan's Community Character Map identifies Community VII as "Permanent Low Density", with a density variation recognized only east of Church Road.

The 1991 Master Plan text, on page 72, states that Permanent Low-Density communities are intended to retain a rural living area character and/or promote low-density development alternatives:

*Generally conventional large-lot areas will not be encouraged to utilize public sewer. Areas where alternative low-density communities offer opportunities for traditional large-lot estate, rural low-density, planned low-density comprehensive developments, and equestrian subdivisions within the R-E, R-A and O-S zones....Portions of Communities VII, VII, and IX will retain a low-density character in the R-E, R-A zones and/or the alternative low-density development options, except where Low Suburban density neighborhood variations are recognized. These three communities will provide a low-density transition between the suburban areas in the Largo area and Community I.*

Community I is the portion of Bowie located between US 50 and MD 214, including the Bowie Town Center. Detailed recommendations for Community VII are provided beginning on page 88 of the 1991 Master Plan. On page 91, the Plan states: "*The R-E and R-A Zones are recommended extensively for Communities VII, VII and IX to establish a pattern of Large Lot/Alternative Low-Density land use and to function as a base density. Neighborhood density variations are recognized, but should not detract from the Large Lot/Alternative Low-Density character.*"

### Master Plan

If approved, CB-17-2019 would permit a development project that violates the 2006 Bowie and Vicinity Area Master Plan. The Master Plan identifies a substantial portion of the planning area with a "Residential, Low" land use classification. These are areas intended for suburban neighborhoods with single-family houses on lots ranging from 6,500 square feet to one acre in size and retirement or planned residential development. The Master Plan's Zoning Map shows R-E zoning east of Church Road and R-A zoning west of Church Road, reflecting the intent to preserve the Large Lot/Alternative Low Density character discussed above. Development of townhouses, other attached dwellings and small lot single-family dwellings would violate the recommendations of the Master Plan. The Master Plan Land Use classification does not require lot sizes of 6,500 square feet (i.e. density of 6.7 dwelling units per acre) in the Church Road corridor; conversely, the recommendation for single-family houses on lots up to one acre in size is wholly consistent with past land use objectives and the current zoning pattern.

Similarly, the current County General Plan, Plan Prince George's 2035, shows the Freeway Airport area within the Established Communities on the Growth Policy Map (Map 11). The area is

Letter to Ms. Donna J. Brown re: CB-17-2019

shown in the “Residential Low” category on the Generalized Future Land Use Map (Map 10). The Plan describes “Residential Low” as: “Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings.” The use of the words “up to” is instructive, because the General Plan states that Map 10 is not intended to identify land uses and zones for specific properties, and should be interpreted broadly to provide a countywide perspective of future land use patterns. Users of the General Plan are referred to the property’s relevant master plan for specific land use designations.

Based on the above information, the City Council concludes that the 2006 Bowie and Vicinity Master Plan clearly encourages only single-family detached development within the Church Road corridor at densities that do not exceed the existing zoning.

Another primary consideration is that CB-17-2019 would undermine the process of updating the 2006 Bowie and Vicinity Master Plan, which has just begun. The City Council believes it would be appropriate to review any alternative land use and zoning scenarios for the subject property in the context of the Master Plan update.

#### Community Character

The City Council is also concerned that approval of CB-17-2019 would thwart the purposes of the newly created Agricultural-Residential (A-R) Zone and disrupt the established pattern of development that has occurred under the permanent low density R-A and R-E zones in the Church Road corridor. In October 2018, the Prince George’s County Council approved the Zoning Ordinance Rewrite. The Ordinance will not become effective until Fall, 2020. The zoning of the subject property is expected to be changed to the A-R Zone in the Countywide Map Amendment, with no significant changes from the current R-A zoning. Development allowed pursuant to CB-17-2019 would not satisfy the purposes of the A-R Zone, which are:

- (A) To provide for large-lot one-family detached residential subdivisions, while encouraging the retention of agriculture as a primary land use;
- (B) To encourage the preservation of trees and open spaces; and
- (C) To prevent soil erosion and stream valley flooding.

CB-17-2019 would drastically change the expectations that existing homeowners relied upon when they bought their homes. Over the past several decades, the Church Road corridor became a choice residential community developed with upscale, estate homes and large lots. This is precisely the type and quality of development that Prince George’s County has sought. In fact, the June 17<sup>th</sup> issue of The Prince George’s Newsletter noted that the average price of new single-family homes in the County topped the \$600,000 mark. In the first quarter of 2019, Caruso Homes hit \$802,910 in average sales on Church Road. Caruso Homes’ Fairview Manor community is literally across the street from Freeway Airport. Changing the zoning rules, now, to allow townhouses and small lot single family development at higher densities would be counterproductive to the ongoing effort to attract high-value residential housing.

#### Adequate Public Facilities

There are public facility challenges in the Church Road corridor. The development of 500-600 dwelling units on the Freeway Airport property will result in further overburdening public facilities. In a recent hearing before the Prince George’s County Planning Board for the City’s Ice Arena project on Church Road, City representatives were advised that the total response time for fire and rescue services was inadequate (see MR-1824F Staff Report prepared for the 12/13/18 Planning Board hearing). In addition, the planning staff noted that no transit service exists in the Church Road corridor, and that

Letter to Ms. Donna J. Brown re: CB-17-2019

several intersections with the Fairwood development should be evaluated for traffic impact following completion of the ice arena. Development of residential units will further impact school enrollments in the Bowie cluster of schools. In addition, a proposed Water and Sewer Plan amendment in the last review cycle, for a 60,000 square foot church building at the intersection of Church Road and Mount Oak Road, was denied by the County Council, partly because of public facilities issues.

Because the bill is harmful to the existing development character and zoning in the Church Road corridor and does not comply with the purposes of the existing or proposed zoning under the Zoning Ordinance Rewrite, the City Council OPPOSES CB-17-2019 and asks that you reject this legislation.

Thank you for the opportunity to provide input on this bill and for your serious consideration of the City's recommendation.

Sincerely,



Bowie City Council  
G. Frederick Robinson  
Mayor

cc: The Honorable Todd M. Turner  
The Honorable Derrick Leon Davis  
Mr. Robert Antonetti, Esq.