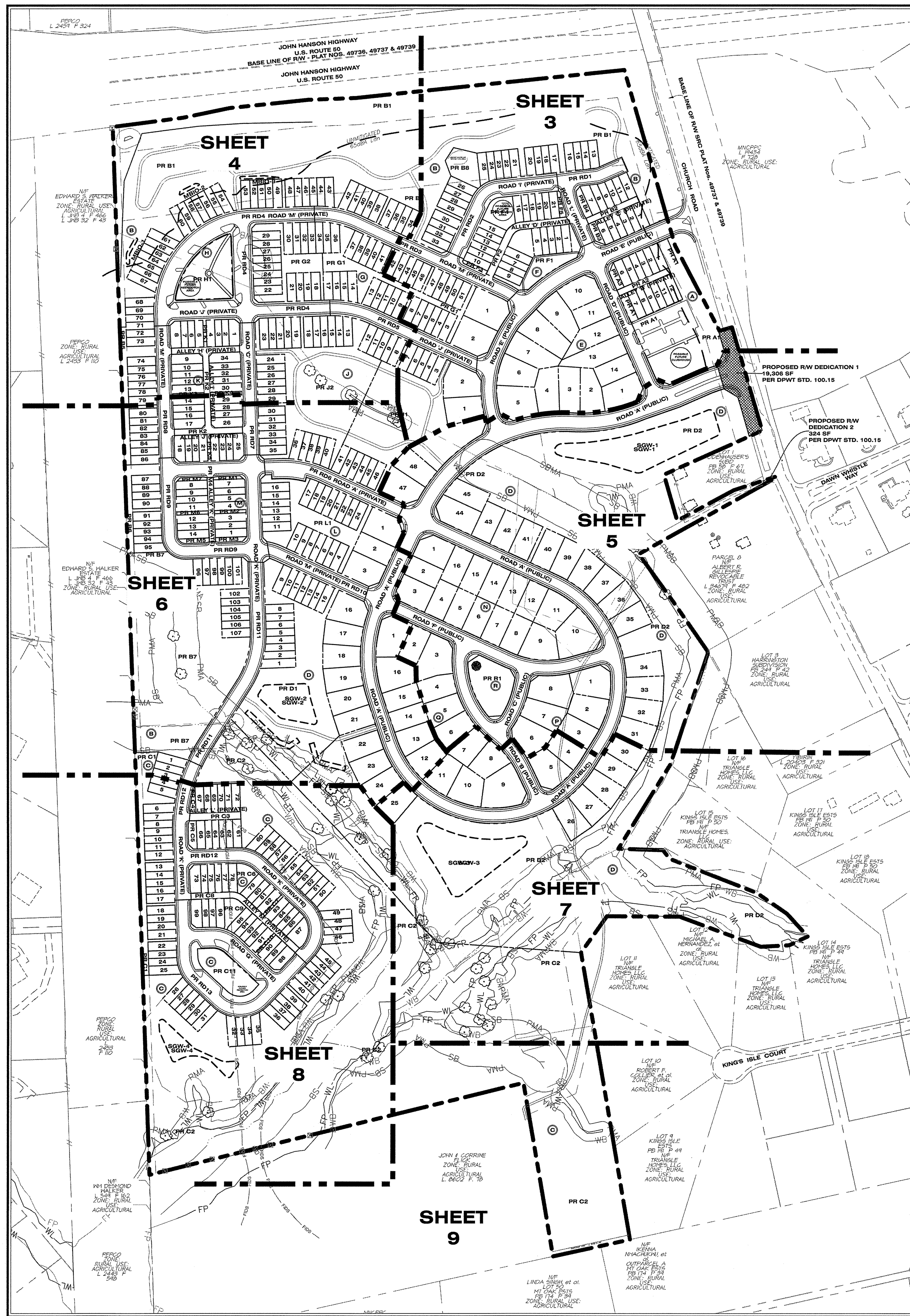


FREEWAY AIRPORT

PRELIMINARY PLAN OF SUBDIVISION: 4-20006

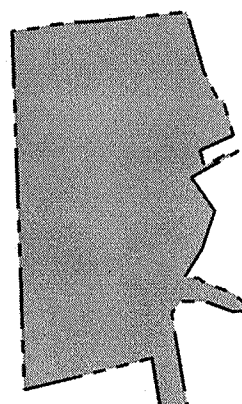


LOCATION PLAN
PLAN VIEW

SCALE 1" = 200'

ZONING MAP

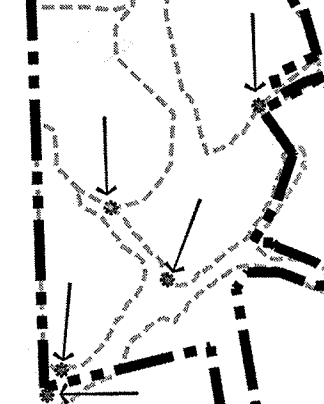
R-A
(Residential-Agricultural)



N.T.S.

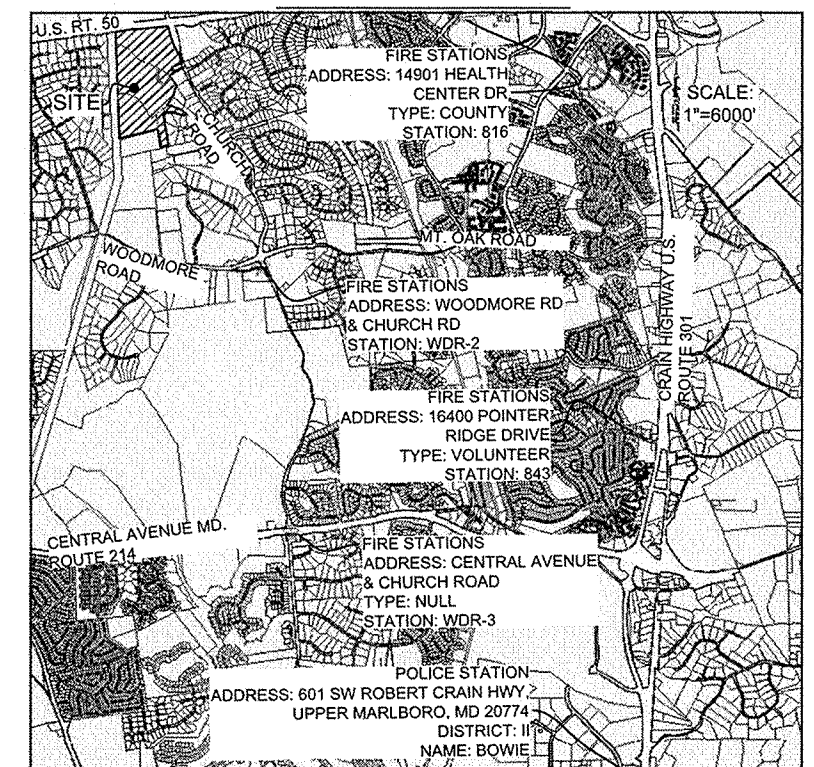
DRAINAGE AREA MAP

LEGEND
DRAINAGE DIVIDES



N.T.S.

PROXIMITY TO EMERGENCY SERVICES



SITE STATISTICS

PARCEL	TOTAL
GROSS TRACT AREA	131.50 AC.
EXISTING 100-YEAR FLOODPLAIN	11.17 AC.
NET TRACT AREA	120.33 AC.
EXISTING WOODLAND IN THE FLOODPLAIN	8.59 AC.
EXISTING WOODLAND NET TRACT AREA	21.62 AC.
EXISTING WOODLANDS TOTAL	30.21 AC.
EXISTING PMA	25.26 AC.
REGULATED STREAM (LINEAR FEET OF CENTERLINE)	6,111 LF
RIPARIAN (WOODED) BUFFER UP TO 300 FEET WIDE	12.37 AC

DEVELOPMENT TYPE SUMMARY

LAND USE	ACRES	LAND PERCENTAGE
RESIDENTIAL	41.68	31.70%
OPEN SPACE/SWM	68.71	52.25%
PRIVATE ROAD & ALLEY	12.14	9.23%
PUBLIC RIGHT-OF-WAY	8.97	6.82%
TOTAL	131.50	100%

SUBDIVISION SUMMARY TABLE

TOTAL NUMBER OF PARCELS	62
NUMBER OF BLOCKS	16
NUMBER OF LOTS	509
AVERAGE PARCEL SIZE	56,803 SQFT
AVERAGE LOT SIZE	3,567 SQFT

PARCEL AREA SUMMARY

BLOCK	PARCEL	SQ. FOOTAGE	ACRES	DESCRIPTION	DEDICATION
	PARCEL RD1	21,106	0.48	PRIVATE ROAD	HOA
	PARCEL RD2	26,099	0.60	PRIVATE ROAD	HOA
	PARCEL RD3	35,158	0.81	PRIVATE ROAD	HOA
	PARCEL RD4	86,878	1.99	PRIVATE ROAD	HOA
	PARCEL RD5	25,175	0.58	PRIVATE ROAD	HOA
	PARCEL RD6	24,597	0.56	PRIVATE ROAD	HOA
	PARCEL RD7	21,124	0.48	PRIVATE ROAD	HOA
	PARCEL RD8	21,124	0.48	PRIVATE ROAD	HOA
	PARCEL RD9	56,901	1.31	PRIVATE ROAD	HOA
	PARCEL RD10	17,061	0.39	PRIVATE ROAD	HOA
	PARCEL RD11	34,608	0.79	PRIVATE ROAD	HOA
	PARCEL RD12	55,527	1.23	PRIVATE ROAD	HOA
	PARCEL RD13	60,417	1.39	PRIVATE ROAD	HOA
A	PARCEL A1	66,802	1.53	OPEN SPACE	HOA
A	PARCEL A2	3,579	0.08	PRIVATE ALLEY	HOA
A	PARCEL A3	1,837	0.04	OPEN SPACE	HOA
B	PARCEL B1	494,437	11.00	OPEN SPACE/SWM	HOA
B	PARCEL B2	3,540	0.08	PRIVATE ALLEY	HOA
B	PARCEL B3	1,739	0.04	OPEN SPACE	HOA
B	PARCEL B4	2,239	0.05	OPEN SPACE	HOA
B	PARCEL B5	12,726	0.30	OPEN SPACE	HOA
B	PARCEL B6	9,559	0.22	OPEN SPACE	HOA
B	PARCEL B7	180,221	4.14	OPEN SPACE	HOA
B	PARCEL B8	9,620	0.22	OPEN SPACE/SWM	HOA
C	PARCEL C1	23,694	0.54	OPEN SPACE	HOA
C	PARCEL C2	943,543	21.68	OPEN SPACE/SWM	HOA
C	PARCEL C3	3,898	0.09	PRIVATE ALLEY	HOA
C	PARCEL C4	1,110	0.03	OPEN SPACE	HOA
C	PARCEL C5	2,280	0.05	OPEN SPACE	HOA
C	PARCEL C6	4,034	0.09	OPEN SPACE	HOA
C	PARCEL C7	679	0.02	OPEN SPACE	HOA
C	PARCEL C8	8,092	0.19	PRIVATE ALLEY	HOA
C	PARCEL C9	4,136	0.09	OPEN SPACE	HOA
C	PARCEL C10	680	0.02	OPEN SPACE	HOA
C	PARCEL C11	15,779	0.36	OPEN SPACE	HOA
D	PARCEL D1	105,530	2.42	OPEN SPACE/SWM	HOA
D	PARCEL D2	790,102	18.14	OPEN SPACE/SWM	HOA
F	PARCEL F1	17,235	0.40	OPEN SPACE	HOA
F	PARCEL F2	8,244	0.19	PRIVATE ALLEY	HOA
F	PARCEL F3	837	0.02	OPEN SPACE	HOA
F	PARCEL F4	7,790	0.18	OPEN SPACE	HOA
F	PARCEL F5	1,194	0.03	OPEN SPACE	HOA
G	PARCEL G1	24,560	0.56	OPEN SPACE	HOA
G	PARCEL G2	15,256	0.35	OPEN SPACE	HOA
H	PARCEL H1	26,169	0.60	OPEN SPACE	HOA
J	PARCEL J1	88,463	2.03	OPEN SPACE	HOA
J	PARCEL J2	82,446	1.89	OPEN SPACE	HOA
K	PARCEL K1	849	0.02	OPEN SPACE	HOA
K	PARCEL K2	13,842	0.31	PRIVATE ALLEY	HOA
K	PARCEL K3	999	0.02	OPEN SPACE	HOA
K	PARCEL K4	999	0.02	OPEN SPACE	HOA
K	PARCEL K5	849	0.02	OPEN SPACE	HOA
L	PARCEL L1	24,596	0.56	OPEN SPACE	HOA
M	PARCEL M1	890	0.02	OPEN SPACE	HOA
M	PARCEL M2	999	0.02	OPEN SPACE	HOA
M	PARCEL M3	1,376	0.03	OPEN SPACE	HOA
M	PARCEL M4	4,100	0.09	PRIVATE ALLEY	HOA
M	PARCEL M5	1,362	0.03	OPEN SPACE	HOA
M	PARCEL M6	1,000	0.02	OPEN SPACE	HOA
M	PARCEL M7	889	0.02	OPEN SPACE	HOA
R	PARCEL R1	19,702	0.45	OPEN SPACE	HOA

SUBTOTAL(S)					
SUBTOTAL	13	483,516	11.10	PRIVATE ROAD	HOA
	7	45,302	1.04	PRIVATE ALLEY	HOA
	42	2,993,007	68.71	OPEN SPACE/SWM	HOA
TOTAL HOA DEDICATION					
TOTAL:	62	3,521,825	80.85	ALL PARCELS	HOA

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE PLAN SHOWN HEREON IS CORRECT. THAT THE INFORMATION HAS BEEN TAKEN FROM AVAILABLE RECORDS AND FIELD SURVEYS.
FOR: DEWBERRY ENGINEERS INC.

MICHAEL B. DAVIS
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 11033
EXPIRATION DATE: 09/10/2020



SHEET INDEX

- COVER SHEET
- EXISTING CONDITIONS
- PLAN SHEETS

LIST OF ABBREVIATIONS

- PR PARCEL
SWM STORM WATER MANAGEMENT
SGW SUBMERGED GRAVEL WETLAND

GENERAL NOTES

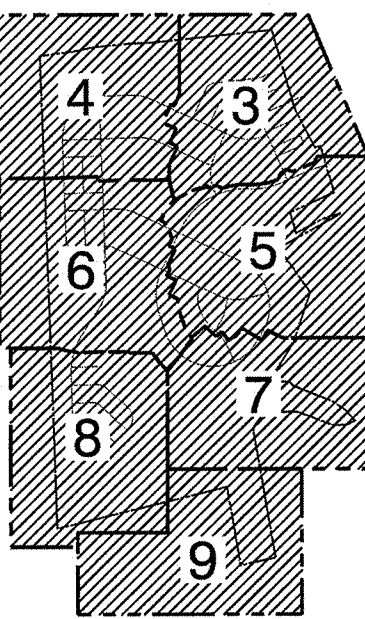
- EXISTING PARCEL/LOT, DEED DESCRIPTION/LIBER FOLIO, & PLAT NUMBER:
 - PARCEL 7 L.9549 F.317;
 - PARCEL 59 L.9549 F.317;
 - PARCEL 60 L.9549 F.317;
 - PARCEL 58 L.4254 F.917;
 - PARCEL 49 L.11971 F.383;
 - PARCEL 51 L.11971 F.383;
 - PARCEL 50 L.3612 F.481;
 - PARCEL 57 L.4254 F.917;
- TAX MAP, GRID: MAP 54, GRIDS B2-B4 & C2-C4
- 200 FOOT MAP REFERENCE (WSSC): 205NE12
- PURPOSE OF SUBDIVISION: RESIDENTIAL SUBDIVISION
- PRIOR APPROVALS:
 - NRI-029-2020
- TOTAL ACREAGE:
 - GROSS: 131.50 ACRES
 - 100 YEAR FLOODPLAIN: 11.17 ACRES
 - NET: 120.33 ACRES
 - ACREAGE OF ENVIRONMENTAL REGULATED FEATURES: 25.26 ACRES
 - NET DEVELOPABLE AREA OUTSIDE OF PMA: 106.24 ACRES
- ACREAGE OF ROAD DEDICATION: 8.96 ACRES
- EXISTING ZONING/USE: R-A (RESIDENTIAL-AGRICULTURAL) /USE: AIRPORT
- PROPOSED USE: RESIDENTIAL; SINGLE-FAMILY ATTACHED, SINGLE FAMILY DETACHED, & RECREATION
 - LOTS: 509
 - PARCELS: 62
- BREAKDOWN OF PROPOSED DWELLING UNIT BY TYPE:
 - 93 SINGLE FAMILY DETACHED UNITS
 - 416 SINGLE FAMILY ATTACHED UNITS
- DENSITY CALCULATION:
 - ALLOWED DENSITY PER CB-17-2019: 4.5 DU/AC
 - PROPOSED DENSITY: 509 DU/120.33AC = 4.23 DU/AC
- MINIMUM LOT SIZE:
 - REQUIRED PER CB-17-2019: 1,800 SF
 - PROPOSED: 1,870 SF
- MINIMUM LOT WIDTH AT FRONT BUILDING LINE & FRONT STREET LINE:
 - REQUIRED PER CB-17-2019: 22 FT
 - PROPOSED: 22 FT
- SUSTAINABLE GROWTH TIER: YES (TIER 2)
- ANDREWS, INTERIM LAND USE CONTROL: NO
- CENTER OR CORRIDOR LOCATION: NO
- STORMWATER MANAGEMENT CONCEPT NUMBER: SDCP #17175-2020; APPROVAL PENDING
- WATER/SEWER CATEGORY DESIGNATION:
 - EXISTING: S-4 & W-4
 - PROPOSED: S-3 & W-3
- AVIATION POLICY AREA (AIRPORT NAME & AP#): FREEWAY AIRPORT - AP#1. 3M. 5. 6. AVIATION POLICY AREA DIMENSIONS AS ESTABLISHED BY SECTION 27-548.35 WILL NOT EXIST ON THE SUBJECT PROPERTY, AS THE AIRPORT WILL BE CLOSED AND THE RUNWAY WILL BE REMOVED AS PART OF THE REDEVELOPMENT OF THE SITE. AVIATION POLICY AREA REGULATIONS WILL NOT APPLY UPON CLOSURE OF THE AIRPORT PURSUANT TO SECTION 27-546.32(b).
- MANDATORY PARK DEDICATION: ON-SITE PRIVATE RECREATIONAL FACILITIES
- CEMETERIES ON OR CONTIGUOUS TO THE PROPERTY: NO
- HISTORIC SITE ON OR IN THE VICINITY OF THE PROPERTY: NO
- TYPE ONE CONSERVATION PLAN: YES, TCP1-XXXX-20
- WITHIN CHESAPEAKE BAY CRITICAL AREA: NO
- WETLANDS: YES
 - WETLANDS ARE SHOWN ON NRI-029-2020, PREPARED BY WETLAND STUDIES & SOLUTIONS, INC. IN A STUDY DATED MAY 2, 2015
 - THE SITE DOES NOT CONTAIN WETLANDS OF SPECIAL STATE CONCERN AS DEFINED IN COMAR 26.23.06.01
- STREAMS: YES
- SOILS BY TYPE: SEE NRI-029-2020
- IN OR ADJACENT TO AN EASEMENT HELD BY THE MARYLAND ENVIRONMENTAL TRUST, THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION, OR ANY LAND TRUST OR ORGANIZATION: NO
- SOURCE OF TOPOGRAPHY: AERIAL FLOWN TOPOGRAPHY, BY MCKENZIE SNYDER, INC. ON MARCH 27, 2019.
- SOURCE OF THE PROPERTY BOUNDARY: BOUNDARY/ ALTA SURVEY BY DEWBERRY ENGINEERS INC. DATED NOVEMBER 2018.
- OWNER & APPLICANT:
OWNER:
RODENHAUSER FAMILY TRUST/STANLEY L. RODENHAUSER, ETAL.
3800 CHURCH ROAD
BOWIE, MD 207214
APPLICANT:
FREEWAY REALTY, LLC
2560 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244

NOT FOR CONSTRUCTION

FREEWAY AIRPORT
PRELIMINARY PLAN OF SUBDIVISION
PPS-4-20006
PRINCE GEORGES COUNTY, MD
7TH ELECTION DISTRICT
MAP 5532 - GRID F1 & MAP 5412 - GRID F10, G10
WSSC GRID 205NE12

SEAL

KEY PLAN



SCALE

AS-SHOWN

No.	DATE	BY	Description
1	APRIL 2020	JCT	COVER SHEET

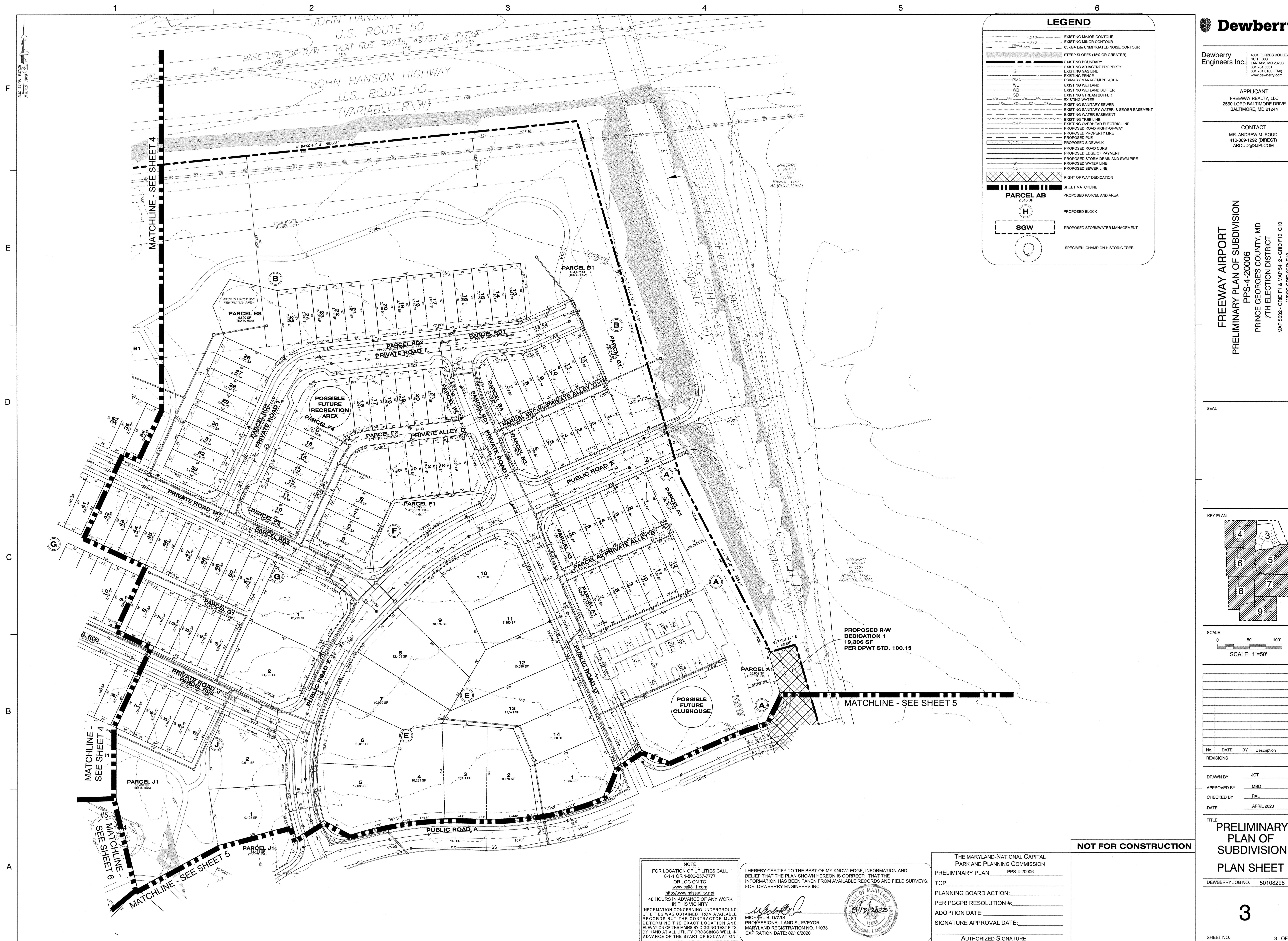
DRAWN BY JCT
APPROVED BY MBD
CHECKED BY RAL
DATE APRIL 2020

TITLE
PRELIMINARY
PLAN OF
SUBDIVISION

COVER SHEET

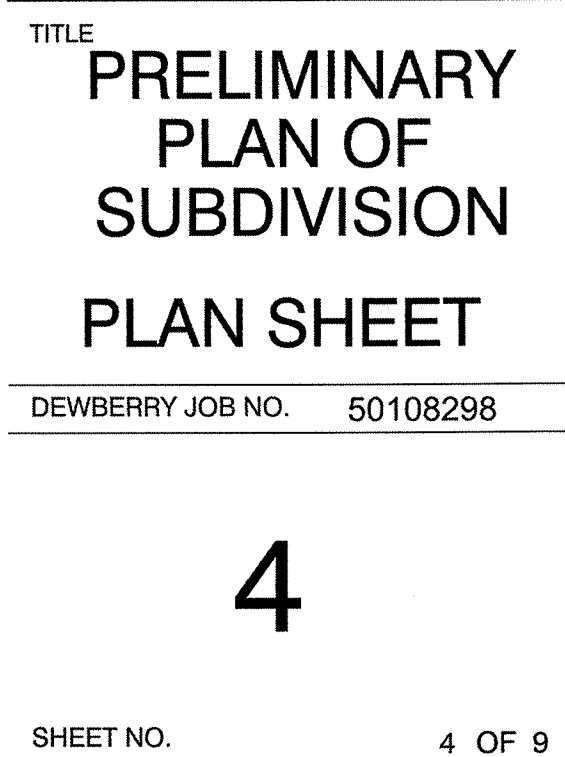
DEWBERRY JOB NO. 50108298

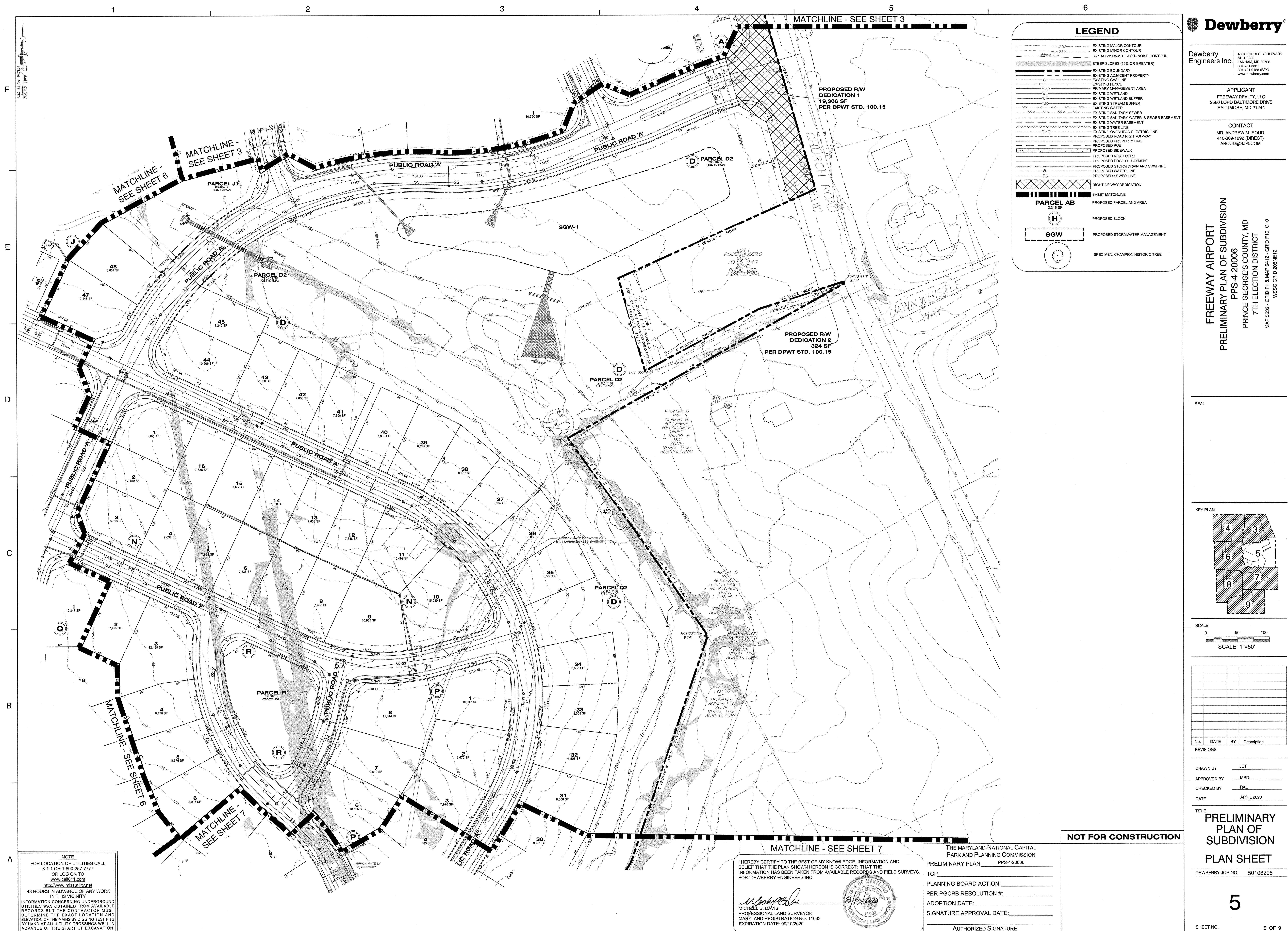
SHEET NO. 1 OF 9





SHEET NO. 4 OF 9





LEGEND

210

EXISTING MAJOR CONTOUR

212

EXISTING MINOR CONTOUR

65 dBA L₉₀

65 dBA L₉₀ UNMITIGATED NOISE CONTOUR

STEEP SLOPES (15% OR GREATER)

EXISTING BOUNDARY

EXISTING ADJACENT PROPERTY

EXISTING GAS LINE

EXISTING FENCE

PRIMARY MANAGEMENT AREA

EXISTING WETLAND

EXISTING WETLAND BUFFER

EXISTING STREAM BUFFER

EXISTING WATER

EXISTING SANITARY SEWER

EXISTING SANITARY WATER & SEWER EASEMENT

EXISTING WATER EASEMENT

EXISTING TREE LINE

EXISTING OVERHEAD ELECTRIC LINE

PROPOSED ROAD RIGHT-OF-WAY

PROPOSED PROPERTY LINE

PROPOSED PUE

PROPOSED SIDEWALK

PROPOSED ROAD CURB

PROPOSED EDGE OF PAYMENT

PROPOSED STORM DRAIN AND SWM PIPE

PROPOSED WATER LINE

PROPOSED SEWER LINE

RIGHT OF WAY DEDICATION

SHEET MATCHLINE

PROPOSED PARCEL AND AREA

PROPOSED BLOCK

PROPOSED STORMWATER MANAGEMENT

SPECIMEN, CHAMPION HISTORIC TREE

Dewberry
Engineers Inc.

4601 FORBES BOULEVARD
SUITE 300
LANHAM, MD 20706
301.731.6551
301.731.0188 (FAX)
www.dewberry.com

APPLICANT
FREEWAY REALTY, LLC
2560 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244

CONTACT
MR. ANDREW M. ROUD
410-369-1292 (DIRECT)
AROUND@SJPI.COM

FREEWAY AIRPORT
PRELIMINARY PLAN OF SUBDIVISION
PPS-4-20006
PRINCE GEORGES COUNTY, MD
7TH ELECTION DISTRICT
MAP 5532 - GRID F1 & MAP 5412 - GRID F10, G10
WSSC GRID 205NE12

SEAL

KEY PLAN

SCALE
0 50' 100'
SCALE: 1"=50'

No.	DATE	BY	Description
REVISIONS			

DRAWN BY: JCT

APPROVED BY: MBD

CHECKED BY: RAL

DATE: APRIL 2020

TITLE
PRELIMINARY
PLAN OF
SUBDIVISION
PLAN SHEET

DWBERRY JOB NO. 50108298

5

SHEET NO. 5 OF 9

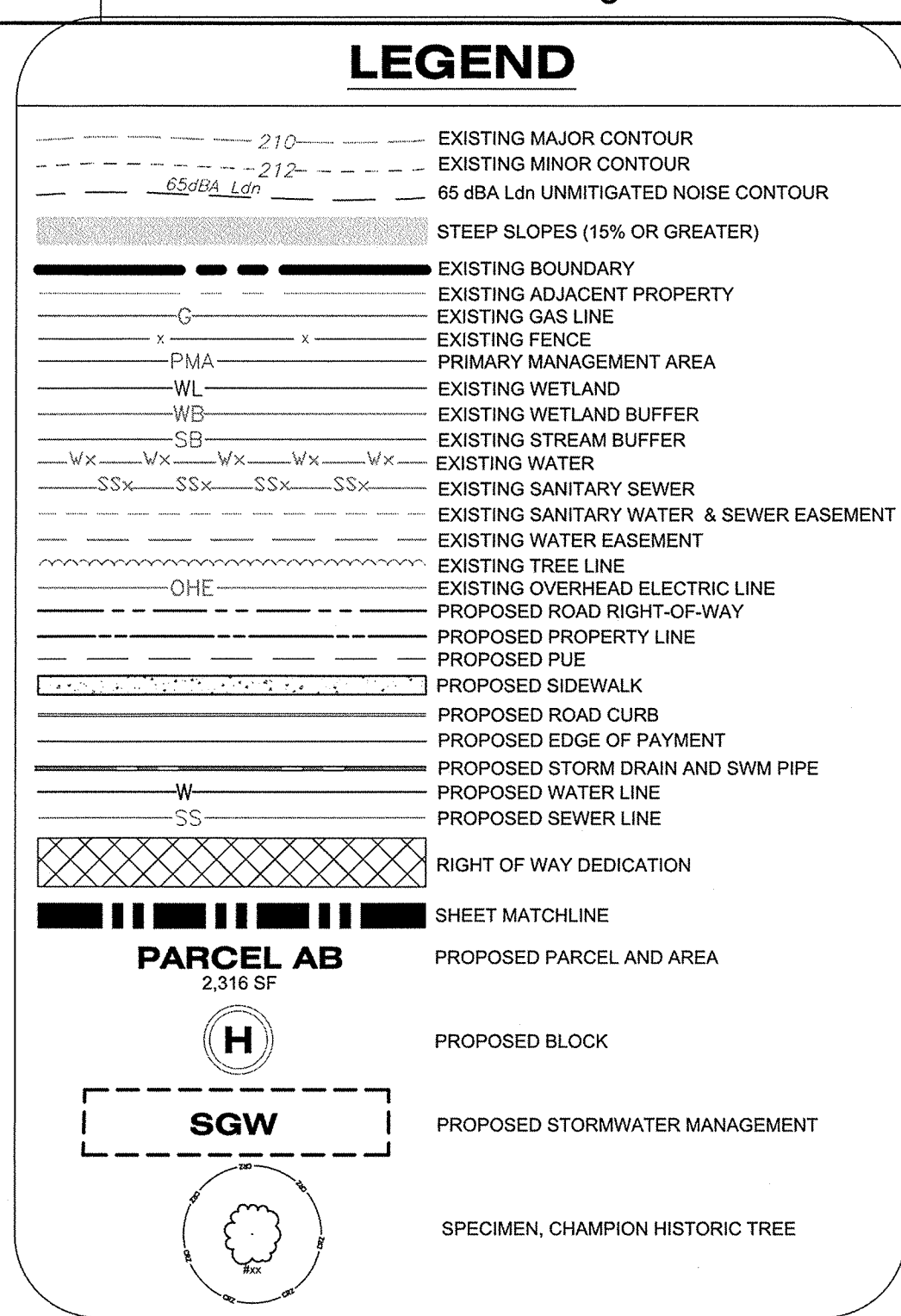
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FOR: DEWBERRY ENGINEERS INC.

MICHAEL B. DAVIS
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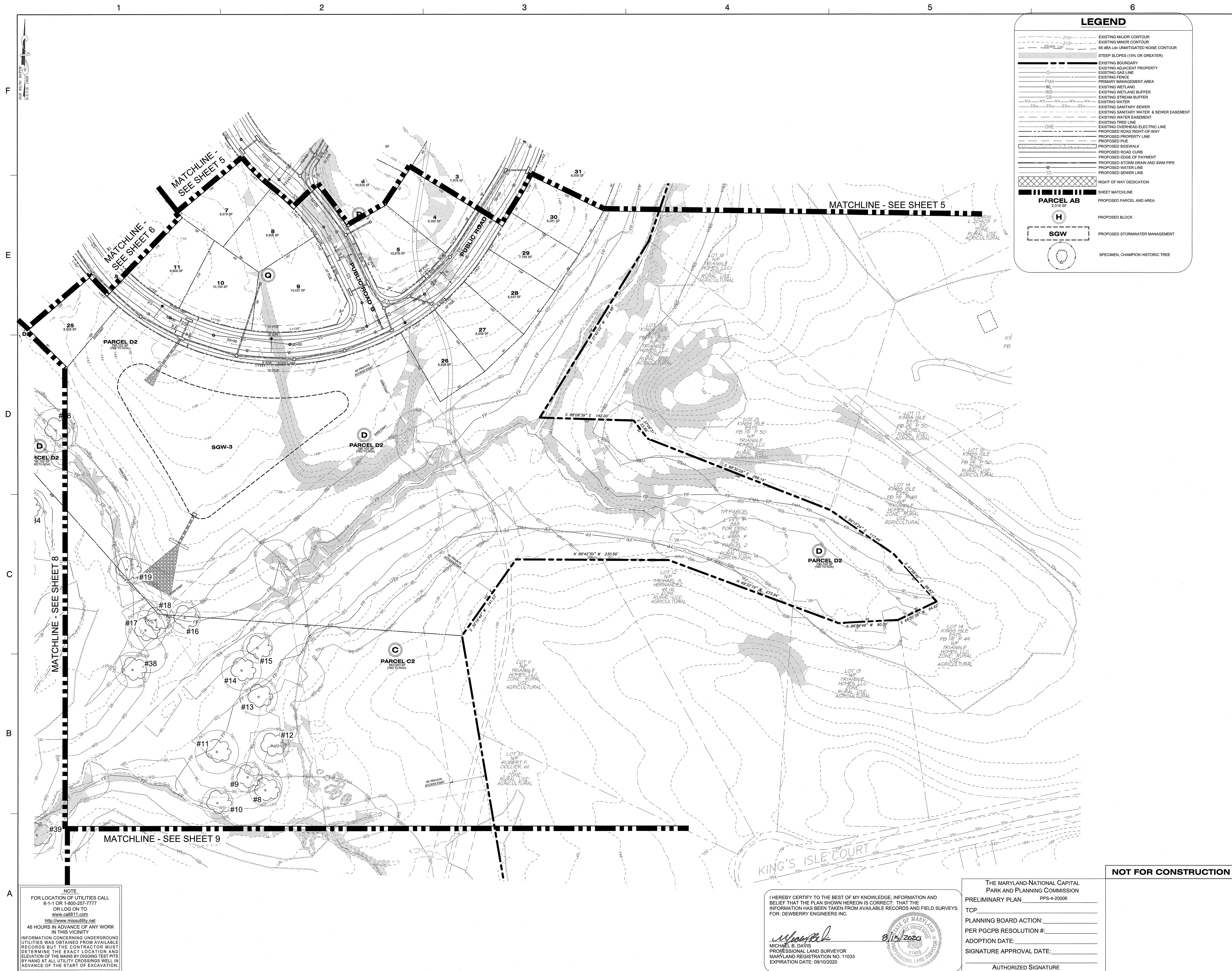
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
PRELIMINARY PLAN PPS-4-20006
TCP
PLANNING BOARD ACTION:
PER PGCPB RESOLUTION #:
ADOPTION DATE:
SIGNATURE APPROVAL DATE:
AUTHORIZED SIGNATURE

NOT FOR CONSTRUCTION



SHEET NO. 6 OF 9

NOT FOR CONSTRUCTION



LEGEND

- 210' --- EXISTING MAJOR CONTOUR
- 212' --- EXISTING MINOR CONTOUR
- 65 dBA Ldn UNMITIGATED NOISE CONTOUR
- STEEP SLOPES (15% OR GREATER)
- EXISTING BOUNDARY
- EXISTING ADJACENT PROPERTY
- EXISTING GAS LINE
- EXISTING FENCE
- PMA --- PRIMARY MANAGEMENT AREA
- WL --- EXISTING WETLAND
- WB --- EXISTING WETLAND BUFFER
- WS --- EXISTING STREAM BUFFER
- SSx --- EXISTING WATER
- SSx --- EXISTING SANITARY SEWER
- SSx --- EXISTING SANITARY WATER & SEWER EASEMENT
- EXISTING TREE LINE
- CHE --- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING ROAD RIGHT-OF-WAY
- PROPOSED PROPERTY LINE
- PROPOSED PUE
- PROPOSED SIDEWALK
- PROPOSED ROAD CURB
- PROPOSED EDGE OF PAYMENT
- PROPOSED STORM DRAIN AND SWM PIPE
- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- RIGHT OF WAY DEDICATION
- SHEET MATCHLINE
- PARCEL AB 2,316 SF
- PROPOSED BLOCK
- SGW
- SPECIMEN, CHAMPION HISTORIC TREE

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SEAL

KEY PLAN

SCALE
0 50' 100'
SCALE: 1"=50'

No.	DATE	BY	Description
REVISIONS			

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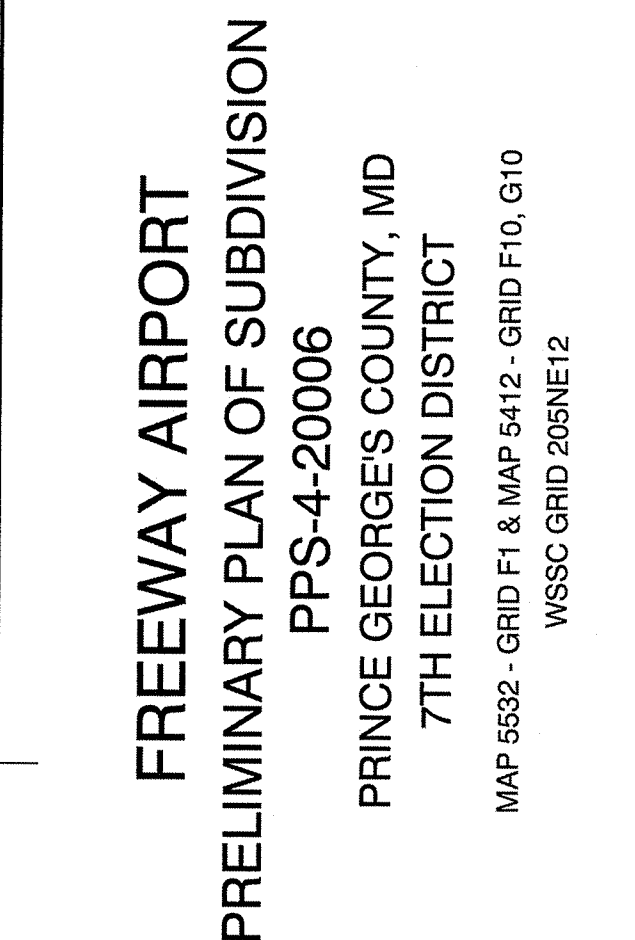
8/13/2020

THE MARYLAND-NATIONAL CAPITAL
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PLANNING BOARD ACTION: _____
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TITLE
PRELIMINARY
PLAN OF
SUBDIVISION
PLAN SHEET
DEWBERRY JOB NO. 50108298

7

SHEET NO. 7 OF 9



SHEET NO. 8 OF 9

212 212
65.84 Lm

212 212

STEEP SLOPES (15% OR GREATER)

EXISTING BOUNDARY

EXISTING ADJACENT PROPERTY

EXISTING GAS LINE

EXISTING FENCE

PRIMARY MANAGEMENT AREA

EXISTING WETLAND

EXISTING WETLAND BUFFER

EXISTING STREAM BUFFER

EXISTING WATER

EXISTING SANITARY SEWER

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EXISTING WATER EASEMENT

EXISTING TREE LINE

EXISTING OVERHEAD ELECTRIC LINE

PROPOSED ROAD RIGHT-OF-WAY

PROPOSED PROPERTY LINE

PROPOSED P.U.E.

PROPOSED SIDEWALK

PROPOSED ROAD CURB

PROPOSED EDGE OF PAVEMENT

PROPOSED STORM DRAIN AND SWM PIPE

PROPOSED WATER LINE

PROPOSED SEWER LINE

RIGHT OF WAY DEDICATION

SHEET MATCHLINE

PROPOSED BLOCK

PROPOSED STORMWATER MANAGEMENT

SPECIMEN, CHAMPION HISTORIC TREE

W

SSW SSW SSW SSW

OH

2.316 SF

PARCEL AB

2.316 SF

H

SGW

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRELIMINARY PLAN _____ PPS-4-20006

TCP _____

PLANNING BOARD ACTION: _____

PER PGCPB RESOLUTION #: _____

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SIGNATURE APPROVAL DATE: _____

AUTHORIZED SIGNATURE

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8

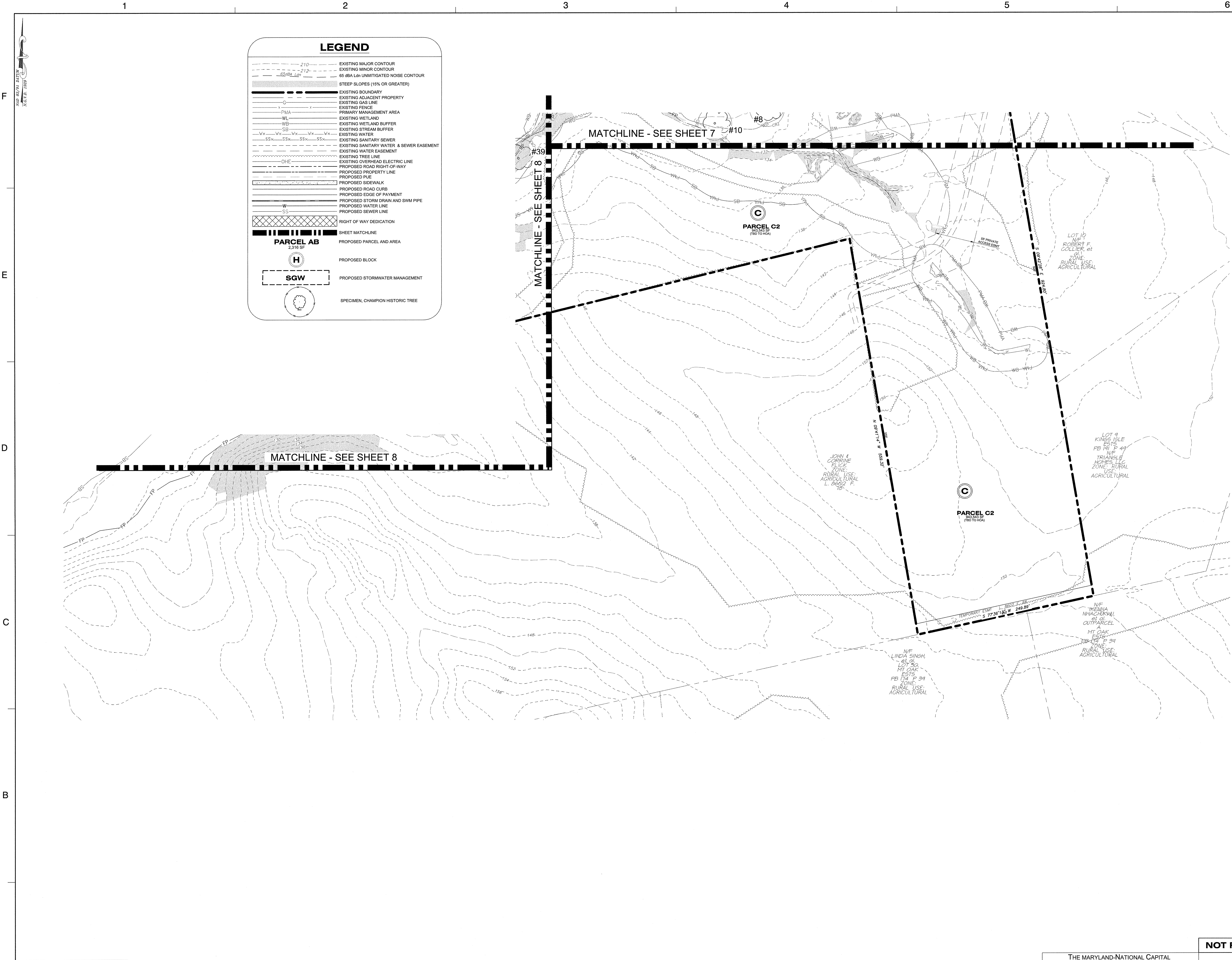
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\\C01108208-Freeway Airport\CAD\Civil\MN\CDDB\Preliminary\02-Sheet Files\DDC-02-00 DI ANI.dwg 8/12/2020 10:22:50 AM AutoCAD PDF (General Documentation).pc3



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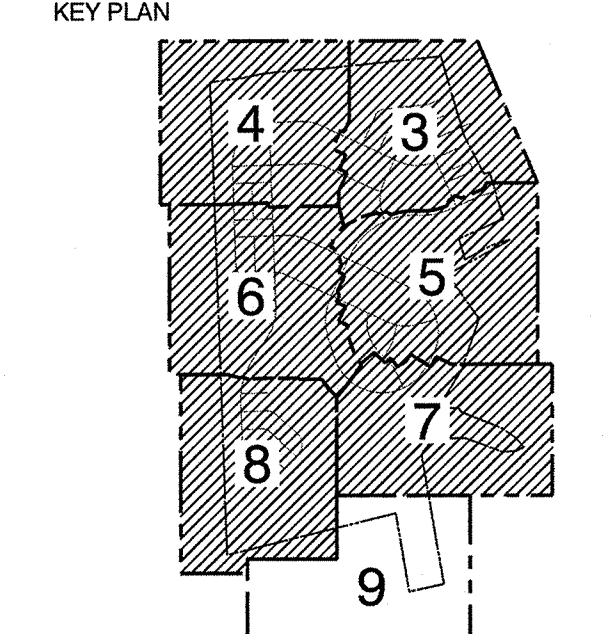
Michael B. Davis
MICHAEL B. DAVIS
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 11033
EXPIRATION DATE: 09/10/2020

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
PRELIMINARY PLAN PPS-4-20006
TCP:
PLANNING BOARD ACTION: _____
PER PGCPB RESOLUTION #: _____
ADOPTION DATE: _____
SIGNATURE APPROVAL DATE: _____
AUTHORIZED SIGNATURE _____

NOT FOR CONSTRUCTION

TITLE
**PRELIMINARY
PLAN OF
SUBDIVISION
PLAN SHEET**
DEWBERRY JOB NO. 50108298

SHEET NO. 9 OF 9



SCALE
0 50' 100'
SCALE: 1"=50'

No.	DATE	BY	Description
REVISIONS			

DRAWN BY JCT
APPROVED BY MBD
CHECKED BY RAL
DATE APRIL 2020

SEAL

APPLICANT
FREEMAN REALTY, LLC
2560 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244

CONTACT
MR. ANDREW M. ROUD
410-369-1292 (DIRECT)
AROUND@SJPI.COM

FREEWAY AIRPORT
PRELIMINARY PLAN OF SUBDIVISION
PPS-4-20006
PRINCE GEORGES COUNTY, MD
7TH ELECTION DISTRICT
MAP 6532 - GRID F1 & MAP 5412 - GRID F10, G10
WSSC GRID 205NE12

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

Bradley S. Farrar
L. Paul Jackson

*Also admitted in the District of Columbia

July 2, 2020

VIA HAND DELIVERY

Ms. Sherri Conner, Supervisor
Subdivision & Zoning Section
Prince George's County Planning Department
County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

RE: FREEWAY AIRPORT
Preliminary Plan of Subdivision (4-20006),
Variation from Section 24-128(b)(19)
Statement of Justification

Dear Ms. Conner:

On behalf of our client, Freeway Realty, LLC (the "Applicant"), Robert J. Antonetti, Jr., and Shipley and Horne, P.A. submits this statement of justification in support of a Preliminary Plan of Subdivision 4-20006 (the "PPS"). The PPS involves a site that is currently being operated as a general aviation airport known as the Freeway Airport. The property is located along the west side of Church Road, south of its intersection with US 50 (the "Property"). The subject Property is located on Tax Map 54, Grids B2-B4 and C2-C4, and consists of eight deeded parcels, (Parcels 7, 49, 50, 51, 57, 58, 59 and 60) totaling approximately 131.50 acres. The Property is located in the R-A (Residential-Agriculture) Zone, and has an address of 3900 Church Road, Bowie Maryland, 20721. The Applicant is proposing the development of 509 market-rate residential dwelling units that will include a vibrant mixture of attached and detached dwelling units on a variety of lot sizes and served by both private and public streets and/or private alleys.

Should the subject PPS application and subsequent detailed site plan application(s) be approved for the proposed development, and required permits issued by the Department of Permitting, Inspection and Enforcement (DPIE), the existing airport will be closed and the runway, hangars and other existing improvements will be removed as part of the redevelopment of the Property. The existing telecommunications tower, and associated fencing, approved by the District Council on October 18, 2000 with Special Exception application, SE-4375 will also be removed

from the Property.

A. Neighboring properties, use and zoning:

The Property is situated on the west side of Church Road and the south side of John Hanson Highway (US Route 50). Direct vehicular access to the Property is provided from Church Road, a master plan major collector facility (C-300) with a proposed shared right-of-way of 90-feet and four lanes. Church Road is further designated as a scenic/historic roadway from Oak Grove Road to Fairwood Parkway. John Hanson Highway (US Route 50) is a master planned freeway (F-4) having an ultimate right-of-way width of 300-feet. Direct vehicular access to US Route 50 does not currently exist from the Property and is not proposed through the subject PPS.

The Property is bounded to the north by US 50, and beyond, by detached and attached single-family dwellings in the M-X-C (Mixed Use Community) Zone in the Fairwood Subdivision; to the west by a high-tension PEPCO power lines, and beyond, by detached single-family dwellings in the R-A (Residential-Agricultural) Zone in the Waterford Subdivision; to the east by Church Road, and beyond, detached single-family dwellings in the R-E (Residential-Estate) Zone in the Collingbrook Subdivision, and by vacant M-NCPPC-owned land in the R-O-S (Reserved Open Space) Zone; and to the south by detached single-family dwellings in the R-A (Residential-Agricultural) Zone in the King Isle Estates and Mount Oak Subdivisions.

The Property is currently utilized as a family-owned general aviation airport known as the Freeway Airport. The Property began operating as a landing strip in the 1930's and began fuel sales and flight training following World War II. The current iteration of the airport was formally incorporated in 1961 and is used primarily for individual aircraft and flight trainings. The Property is currently improved with a runway, aircraft hangars, and multiple accessory buildings.

B. Previous Approvals

The specific approvals involving the land area for the instant PPS application include the following:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
SE-4375 (Tower, Pole, Monopole or Antenna on 2.56 acres in R-A Zone)	Exempt per E-091-99	ZHE	Approved	Planning Board – 06/27/2000 ZHE – 08/18/2000 District Council – 10/18/2000	00-74 Approved Elected Not to Review
NRI-029-2020	N/A	Staff Level	Approved	04/27/2020	N/A

Site Development Concept Plan 17175-2020	N/A	DPIE	Pending	Submitted 6/15/2020	N/A
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Permits: Parcel 7 has two previously issued permits. In 1968, a use and occupancy permit was issued by DPIE for a certified non-conforming airport. On October 11, 1984, DPIE issued Permit No. 5141-1984-CGU for a certified non-conforming aircraft hangar, storage, and maintenance building. Various commercial exterior and electrical permits have been approved and issued by DPIE through the years to modify, remove, and/or replace antennas on a telecommunications monopole.

On November 19, 2019, the District Council approved CB-17-2019 for the purpose of permitting townhouse and one-family detached dwelling uses in the R-A (Residential-Agricultural) Zones of Prince George's County, under certain circumstances. The subject Property qualifies under this criteria as follows:

Section 27-441. Uses permitted.

USE	R-A
(7) Residential/Lodging: Dwelling, one-family detached (in general) * * * * *	P ⁸³ , <u>134</u>
Townhouse, all others * * * * *	X ¹³⁴ *

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

- (a) The use is located on an assemblage of adjacent properties that:***
 - (i) is no less than one hundred (100) acres and no more than one hundred fifty (150) acres in size or was formerly used as an airport;***
 - (ii) is entirely within one (1) mile of a municipal boundary;***
 - (iii) is entirely within 2,500 feet of land owned by a regulated public utility and used for purposes of electrical generation, transmission, or***

distribution in connection with providing public utility service in the County by a regulated public utility; and

- (iv) *a portion of the boundary of the assemblage of adjacent properties 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.*

RESPONSE: The proposed subdivision meets all of the locational requirements stated above. (See attached EXHIBIT A).

- (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. The maximum density shall not exceed 4.5 dwelling units per acre, the minimum width for townhouses shall be 22 feet, and the minimum lot depth for townhouses shall be 80 feet. A minimum of seventy-five percent (75%) of all townhouse units shall have a full front façade (excluding gables, bay 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 27-442 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.*

RESPONSE: As further demonstrate in Findings M and O of this Statement of Justification, the proposed subdivision has been designed in accordance with the above requirements and other regulations for the R-T Zone set forth in Sections 27-433(c)–(g) and (i)–(k) and 27-442 (to the extent that they do not conflict with the requirements in the footnote above). Notwithstanding the above, regulations pertaining to lot coverage, lot/width frontage, and building height will be established by and shown on future Detailed Site Plan(s).

C. Development Data Summary:

The following represents the development data summary for the portions of land included within the instant PPS application:

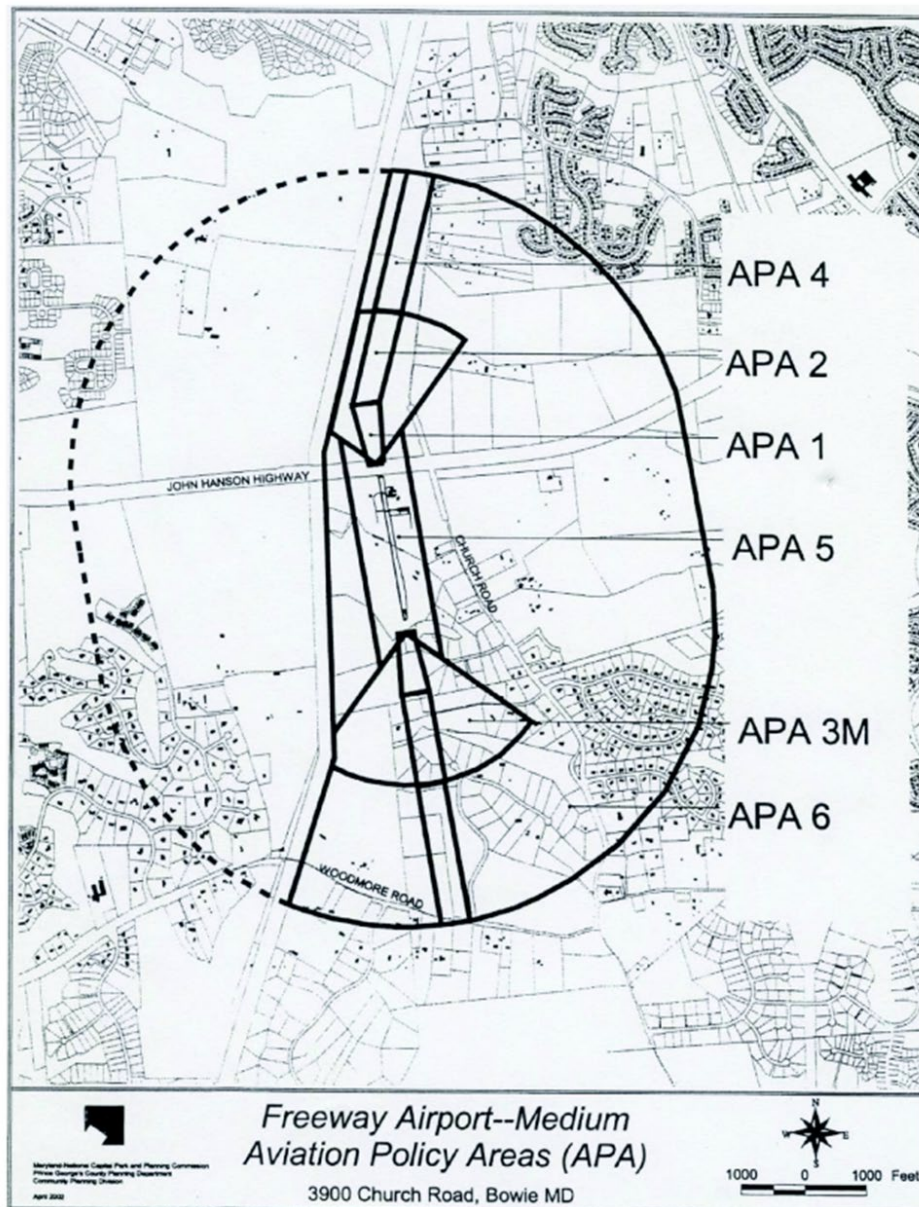
DEVELOPMENT DATA SUMMARY		
	EXISTING	PROPOSED
ZONE:	R-A (Residential-Agriculture)	R-A (Residential-Agriculture)
Uses:	Airport	Residential
Total Gross Acreage:	131.50 acres	131.50 acres
100-Year Floodplain	11.17 acres	11.17 acres
Net Acreage:	120.33 acres	120.33 acres
Parcels:	8	62
Lots:	0	509
Number of Blocks:	0	16

PERMITTED DENSITY & BREAKDOWN OF UNITS BY TYPE	
Density Permitted per CB-17-2019:	4.5 du/acre
Density Proposed: (509 du/120.33 acres)	4.23 du/acre
Attached Dwelling Units:	416
Detached Dwelling Units:	93
Total Number of Units Proposed:	509

D. Land Use Compatibility Issues associated with Existing Freeway Airport

Aviation Policy Areas

The subject Property is located in Aviation Policy Areas 1, 3M, 5 and 6 associated with the operation of Freeway Airport that is located on the subject Property. The map below demonstrates the specific locations of the aviation policy areas:



Section 27-548.32(b) of the Zoning Ordinance states the following concerning proposed development within an aviation policy area:

Section 27-548.32. - Introduction.

- (b) ***The Aviation Policy Area regulations identify permitted, prohibited, and site plan approval uses for each of six defined APAs adjacent to each airport. They also set development standards and guidelines that supplement or supercede other Zoning Ordinance regulations, as long as the airport is active and licensed for public use by the Maryland Aviation Administration (MAA).*** (Emphasis added).

RESPONSE: Should the subject PPS and subsequent detailed site plan(s) be approved for the proposed residential subdivision and the required permits are issued by the Department of Permitting, Inspection and Enforcement (DPIE), the existing airport will be closed and the runway will be removed as part of the redevelopment of the site. As a result, the aviation policy area regulations will not apply upon closure of the airport pursuant to Section 27-548.32(b) of the Zoning Ordinance.

Airport Land Use Compatibility and Air Safety Study (November 10, 2000)

Aviation Consultants, William V. Cheek and Associates, located in of Prescott, Arizona, conducted research and field study of areas around the County's four public use, general aviation airports during the summer of 2000. The resulting report, the *Airport Land Use Compatibility and Air Safety Study* for the Maryland-National Capital Park and Planning Commission, was submitted to the Planning Department and published on November 10, 2000. This report contains an overview of the regulatory environment affecting airports and land use planning, local and national airport compatibility issues, a risk analysis and an evaluation of existing and proposed land uses around each public use, general aviation airport in the County.

According to data from the Federal Aviation Administration (FAA) and the National Transportation Safety Board (NTSB), the consultants observed that "most small aircraft accidents occur in the landing, approach or takeoff sequences, with pilots frequently unable to control the aircraft which will fall to the earth in a predictable pattern near the airport, endangering lives and property on the ground as well as the lives of those on board the aircraft." The consultant's report was the catalyst for the existing regulations established by the District Council in Council Bill, CB-51-2002, addressing land use in these areas.

The *Airport Land Use Compatibility and Air Safety Study* identified the following existing incompatible land uses associated with the operation of Freeway Airport (Page 56):

- ***"Freeway Airport***

Apparent Existing Incompatible Land Uses:

- 1) *High Tension power lines running alongside the west side of the airport, creating a need for pilots to execute a right-hand turn before reaching normal altitudes for such turns when departing on Runway 36. (Off-Airport);*
- 2) *A major highway (US 50) runs perpendicular to the end of runway and is within the APZ-1 zone. (See previous APZ discussion).(Off-Airport).*

Apparent Planned Incompatible Land Uses:

- 1) *Planned major residential and commercial subdivision just across US 50 from the airport. (Off-Airport).*

THIS REPRESENTS A MAJOR PROBLEM THAT MUST BE SOLVED". (Emphasis added).

RESPONSE: One of the recommended actions listed in the *Airport Land Use Compatibility and Air Safety Study* published in 2000 by the Maryland-National Capital Park and Planning and Commission concerning the mitigation of existing and proposed development from Freeway Airport is as follows, (Page 57):

- 8) *"Consider, as a last resort, purchase of Freeway Airport, if all other measures fail. This land also has development value. Perhaps a purchase of the airport could solve numerous problems"*. (Emphasis added).

"RATIONALE: *Cross-referencing the previous discussion of Accident Potential Zones, the proposed subdivision is located in the most likely zone for an aircraft incursion. This situation threatens to replicate the unbelievable results of the Potomac Airport area where several houses are located in the most critical Accident Potential Zones (APZ-1), endangering people and property on the ground, and pilots and passengers in the aircraft. Any policy to the contrary should be deemed unacceptable"*. (Emphasis added)

RESPONSE: The Airport Land Use Compatibility and Air Safety Study also included the following text concerning the development of the adjacent Rouse-Fairwood Property to the north and its proximity to Freeway Airport, (Pages 56 & 57):

"It should be noted that this Consultant team met with representatives of Rouse-Fairwood Development near Freeway Airport in July, 2000, and advised them as to the noise and aircraft hazards, and expressed deep concern about the planned dense development directly in line with the runway at Freeway Airport. It may be that a negotiation could be commenced which would make it possible for some changes to be made in the planned development without a whole new approval process, in view of the overwhelming public interest in this matter.
THE RISKS TO RESIDENTS OF THE PLANNED SUBDIVISION IF FREEWAY AIRPORT CONTINUES TO OPERATE ARE SIGNIFICANT".
(Emphasis added).

RESPONSE: Should the subject preliminary plan of subdivision and subsequent detailed site plan be approved for the proposed residential subdivision and required permits issued by the Department of Permitting, Inspection and Enforcement (DPIE), the existing airport will be closed and the runway, hangars and other existing improvements will be removed as part of the redevelopment of the Property. The closure of the Freeway Airport will result in the removal of the aviation policy areas and subsequent APA regulations from the area around the airport, and will completely alleviate the safety concerns and land use compatibility issues identified by Aviation Consultants, William V. Cheek and Associates, within the *Airport Land Use Compatibility and Air*

Safety Study published by the Maryland-National Capital Park and Planning Commission on November 10, 2000.

E. Variance from Section 25-122(b)(1)(G) – (Specimen Trees)

The property contains a total of 25.45 acres of Primary Management Area (“PMA”) and includes approximately 6,111 linear feet of regulated streams and 11.17 acres of 100-year floodplain. The PMA is located primarily in the southern side of the property and along the southeastern property line. The approved Natural Resources Inventory Plan (NRI-029-2020) identifies 41 specimen trees located on the property. A companion variance request from Section 25-122(b)(1)(G) of the County Code to allow removal of five (5) of the 41 specimen trees on the Property, (Specimen Trees 4, 5, 27, 31 and 36).

The removal of these Specimen Trees are necessary for the proposed development. Specimen Trees #4 and #5 are in poor health and are adjacent to an existing building which is located in the PMA. The existing building will be razed prior to the start of construction, and with the trees being in such close proximity to the existing buildings, it is highly unlikely that they would survive after the buildings are removed. Specimen Trees #27 and #31 are located in the PMA, at a proposed road crossing. Since the PMA runs through the middle of the site, the road crossing is necessary in order to access the southern end of the site. Thus, the road crossing impact and Specimen Tree removal are unavoidable. Lastly, Specimen Tree #36, is located outside the PMA and must be removed in order to install a retaining wall to avoid grading within the PMA.

As a result, the Applicant is requesting approval of a variance to Section 25-122(b)(1)(G) of the County Code to allow removal of Specimen Trees 4, 5, 27, 31 and 36. A separate statement of justification has been submitted by the Applicant that addresses the required findings for approval of the variance request.

F. Variation from Section 24-128(b)(19), (Alleys in the R-A Zone)

The Applicant is requesting a variation from Section 24-128(b)(19) of the Subdivision Regulations to permit the use of private alleys in the R-A Zone for the Freeway Airport project. The District Council’s approval of CB-17-2019 permits the development of townhouses and detached single-family dwellings in the R-A Zone under circumstances. Specifically, Footnote 134(b) of CB-17-2019 states the following:

- (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. The maximum density shall not exceed 4.5 dwelling units per acre, the minimum width for townhouses shall be 22 feet, and the minimum lot depth for townhouses shall be 80 feet. A minimum of seventy-five percent (75%) of all townhouse units shall have a full front façade (excluding*

gables, bay 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 27-442 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.

RESPONSE: The District Council’s approval of CB-17-2019 permits the development of townhouses and detached single-family dwellings in the R-A Zone under certain circumstances subject to a property being developed in accordance with a majority of the R-T Zone regulations, including general design criteria, minimum net lot areas and setback requirements. Further, the approved legislation specifically states, that among other things, private streets and other requirements of the R-A Zone “shall not apply”.

Section 24-128(b)(19) of the Subdivision Regulations allows the Planning Board to approve preliminary plans of development containing private roads, rights-of-way, alleys, and/or easements in the R-T Zone subject to specific conditions. It is the Applicant’s position that the District Council’s actions in CB-17-2019 were intended to allow a property to be developed in the R-A Zone utilizing a majority of the R-T Zone design criteria and regulations to include the use of private alleys if determined appropriate by the Planning Board. However, because Section 24-128(b)(19) of the Subdivision Regulations wasn’t specifically amended through the approval of CB-17-2019 to include the R-A Zone, (an unintentional oversight), a variation to this section is respectfully requested by the Applicant to allow the use of alleys for the Freeway Airport project.¹

Section 24-128(b)(19) provides the following requirements for private roads and easements:

Section 24-128. - Private roads and easements.

(b) The Planning Board may approve preliminary plans of development containing private roads, rights-of-way, alleys, and/or easements under the following conditions:

(19) In the R-R, R-55, R-T, C-S-C, C-M, C-O, and I-3 Zones, when developing townhouse or two-family dwelling residential uses, in accordance with Sections 27-441, 27-461, and 27-473 of this Code, the

¹ The PPS also proposes private streets which are permitted in the R-A Zone pursuant to Section 24-128(b)(11). The Applicant’s proposed private streets for townhouses meet all the criteria set forth in Section 24-128(b)(11).

Planning Board may approve the use of private streets and alleys. The pavement width of private streets shall not be less than twenty-two (22) feet in width, and the pavement width of private alleys shall not be less than eighteen (18) feet in width, provided that provided that the accessibility of the private roads to emergency equipment is ensured by the County Fire Chief or the Chief's designee.

Section 24-113(a) sets forth the following findings the Planning Board must make to approve a variation request:

Section 24-113. - Variations.

- (a) ***Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:***
- (1) ***The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;***

RESPONSE: The granting of the variance will not be detrimental to the health, safety, or welfare of the public. The use of alleys allows for an efficient and compact layout of the Property which will be beneficial to the public. Rear load townhouse units served by alleys also create ample on-street parking opportunities for residents and visitors in the project which will improve the overall living environment and help protect the property interests of future owners in the community. The conditions of the Property (as set forth in the PPS), cause practical difficulties to the applicant regarding its ability to utilize the R-T Zone provisions authorized per CB-17-2019 and to obtain an appropriate overall density of 4.2 dwelling units per acre, (below the allowable density of 4.5 du's per acre).

- (2) ***The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;***

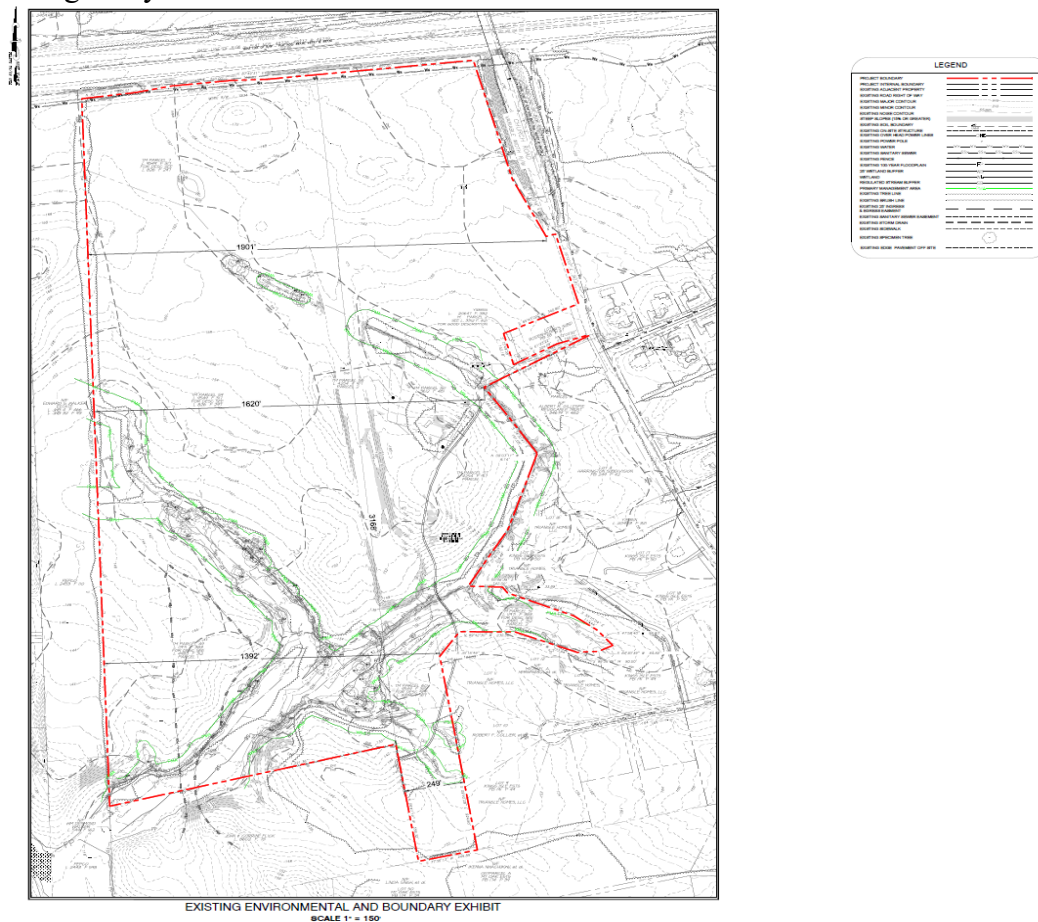
RESPONSE: The conditions (as set forth in item 4 below) are unique to the property and are not generally applicable to other properties.

- (3) ***The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and***

RESPONSE: The variation to 24-128(b)(19) would not violate any other law, ordinance, or regulation. To the contrary, the approval of the variation would allow the project to conform to the applicable standards imposed on the project per Section 27-433(e) and (f).

(4) *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;*

RESPONSE: The Property has a unique and variable shape. The boundaries are shown in red in the Existing Environmental and Boundary Exhibit provided below. The property has a very irregular shape and is 1,901 feet long at its widest, and 249 feet long at its narrowest. Additionally, the property has several sensitive environmental features (shown in green) throughout portions of the site that must be avoided. In response to these conditions, the applicant has designed compact and efficient development pods to respond to the overall site's irregular shape and environmental conditions. These conditions require the layout of some rear loaded townhouses in order to obtain a reasonable density on the property (as authorized per CB-17-2019). Without approval of a variation, our client would suffer the particular hardship of losing many units.



- (5) *In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.*

RESPONSE: The subject Property is located in the R-A Zone and does not propose the development of multifamily dwellings. As a result, the above finding is not applicable to the review of the subject application.

As set forth above, the Property meets all of the criteria set forth in Section 24-113 of the Subdivision Regulations and the Applicant requests approval of a variation from Section 24-128(b)(19) to permit the use of alleys for the Freeway Airport project, (consistent with Section 27-433(e) and (f)) of the Zoning Ordinance).

G. General & Master Plan Compliance

The 2006 Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity (the "Bowie Master Plan") places the property in the "Residential, Low" land use category which is described as areas "intended for suburban neighborhoods with single-family houses on lots ranging from 6500 square feet to 1 acre in size and retirement or planned residential development." In other words, the residential density connected with "Residential/Low" equals a range between 1 and 6.7 dwelling units per acre. Any residential development proposed by the Applicant will certainly be consistent with this proposed density range with the final unit count to be determined by the underlying zoning. The mix of townhouses and single family detached units will meet all the requirements of the Zoning Ordinance, and the subsequent requirement for a detailed site plan approval qualifies as a "planned residential development" consistent with the future land use designation in the Bowie Master Plan.

As mentioned earlier, the Freeway Airport operates as an active airport and presents elements of incompatibility with existing suburban residential development. Over the last several decades the Church Road corridor (adjacent to the Freeway Airport) has seen substantial residential development, including, but not limited to, the Waterford residential community to the west of the Property, (on the west side of the high-tension PEPCO power lines), and the large master planned community known as Fairwood, (on the immediate north side of US 50). As such, it is no longer ideal for small to medium sized aircraft to take off and depart from an airport when it is surrounded by low-to-moderately-dense residential development. Conversely, redevelopment of this active airport with permitted residential dwellings will certainly enhance and promote the current residential character of the surrounding communities. Since the airport would close once residential development begins, the surrounding community would no longer have unwanted aircraft noise, or face any flight hazards from incoming or departing

aircraft (which currently can occur at all hours of the day at the existing Freeway Airport).

Proposed residential development will also enhance the surrounding community by providing compatible residential development that will meet the existing and future housing needs of residents of Prince George's County. It is anticipated that any single-family residential development will be high quality with multiple architectural features to maintain compatibility with adjacent residential communities.

Plan Prince George's 2035, (Approved General Plan)

The following demonstrates how the proposed subdivision is in substantial harmony with the tier-specific policies established in *Plan Prince George's 2035*. The land use policies for *Plan Prince George's 2035* are as follows:

POLICY 1:

Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals set forth in Table 17.

Goals

- | | |
|---------------------|--|
| <i>LU1.1</i> | <i>To support areas best suited in the near term to become economic engines and models for future development, encourage projected new residential and employment growth to concentrate in the Regional Transit Districts that are designated as Downtowns (see the Strategic Investment Program under the Implementation section).</i> |
| <i>LU1.2</i> | <i>Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies. Conduct a comprehensive analysis of the Zoning Ordinance, including its use tables, zoning districts and densities, and variance criteria.</i> |
| <i>LU1.3</i> | <i>Evaluate the existing zoning districts in the Regional Transit Districts to ensure that sufficient development capacity is available to meet desired population and employment targets set forth by the Center Classification System (see Table 16).</i> |
| <i>LU1.4</i> | <i>Annually review and report on county growth trends to measure progress toward meeting Plan 2035 growth management goals. Identify potential revisions to policies and ordinances to assist with meeting the goals.</i> |

- LU1.5** *Annually review the CIP program to ensure consistency with the Plan 2035 vision, goals, and policies. The Planning Board will review proposed public facility and infrastructure projects and submit its recommendations to the District Council and County Executive for consideration (also see Strategic Investment Program under the Section V: Implementation).*
- LU1.6** *Identify the key capital improvement projects for each of the centers identified in Table 16 that are necessary to promote and facilitate economic and residential development within the center. Identify and coordinate the capital improvement projects with county agencies and key stakeholders. Prepare a summary of the Center Diagnostic score for each center.*

RESPONSE: The proposed development contributes to Policy 1 by facilitating the development recommended for the subject Property in both Plan Prince George's 2035 and the Bowie Master Plan. This development is entirely consistent with the vision, policies, and strategies contained within Plan Prince George's 2035. In Plan Prince George's 2035, the subject property is within the Established Communities designation on the Growth Policy Map. These are areas outside Centers and Districts that are served by public water and sewer and suitable for low-to medium-density development. Furthermore, as discussed above, the Bowie Master Plan recommends suburban intensity residential development for the property 1.0 to 6.7 dwelling units per acre. The development of the Property will result in density squarely within these master plan recommendations. Plan Prince George's 2035 projects an additional 12,600 new dwelling units in the Established Communities area(s) (See Plan Prince George's 2035, Table 17, p. 110). The proposed development of the Property will not exceed these new residential density projections.

POLICY 2:

Limit the expansion of public water and sewer outside the Growth Boundary in Rural and Agricultural Areas.

Goals

- LU2.1** *Coordinate the provision of public water and sewer, as outlined in the Public Facilities Element, with the Department of Environmental Resources (DER) and the Washington Suburban Sanitary Commission (WSSC) and in accordance with the Growth Policy Map to ensure that water and sewer facilities are not extended beyond the Growth Boundary. The Growth Boundary should be reviewed on a periodic basis to assess compatibility with Plan 2035 goals.*
- LU2.2** *Coordinate amendments to the Growth Boundary with future updates to the Septic Tier Map and the county's Water and Sewer Plan.*

RESPONSE: The Property is located within the growth boundary designated in Plan Prince George's 2035. Applicant is not seeking to amend nor expand the existing growth boundary, but instead, is seeking approval of a preliminary plan of subdivision to develop the property in accordance with the "Residential, Low" land use recommendation provided within the Bowie Master Plan.

POLICY 3:

Use Plan 2035, including the Growth Policy Map and Center Classification System, to guide the development of land use policies for all future master and sector plans, functional plans, and other county planning documents.

Goals

- LU3.1*** ***Evaluate the Plan 2035 future land use categories and apply to new master plans so that, over time, all plans use a common nomenclature to describe similar land uses. Allow plans to develop common land use subcategories.***
- LU3.2*** ***Review preliminary master plans and rezoning requests to ensure that proposed development is consistent with the Growth Policy Map and the Center Classification System (see Table 16). (see also Section V: under Plan Administration for Amendments and Updates).***
- LU3.3*** ***Review approved master plans to evaluate the consistency of existing Regional Transit Districts and Local Centers with the Center Classification System (see Table 16). To ensure consistency, future master plan revisions and/or rezonings may be warranted.***

RESPONSE: As noted above, the proposal for the development of the subject Property is consistent with the recommendations of *Plan Prince George's 2035* and has been designed to conform with the "Residential, Low" land use recommendation within the *2006 Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity*. The development proposed in this PPS is consistent with recommendations of Plan Prince George's 2035 for "Established Communities" and the Growth Policy Map.

POLICY 4:

Phase new residential development to coincide with the provision of public facilities and services.

Goals

- LU4.1*** ***Annually evaluate the county's residential and employment forecast projections to identify the amount of new land area required to meet demand.***

LU4.2 *Create a working group to address the magnitude of the residential pipeline in Established Communities and Rural and Agricultural Areas. Potential strategies to reduce the pipeline include amending the county code to limit validity periods, reevaluating approved adequate public facilities for projects that have not provided assurances that public infrastructure will be constructed in a timely manner, and requiring performance bonding prior to recordation of final plat.*

LU4.3 *Evaluate strategies to phase development countywide. Potential strategies include establishing a residential allocation process.*

RESPONSE: The above Policy 4 goals do not conflict with the proposed development of the Property. The redevelopment of the site is in substantial conformance with all County public facilities testing requirements. Adequate facilities such as roads, public utilities, fire and police response times and schools will exist to accommodate the development of the Property with residential uses.

POLICY 5:
Implement the Growth Policy Map through coordinated multimodal transportation and mobility planning and programs.

RESPONSE: The redevelopment of the site meets all County public facilities testing requirements. Adequate facilities such as roads, public utilities, fire and police response times and schools exist to accommodate the proposed development. It should be noted that the County has made significant improvements to Church Road over the last 10 years that can be utilized to accommodate vehicle trips generated from the Property. All critical roadway intersections have been studied in the submitted Transportation Impact Study (TIS) and have been deemed adequate to serve the proposed subdivision. The Applicant studied 11 intersections, (4 of which were beyond the intersections mandated to be studied as part of the approved Scoping Agreement from M-NCPPC). The Applicant is proposing a full traffic signal at the future main entrance of the Property, if approved by DPW&T/DPIE.

POLICY 6:
Support new employment growth in Employment Areas in accordance with the Growth Policy Map and the Growth Management Goals (see Table 17).

Goals

LU6.1 *Align the Economic Development Corporation's work program with the Growth Policy Map to establish programs and policies to support employment growth in the Employment Areas, with a particular emphasis on the Innovation Corridor (see the Strategic Investment Program under Implementation).*

POLICY 7:

Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers.

Goals

LU7.1 Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated.

LU7.2 Consider developing, as part of the Zoning Ordinance update, alternative lower density zoning districts that promote walkability and allow for a mix of uses.

POLICY 8:

Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.

Goals

LU8.1 Coordinate land use planning with county municipalities.

LU8.2 Use conservation subdivisions in areas adjacent to Rural and Agricultural Areas to transition density and to encourage preservation of green infrastructure corridors as defined by the county's Green Infrastructure Plan.

LU8.3 Encourage municipalities to designate Development Review Districts to promote and preserve the integrity of high-quality and complementary infill development in the Established Communities.

LU8.4 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they help protect, strengthen, and revitalize the Established Communities.

LU8.5 Continue to coordinate, apply for, and use state and federal programs and resources for neighborhood revitalization and reinvestment of low- and moderate-income communities. Programs and resources include Sustainable Community designations, HUD program funds, and tax incentives.

RESPONSE: In response to Policy 6, Policy 7, and Policy 8, the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* recommends a suburban residential density of 1.0 to 6.7 dwelling units per acre. The proposed development will create local construction jobs and present valuable residential housing opportunities for existing and future residents of Prince George's County. These residents will contribute to the local tax base and economy and bring with them skills and education levels that will

make them valuable additions to the local economy and job market. The proposed redevelopment of the Freeway Airport will strengthen and enhance existing residential areas by eliminating any existing conflicts of the current airport operations with surrounding residential neighborhoods.

POLICY 9:

Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas.

Goals

- LU9.1*** ***Evaluate rezoning requests to determine if the location, population projections, and market demand justify an increase in commercially-zoned property.***
- LU9.2*** ***Develop a countywide strategic plan for future retail development and implement its recommendations through the Zoning Ordinance update, master plan process, and public private partnerships with county agencies. As part of this retail plan, inventory older commercial areas and shopping centers to identify candidates for potential (re)development and rezoning to accommodate residential infill or other neighborhood-serving uses.***

RESPONSE: The above Policy 9 goals, which relate to commercial zoning, do not apply the subject Property (which is zoned residential).

POLICY 10:

Retain Future Water and Sewer Service Areas in water and sewer categories S5 and W5 until additional residential development capacity is needed to meet growth projections.

Goals

- LU10.1*** ***Evaluate the Future Water and Sewer Service Areas through annual reviews of the residential pipeline and residential development capacity analysis. Establish criteria to determine when land within the Future Water and Sewer Service Areas should be reclassified.***
- LU10.2*** ***Review the annual water and sewer amendments to retain the S5 and W5 water and sewer categories until additional residential capacity is required and public facilities are in place to serve projected development.***

- LU10.3** *Evaluate Future Water and Sewer Service Areas as potential woodland conservation banks or stormwater management offset areas to meet the requirements of the Watershed Implementation Plan (see the Natural Environment Element).*

RESPONSE: The Freeway Airport Property was amended to Water and Sewer Category 4 through the County Executive's and District Council's approval of the April 2019 Cycle of Amendments to the 2008 Water and Sewer Plan. The development proposed is wholly consistent with the *2006 Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity's* "Residential, Low" land use recommendation and will be within the residential growth projections for Established Communities in *Plan Prince George's 2035*.

POLICY 11:
Preserve and protect the Rural and Agricultural Areas to conserve agricultural and forest resources.

Goals

- LU11.1** *Continue to implement the Priority Preservation Plan (PPA) to achieve identified agricultural and forestry land preservation goals and coordinate with the Prince George's County Soil Conservation District, University of Maryland Extension Service, the agricultural community, residents, and community groups.*
- LU11.2** *Amend the Zoning Ordinance and Subdivision Ordinance to support agricultural production and forest preservation in the Rural and Agricultural Areas.*
- LU11.3** *Evaluate the impacts of extractive industries, such as sand and gravel mining, on resource lands, rural character, economic development, and post-reclamation requirements in the Rural and Agricultural Areas. Map remaining sand and gravel natural resources to locate potential future sand and gravel operations, update and revise development standards, and identify post-reclamation land uses, including residential development, agriculture, and forestry. Propose comprehensive legislation to revise county codes and identify recommendations for the Zoning Ordinance update.*
- LU11.4** *To preserve environmentally sensitive land and to encourage development in the Regional Transit Districts, evaluate a transfer of development rights program, density exchanges, or purchase of development rights program for the Rural and Agricultural Areas. Explore opportunities to transfer development rights within areas and to*

coordinate with the Watershed Implementation Plan and Maryland Accounting for Growth Policy.

RESPONSE: There are no known portions of the Property classified in the Priority Preservation Area (PPA) pursuant to the approved *Priority Preservation Area Functional Master Plan*. The Property is located within the Developing Tier and Environmental Strategy Area 2 of *Plan Prince George's 2035*. The Property contains a total of 25.45 acres of Primary Management Area ("PMA") and includes approximately 6,111 linear feet of regulated streams and 11.17 acres of 100-year floodplain. The PMA is located primarily in the southern side of the property and along the southeastern property line. A signed Natural Resources Inventory Plan, NRI-029-2020, was approved on April 27, 2020 and identifies 41 specimen trees within the limits of the Property. All sensitive environmental constraints on the site, including regulated environmental features, have been protected and preserved to the fullest extent practicable.

POLICY 12:

Participate in regional planning activities to enhance collaboration, coordination, and implementation. Regional issues include employment, transportation, sustainability, health, air quality, climate change, workforce and affordable housing, food system planning, infrastructure, water quality, and land use.

Goals

- LU12.1*** ***Participate in the Washington Metropolitan Council of Governments' regional planning activities to improve coordination on transit and land use planning. Provide periodic briefings to the Planning Board on regional issues to identify potential land use strategies and programs.***
- LU12.2*** ***Coordinate with the Washington Metropolitan Council of Governments to develop forecasts for residential and employment growth based on the Plan 2035 vision, goals, and policies. The forecast should include an analysis of the remaining development capacity in Prince George's County based on approved zoning, residential and commercial pipeline development, and the Growth Management Goals (see Table 17).***
- LU12.3*** ***Collaborate with adjacent jurisdictions and county municipalities to ensure coordinated land use patterns, connected transportation networks, and continuous environmental networks, in particular during the preparation of master, sector, and functional plans.***

RESPONSE: The goals in Policy 12 are to be implemented by the Prince George's County Planning Department and do not specifically apply the subject Property.

H. Section 24-121 - Planning and Design Requirements:

Section 24-121. Planning and design requirements.

(a) *The Planning Board shall require that proposed subdivisions conform to the following:*

(1) *All lots shall be designed to be located wholly within the County and platted in conformance with all requirements of the Zoning Ordinance applicable to the subject property.*

RESPONSE: The proposed parcels and lots are wholly within the County and will be platted in accordance with all applicable requirements. The PPS meets the requirements of the Prince George's County Subdivision Regulations (Subtitle 24), Woodland Conservation Ordinance (Subtitle 25) and Zoning Ordinance (Subtitle 27).

(2) *In cases where the proposed subdivision is situated in a portion of the Regional District not planned to be served by public water and/or sewerage facilities, proposed lots shall be designed to meet the minimum lot size requirements for individual systems, as contained in Subtitle 22 of this Code and in the Comprehensive Ten Year Water and Sewerage Plan.*

RESPONSE: This standard is not applicable to the instant PPS.

(3) *When lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. As used in this Section, a planned roadway or transit right-of-way shall mean a road or right-of-way shown in a currently approved State Highway plan, General Plan, or master plan. If a service road is used, it shall connect, where feasible, with a local interior collector street with the point of intersection located at least two hundred (200) feet away from the intersection of any roadway of collector or higher classification.*

RESPONSE: The PPS application complies with this standard. No individual lots within the project plan will front on or directly access a roadway of arterial or higher classification.

(4) *Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a*

building restriction line, when appropriate.

RESPONSE: The PPS application complies with this standard, all individual lots within the project plan that are adjacent (i.e. nearby) to US 50 will be platted with a depth of 300 feet from said roadway.

- (5) *The preliminary plan and final plat shall conform to the area master plan, including maps and text, unless the Planning Board finds that events have occurred to render the relevant plan recommendations no longer appropriate or the District Council has not imposed the recommended zoning. Notwithstanding any other requirement of this Section, a proposed preliminary plan or final plat of subdivision may be designed to conform with the land use policy recommendations for centers, as approved within the current County general plan, unless the District Council has not imposed the recommended zoning.*

RESPONSE: As discussed in Section G, the residential development proposed for the property has been designed to conform with the “Residential, Low” land use recommendation within the *2006 Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity*. Notwithstanding, it should be noted that events have occurred that supersede the recommendations of the Bowie Master Plan. In particular, the District Council approved legislation in 2019 (CB-17-2019) which authorizes the development of townhouses and single-family detached dwellings on qualifying properties in the R-A Zone as explained in Section B herein. The Property is eligible to develop utilizing standards ordinarily applicable in the R-T Zone as set forth in CB-17-2019. This is a legislative change to the Zoning Ordinance that has occurred since the approval of the Bowie Master Plan, and such an event should be taken into consideration by the Planning Board as part of its review of the instant PPS. Moreover, any conflict between the Bowie Master Plan and the development proposed in this Application, should be evaluated and resolved by the Planning Board using the criteria of approval set forth in CB-17-2019. As stated elsewhere in this statement of justification, the development proposed in this PPS meets all applicable criteria for the development of townhouses and single family detached dwellings set forth in CB-17-2019.

- (6) *When indicated by a master plan or the General Plan or when requested by a public agency, land may be placed in reservation, pursuant to Division 7 of this Subtitle.*

RESPONSE: Neither the applicable master/sector plan or General Plan calls for the reservation of any land. Additionally, no public agency has requested the reservation of any land within the boundaries of this PPS.

- (7) *Provision shall be made for the eventual ownership of outlots or residue parcels by incorporating them into platted lots or into*

adjacent parcels or by other means deemed acceptable by the Planning Board.

RESPONSE: The conditions of approval, as appropriate, will ensure the eventual ownership of residue lots and/or outlots by an HOA or appropriate community ownership association.

- (8) *Corner lots shall be rounded with a radius of not less than twenty (20) feet or provided with an equivalent truncation.***

RESPONSE: Corner lots proposed in the instant PPS meet this requirement.

- (9) *Walkways, with rights-of-way not less than ten (10) feet wide, shall be provided through all blocks over seven hundred fifty (750) feet long, when deemed necessary by the Planning Board.***

RESPONSE: This PPS is designed in compliance with the above standards.

- (10) *Generally, subdivisions shall be designed to avoid unnecessary and costly roads, utility extensions, grading, and energy consumption.***

RESPONSE: This PPS is designed in compliance with the above standards. All roadways within the proposed subdivision (including private alleys, private streets and public streets) have been designed in an efficient and compact manner to avoid unnecessary road sections, utility extensions, grading and/or energy consumption.

- (11) *Significant natural features which are impossible or difficult to reproduce, such as waterways, streams, hills, wooded lands, and specimen trees, should be preserved to the degree practicable.***

RESPONSE: Significant natural features within the property have been preserved to the maximum degree practicable. The proposed development respects all applicable environmental buffers and setbacks as required by applicable County and State requirements.

- (13) *Generally, lots, except at corners, should have access to only one (1) street.***

RESPONSE: The PPS is designed in compliance with the above standards.

- (14) *If an entrance feature or gateway sign is proposed in a residential subdivision, it shall be identified on the preliminary plan on a separate Homeowners' Association parcel, or easement located on a homeowner's lot, and be designed in accordance with the***

standards in Section 27-624 of the Zoning Ordinance. A Homeowners' Association or other entity or person designated in a maintenance arrangement approved by the Department of Environmental Resources, shall be responsible for the maintenance of the entrance feature or gateway sign.

RESPONSE: The PPS is designed in compliance with the above standards.

(15) The Planning Board shall not approve a preliminary plan of subdivision until evidence is submitted that a stormwater management concept plan has been approved by the Department of Environmental Resources or the municipality having approval authority, unless the Planning Board finds that such approval will not affect the subdivision.

RESPONSE: Site Development Concept Plan No. 17175-2020 was submitted to DPIE on June 15, 2020 and is currently pending.

(16) Except as indicated in Section 24-132, the subdivision shall be designed and platted in accordance with the provisions for woodland conservation and tree preservation contained in Subtitle 25.

RESPONSE: A Signed NRI and TCPI has been submitted with this application in conformance with requirements in Subtitle 25. The PPS has been designed in accordance with the County's woodland conservation requirements.

(17) Historic resources should be preserved.

RESPONSE: There are no historic resources within the limits of the PPS.

(18) Significant archeological sites identified in accordance with the Planning Board Guidelines for Archeological Review should be preserved in place, to the extent practicable and should be interpreted as appropriate.

RESPONSE: A Phase I archeology survey has been submitted with the subject PPS, and all buildings determined to have any historic significance will be photo-documented prior to demolition. This proposal will not affect any Historic Sites or Resources.

(19) Condominium townhouse dwelling units approved after September 1, 2012 shall conform to the lot standards of this Subtitle and Subtitle 27 for possible future conversion to fee simple lots.

RESPONSE: The proposed townhouse lots are intended to be fee simple ownership.

I. Section 24-122 - Public Facilities Requirements:

- (a) When utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents: Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.*
- (b) Land for public facilities shown on the General Plan, functional master plans and/or area master plans, and watershed plans shall be reserved, dedicated, or otherwise provided for.*
- (c) Stormwater management facilities, existing or proposed as part of the development, shall have sufficient capacity to convey surface water runoff.*

RESPONSE: The PPS shows and provides for all utility easements and there are no proposed master plan roadways located within the vicinity the property. Site Development Concept Plan No. 17175-2020 was submitted to DPIE on June 15, 2020 and is currently pending. The approval of this plan will ensure the development of the property will not result in on-site or downstream flooding.

J. Section 24-122.01 - Adequacy of Public Facilities:

- (a) The Planning Board may not approve a subdivision plat if it finds that adequate public facilities do not exist or are not programmed for the area within which the proposed subdivision is located, as defined in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" and "Guidelines for the Analysis of the Traffic Impact of Development Proposals." The Planning Board shall require adequate public facilities, as provided in this Section and in Division 4 of this Subtitle.*

RESPONSE: This preliminary plan has been reviewed for conformance with this section and Section 24-123 of the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the appropriate area master plan in order to ensure the adequacy of transportation facilities, including the provision of planned roads, trails, bikeways, and pedestrian improvements.

The Applicant has submitted a Traffic Impact Study from Lenhart Traffic Consultants, (See Exhibit B), showing that the proposed subdivision fully meets the requirements for transportation adequacy. Because this is a residential subdivision, the mandatory impact fees for schools will be provided pursuant to County Code requirements.

- (b) Water and sewerage.*

- (1) The location of the property within the appropriate service area of the Ten Year*

Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.

RESPONSE: The subject property is within Water and Sewer Category Area 4 per the County Executive and District Council's approval of the April 2019, Cycle of Amendments to the 2008 Water and Sewer Plan.

(c) Police facilities.

- (1) Before any preliminary plat may be approved, the Planning Board shall find that:**
 - (A) The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will not exceed the service capacity of existing police stations as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time; or**
 - (B) An adequate police facility available to serve the population and/or employees generated by the proposed subdivision has been programmed with one hundred percent (100%) of the expenditures for the construction of such a facility within the adopted County Capital Improvement Program as determined under the "Guidelines"; or**
 - (C) That improvements participated in or funded by the subdivider, including participation in a specific Public Facilities Financing and Implementation Program as defined in Section 27-107.01(186.1), will alleviate any inadequacy as determined under the "Guidelines."**

RESPONSE: The subject Property is located in Police District II. The following response times were derived from the Prince George's Planning Department, Special Projects Section, and reflect the twelve-month rolling average for Police District II, rounded in accordance with CR-078-2005. These averages are effective beginning June, 2020, and are updated monthly.

Average Minutes – Police District II

Non-Priority - 5 Minutes
Priority - 10 Minutes

RESPONSE: The proposed subdivision meets the emergency and non-emergency response times required by Section 24-122.01(1)(D) of the Subdivision Regulations. In accordance with Section 24-122.01(c)(1)(A) of the Subdivision Regulations, the population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will not exceed the service capacity of existing police stations as determined by the "Guidelines for the

Mitigation of Adequate Public Facilities: Public Safety Infrastructure".

(d) Fire and rescue facilities.

- (1) Before any preliminary plat may be approved, the Planning Board shall find that:**
 - (A) The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will be within the adequate coverage area of the nearest fire and rescue station(s) as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time; or**
 - (B) An adequate fire and rescue station(s) available to serve the population and/or employees generated by the proposed subdivision has been programmed with one hundred percent (100%) of the expenditures for the construction of such a facility within the adopted County Capital Improvement Program as determined under the "Guidelines", provided, however, that if construction of such improvements has not commenced within nine (9) years after the first year the project is fully funded in an adopted County Capital Improvement Program, the preliminary plat may not be considered and approved by the Planning Board based upon future construction until such facilities are actually constructed; or**
 - (C) That improvements participated in or funded by the subdivider, including participation in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1), will alleviate any inadequacy as determined under the "Guidelines."**
- (2) Before any preliminary plat may be approved, if the location of the property proposed for subdivision is outside the appropriate service area of the Ten Year Water and Sewerage Plan or is in the Rural Tier, the Planning Board shall require the subdivider to provide water storage tanks, the availability of water tanker trucks, or other appropriate source of water for fire extinguishing purposes.**

In accordance with Section 24-122.01(e)(E) of the Subdivision Regulations, the following statement is required to be submitted by the Fire Chief:

- (E) A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for calls for service during the preceding month**

RESPONSE: There are adequate fire and rescue facilities available to accommodate the proposed development within the required seven (7) minute travel time. The project will also be served by public water and will have adequate on-site fire hydrant coverage in addition to buildings which are designed in accordance with the latest building codes with respect to fire suppression requirements.

K. Sec. 24-123. - General requirements. (Transportation Facilities)

- (a) The Planning Board shall require that preliminary plan conform to the following:*
- (1) The rights-of-way of all highways, streets, and transit facilities shown on the General Plan, functional master plans, and area master plans shall be shown on the preliminary plan and, when reserved or dedicated, shown on the final plat.*
 - (2) All proposed streets shall be continuous and in alignment with existing or platted streets in adjoining subdivisions so as to create a street network that is functional and easily understandable. Generally, streets should cross other streets at right angles.*
 - (3) All internal subdivision streets shall be wholly within the County and shall not be designed to directly connect to an adjacent county unless the applicant has obtained the prior written approval of the District Council and the appropriate land use authority of the adjacent County.*
 - (A) An applicant must file a written request for said approval. The request shall be filed with the Clerk of the District Council. The District Council must either approve or disapprove said request within forty-five (45) days from the date of filing. Failure of the District Council to act within said forty-five (45) day period shall constitute an approval of the request. For purposes of this provision an internal subdivision street shall be deemed to be a public roadway having a right-of-way width of eighty (80) feet or less.*
 - (B) After public hearing before the District Council, the Council shall not allow the proposed bi-county subdivision unless it finds that delivery of public safety services, utility services, and tax collection will be timely and adequate for the lots in Prince George's County.*
 - (4) All streets proposed for dedication to public use shall be designed to the standards of the County road ordinance and street standards for width and minimum curve radii or to the standards of municipalities having jurisdiction. Variations from these standards may be granted by the Planning Board upon the recommendation of the Department of*

Permitting, Inspections, and Enforcement or upon the recommendation of the municipality or other governmental authority having jurisdiction.

- (5) *Arterial highways shall have a minimum right-of-way width of one hundred and twenty (120) feet; collector streets, a minimum right-of-way width of eighty (80) feet; and parkways, such right-of-way width as may be designated by the Planning Board. The width of secondary subdivision streets shall be not less than fifty (50) feet and the width of primary subdivision streets not less than sixty (60) feet.*
- (6) *Land for bike trails and pedestrian circulation systems shall be shown on the preliminary plan and, where dedicated or reserved, shown on the final plat when the trails are indicated on a master plan, the County Trails Plan, or where the property abuts an existing or dedicated trail, unless the Board finds that previously proposed trails are no longer warranted.*

RESPONSE: This Application meets all of the above design requirements, as appropriate/applicable.

L. Section 24-124. - Adequate roads required.

- (a) *Before any preliminary plan may be approved, the Planning Board shall find that:*
 - (1) *There will be adequate access roads available to serve traffic which would be generated by the proposed subdivision, or there is a proposal for such roads on an adopted and approved master plan and construction scheduled with one hundred percent (100%) of the construction funds allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, and/or such roads are incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1); and*
 - (2) *The traffic generated by the proposed subdivision will be accommodated on major intersections and major roadways within the established study area such that they will be functioning below the minimum peak-hour service levels adopted by the Planning Board in the "Guidelines for the Analysis of the Traffic Impact of Development Proposals," as may be amended from time to time (hereinafter the "study area" refers to major intersections and major roadways as defined in the "Guidelines"); or*
 - (3) *Roadway improvements or trip reduction programs fully funded by the subdivider or his heirs, successors, and assigns will alleviate the inadequacy as defined in the "Guidelines;" or*

- (4) *Roadway improvements fully funded by the subdivider and the County and/or the State government which will alleviate any inadequacy as defined in the "Guidelines," and which will provide surplus capacity, may be eligible for the establishment of a Surplus Capacity Reimbursement Procedure, as defined in the "Guidelines," provided:***

 - (A) *The transportation facility improvements are identified in the Adopted County Capital Improvement Program or current State Consolidated Transportation Program, with an amount greater than zero percent (0%) but less than one hundred percent (100%) of the total cost to complete the improvements, and/or are incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1); and***
 - (B) *The total cost estimates to complete the improvements have been approved by the Planning Board upon acceptance by the appropriate public agency; and***
 - (C) *The necessary permits for construction of the transportation facility improvements have been issued by the appropriate public agency; and***
 - (D) *The subdivider agrees to fund the difference between the total cost to complete the improvements and the amount allocated for the improvements by the County or State government in the Adopted CIP or current CTP; or***
- (5) *Roadway improvements participated in by the subdivider will alleviate any inadequacy as defined by the "Guidelines." Such participation shall be limited to improvements defined in paragraph (4), above, and with sufficient surplus capacity to adequately accommodate the subdivider's proposed traffic impact. The amount and timing of the subdivider's participation shall be determined by the Planning Board as defined in the "Guidelines;" or***
- (6) *Consideration of certain mitigating actions is appropriate as defined in the approved "Guidelines for Mitigation Actions," and as provided below:***

 - (A) *Projected traffic service in the study area, which shall be based on existing traffic, traffic generated by other approved development, and growth in through traffic as defined in the "Guidelines," is calculated to be greater than the acceptable level of service; and***

(B) *The provisions for adequate roads, as described in Subparagraph (a)(1), above, are not met.*

(i) *Where projected traffic service is calculated to be greater than or equal to twenty-five percent (25%) above, the acceptable peak-hour service level threshold as defined in the "Guidelines," the Planning Board may require that any physical improvement or trip reduction programs participated in, or funded by, the subdivider or his heirs, successors, and assigns shall fully abate the impact of all traffic generated by the proposed subdivision in the study area. Following the development of the proposed subdivision and implementation of the approved mitigation action, the total traffic service will be reduced to no higher than twenty-five percent (25%) above the acceptable peak-hour service level threshold as defined in the "Guidelines" (total traffic service shall be based on projected traffic and traffic generated by the proposed development); or*

(ii) *Where projected traffic service is calculated to be greater than but less than twenty-five percent (25%) above the acceptable peak-hour service level threshold as defined in the "Guidelines," the Planning Board may require that any physical improvements or trip reduction programs fully funded by the subdivider or his heirs, successors, and assigns shall fully abate the impact of one hundred and fifty percent (150%) of all traffic generated by the proposed subdivision in the study area. Following the development of the proposed subdivision and implementation of the mitigation action, the total traffic service within the study area will be reduced to no lower than the acceptable peak-hour service level threshold defined in the "Guidelines"; or*

(C) *Where existing traffic service in the service area is at the acceptable peak-hour service level threshold or better, as defined in the "Guidelines," and if the total traffic service in the study area is no greater than ten percent (10%) above the acceptable peak-hour service level threshold as defined in the "Guidelines" and the proposed subdivision generates less than twenty-five (25) A.M. or P.M. peak-hour trips, the Planning Board may require that the subdivider or his heirs, successors, and assigns shall be responsible for the pro rata cost of the physical improvements*

necessary to alleviate the inadequacy as defined in the "Guidelines."

- (D)** *Planning Board action on a mitigation action may be appealed to the District Council by the applicant or by any party of record. The appeal shall be filed with the Clerk of the Council within thirty (30) days following notice of action on the mitigation proposal by the Planning Board to all parties of record. The Planning Board shall give notice of its action by sending a copy to each party of record by first-class mail, postage prepaid. The appeal shall be based upon the record as made before the Planning Board and shall set forth the reasons for the appeal. In deciding an appeal of a mitigation action, the Council shall exercise original jurisdiction. For any such appeal, the Council may, based on the record, approve, approve with conditions, remand, or deny the mitigation action; or*
- (7)** *There is a proposal for such roads on a plan being considered by the United States Department of Transportation and/or Federal Highway Administration, and which is funded for construction within the next ten years. The Planning Board may condition the approval of the subdivision on a construction schedule that minimizes any inadequacy; or*
- (8)** *Roadway improvements or trip reduction programs participated in or funded by the subdivider will alleviate any inadequacy as defined by the "Guidelines," provided that the property is located within an area for which a road club was established prior to November 16, 1993, to provide for the participation by multiple developers in the funding and construction of road improvements based on the identified impact of the developments.*
- (b)** *The Surplus Capacity Reimbursement Procedure shall be adopted by the Planning Board by resolution, at a regularly scheduled public meeting. Any transportation facility improvements that qualify for a Surplus Capacity Reimbursement Procedure are eligible for pro rata share contributions from all subsequent subdividers which the Planning Board determines will need the available surplus capacity to meet the requirements of this Section. The pro rata share contributions shall be indexed to account for changes in the estimated cost to complete the roadway improvements, using a cost index acceptable to the appropriate public agency. Within fifteen (15) calendar days after adoption of a Surplus Capacity Reimbursement Procedure, the Planning Board or its designee shall transmit to the County its adopted resolution and findings as to the portion of the total Surplus Capacity Reimbursement improvements cost which qualifies for prorated share contributions. Copies of the Planning Board*

resolution and the minutes of the Planning Board hearing shall be available for public inspection. Once the Planning Board determines that surplus capacity created by the Surplus Capacity Reimbursement improvements does not exist, the improvements no longer qualify for pro rata share contributions from subsequent subdividers. The Planning Board shall then transmit to the County a resolution closing the Surplus Capacity Reimbursement.

RESPONSE: In light of the results of the submitted traffic impact analysis, (See Exhibit B), this project will satisfy the requirements of Section 24-124 of the County Code and the approved *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

M. Compliance with CB-17-2019

On November 19, 2019, the District Council approved CB-17-2019 for the purpose of permitting townhouse and one-family detached dwelling uses in the R-A (Residential-Agricultural) Zone of Prince George's County under certain circumstances.

Section 27-441. Uses permitted.

USE						R-A
(7) Residential/Lodging:						
Dwelling, one-family detached (in general)						P ^{83, 134}
*	*	*	*	*	*	
Townhouse, all others						X ¹³⁴
*	*	*	*	*	*	*

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

- (a) *The use is located on an assemblage of adjacent properties that:*
 - (i) *is no less than one hundred (100) acres and no more than one hundred fifty (150) acres in size or was formerly used as an airport;*

RESPONSE: The subject Property consists of an assemblage of eight (8) abutting deeded parcels, (Parcels 7, 49, 50, 51, 57, 58, 59 and 60), and is approximately 131.50 acres in size. The

² It should be noted that Footnote 134 as shown in adopted CB-17-2019 (above) was codified as Footnote 136 in the Zoning Ordinance.

Property is currently utilized as a family-owned airport known as the Freeway Airport. The Property began operating as a landing strip in the 1930's and began fuel sales and flight training following World War II. The current iteration of the airport was formally incorporated in 1961 and is used primarily for individual aircraft and flight trainings. The Property is currently improved with a runway, aircraft hangars, and multiple accessory buildings.

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

RESPONSE: The entirety of the subject Property is located within one (1) mile of the City of Bowie. (See attached Exhibit A).

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

RESPONSE: The subject Property is entirely located within 2,500 feet of land owned by a regulated public utility that is used for purposes of electrical generation, transmission, or distribution in connection with providing public utility service in the County. High Tension power lines exist alongside the west side of the subject Property on land owned by Pepco, a regulated public utility company, (Parcel 136, 192.01 acres). (See attached Exhibit A).

(iv) a portion of the boundary of the assemblage of adjacent properties 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.

RESPONSE: Parcel 7, (42.09 acres), included in the subject PPS, has approximately 1,600 linear feet of street frontage on John Hanson Highway, (US Route 50). John Hanson Highway, (US Route 50), is a master planned freeway (F-4) having an ultimate right-of-way width of 300-feet. (See attached Exhibit A).

(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. The maximum density shall not exceed 4.5 dwelling units per acre, the minimum width for townhouses shall be 22 feet, and the minimum lot depth for townhouses shall be 80 feet. A minimum of seventy-five percent (75%) of all townhouse units shall have a full front façade (excluding gables, bay 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 27-442 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.

RESPONSE: The Applicant concurs with this requirement. The subject Application has been designed in accordance with the above requirements. The density proposed, (4.23 du/acre), is well within the perimeters established by the District Council in this condition. Architectural elevations will be submitted at the time of Detailed Site Plan that demonstrate an architectural design compatible with the adjacent residential development. The Freeway Airport Subdivision has been designed in accordance with the R-T Zone requirements set forth in Sections 27-433(c)–(g) and (i)–(k) and 27-442, (to the extent that they do not conflict with the preceding requirements in the above footnote). The R-T Zone requirements set forth in Sections 27-433(c)–(g) and (i)–(k) and 27-442 have been further addressed below. In accordance with the above, regulations pertaining to lot coverage, lot/width frontage, and building height will be established by and shown on the future Detailed Site Plan.

(c) Prior to submission of a Detailed Site Plan, a preliminary plan of subdivision must be approved pursuant to Subtitle 24.

RESPONSE: The subject PPS Application has been submitted in accordance with the above requirement. Further, this PPS meets all requirements of the Subdivision Regulations (Subtitle 24) as set forth herein.

N. Section 27-433. - R-T Zone (Townhouse)

The proposed subdivision has been designed in accordance with the requirements CB-17-2019 and other applicable regulations for the R-T Zone set forth in Sections 27-433(c)–(g) and (i)–(k) and 27-442 (to the extent that they do not conflict with the requirements in Footnote 136). Regulations pertaining to lot coverage, lot/width frontage, and building height will be established by and shown on the future Detailed Site Plan.

Section 27-433(c)–(g) - R-T Zone (Townhouse)

(c) Regulations.

(1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the R-T Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Tables (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

RESPONSE: The submitted PPS has been designed in accordance with the aforementioned requirements.

(d) Dwellings.

(1) *All dwellings shall be located on record lots shown on a record plat.*

RESPONSE: All dwellings shown on the proposed PPS meet or exceed the minimum net lot area requirements in Section 27-442(b) of the Zoning Ordinance. Upon approval of the subject PPS and subsequent detailed site plan application, record plats will be submitted and recorded in Land Records.

(2) *There shall be not more than six (6) nor less than three (3) dwelling units (four (4) dwelling units for one-family attached metropolitan dwellings) in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.*

RESPONSE: The building groups containing more than six (6) dwelling units is 12.5% of the total number of building groups proposed. All end units on such building groups are a minimum of twenty-four (24) feet in width. There are no building groups that contain less than three (3) dwelling units.

(3) *The minimum width of dwellings in any continuous, attached group shall be at least twenty (20) feet for townhouses, and twenty-two (22) feet for one-family attached metropolitan dwellings. Attached groups containing units all the same width and design should be avoided, and within each attached group attention should be given to the use of wider end units.*

RESPONSE: As indicated on the proposed PPS, the minimum townhouse width will be 22-feet. The majority of townhouses proposed in this application will be 24 feet wide.

(4) *The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet for townhouses, and two thousand two hundred (2,200) square feet for one-family attached metropolitan dwellings.*

RESPONSE: The subject application has been designed in accordance with the above requirements. All of the townhouses proposed meet or exceed 1,250 square feet of gross living

space. Architectural elevations and confirmation of square footages for these units will be submitted and reviewed at the time of detailed site plan. No metropolitan dwelling units are proposed with the subject application.

- (5) *Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwall treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.*

RESPONSE: Architectural elevations will be submitted at the time of detailed site plan that will comply with the above requirements.

- (6) *Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design, or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad or unfinished concrete are prohibited.*

RESPONSE: Architectural elevations will be submitted at the time of detailed site plan that will comply with the above requirements.

- (7) *A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one "front."*

RESPONSE: In compliance with CB-17-2019, Footnote 136(b), a minimum of seventy-five percent (75%) of all townhouse units at Freeway Airport will have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. The townhouses will not contain vinyl siding. Architectural elevations will be submitted at the time of detailed site plan that will demonstrate an architectural design that is compatible with the adjacent residential development.

- (8) *One-family attached metropolitan dwellings shall be designed with a single architecturally integrated "Front Wall." A minimum of one hundred percent (100%) of the "Front Wall", excluding garage door areas, windows, or doorways shall be constructed of high quality materials such as brick or stone and contain other distinctive architectural features.*

RESPONSE: One-family attached metropolitan dwellings are not proposed on the subject Property.

(e) Streets.

(1) The following requirements shall apply only to the development of townhouses, one-family semidetached dwellings, two-family dwellings, three-family dwellings, and one-family attached metropolitan dwellings:

(A) The tract of land used for the project involving these dwellings shall have frontage on, and direct vehicular access to, a public street having a right-of-way width of at least sixty (60) feet;

RESPONSE: The Property has frontage on and direct access to Church Road. Church Road is listed in the Approved Countywide Master Plan of Transportation as a collector facility (C-300) with an ultimate shared right-of-way of 90-feet. The Applicant will improve its portion of frontage along Church Road to the ultimate master plan section, unless otherwise modified by DPW&T.

(B) Private streets which are interior to the project (and are not dedicated to public use) shall be improved to not less than the current standards set forth in Subtitle 23 of this Code which apply to a public, twenty-six (26) foot wide secondary residential street, except that roadside trees are not required (within the street right-of-way). In a mixed-use activity center designated as a "Transit Village" the width of the private streets may be reduced to a minimum width of twenty-four (24) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, hierarchical street system. Sidewalks may be omitted when it is determined that there is no need for them. Sidewalks cast monolithically with the curb and gutter shall be permitted;

RESPONSE: All private streets within the proposed subdivision will have a minimum pavement width of 26-feet.

(C) Private streets shall be common areas conveyed to a homes association, and provisions for maintenance charges shall be made in accordance with Subsection (i). (For the purpose of this Section, "private streets" are internal vehicular access roadways serving the development by means of private streets approved pursuant to Subtitle 24 of this Code, except driveways which dead-end within a parking lot); and

RESPONSE: Approximately 80.72 acres will be dedicated to the future homeowner's association which includes all parcels containing open space/common areas, on-site private recreational facilities, stormwater management areas and private streets and alleys. The

conveyance of these parcels to an incorporated, nonprofit homeowner's association will assure the permanent maintenance and preservation of these parcels for their intended purpose.

- (D)** *Points of access to public streets shall be approved by the County Department of Permitting, Inspections, and Enforcement, State Highway Administration, or other appropriate highway authority, as applicable.*

RESPONSE: All access permits will be obtained from DPIE as required.

(f) *Access to individual lots.*

- (1)** *The following requirements shall apply only to the development of townhouses, one-family semidetached dwellings, two-family dwellings, three-family dwellings, and one-family attached metropolitan dwellings:*

- (A)** *While it is not necessary that each individual lot have frontage on a street, each lot shall be served by a right-of-way for emergency and pedestrian access purposes. The right-of-way shall either be owned by a homes association and approved by the Planning Board, or a dedicated as a public right-of-way.*

RESPONSE: All townhouse lots will be served by a right-of-way for emergency and pedestrian access purposes that is owned by a homeowner's association and approved by the Planning Board or dedicated as a public right-of-way.

- (B)** *If the individual lot does not have frontage on a street, a right-of-way at least sixteen (16) feet wide shall abut each lot. The right-of-way shall be at least twenty-five (25) feet wide if it contains an easement for sanitary sewerage.*

RESPONSE: The townhouse lots that are served by alleys include a minimum 18-foot wide pavement section.

- (C)** *Each right-of-way shall contain a sidewalk at least six (6) feet wide which connects parking areas with the individual lots. The maximum grade of the sidewalk shall generally be not more than five percent (5%). However, when the normal grade of the land exceeds five percent (5%), ramps or steps may be utilized to remain consistent with that grade.*

RESPONSE: The above finding only applies in areas where sidewalks connects exterior parking areas to a lot. All required parking in the Freeway Airport project will be provided on the individual lots themselves. As a result, the above finding is not applicable to the subject Application. The submitted PPS demonstrates that a network of 5-foot-wide sidewalks will be

provided throughout the Freeway Airport subdivision. The maximum grade of these sidewalks will not exceed five percent (5%).

- (D)** *No individual lot shall be more than two hundred (200) feet from a point of approved emergency vehicle access.*

RESPONSE: No individual lots are more than two hundred (200) feet from a point of approved emergency vehicle access.

- (E)** *For any private street or other access right-of-way to be improved, a permit shall be obtained from the County Department of Permitting, Inspections, and Enforcement. If the right-of-way is located in a municipality which has jurisdiction over street improvements, the municipality shall issue the permit. The permit shall not be issued until construction plans are approved, the permit fees are paid, and a performance bond is posted with the Department or municipality guaranteeing installation of all streetlights and completion of all street, other access right-of-way, sidewalk (including those required for access to the front or rear of lots), and parking lot construction. Issuance of the permit and posting of the bond shall authorize the Department of Permitting, Inspections, and Enforcement, or the municipality, to enter the development to complete the construction of the work covered by the bond, if the developer fails to complete the work within the permit period.*

RESPONSE: All street construction permits and required bonds will be obtained from DPIE prior to any work commencing on the Property.

(g) Utilities.

- (1)** *All utility lines within an attached dwelling unit development shall be placed underground.*

RESPONSE: All utilities serving the Freeway Airport subdivision will be placed underground.

Section 27-433(i)-(k) - R-T Zone (Townhouse)

(i) Common Areas.

- (1)** *If common areas are provided, they shall be conveyed to an incorporated, nonprofit homes association. The association shall be created under recorded land agreements (covenants) which specify that:*

- (A) *Each home owner in a described land area is automatically a member; and*
- (B) *Each home is automatically subject to a charge for a proportionate share of common area maintenance. The recorded covenants shall bind each home owner to pay his proportionate share of all assessments (including taxes), which may be necessary to maintain the common areas. The covenants shall also provide for a personal money judgment procedure against each home owner to meet the assessment charges.*

RESPONSE: An incorporated, nonprofit homeowner's association will be created and recorded for Freeway Airport that includes the above covenants. Approximately 80.72 acres will be dedicated to the future homeowner's association which includes all parcels containing open space/common areas, on-site private recreational facilities, stormwater management areas and private streets and alleys. The conveyance of these parcels to an incorporated, nonprofit homes association will assure the permanent maintenance and preservation of these parcels for their intended purpose.

- (2) *If a Detailed Site Plan shows a common area, the Planning Board (as a condition of plat approval) shall place conditions on the ownership, use, and maintenance of these areas to assure that the areas are preserved for their intended purpose.*

RESPONSE: The Planning Board will establish appropriate conditions at the time of detailed site plan areas to assure that all common areas are preserved for their intended purpose.

- (3) *Record plats filed on land located in an R-T Zone (or any other zone when developed in accordance with the R-T Zone) shall include a statement of the covenants or other documents concerning the ownership and maintenance of the common area, or shall include the statement by reference to liber and folio.*

RESPONSE: When submitted, the final plat will include a statement of the covenants or other documents concerning the ownership and maintenance of the common areas or a statement by reference to liber and folio.

(j) Front elevation plan.

- (1) *A front elevation plan (or profile plan) shall be submitted with the Detailed Site Plan. The elevation plan shall show a variation in design of*

dwelling, or groups of dwellings, sufficient to satisfy the purposes of this Section.

RESPONSE: Architectural elevations will be submitted at the time of detailed plan showing these features.

(k) Site plan.

- (1) *A Detailed Site Plan shall be approved for all attached dwellings, in accordance with Part 3, Division 9, of this Subtitle.***

RESPONSE: A detailed site plan will be submitted for the Freeway Airport project in accordance with Part 3, Division 9 of the Zoning Ordinance and CB-17-2019, (Footnote 136(b)).

- (2) *In addition to the requirements of Part 3, Division 9, the Detailed Site Plan shall include:***

(A) *An identification of two (2) or more dwelling units (at different locations within the proposed development) which have the potential to be made accessible through barrier-free design construction (in accordance with Section 4-180 of Subtitle 4 of this Code), given such site characteristics and design criteria as proposed grading, topography, elevation, walkways, and parking locations; and*

(B) *The type and location of required streetlights.*

RESPONSE: This information will be reflected on a future detailed site plan.

- (3) *In addition to the site design guidelines of Section 27-283, the Planning Board shall also consider the orientation and identification of dwelling units with respect to topography and other site characteristics, so that a variety of potential housing opportunities is provided throughout the proposed development for barrier-free design construction.***

RESPONSE: A variety of potential housing opportunities will be offered at Freeway Airport to include both attached and detached dwelling unit models. Architecture for the various housing types will be submitted at the time of detailed site plan.

O. Section 27-422(b) - (Regulations) – R-T Zone

The proposed subdivision has been designed in accordance with the applicable requirements of Section 27-422(b) of the Zoning Ordinance as provided below. In accordance with CB-17-2019, regulations pertaining to lot coverage, lot/width frontage, and building height will be established by and shown on the future Detailed Site Plan.

(b) TABLE I - NET LOT AREA (Minimum in Square Feet)		
R-T ZONE	REQUIRED	PROPOSED
One-family detached dwellings:	6,500	6,500 Minimum
Townhouse: all others:	1,800	1,800 Minimum

(e) TABLE IV - YARDS (Minimum Depth/Width in Feet) - R-T Zone		
One-family Detached Dwellings, in general:	REQUIRED	PROPOSED
Front:	25	25 Minimum
Side: (Total of Both Yards/Minimum of Either Yard):	17/8	17/8 Minimum
Rear:	20	20 Minimum
Townhouse:	For townhouses, and one-family semidetached, two-family, and three-family dwellings, and one-family metropolitan dwellings, specific individual yards are not required. Instead, at least eight hundred (800) square feet per lot shall be allocated for front, side, or rear yard purposes; however, the actual yard area may be reduced to not less than five hundred (500) square feet for the purpose of providing steps, terraces, and open porches (decks) which project into the otherwise required yard area. For Townhouses, Transit Village specific individual yards are not required, instead, at least four hundred (400) square feet per lot shall be allocated for front, side,	<p>The submitted PPS has been designed in accordance with these requirements.</p> <p>In accordance with CB-17-2019, regulations pertaining to lot coverage, lot/width frontage, and building height will be established by and shown on the future Detailed Site Plan.</p>

	or rear yard purposes; however, the actual yard may be reduced to not less than two hundred fifty (250) square feet for the purpose of providing steps, terraces, and open porches (decks) which project into the otherwise required yard area. Not more than three (3) continuous, attached dwellings may have the same setback. Variations in setbacks shall be at least two (2) feet.	
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Conclusion:

This Preliminary Plan application meets all requirements for approval set forth in the Subdivision Regulations as discussed herein. As such, the Applicant respectfully requests that the instant Preliminary Plan be approved.

Thank you in advance for your consideration of this Application. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Robert J. Antonetti, Jr.

RJA/jjf
Enc.

Cc: Mr. Andrew Roud
Kenneth Findley, P.E.
Ms. Jennifer Hearn
Arthur J. Horne, Jr., Esq.
Rachel Leitzinger, P.E.