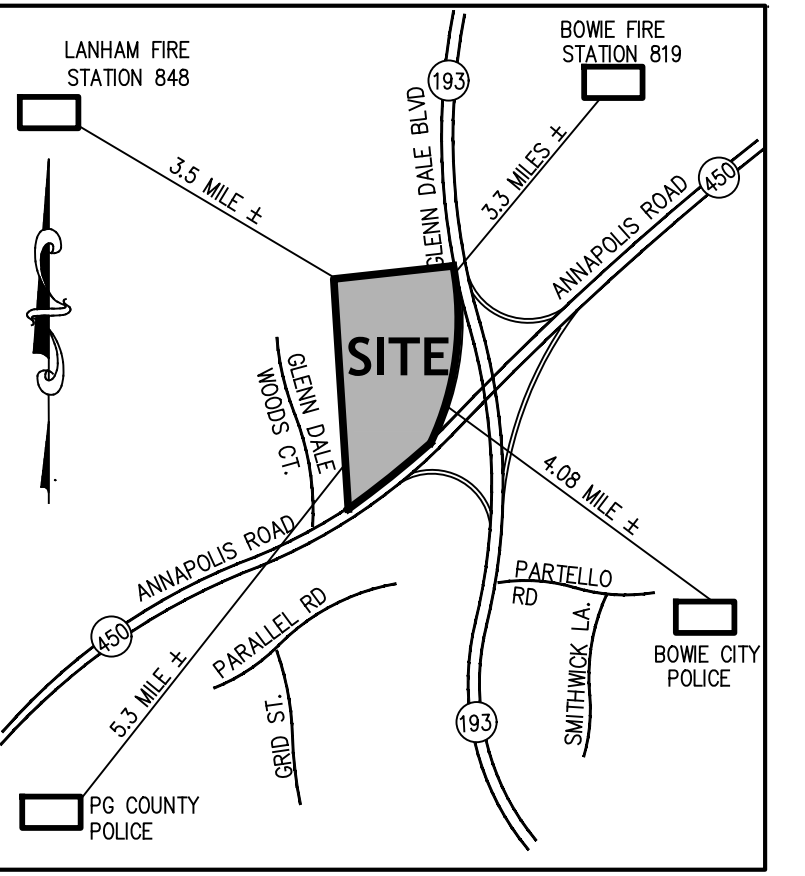


IVY CREEK

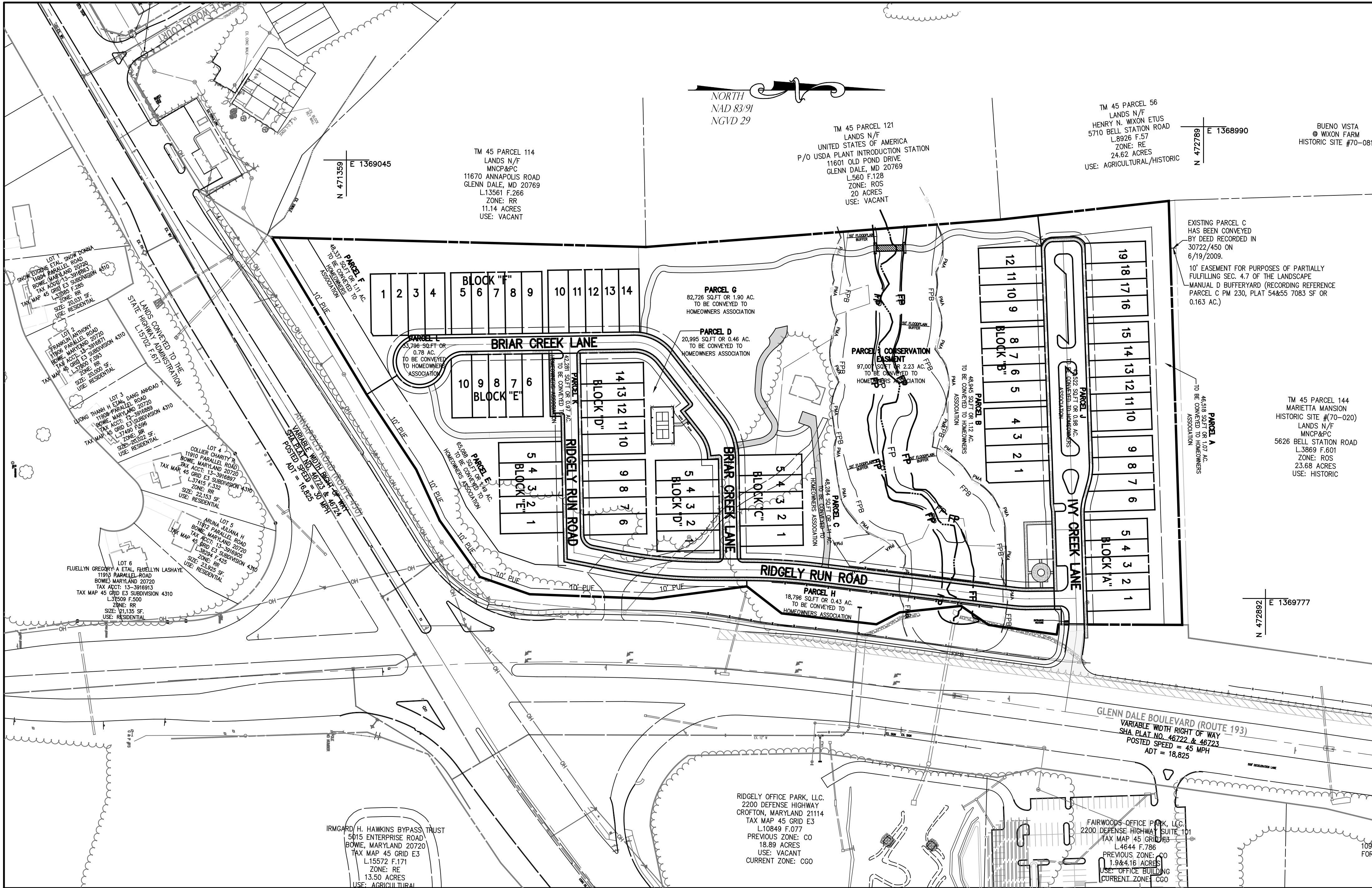
PRELIMINARY PLAN



VICINITY MAP
SCALE: 1" = 2000'
ADC PG. CO. MAP 5412, GRID C6 & C7
200' SHEET 207 NE 10, 11
PRINCE GEORGES COUNTY
TAX MAP 45 GRID E-3

GENERAL NOTES

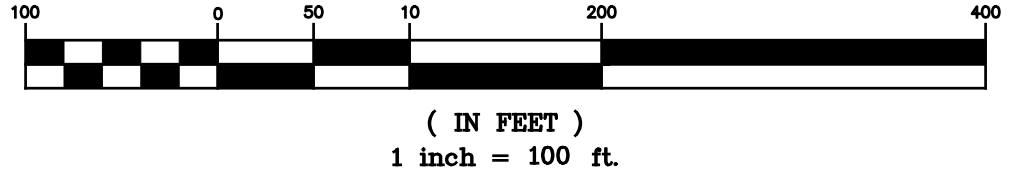
- RECORD PLAT BOOK PM - 230, PLAT NO. 50-55, LOTS 1-19 BLOCK A, LOTS 1-12 BLOCK B, LOTS 1-5 BLOCK C, LOTS 1-14 BLOCK D, LOTS 1-10 BLOCK E, LOTS 1-14 BLOCK F AND PARCELS A, B, C & D. PLAT WAS RECORDED 04/28/2009. PARCEL C HAS BEEN CONVEYED BY DEED RECORDED IN 037/450 ON 6/19/2009.
- PART OF PARCEL A - 14-4004891 - 1.123 AC = 48,911 SF
- PART OF PARCEL A - 14-4004899 - 4.395 SF = 0.101 AC
- PART OF PARCEL B - 14-4004867 - 18,720 SF = 0.430 AC
- PART OF PARCEL B - 14-4004750 - 20,455 SF = 0.470 AC
- PART OF PARCEL B - 14-4004909 - 7,735 SF
- PART OF PARCEL C - 14-4005021 - 3,019 SF
- MNCPPC
6600 KENILWORTH AVE
RIVERDALE, MD 20737-1314
- PART OF PARCEL D - 14-4005039 - 4,355 SF
- TAX MAP 45, GRID E3
- 200 FOOT WSSO MAP REFERENCE 207NE10.
- THE PURPOSE OF THE SUBDIVISION IS TO DEVELOP AGE RESTRICTED TOWNHOUSE UNITS.
- PRIOR APPROVALS:
PRELIMINARY PLAN 4-05105 PGCPB NO. 06-87,
TOP 1/069/04
TOP 1/019/07
NR/029/105-01
LIMITED DSP-06049
RECORD PLAT: 5-09086 RECORDED IN PLAT BOOK PM-230, BOOK 50-55
- TOTAL GROSS SITE AREA = 19.10 AC, 831,882.6 SF
TOTAL NET SITE AREA = 18.55 AC, 808,038.6 SF
TOTAL 100 YEAR FLOODPLAIN = 0.55 ACRES, 23,958 SF
NET DEVELOPABLE OUTSIDE OF PMA IS 700,009.2 SF - 16.07 ACRES
- ACREAGE OF ENVIRONMENTAL REGULATED FEATURES:
TOTAL AREA OF FLOODPLAIN: 23,958 SF, 0.55 AC
TOTAL AREA OF FLOODPLAIN BUFFER: 23,086.8 SF, 0.53 ACRES
TOTAL AREA OF PMA: 131,986.8 SF, 3.03 ACRES
- TOTAL ACREAGE OF 100 YEAR FLOODPLAIN = 0.55 ACRES, 23,958 SF
- TOTAL AREA PREVIOUSLY DEDICATED TO THE MARYLAND STATE HIGHWAY ADMINISTRATION 4,354 SF OR 0.100 ACRES PER RECORDED RECORD PLAT 4, PM 230 PLAT NUMBER 53. TOTAL AREA DEDICATED TO MNCPPC-DRP IS 7,083 SF = 0.163 ACRES. THIS WAS DEDICATED BY DEED RECORDED IN LIBER 30722 FOLIO 450, DATED JUNE 19, 2009.
- THE CURRENT ZONING IS RR (RESIDENTIAL, RURAL). THE PREVIOUS ZONING WAS R-R (RURAL RESIDENTIAL). THE EXISTING USE IS VACANT WITH THE EXCEPTION OF LOT 16. THIS LOT IS THE LOCATION OF THE ARTHUR MAGRUDER HISTORIC HOME, PG 70-030.
- THE PROPOSED USE OF THE PROPERTY IS THE DEVELOPMENT OF AGE RESTRICTED TOWNHOUSE UNITS.
- THE PROPOSED BREAKDOWN OF DWELLING UNIT BY TYPE IS AS FOLLOWS:
74 UNITS 28 FEET WIDE WITH 2 CAR GARAGE, 34 SLAB UNITS AND 40 UNITS WITH EITHER FULL BASEMENT OR WALKOUT BASEMENT.
- ALLOWED DENSITY FOR TOWNHOUSE LOTS IS 20 UNITS PER ACRE. THE ALLOWED DENSITY OF THE TOWNHOUSE DEVELOPMENT BASED ON GROSS SITE AREA IS 19.10 ACRES X 20 = 382 LOTS. THE ALLOWED DENSITY OF THE TOWNHOUSE DEVELOPMENT BASED ON NET SITE AREA IS 18.55 X 20 = 371 LOTS.
- THE PROPOSED DENSITY IS 74 UNITS/19.10 = 3.87 UNITS PER ACRE
- THE IS NO MINIMUM NET LOT AREA IN THE R-R ZONE FOR TOWNHOUSES ACCORDING TO SECTION 27-442 (b).
- THE IS NO MINIMUM LOT WIDTH AT THE FRONT BUILDING LINE AND FRONT STREET REQUIRED FOR TOWNHOUSE UNITS IN THE R-R ZONE ACCORDING TO SECTION 27-442 (c).
- THE SUSTAINABLE GROWTH TIER IS 1.
- MILITARY INSTALLATION OVERLAY ZONE: NO
- CENTER OR CORRIDOR LOCATION: NO
- THE SITE DEVELOPMENT CONCEPT PLAN #12433-2004-04, WAS APPROVED BY THE PRINCE GEORGES COUNTY DEPARTMENT OF PERMITTING, INSPECTIONS & ENFORCEMENT ON NOVEMBER 29, 2023 AND EXPIRES ON MAY 4, 2026.
- WSSO WATER AND SEWER CATEGORY:
EXISTING: W-3, S-3
PROPOSED: W-3, S-3
- THE PROPERTY IS NOT LOCATED WITHIN AN AVIATION POLICY AREA.
- MANDATORY PARK DEDICATION: YES IN LIEU OF AREA DEDICATION WE HAVE PROVIDED 1,116 LINEAR FEET OF 100 FOOT WIDE HIKER/BIKER TRAIL, A PICKLE BALL COURT, PICNIC AREAS AND PASSIVE SEATING AREA ON IVY CREEK LANE.
- CEMETARIES ON OR CONTIGUOUS TO THE PROPERTY: NO.
- THE ARTHUR MAGRUDER HOUSE #70-030 IS LOCATED ON LOT 16 WITHIN THE IVY CREEK SUBDIVISION. THE ADJACENT PROPERTY TO THE NORTH IS THE MARIETTA MANSON #70-020. THE PROPERTY IS BORDERED TO THE SOUTH BY ANNAPOLIS ROAD (MD 450) WHICH IS DESIGNATED AS A HISTORIC ROAD.
- TYPE ONE CONSERVATION PLAN: YES.
- THE PROPERTY IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- WETLANDS: YES.
- STREAMS: YES, LOTTISFORD BRANCH.
- SOILS: SEE APPROVED NR/029-05-01.
- THE PROPERTY IS NOT LOCATED ADJACENT TO OR WITHIN AN EASEMENT HELD BY THE MARYLAND ENVIRONMENTAL TRUST, THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION OR ANY LAND TRUST OR ORGANIZATION.
- A FLOODPLAIN WAIVER WILL BE REQUIRED FOR THE CONSTRUCTION OF RIDGELY RUN ROAD AND TO BUILD SWM WQ FACILITIES.
- BOUNDARY AND TOPOGRAPHY WAS COMPLETED BY THE LANDTECH CORPORATION, INC DATED MARCH 2004 AND SUPPLEMENTED WITH ADDITIONAL TOPOGRAPHY FOR THE NRI UPDATE IN 2021.
- THE NORTH ARROW IS NAD 83/91
- THE OWNER OF THE PROPERTY HAS DISCUSSED SELLING THE ARTHUR MAGRUDER HOUSE TO AN INDIVIDUAL THAT MAY WANT TO LIVE THERE AND RESTORE IT.



LEGEND

- BOUNDARY
- RIGHT-OF-WAY
- EX. LOTS
- PVE
- EASEMENTS
- PROPOSED EASEMENTS
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- PROP. 2' CONTOUR
- PROP. 10' CONTOUR
- STREAMS
- STREAM BUFFER
- WATERS OF THE U.S.
- WB
- WB
- W
- W
- PMA
- PMA
- FP
- FP
- FIDS
- FIDS
- LOD
- LOD
- EX. 8' S
- EX. 8' S
- EX. SD
- EX. SD
- EX. TREE LINE
- EX. STRUCTURES
- EX. ROAD
- CENTERLINE
- PR. FENCE
- PROP. STORM DRAIN
- SOILS
- PROP. SEWER PIPE
- PROP. WATER PIPE
- 15%-25% SLOPES
- >25% SLOPES
- PROP. PAVING
- PROPOSED MILL & OVERLAY
- 100 YEAR OVERFLOW PATH

GRAPHIC SCALE



AREA WITHIN TOWNHOUSE AREA AND OF OPEN SPACE PARCELS, EASMENTS, POND & PRIVATE ROADS

PARCEL	AREA SF	AREA AC	PROPOSED USE	CONVEYED/ DEDICATED TO
A	46,518	1.07	OPEN SPACE	HOA
B	48,945	1.12	OPEN SPACE	HOA
C	48,284	1.11	OPEN SPACE	HOA
D	20,995	0.48	RECREATION AREA	HOA
E	65,088	1.49	OPEN SPACE	HOA
F	48,337	1.11	OPEN SPACE	HOA
G	82,726	1.90	POND	HOA
H	18,796	0.43	OPEN SPACE	HOA
I	97,007	2.23	CONSERVATION ESMT	HOA
J	42,522	0.98	IVY CREEK LANE (PRIVATE ROAD)	HOA
K	42,281	0.97	RIDGELY RUN ROAD (PRIVATE ROAD)	HOA
L	33,796	0.78	BRIAR CREEK LANE (PRIVATE ROAD)	HOA
TOTAL PARCEL AREA	595,295	13.67	19 PARCELS	HOA
TOTAL TH LOT AREA	236,588	5.43	74 LOTS	FEE SIMPLE SALES
TOTAL AREA OF TOWNHOUSE DEVELOPMENT	831,883	19.10		

12/18/2023

TOWNHOUSE AREAS

BLOCK	LOTS	AREA SF / ACRE
A	1 - 19	59,816 1.37
B	1 - 12	39,057 0.90
C	1 - 5	15,960 0.37
D	1 - 14	44,940 1.03
E	1 - 10	31,881 0.73
F	1 - 14	44,934 1.03
TOTAL		236,588.00 SF 5.43 AC.

LOTS/STICKS	FRONT GARAGE STICKS	TOTAL
4	7	28
5	8	40
6	1	6
TOTAL	16	74

TOWNHOUSE LOT BREAKDOWN

34"	28"	30"	TOTAL FRONT LOAD UNITS
31	42	1	74

LOT SIZE	30 X 105 LOTS	34 X 101 LOTS	34 X 105 LOTS	28 X 105 LOTS	28 X 118 LOTS	28 X 110 LOTS	28 X 102.5 LOTS	28 X 101 LOTS	TOTAL
BLOCK A		9, 10, 15	1 & 5	2, 3, 4	6	7	8	11, 12, 13, 14, 16, 17, 18, 19	19
BLOCK B	1		4, 5, 8, 9, 12	2, 3, 6, 7, 10, 11					12
BLOCK C			1 & 5	2, 3, 4					5
BLOCK D			1, 5, 6, 9, 10, 14	2, 3, 4, 7, 8, 11, 12, 13					14
BLOCK E			1, 5, 6, 10	2, 3, 4, 7, 8, 9					10
BLOCK F			1, 4, 5, 9, 10, 14	2, 3, 6, 7, 8, 11, 12, 13					14
TOTAL	1	3	25	34	1	1	1	8	74

SHEET INDEX

- PRELIMINARY PLAN COVER SHEET 1" = 100'
- EXISTING CONDITIONS PLAN VIEW 1" = 50'
- PRELIMINARY PLAN 150' LOT DEPTH EXHIBIT 100 SCALE
- PRELIMINARY PLAN VIEW 1" = 50'
- PRELIMINARY PLAN VIEW 1" = 50'
- PRELIMINARY PLAN 150' LOT DEPTH EXHIBIT 50 SCALE
- PRELIMINARY PLAN VIEW 1" = 30'
- PRELIMINARY PLAN VIEW 1" = 30'
- PRELIMINARY PLAN VIEW 1" = 30'
- NOISE CONTOUR PLAN 1" = 50'

NOTE: FOR BETTER CLARITY OF PLAN VIEWS WITH PRELIMINARY PROPOSED SITE INFORMATION PROVIDED, PLEASE REVIEW SHEETS SEVEN THROUGH TEN.

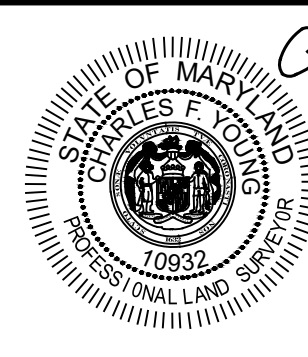
CALL "MISS UTILITY"

TELEPHONE: 1-800-257-7777 FOR UTILITY LOCATIONS AT LEAST 48 HOURS BEFORE BEGINNING CONSTRUCTION.

DESIGNED	FA	02/2024	DATE	REVISIONS
DRAWN	FA/ERW	02/2024	DATE	DESCRIPTIONS
CHECKED	KLM	02/2024	DATE	
APPROVED	CFY	02/2024	DATE	



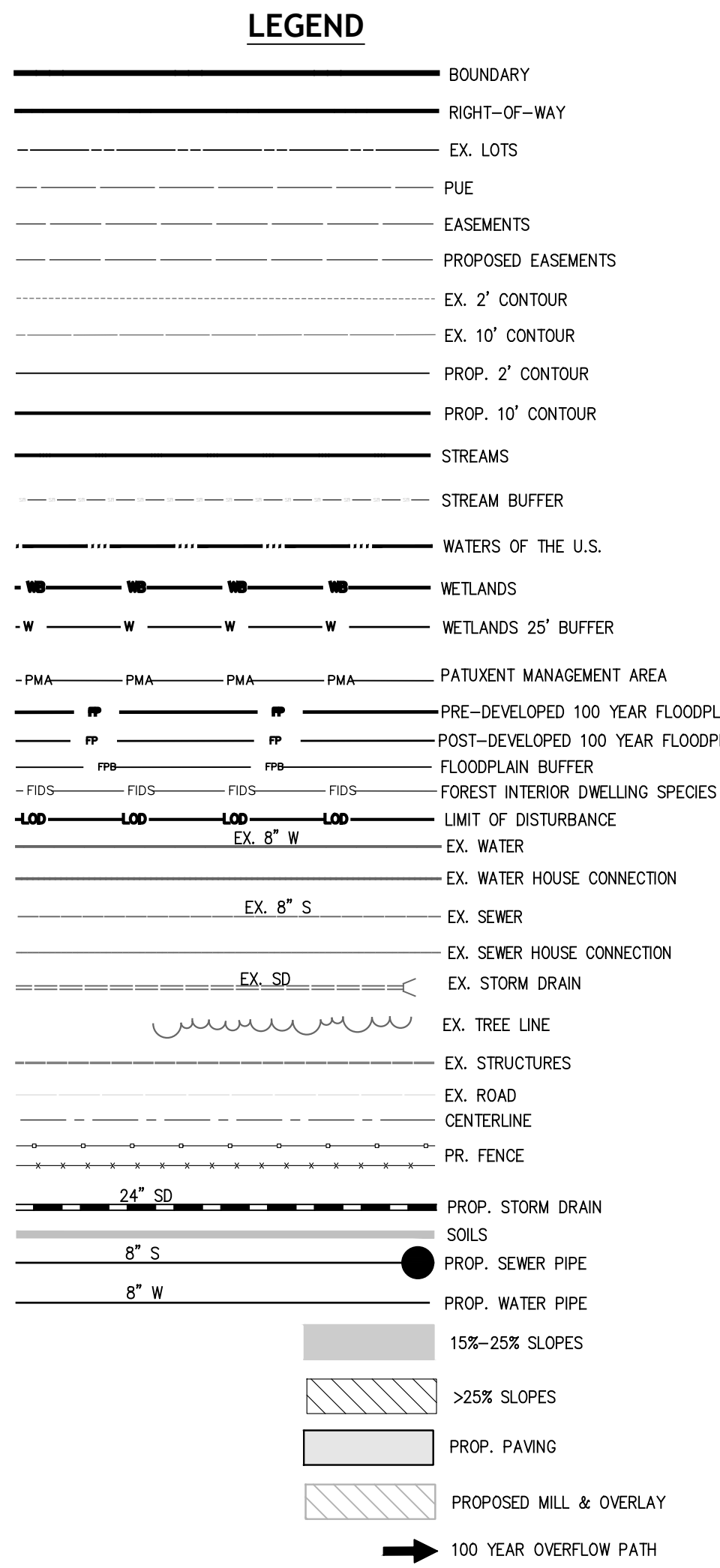
201 Defense Highway
Suite 200
Annapolis, MD 21401
Ph. (443) 274-3332
Contact Person: Kim Morgan
Project Manager
kmorgan@techgroupinc.net



Charles F. Young
2/13/24

OWNER / DEVELOPER
GLENN DALE HOLDING COMPANY, LLC
2191 DEFENSE HIGHWAY, SUITE 400
CROFTON, MD 21114
TEL: 301-261-6700
CONTACT: RUSSELL BAKER
EMAIL: russell@wchesley.com

COVER SHEET
4-22051 - ADQ-2022-054
IVY CREEK
LOTS 1-19 BLOCK A, LOTS 1-12 BLOCK B
LOTS 1-5 BLOCK C, LOTS 1-14 BLOCK D
LOTS 1-10 BLOCK E, LOTS 1-14 BLOCK F AND PARCELS A, B & C
PRINCE GEORGES COUNTY, MARYLAND
14TH ELECTION DISTRICT
TAX MAP 45, GRID E3



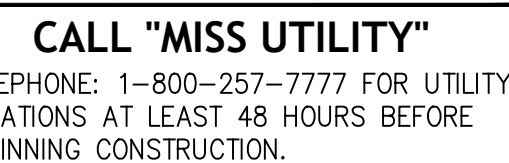
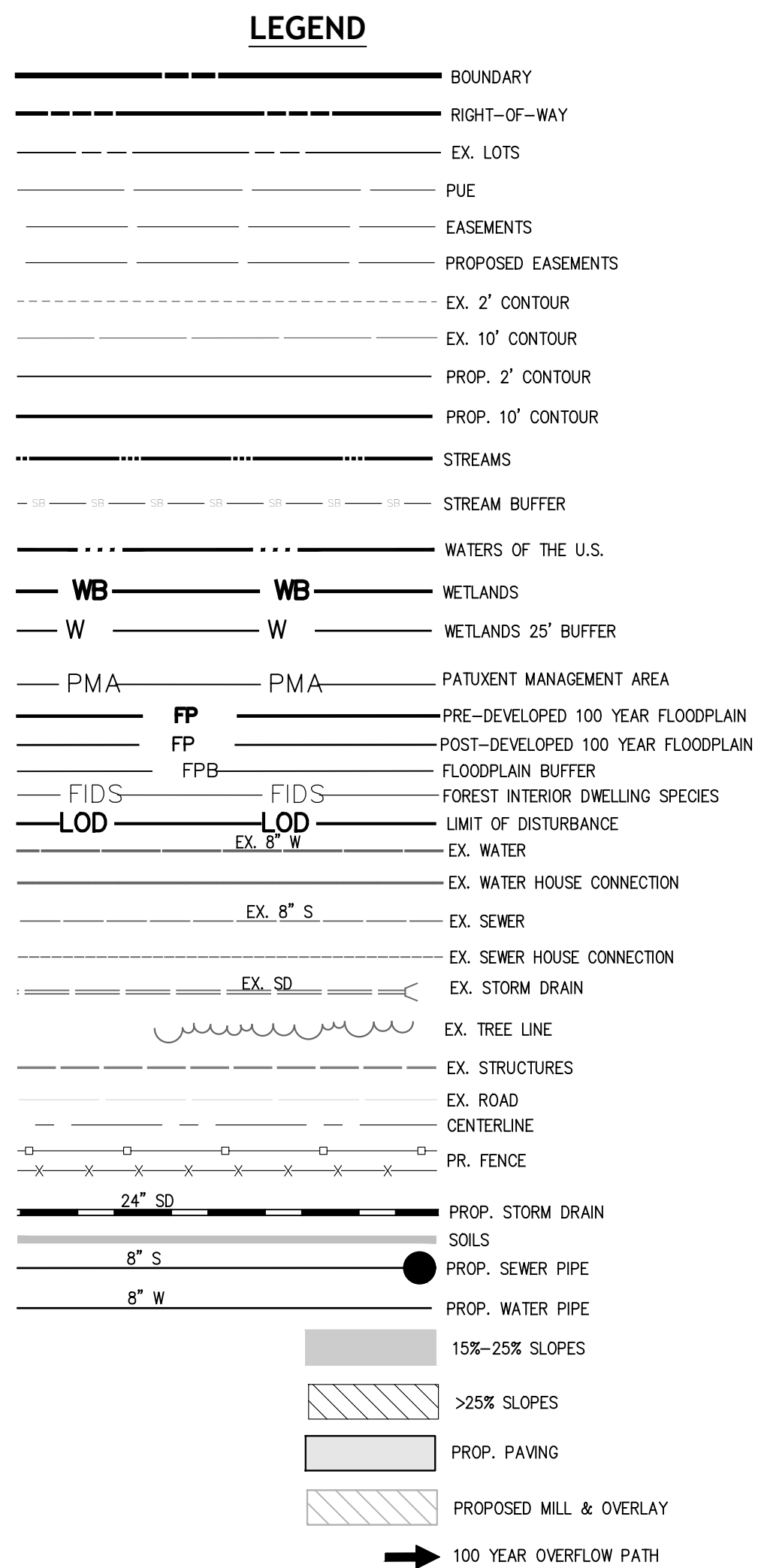
LANDTECH
CORPORATION
A FALCON COMPANY

STATE OF MARYLAND
CHARLES F. YOUNG
10932
PROFESSIONAL LAND SURVEYOR

OWNER / DEVELOPER
GLENN DALE HOLDING COMPANY, LLC
 2191 DEFENSE HIGHWAY, SUITE 400
 CROFTON, MD. 21114
 TEL: 301-261-6700
 CONTACT: RUSSELL BAKER
 EMAIL: russell@wchesley.com

PRELIMINARY PLAN 150' LOT DEPTH EXHIBIT 100 SCALE
4-22051 - ADQ-2022-054
IVY CREEK
 LOTS 1-19 BLOCK A, LOTS 1-12 BLOCK B
 LOTS 1-5 BLOCK C, LOTS 1-14 BLOCK D
 LOTS 1-10 BLOCK E, LOTS 1-14 BLOCK F AND PARCELS A, B & C
PRINCE GEORGE'S COUNTY, MARYLAND
 14TH ELECTION DISTRICT

SCALE: 1" = 100' DATE: FEBRUARY 2024 LT PROJECT No. 503069/521029 SHEET 3 OF 10



LANDTECH
CORPORATION
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2191 DEFENSE HIGHWAY, SUITE 400
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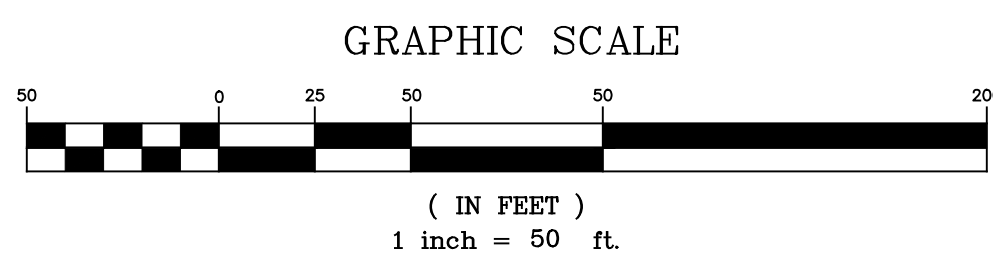
PRELIMINARY PLAN 50 SCALE
4-22051 - ADQ-2022-054
IVY CREEK
 LOTS 1-19 BLOCK A, LOTS 1-12 BLOCK B
 LOTS 1-5 BLOCK C, LOTS 1-14 BLOCK D
 LOTS 1-10 BLOCK E, LOTS 1-14 BLOCK F AND PARCELS A, B & C
PRINCE GEORGE'S COUNTY, MARYLAND
 14TH ELECTION DISTRICT
 TAX MAP 45, GRID E3

SCALE: 1" = 50' DATE: FEBRUARY 2024 LT PROJECT No. 503069/521029 SHEET 4 OF 10



LEGEND

- BOUNDARY
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- PUE
- EASEMENTS
- PROPOSED EASEMENTS
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- EX. 10' CONTOUR
- PROP. 2' CONTOUR
- PROP. 10' CONTOUR
- STREAMS
- STREAM BUFFER
- WATERS OF THE U.S.
- WB WB WETLANDS
- W W WETLANDS 25' BUFFER
- PMA PMA PATUXENT MANAGEMENT AREA
- FP FP PRE-DEVELOPED 100 YEAR FLOODPLAIN
- FPB FPB POST-DEVELOPED 100 YEAR FLOODPLAIN
- FIDS FIDS FLOODPLAIN BUFFER
- LOD LOD FOREST INTERIOR DWELLING SPECIES
- EX. 8" S EX. SEWER
- EX. 8" S EX. WATER HOUSE CONNECTION
- EX. SD EX. STORM DRAIN
- EX. TREE LINE
- EX. STRUCTURES
- EX. ROAD
- CENTERLINE
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- 24" SD PROP. STORM DRAIN
- 8" S SOILS
- 8" W PROP. SEWER PIPE
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- >25% SLOPES
- PROP. PAVING
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- 100 YEAR OVERFLOW PATH

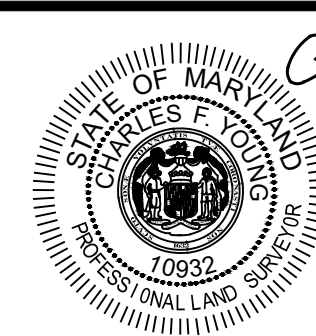


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DESIGNED				REVISIONS			
FA	02/2024	DATE		DATE	BY	DESCRIPTIONS	
FA/ERW	02/2024	DATE		02/2024	CFY	REVISED PER PRE-REVIEW COMMENTS DATED 01/12/2024	
KLM	02/2024	DATE					
CFY	02/2024	DATE					



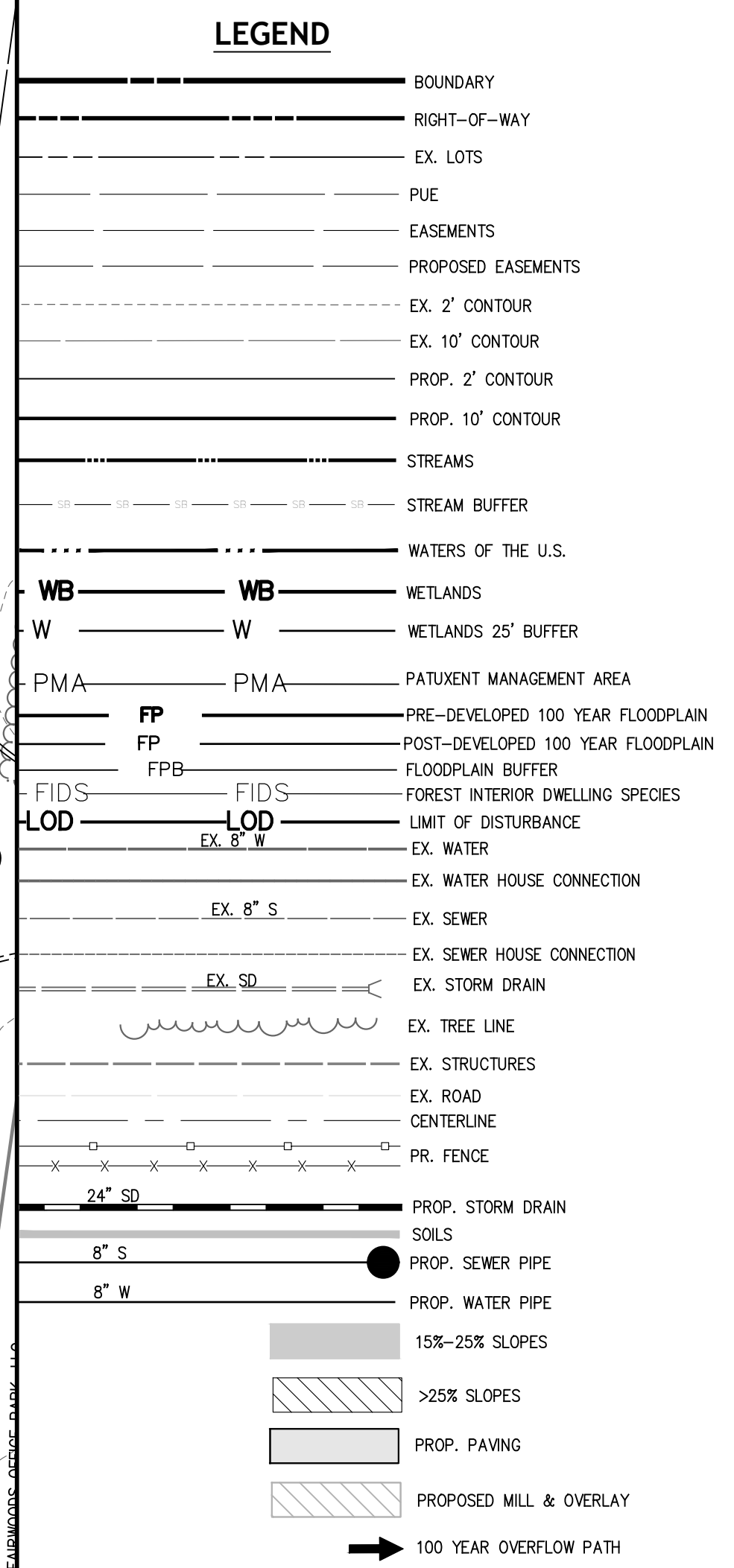
201 Defense Highway
Suite 200
Annapolis, MD 21401
Ph. (443) 274-3332
Contact Person: Kim Morgan
Project Manager
kmorgan@techgroupinc.net



Charles F. Young
2/13/24
CHARLES F. YOUNG
PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY
THAT THESE DOCUMENTS WERE PREPARED BY OR
APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL LAND SURVEYOR UNDER
THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 10392 EXP. DATE 06-17-2024

OWNER / DEVELOPER
GLENN DALE HOLDING COMPANY, LLC
2191 DEFENSE HIGHWAY, SUITE 400
CROFTON, MD. 21114
TEL: 301-261-6700
CONTACT: RUSSELL BAKER
EMAIL: russell@wchesley.com

PRELIMINARY PLAN 50 SCALE
4-22051 - ADQ-2022-054
IVY CREEK
LOTS 1-19 BLOCK A, LOTS 1-12 BLOCK B
LOTS 1-3 BLOCK C, LOTS 1-14 BLOCK D
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DRAWN	FA/ERW	02/2024 DATE	DATE	BY	DESCRIPTIONS
CHECKED	KLM	02/2024 DATE	02/2024	CFY	REVISED PER PRE-REVIEW COMMENTS DATED 01/12/2024
APPROVED	GFY	02/2024 DATE			



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 CONTACT: RUSSELL BAKER
 EMAIL: russell@wfcshesley.com

PRELIMINARY PLAN 30 SCALE
4-22051 - ADQ-2022-054
IVY CREEK
 LOTS 1-19 BLOCK A, LOTS 1-12 BLOCK B
 LOTS 1-5 BLOCK C, LOTS 1-14 BLOCK D
 LOTS 1-10 BLOCK E, LOTS 1-14 BLOCK F AND PARCELS A, B & C
PRINCE GEORGE'S COUNTY MARYLAND
 14TH ELECTION DISTRICT

SCALE: 1" = 30'	DATE: FEBRUARY 2024	LT PROJECT No. 503069/521029	SHEET 7 OF 10
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STATEMENT OF JUSTIFICATION

IVY CREEK

PRELIMINARY PLAN OF SUBDIVISION (4-22051)

OWNER/APPLICANT: GLEN DALE HOLDING COMPANY, LLC

AND WFC FLAGSHIP LLC

Glen Dale Holding Company, LLC
2191 Defense Hwy, Suite 400
Crofton, MD 21114
Owner/Applicant

Edward C. Gibbs, Jr.
GIBBS AND HALLER
1300 Caraway Court, Suite 102
Largo, MD 20774
301-306-0033
egibbs@gibbshaller.com
Attorney for the Applicant

The LANDTECH Corporation
Attn: Kim Morgan
201 Defense Hwy, Suite 200
Annapolis, MD 21401
443-274-3230
kmorgan@techgroupinc.net

OWNER/APPLICANT

The Applicant for this Preliminary Subdivision Plan is Glen Dale Holding Company, LLC. Glen Dale Holding Company, LLC is a Maryland Limited Liability Company. Its owner and member is William F. Chesley. William F. Chesley is the owner of WF Chesley Real Estate, Inc. Mr. Chesley has extensive experience in the development, construction, sale and operation of residential, commercial and mixed-use projects. Mr. Chesley's involvement in the real estate development and sales field in Prince George's County has been longstanding and successful.

THE PROPERTY

The Property forming the subject matter of this Preliminary Subdivision Plan application comprises approximately 19.10 acres located generally in the northwest quadrant of the intersection of Glenn Dale Boulevard and Annapolis Road (MD. Route 450) in Glenn Dale. More particularly, the Property consists of Lots 1 through 26 inclusive, as well as Parcels A, B, C and D as depicted on Tax Map 45, Grid E-3 (the "Property"). An aerial photograph outlining the Property in blue is marked Exhibit "A" and attached hereto. The Property is also shown on a Final Plat of Subdivision entitled "Ivy Creek" and recorded among the Land Records of Prince George's County in Plat Book PM 230, Plats 50 through 55 inclusive. Copies of these Final Plats of Subdivision are filed with this

application. As can be seen from a review of Exhibit "A," the Property is largely wooded and undeveloped, with the exception of the Arthur Magruder House (ID #70-030) a designated historic site located on Lot 16 within the Property. Lot 16 is titled in the name of WFC Flagship LLC, a Maryland Limited Liability Company also owned by William F. Chesley. Under the prior Zoning Ordinance, the Property was zoned R-R (Rural Residential). Under the new Zoning Ordinance, the Property is zoned RR (Residential, Rural). Copies of the prior and current Zoning Maps are marked Exhibit "B" and Exhibit "C" respectively and are attached hereto.

The neighborhood surrounding the Property may generally be characterized as residential and commercial in nature. Immediately north of the Property is the Marietta Mansion (ID #70-020), which is designated an historic site.¹ Farther to the east and to the south, on the south side of Annapolis Road, are several single-family detached housing communities. A townhouse community is located generally to the southwest of the Property. Finally, to the west of the Property is undeveloped land owned by the U.S. Department of Agriculture. Directly across Glenn Dale Boulevard to the east is the Fairwood Office Park currently zoned CGO and improved with commercial offices. Fairwood Office Park is also owned and controlled by William F. Chesley. Beyond that property

¹ Further northwest of the Marietta House is another historic site, the Buena Vista at Wixon Farm (ID #70-081).

farther east is other vacant property and a gas station zoned CGO and CS respectively.

The Property was formerly known as the Zoglio Property. The Zoglio Property was the subject of a Preliminary Subdivision Plan (4-05105) approved in April of 2006 and authorizing 26 single-family detached dwellings. The project was to be known as "Ivy Creek." Preliminary Plan 4-05105 was approved upon the Planning Board's adoption of PGCPB Resolution No. 06-87. Preliminary Plan 4-05105 was approved subject to several conditions. Of note are Conditions 18 and 19, which required approval of a Limited Detailed Site Plan in order to address certain items including historic site compatibility, architecture and noise. A Limited Detailed Site Plan (DSP-06049) was subsequently approved by the Planning Director in March of 2008. Finally, and as noted above, the Property was the subject of Final Plats of Subdivision which were recorded in April of 2009. The Property was never developed in accordance with these prior approvals.

Development Proposal/Preliminary Plan of Subdivision

Glen Dale Holding Company, LLC proposes to develop the Property with a 74-unit, age-restricted townhouse community. The Property is proposed to be accessed via a right-in/right-out turn from Glenn Dale Boulevard. The Applicant has elected to process this application pursuant to the provisions of the prior

Subdivision Regulations as expressly authorized by Section 24-1900 *et. seq.* of the new Subdivision Regulations.

Under the prior Zoning Ordinance, a "dwelling, one family attached, for the elderly" was permitted in the R-R Zone subject to approval of a Special Exception. It is also important to note that in the prior Use Table, this use is accompanied by reference to Footnote 58. Footnote 58 provides: "For the purposes of this Section, a dwelling for the elderly shall be housing which is operated in accordance with State and Federal Fair Housing laws." Then, on November 16, 2021, the Prince George's County Council, sitting as the District Council, adopted CB-106-2021. The effect of CB-106-2021 was to amend the specific Special Exception requirements found in Section 27-352.01 for "Elderly Housing, (One-Family Attached Dwellings)". An analysis of conformance with the provisions of Section 27-352.01 is set forth below, and conformance therewith will also be required at the time of Special Exception review.

Pursuant to Section 24-1900 *et seq.* and Section 27-1900 *et seq.*, applicants may, at their discretion, elect to use either the current Regulations and Ordinance or the prior Regulations and Ordinance. In this instance, the provisions of CB-106-2021 allow a use on the Property which would not otherwise be allowed. In fact, the Applicant, through counsel, testified in support of CB-106-2021. For those reasons, the Applicant has elected to use the

provisions of the prior Subdivision Regulations and Zoning Ordinance.

Prince George's County 10-Year Water and Sewer Plan

The Water and Sewer Category Maps indicate that the Property is in Water and Sewer Category 3. Because the Property is the subject of a recorded Final Plat, the Applicant believes the Property is in fact in Water and Sewer Category 3. Notwithstanding, the Property need only be in Water and Sewer Category 4 in order to process a Preliminary Plan of Subdivision.

2017 Approved Countywide Green Infrastructure Plan

The green infrastructure network includes designated areas of Countywide environmental significance. It identifies significant natural resources including streams, wetlands, buffers, 100 year floodplains, severe slopes, interior forests, colonial water bird nesting sites and unique habitats. It appears that a majority of the Property is in the evaluation area, and a portion is in the regulated area due to the presence of a stream which generally traverses the center of the Property in an east/west direction.

Woodland Conservation Ordinance

A Tree Conservation Plan ("TCP") is required for all land development proposals that are subject to Subtitle 25 unless exempt by Section 25-119. A Type 1 Tree Conservation Plan (TCP1-069-04)

was previously approved for the Property. An updated TCP1 has been submitted with this Plan.

2009 Master Plan of Transportation

As abovementioned, the Property has frontage on Annapolis Road (MD 450) and Glenn Dale Boulevard. Annapolis Road (MD 450) is designated as an arterial roadway (A-23) with 4 to 6 lanes and a variable right-of-way width of 120-150 feet. Glenn Dale Boulevard is also designated as an arterial roadway (A-16) with 4 to 6 lanes and a variable right-of-way width of 120-200 feet.

NATURAL RESOURCE INVENTORY

The Property has been the subject of two previously approved Natural Resource Inventory Plans (NRI-029-05 & NRI-196-2022). An updated Natural Resource Inventory Plan has also been approved and a copy is filed with this application (NRI-029-05-01).

CONFORMANCE WITH APPLICABLE PROVISIONS OF SUBTITLE 24/SUBDIVISION ORDINANCE

Analysis of the applicable provisions of the Subdivision Ordinance is set forth below:

DIVISION 3 - REQUIREMENTS: PLANNING, DESIGN, AND PUBLIC FACILITIES.

Sec. 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 of the requirements of the Zoning Ordinance applicable to the subject property.

The proposed lots are entirely located within Prince George's County and will also be platted in conformance with all of the requirements of the prior Zoning Ordinance applicable to the Property.

- (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.

This provision is inapplicable as the Property is depicted as being within Water and Sewer Category 3 and will be served by public water and sewer facilities.

- (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.

As noted above, the Property has frontage on Annapolis Road (arterial) and Glenn Dale Boulevard (arterial). There will be no lots with direct access to either one of these arterial roadways. Rather, access to the Property will be gained via a right-in/right-

out turn from Glenn Dale Boulevard into an internal system of private roads. Each proposed lot will front on the private road system. However, a variation has been filed requesting the right-in/right-out access connection to Glenn Dale Boulevard.

- (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.

A variation has been filed requesting relief from this requirement for certain of the proposed lots.

- (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 recommendations within the comprehensive plan 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. In such cases, the Planning Board may approve a preliminary plan application as may be designed to conform with the land use policy recommendations for centers, as duly approved within the current General Plan.

The project is located in Planning Area 70 and is governed by the Glenn Dale - Seabrook - Lanham and Vicinity Sector Plan and Sectional Map Amendment ("SMA"), most recently adopted and

approved in 2010. The Proposed Land Use Map (Map 36) found on page 202 of the Sector Plan text document recommends low-density residential development (0.5 - 3.5 du/ac) of the Property. A similar recommendation may be found on the "Generalized Future Land Use Map" found within General Plan Prince George's 2035. The Property is also designated within the "Established Communities" Growth Policy Area. Finally, while no longer technically applicable, the Property is in the Developing Tier of the 2002 General Plan. The purpose of the Developing Tier is to provide for a pattern of medium density, suburban residential development with distinct commercial centers and employment areas.

It is worth noting that this Preliminary Plan of Subdivision proposes a density of approximately 3.84 units per acre. This is only nominally greater than the 3.5 units per acre which is recommended in the Sector Plan. Moreover, and as noted above, this proposal is permitted subject to approval of a Special Exception in conformance with Section 27-352.01 as adopted by CB-106-2021. Significantly, Section 27-352.01(b)(4) permits a maximum density of eight (8) units per acre. Thus, the development likely could have been approved with even greater density than that which is proposed. Moreover, it is important to emphasize that the recommendations contained within these planning documents are merely that - recommendations - and are not necessarily binding in every instance. Additionally, and as the Maryland Supreme Court

observed in *Creswell v. Baltimore Aviation Serv., Inc.*, "[a] special exception is a use which has been legislatively predetermined to be conditionally compatible with the uses permitted as a matter of right in a particular zone" See *Creswell v. Baltimore Aviation Serv., Inc.*, 257 Md. 712, 719, 264 A.2d 838 (1970). Thus, even though the proposed density is only slightly above that which is recommended by the applicable planning documents, the fact that this use is permitted by Special Exception demonstrates that the District Council presumed that it would be compatible in the R-R Zone, subject of course to certain additional Special Exception requirements which will be analyzed in greater detail below and at the time of Special Exception review. Finally, the Applicant submits that the District Council's adoption of CB-106-2021, which permits the use proposed herein at the density proposed, represents a subsequent action or event which renders technical recommendations of the master Plan no longer appropriate as to the Property.

(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.

As abovementioned, the Property fronts on two Master Plan of Transportation rights-of-way (Annapolis Road and Glenn Dale Boulevard). If legally required, land will be dedicated as necessary to provide for required rights-of-way. However, a finding was made at the time of approval of Preliminary Plan 4-

05105 that adequate rights-of-way exist for both MD 450 and MD 193.

- (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.

This provision is inapplicable as no residue parcels or outlots are proposed on the Plan.

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

This comment is noted. If any lots are deemed to be corner lots, a revision to the Plan, if necessary, will be made.

- (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.

No blocks over 750 feet long are being proposed. Therefore, this provision is inapplicable.

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

This subdivision will be designed so as to avoid unnecessary and costly roads or utility extensions. Access to individual lots will be provided through a system of internal private roads.

- (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.

As noted above, a stream traverses the center of the Property. This area is already burdened by a floodplain easement as depicted on the Final Plats of Subdivision. Moreover, the Arthur Magruder House, a designated historic site, is also located in this general area. Every effort will be made to preserve these sensitive features via a conservation easement which will be dedicated to the future homeowner's association.

(12) Lot size averaging may be permitted for preliminary plans accepted prior to July 1, 2006 in accordance with the Zoning Ordinance when the Planning Board finds that:

- (A) The subdivision design provides for better access, protects or enhances historic resource or natural features and amenities, or otherwise provides for a better environment than that which could be achieved by the exclusive use of standard lots.**
- (B) The subdivision design provides for an adequate transition between the proposed sizes and locations of lots and the lots, or lot size standards, of any adjacent residentially zoned parcels.**
- (C) The subdivision design, where applicable, provides for an adequate transition between the proposed natural features of the site and any natural features of adjacent parcels.**

Lot size averaging is not being proposed in this Subdivision.

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

Each lot will be served by a system of internal private streets. These streets will connect to the southbound lanes of Glenn Dale Boulevard via a right-in/right-out turn.

(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 Permitting, Inspections, and Enforcement, shall be responsible for the maintenance of the entrance feature or gateway sign.

The Applicant proposes an entrance feature at the point of access from Glenn Dale Boulevard. Additional details will be analyzed through the Special Exception review process.

- (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 Permitting, Inspections, and Enforcement or the municipality having approval authority, unless the Planning Board finds that such approval will not affect the subdivision.

A Site Development Concept Plan (#12433-2004-04) has been filed and is currently under review. The Applicant submits an approval is not required for review and approval of this Preliminary Subdivision Plan.

- (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.

A Site Development Concept Plan has been filed and is currently under review.

- (17) Historic resources should be preserved.

As has been noted above, an historic resource, the Arthur Magruder House, is located on what is now Lot 16 within the Property. Every effort will be made, to the extent reasonable, to preserve this

historic resource in accordance with all applicable laws and regulations. Moreover, and as previously mentioned, two additional historic resources, the Marietta Mansion and the Buena Vista at Wixon Farm, are located generally to the north and northwest of the Property. The Applicant is confident that these historic resources will not be impacted in any way by the proposed development. With that said, screening and buffering will still be provided in accordance with any and all laws and regulations.

- (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.**

It is the Applicant's belief and understanding that no further archeological review is required for this Preliminary Subdivision Plan. A Phase I study was submitted with Preliminary Plan 4-05105. After review, it was determined by staff and the Planning Board that no further archeological investigation was required. (See PGCPB No. 06-87, page 17).

- (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.**

No condominium townhouse units are proposed and therefore this provision is inapplicable.

Sec. 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.

A 10-foot public utility easement will be provided along one side of the internal private roads.

- (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.

No public facilities are shown on the General Plan or on the Master Plan which impact the Property.

- (c) Stormwater management facilities, existing or proposed as part of the development, shall have sufficient capacity to convey surface water runoff.

A Site Development Concept Plan has been prepared and submitted. The Applicant believes that appropriate measures are being proposed to handle and treat all stormwater runoff as required by applicable ordinances.

DIVISION 4 - REQUIREMENTS: TRANSPORTATION AND CIRCULATION

Sec. 24-123 - General Requirements.

- (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.

All rights-of-way shown on the General Plan and applicable Master Plans have been observed on the Preliminary Subdivision Plan as submitted. Further existing right-of-way dedication for MD 450 and MD 193 was reviewed at the time of approval of Preliminary Plan 4-05105 and a determination was made that no further dedication was necessary. (See PGCPB No. 06-87, page 13).

- (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.

This subdivision is not proposing the dedication of any new public streets. All proposed lots will access Glenn Dale Boulevard through a system of internal private roads.

- (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.

The internal private roads will be wholly within Prince George's County and will not connect in any way to an adjoining 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.

Construction of the internal private roads will conform to County road construction standards.

- (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.

This provision is inapplicable.

- (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.

If sidewalks are requested along Glenn Dale Boulevard or Annapolis Road, they will be provided. Internal pedestrian circulation systems within the subdivision will be provided by means of 5-foot internal sidewalks. Further, a 10' internal hiker/biker trail will be provided. It will be located generally along the Property's

western boundary and will run in a north/south direction. It will cross the environmental/historic preservation area and provide connection between the residential dwellings in the northern and southern portions of the Property. A pedestrian bridge along the trail will provide a safe area to cross the existing stream. Finally, paved paths will also be provided to allow residents and visitors to view the Arthur Magruder House historic site. The first path will extend westward from the proposed Ridgely Run Road (private road), and the second will extend northward from the proposed Briar Creek Lane (private road). It is anticipated that the proposed system of environmental preservation, combined with the internal pedestrian system, will serve to maximize interest in the historic site while minimizing impacts to the environmental setting.

Sec. 24-128 - 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 service 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 schedule 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").

Pursuant to a Transportation Pre-Submittal Checklist approved by staff on October 10, 2023, no traffic study is required and only traffic counts were required at the intersection of MD 450 and MD 193. These counts were taken on September 27, 2023 and confirm the intersection operates at LOS A in both the AM and PM peak hours. It should be noted that in August of 2022, the Applicant's transportation engineer submitted an initial Pre-Submittal Transportation Checklist. That was approved by staff on August 4, 2022. Staff requested only that traffic counts be taken since the development proposal generates traffic volumes less than 50 peak hour trips. The counts had been conducted on June 21, 2022. Since more than one year has passed, a new Checklist was submitted and approved and once again, only traffic counts were requested.

Sec. 24-128 - Private Roads and Easements.

- (a) No subdivision plan or plan of development (however designated) shall be approved that provides for a private road, right-of-way, or easement as the means of vehicular access to any lot, and no building permit shall be issued for the construction of any building in a subdivision unless such building is to be located on a lot or parcel of land having frontage on and direct vehicular access to a public street, except as hereinafter provided.

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

* * * * *

- (7) In Comprehensive Design and Mixed Use Zones:

(A) For land in the V-L, V-M, R-L, R-S, R-M, R-U, M-U-I, L-A-C, M-A-C, M-X-C, M-U-TC, and M-X-T Zones, the Planning Board may approve a subdivision (and all attendant plans of development) with private roads to serve attached single-family dwellings, two-family dwellings, and three-family dwellings, but not single-family detached or multifamily dwellings, in accordance with the requirements of Subsections (e) and (f) of Section 27-433 of the Zoning Ordinance, except as hereinafter provided. In all of the above zones, and in the R-R Zone when developed as a cluster subdivision, the Planning Board may approve a subdivision with alleys to serve any permitted use, provided the lot has frontage on and pedestrian access to a public right-of-way. The District Council may disapprove the inclusion of alleys during the consideration of the detailed site plan for a cluster subdivision. For the purposes of this Section, an "alley" shall mean a road providing vehicular access to the rear or side of abutting lots, and which is not intended for general traffic circulation.

(i) The pavement width of private roads may be reduced to not less than a minimum of twenty-two (22) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, hierarchical street system for a development.

(ii) The pavement width of private alleys shall be not less than eighteen (18) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, vehicular access to individual lots. Since alleys only provide vehicular access to lots with frontage on a public street, alleys shall not be required to be improved with street trees or curb and gutter, unless a drainage problem has been identified by the Department of Permitting, Inspections, and Enforcement or the

**Department of Public Works and
Transportation.**

As stated above, each lot is proposed to be accessed by 22-foot wide private roads.

DIVISION 5 - REQUIREMENTS: ENVIRONMENTAL AND PARKS.

Sec. 24-129 - One hundred (100) year floodplain.

- (a) Land shall be platted in a manner that protects the public against loss of life or property due to the one hundred (100) year flood, while minimizing the public and private costs of flood control measures. The Planning Board shall require that proposed subdivisions conform to the following:

* * * * *

The existing stream is located within the floodplain. As noted above, the current recorded Final Plats already protect this area with a floodplain easement. With this Plan, a similar easement will be executed and recorded if required.

Sec. 24-130 - Stream, wetland, and water quality protection and stormwater management.

- (a) Proposed subdivisions shall be designed to minimize the effects of development on land, streams and wetlands, to assist in the attainment and maintenance of water quality standards, and to preserve and enhance the environmental quality of stream valleys.

As noted above, a stream is located on site and will be preserved to the greatest extent practicable.

- (b) The Planning Board shall require that proposed subdivisions conform to the following:

- (1) The preliminary plan shall demonstrate adequate control of the increased runoff due to the ten (10) year storm or such other standards as State law or the County shall adopt.

- (2) The stormwater control shall be provided on-site unless the Planning Board, on recommendation from the County, waives this requirement.
 - (3) The submission of a storm drainage and stormwater management concept plan, and approval thereof by the County, may be required prior to preliminary plan approval.
 - (4) Where a property is partially or totally within an area covered by an adopted Watershed Plan, the preliminary plan shall conform to such plan.
 - (5) Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.
- (c) The submission of a sediment control concept study, and approval thereof by the Soil Conservation District, may be required prior to final plat approval.

As noted above, a Site Development Concept Plan has been submitted and is currently under review.

CONFORMANCE WITH CB-106-2021/Section 27-352.01

As abovementioned, development of the Property with townhouse units for the elderly is expressly permitted in the R-R Zone subject to approval of a Special Exception. Certain uses that are permitted by Special Exception must also demonstrate conformance with certain requirements which are applicable only to that use. As abovementioned, specific Special Exception requirements do

exist for the use known as "elderly housing (one-family attached dwelling units)." These requirements are found in Section 27-352.01 of the prior Zoning Ordinance. As was also abovementioned, on November 16, 2021, the District Council adopted CB-106-2021 which created additional requirements for this use that are applicable under certain circumstances. Although these requirements technically need not be addressed until the Special Exception stage, an analysis of conformance with these requirements is nonetheless set forth below:

* * *

(b) Notwithstanding the provisions of subsection (a) of this Section, attached one-family dwellings for the elderly (and related facilities) may be permitted in the R-R Zone, subject to the following:

- (1) The gross tract area shall be between nine (9) and twenty (20) acres;**

The Property comprises approximately 19.10 acres, thus this criterion is met and satisfied.

- (2) The property shall be located adjacent to a park owned by a public agency or land zoned R-O-S and owned by a public agency or the United States of America;**

As noted above, the land located immediately west of the Property is zoned R-O-S and is owned by the United States of America. Thus, this criterion is met and satisfied.

- (3) The property shall have at least one hundred fifty (150) feet of frontage on, and direct vehicular access to, a roadway with a functional transportation classification of collector or arterial;**

The Property has approximately 675 feet of frontage along Annapolis Road and approximately 1,100 feet of frontage along Glenn Dale Boulevard. As depicted on the Plan, direct vehicular access is proposed from Glenn Dale Boulevard via a limited right-in/right-out turn. Both Annapolis Road and Glenn Dale Boulevard are designated as arterial roadways by the 2009 Master Plan of Transportation. Thus, this criterion is met and satisfied.

- (4) Density shall be limited to no more than eight (8) dwelling units to the acre;**

The Applicant is proposing a density of approximately 3.84 units per acre. Thus, this criterion is met and satisfied.

- (5) Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, and any other requirements of the specific zone in which the use is proposed shall not apply to uses and structures provided for in this Section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for a given Special Exception;**

This criterion is noted. The final development will conform in every respect to the regulations which are approved as part of the Special Exception application.

- (6) Recreational facilities shall be required. The requirement may be satisfied with a combination of on-site and off-site facilities. On-site facilities may be passive or active. Off-site recreational facilities obligations may be satisfied through contributions to the adjacent public-owned parkland, in coordination with the Prince George's County Department of Parks and Recreation; and**

The Applicant proposes to provide the aforementioned hiker/biker trail, as well as a pickle ball court, picnic areas and a passive

sitting area along Ivy Creek Lane. The ultimate recreational facilities to be provided will be set forth in the Special Exception application.

- (7) Age restrictions in conformance with the Federal Fair Housing Act shall be set forth in covenants submitted with the application. The covenants shall run to the benefit of the County, shall be approved by the District Council, and filed in the Land Records for Prince George's County shall be approved by the District Council, and filed in the land records at the time the final subdivision plat is recorded.

All necessary covenants including those related to age restrictions will be submitted with the Special Exception application.

- (8) The requirements of Section 27-352.01(a)(7) shall apply.

Section 27-352.01(a)(7) requires:

- (7) The following guidelines should be considered:

- (A) Dwelling units should be clustered around a central focal point or public space and should avoid linear design. Open space should be oriented to provide the best possible separation or buffer from adjoining single-family detached uses. The requirements of Section 24-137(g) (1), (2), and (5) through (10) shall serve as guidelines for site layout.

- (B) No less than ten percent (10%) of the land area should be devoted to open space, recreation facilities, and social-oriented amenities.

- (C) If a community building is proposed, no less than three (3) physically separate areas, which shall include the separation of a single room, should be provided within the building for

recreational and social-oriented amenities of varying activity levels.

(D) Each outdoor space intended for active recreation should be a minimum of fifty (50) feet in width in least dimension, with a minimum area of five thousand (5,000) square feet.

While these are only guidelines to be considered, the Applicant would note that units are clustered around the Magruder historic house, the hiker-biker trail and recreational amenities, including the pickleball court and sitting areas. At least ten percent (10%) of the land area is devoted to open space. No community building is proposed. The outdoor space includes a minimum of 5,000 square feet of land area.

PRIOR CONDITIONS OF APPROVAL

As noted above, the Property was subject to a previously approved Preliminary Subdivision Plan and a limited Detailed Site Plan. Given that the Applicant is filing a new Preliminary Subdivision Plan for a different use than that which was previously approved, the Applicant submits that the conditions of all prior approvals are inapplicable to this application.

CONCLUSION

Based on the foregoing, the Applicant respectfully submits that all required statutory criteria are met and satisfied.

Therefore, the Applicant requests that this Preliminary Subdivision Plan be approved as submitted.

A handwritten signature in blue ink, appearing to read "E. Gibbs", is written over a horizontal line.

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8.5X11_Landscape

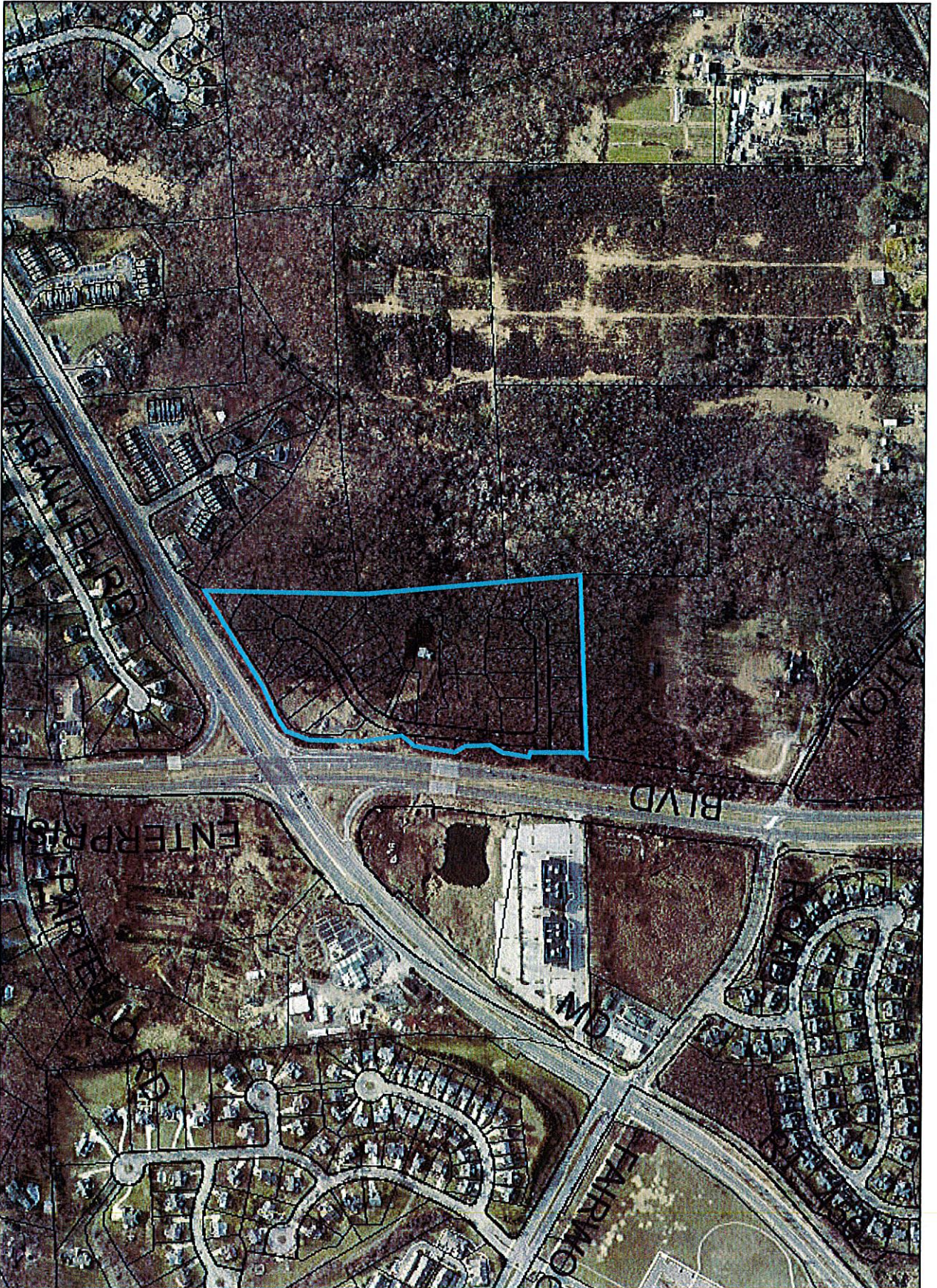
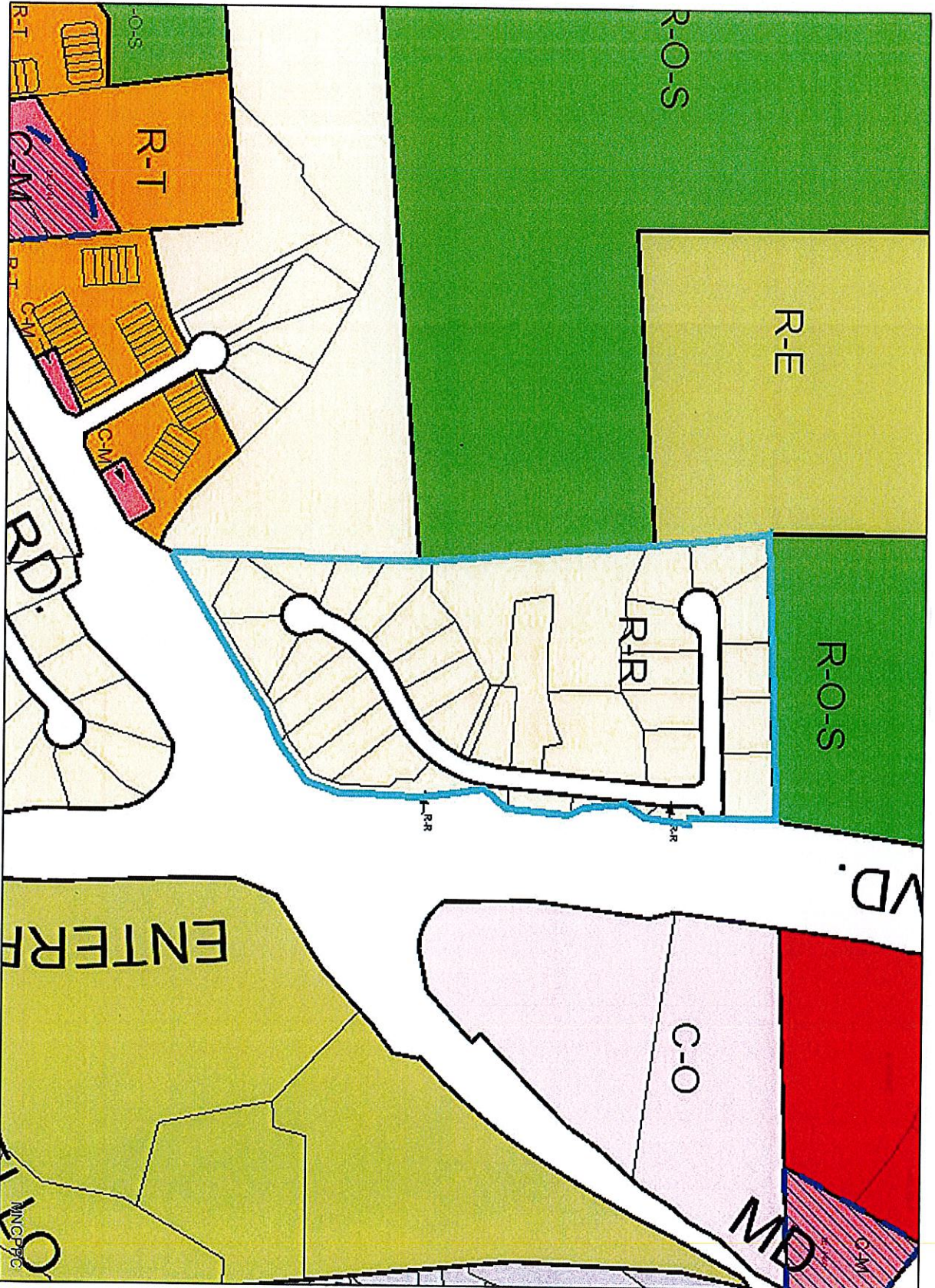


Exhibit "A"



8.5X11_Landscape





8.5X11_Landscape

