

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, ICMA-CM, CPM
City Manager

SUBJECT: ***Status Report***

DATE: July 11, 2019

Status Report

1. County Council Hearing Date for CB-17-2019 (Freeway Airport)

The Clerk of the Prince George's County Council has scheduled the public hearing for CB-17-2019 on Tuesday, September 10, 2019 at 10:00 a.m. in the County Administration Building in Upper Marlboro. The Zoning Ordinance Text Amendment affects the R-A (Residential Agriculture) zone and was written to facilitate redevelopment of the Freeway Airport property on Church Road. The owner of the airport and St. John Properties have formed a joint venture to develop small lot single-family dwelling units and townhouse units. The overall density anticipated for the 129-acre property is 5.0 dwelling units per acre, which could potentially yield over 600 dwelling units. A copy of the City Council opposition letter, sent this week, is attached. This morning, the Council's Transportation, Infrastructure, Energy and Environment (TIEE) Committee voted unanimously to approve a Category 4 Water and Sewer Amendment for the property (the public hearing was July 9th). The development proposal includes 44 single-family detached dwellings with a minimum of 3,500 square feet of livable space per unit and a minimum sale price of \$600,000. Final action by the County Council is expected to occur before the August recess.

2. Economic Development Committee (EDC)

The City's EDC met Wednesday and began planning their work program for the new fiscal year. Sherman Ragland was nominated as chairman and his name was sent to Council for concurrence. There is NO EDC meeting in August; the next regular meeting is September 11, 2019 at 7:30 AM.

3. Ruby Tuesday's Bowie

The restaurant building is once again for sale. Earlier this year it was under contract to an established retail real estate company. That company did not conclude the purchase deal. Please see the attached flyer.

4. Building Permit for EZ Storage South Bowie Expansion

Staff is reviewing a building permit submitted this week for the EZ Storage site located in the US Route 301 median at Pennsbury Drive. A Special Exception revision (#SE-4372/02) was approved for this property on February 14, 2008 to allow the construction of a 3-story/66,000 sq. ft. addition for the purpose of constructing 600 new storage units. The bulk of the new addition will be in the area of the site adjacent to Pennsbury Drive, which served as a vehicle storage area. City Council reviewed this proposal on March 19, 2007 and recommended approval with two conditions, which have been addressed in the revised site plan.

ADL:lfr

Attachments 2



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

July 9, 2019

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

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

Dear Ms. Brown:

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

Density

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

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

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

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

Zoning Pattern

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

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

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

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

Master Plan

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

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

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

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

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

Community Character

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

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

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

Adequate Public Facilities

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "G. Frederick Robinson", written over a horizontal line.

Bowie City Council
G. Frederick Robinson
Mayor

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

FOR SALE

RubyTuesday

FORMER 5,400± SF RESTAURANT

16451 EXCALIBUR ROAD, BOWIE, MD



PROPERTY HIGHLIGHTS

- Excellent location just off Route 301
- Strong traffic volume (64,102 VPD)
- Good area population growth (3.37% - 1 mi radius)
- Desirable area with strong demographics
- All FF&E included
- Located a little over 1 mi from Bowie Town Center mall
- Directly south of a large retail strip with tenants that include: Applebee's, Big Lots, Bob Evans, Chick-fil-A, Lowe's Home Improvement, PetsSmart, Target
- Direct Surrounding tenants include: Americas's Best Wings, Giant Food, NASA Federal Credit Union, PNC Bank, Walmart

PROPERTY DETAILS

Building Size:	5,423± SF
Lot Size:	1.98± AC
Opening Date:	1995
Zoning:	CSC
Taxes (2018):	\$50,097

DEMOGRAPHICS

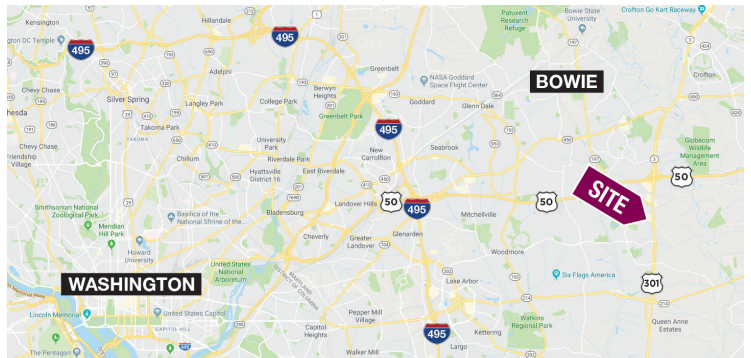
	1-MILE	3-MILE	5-MILE
Population	8,704	42,013	95,778
Pop. Growth	3.37%	2.84%	2.56%
Avg. HHI	\$98,770	\$108,688	\$116,448



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LOCATION INFORMATION |



Additional Surplus Ruby Tuesday Properties Available Throughout The Country Including Former Restaurants & Prime Development Sites

LOCATION INFORMATION: In 2014 CNN Money ranked Bowie 28th on its list – Best Places to Live in America. With a population of 54,727, according to the 2010 U.S. Census, Bowie is a city in Prince George's County, Maryland and has grown from a small railroad stop to the largest municipality in Prince George's County, and the fifth most populous city and third largest city by area in the state.

Bowie owes its existence to the railway, and its history is on display at the Huntington Railroad Museum. The town also offers 72 ball fields, 3 community centers, and ice arena at Allen Pond Park, the Bowie Town Center, the 800-seat Bowie Center for the Performing Arts, a 150-seat theatrical playhouse, a golf course, and 3 museums.

Bowie is located 18 miles northeast of downtown Washington D.C., roughly equidistant between D.C. and Annapolis to the east.

DUE DILIGENCE INFORMATION: A Virtual Data Room has been set up and contains important due diligence information on the property. To gain access, buyers should reach out to a Hilco representative for access.

BROKER PARTICIPATION INVITED: A co-op fee of 1% will be paid to the REALTOR®/Broker whose registered buyer closes on the property offered as part of this sale.

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