

R E S O L U T I O N

WHEREAS, Croom Station, L.P. is the owner of a 146.02-acre parcel of land known as Parcel 263, said property being in the Map 101 C-4 15th Election District of Prince George's County, Maryland, and being zoned R-A; and

WHEREAS, on March 6, 2001, MTR - Croom Station Ltd. Partnership filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 31 lots and 3 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01021 for Croom Station was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 12, 2001, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended DISAPPROVAL of the application; and

WHEREAS, on July 12, 2001, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board DISAPPROVED Preliminary Plat of Subdivision 4-01021, Croom Station for Lots 19, 44-73 & Parcels A-C.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located on the southeast side of Old Crain Highway and north of US 301.
3. Adequate Public Notice - Section 2-d. of the Administrative Practice for the Prince George's County Planning Board requires that it shall be the responsibility of the applicant to post sign(s) on the property for a minimum of 15 days for the purpose of public notice.

The subject application was submitted on March 6, 2001, and the Subdivision Review Committee meeting was held on March 30, 2001. At that time, the case was scheduled for public hearing on May 10, 2001. At the Subdivision Review Committee meeting, staff informed the applicant that several items were required to proceed. A 70-day waiver

was subsequently granted and the case was rescheduled for July 12, 2001.

The deadline for action on this case is July 23, 2001. To satisfy the 15 day posting requirement for the July 12, 2001, hearing, the applicant needed to post public notice signs on the property no later than June 27, 2001. The subject property was never posted for public notice. Therefore, the application must be denied.

4. Outstanding Issues - There are only a few issues which remain unresolved. With a few minor revisions to the tree conservation plan, staff was prepared to support the application with conditions. Once informed that there would be a mandatory four year wait on issuance of building permits for inadequate public schools, the applicant ceased communication with staff. The applicant was informed on several occasions that a withdraw letter was needed, but none was ever submitted.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with Circuit Court for Prince George=s County, Maryland within thirty (30) days following the adoption of this Resolution.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown, Scott, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 12, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of September, 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JD:wrc