

R E S O L U T I O N

WHEREAS, Henry and David Nicowski is the owner of a 15.76-acre parcel of land known as 1 parcel, Tax Map 100, Grid B-2, said property being in the 15thth Election District of Prince George's County, Maryland, and being zoned C-O; and

WHEREAS, on December 27, 2002, Henry Nicowski filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-02117 for Wood-Mar Corner 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 May 15, 2003, 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 APPROVAL of the application with conditions; and

WHEREAS, on May 15, 2003, 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 APPROVED the Type I Tree Conservation Plan (TCPI/45/92-01), and further APPROVED Preliminary Plan of Subdivision 4-02117, Wood-Mar Corner for Parcel A with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to include a note regarding the existence or nonexistence of cemeteries on the property.
2. The following note shall be placed on the final plat:

“An automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”
3. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Area Preservation Area and be reviewed by the Environmental Planning Section prior to certification. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of

structures and roads and the removal of vegetation is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

4. The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/45/92-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”
5. Total development within the subject property shall be limited to a 6,000-square-foot bank and a 80-room hotel, or equivalent development which is permitted within the C-O Zone which generates no more than 128 AM and 392 PM peak hour vehicle trips. Any development other than that identified herein shall require approval of an additional Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.
6. **MD 223 at Old Marlboro Pike/South Osborne Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: lengthening of the southbound left-turn lane along MD 223 to a length of 400 feet.
7. **MD 4 at Dower House Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: provision of modified striping along the northbound Dower House Road approach to provide two exclusive left-turn lanes and a shared left-turn/through/right-turn lane.
8. At the time of final plat approval, the applicant shall dedicate right-of-way along South Osborne Road of 35 feet from the centerline of the existing pavement.
9. The record plat shall include a note indicating that the property shall not have direct driveway access onto MD 4 or its associated ramps.
10. Prior to final plat approval, a Detailed Site Plan shall be approved. In addition to normal review, the DSP shall examine the need for acceleration and deceleration lanes on east and west side of the access driveway on South Osborne Road, and the need for an exclusive left turn lane at this location along eastbound South Osborne Road.
11. Development shall be in conformance with the approved Stormwater Concept Plan, Concept

8009940-1997-00, or any revisions thereto.

12. MD 223 at MD 4 Eastbound Off/On Ramps: Prior to the issuance of any building permits within the subject property, the applicant shall submit an acceptable traffic signal warrant study to SHA for the intersection of MD 223 at the MD 4 Eastbound Off/On Ramps. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by SHA at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property, and install it at a time when directed by the appropriate permitting agency.

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 wedge-shaped property is located in the southeast quadrant of the Pennsylvania Avenue (MD4)/Woodyard Road (MD 223) interchange and on the north side of South Osborne Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	C-O	C-O
Use(s)	Vacant	Hotel and Bank
Acreage	15.76±	15.76±
Parcels	1	1
Dwelling Units:	0	0

4. **Environmental Issues**—There are streams and wetlands on the property. There is no 100-year floodplain on the property. The property drains into Back Branch of the Western Branch in the Patuxent River watershed. Current air photos indicate that about one-half of the site is forested. The Subregion VI Master Plan does not show any Natural Reserve or Conditional Reserve on the site; however, Patuxent River Primary Management Area Preservation Area occurs on the site. No designated scenic or historic roads are affected by this proposal. MD 4 is an adjacent source of traffic-generated noise. The proposed use is not expected to be a noise generator. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The *Prince George’s County Soils Survey* indicates that the principal

soils on the site are in the Westphalia soils series. Marlboro Clay does not occur in this area. The site is in the Developing Tier according to the adopted General Plan.

Woodland Conservation

This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in size and has more than 10,000 square feet of woodland. A Forest Stand Delineation showing three sample points was reviewed and accepted during the review of 4-92073. A Type I Tree Conservation Plan, TCPI/45/92, was approved by PGCPB Resolution No. 93-03. A Type II Tree Conservation Plan, TCPII/119/94, was approved by staff prior to the issuance of a grading permit, and the site was subsequently graded.

The original Type I TCP approved by PGCPB Resolution No. 93-3 is still in effect and overrides the Type II approval. TCPI/45/92 was approved when the site was in the R-A Zone and is not appropriate at this time. A revised Type I TCP has been submitted. The revised TCPI correctly calculates the woodland conservation required for this proposal as 1.70 acres based upon the woodland conservation threshold, clearing performed in accordance with TCPII/119/94, and proposed future clearing. The plan proposes to meet the requirement by providing 4.20 acres of on-site preservation. The area to be preserved includes all of the priority woodland on the site as defined by the Prince George's County Woodland Conservation and Tree Preservation Policy document and meets the requirements of the Woodland Conservation Ordinance. Staff recommends approval of TCPI/45/92-01.

Patuxent River Primary Management Area

The site contains significant natural features, which are required to be protected under Section 24-130 of the Subdivision Regulations. The Patuxent River Primary Management Area Preservation Area (PMA) is defined in Section 24-101(b)(10) of the Subdivision Regulations.

Each of the environmental features included in the Patuxent River Primary Management Area Preservation Area as defined in Section 24-101(b)(10) of the Subdivision Regulations is indicated separately on the plan and the line for the PMA encompasses these features. The plan as submitted does not show any impacts to the Patuxent River Primary Management Area Preservation Area and meets the finding required by Section 24-130 of the Subdivision Regulations that the PMA be preserved in its natural state to the greatest extent possible. The PMA should be placed in a conservation easement included on the final plat.

Noise

MD 4 is an adjacent source of traffic-generated noise. Because the site is zoned C-O, the proposed use is not expected to be affected by traffic-generated noise.

Soils

The soils information included in the review package indicates that the principal soils on the site are in Westphalia soils series. Westphalia soils are highly erodible and require special attention to erosion/sediment control in the presence of steep or severe slopes. A soils report may be required by the Prince George's County Department of Environmental Resources during the permit process review.

The property is in Water and Sewer Category 3 and will be served by public systems.

5. **Community Planning**—The property is in Planning Area 82A, Rosaryville. The 2002 Prince George's County General Plan places this property in the Developing Tier. The 1993 Master Plan for the Subregion VI Study Area recommends commercial-office land use for this property. The subject property was placed in the C-O Zone in the 1994 Sectional Map Amendment for the 1993 Subregion VI Study Area Master Plan. The proposal is consistent with master plan recommendations.

One of the challenges cited for future development in the Developing Tier is:

“To direct growth in order to encourage design of new communities and neighborhoods, and existing communities to be more land efficient, more environmentally sensitive, and more transit supporting than conventional subdivisions.... The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable.”

The General Plan Development Pattern Policy One, Strategy III, discourages, but does not prohibit, new isolated commercial activities (p. 31, February 2002 Plan text as approved October 2002). However, current zoning allows for such uses. This issue should be addressed when the master plan for the area or development regulations are revised. The existing 1993 Subregion VI Study Area Master Plan is not currently scheduled for revision.

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the preliminary plan is exempt from the requirements of mandatory park dedication because it is in a commercial zone and no residential uses are proposed.
7. **Trails**—There are no master plan trails issues associated with this property.
8. **Transportation**— The applicant has submitted a traffic study dated March 2003. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) are attached.

Growth Policy - Service Level Standards

The subject property is located within the Developing Tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any Tier subject to meeting the geographical criteria in the Guidelines.

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Staff Analysis of Traffic Impacts

The applicant has prepared a traffic impact study in support of the application using new counts taken in January 2003. With the development of the subject property, the traffic consultant has determined that adequate transportation facilities in the area can be attained with off-site transportation improvements which are identified in the study. The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections during weekday peak hours:

MD 223/Old Marlboro Pike/South Osborne Road
MD 4/Dower House Road
MD 223/Old Marlboro Pike/MD 4 WB on-ramp (unsignalized)
MD 223/MD 4 WB off-ramp (unsignalized)
MD 223/MD 4 EB ramps (unsignalized)
MD 223/site access (unsignalized)
South Osborne Road/site access (unsignalized)

The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS		
Intersection	Critical Lane Volume (AM & PM)	Level of Service (LOS, AM & PM)

MD 223/Old Marlboro Pike/South Osborne Road	1,209	1,266	C	C
MD 4/Dower House Road	1,881	1,625	F	F
MD 223/Old Marlboro Pike/MD 4 WB on-ramp	26.8*	11.7*	--	--
MD 223/MD 4 WB off-ramp	18.0*	14.3*	--	--
MD 223/MD 4 EB ramps	22.5*	18.1*	--	--
MD 223/site access	planned		--	--
South Osborne Road/site access	planned		--	--
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.</p>				

The list of nearby developments is long, and it comprises several approved projects. These projects include more than 1,000 residences and nearly 1,500,000 square feet of nonresidential space. The study has examined average daily traffic volumes in the area and has determined that recent trends have suggested very small increases in daily traffic. The study has used annual growth rates of 1.0 percent along MD 4 and 2.0 percent along MD 223, which are very conservative given the amount of approved development assumed. The traffic study also assumes a widening along MD 4 that would involve modifications to the MD 4/Dower House Road intersection, which would add capacity to the intersection. Given these assumptions, the following background traffic conditions were determined:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 223/Old Marlboro Pike/South Osborne Road	1,331	1,334	D	D
MD 4/Dower House Road	1,729	1,765	F	F
MD 223/Old Marlboro Pike/MD 4 WB on-ramp	20.4*	12.0*	--	--
MD 223/MD 4 WB off-ramp	24.9*	18.9*	--	--
MD 223/MD 4 EB ramps	29.1*	29.0*	--	--
MD 223/site access	planned		--	--
South Osborne Road/site access	planned		--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The site is proposed for commercial development including a hotel and a bank. The Guidelines provide trip rates for a hotel; the Institute of Transportation Engineers' *Trip Generation Manual* provides trip rates for the bank. The resulting site trip generation for an 80-room hotel would be 52 AM peak hour trips (28 in, 24 out), and 64 PM peak hour trips (36 in, 28 out). The trip generation for a 6,000-square-foot bank would be 76 AM peak hour trips (43 in, 33 out), and 328 PM peak hour trips (164 in, 164 out). With site traffic, the following operating conditions were determinedd

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 223/Old Marlboro Pike/South Osborne Road	1,381	1,513	D	E
MD 4/Dower House Road	1,738	1,795	F	F
MD 223/Old Marlboro Pike/MD 4 WB on-ramp	20.4*	12.0*	--	--
MD 223/MD 4 WB off-ramp	25.7*	20.1*	--	--
MD 223/MD 4 EB ramps	29.3*	30.3*	--	--
MD 223/site access	20.3*	13.8*	--	--
South Osborne Road/site access	26.1*	20.4*	--	--
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.</p>				

The traffic analysis identifies inadequacies at both signalized intersections under study. In our review of the traffic study and in consideration of the comments of the operating agencies, staff has the following comments concerning each situation:

MD 4/Dower House Road: In response to the inadequacy at the MD 5/Surratts Road intersection, the applicant has proffered mitigation. This intersection is eligible for mitigation under the fourth criterion in the *Guidelines for Mitigation Action* (approved as CR-29-1994). The applicant recommends the improvements described below to mitigate the impact of the applicant's development in accordance with the provisions of Section 24-124(a)(6). The improvements would modify the northbound approach of Dower House Road at MD 4 to provide two left-turn lanes (as currently exist) and a third lane which would operate as a shared left-turn/through/right-turn lane.

The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 4/Dower House Road				
Background Conditions	F/1729	F/1765		
Total Traffic Conditions	F/1738	F/1795	+9	+30
Total Traffic Conditions w/Mitigation	E/1573	D/1584	-165	-211

As the CLV at MD 4/Dower House is between 1,450 and 1,813 during both peak hours, the proposed mitigation action must mitigate at least 150 percent of the trips generated by the subject property during the PM peak hour, according to the Guidelines. The above table indicates that the proposed mitigation action would mitigate more than 150 percent of site trips during both peak hours. **Therefore, the proposed mitigation at MD 4 and Dower House Road meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.**

The mitigation plan was reviewed by DPW&T and SHA, and comments from both agencies are provided. Neither agency raised objection to the mitigation that was proposed.

MD 223/Old Marlboro Pike/South Osborne Road: The traffic study recommends the addition of an exclusive left-turn lane eastbound along South Osborne Road. Staff agrees that this improvement would provide adequacy by improving the PM peak hour service level to LOS D, with a CLV of 1,381.

Staff supports the imposition of a trip cap on the site consistent with the assumptions in the traffic study. Consistent with past practices, staff will assume that an additional 5,000 square feet of church space (beyond that assumed in the traffic study) will be deemed to have no additional significant impact.

DPW&T indicated a concern with the number of southbound left-turning vehicles at the MD 223/Old Marlboro Pike/South Osborne Road intersection and suggested that the existing left-turn lane either be lengthened or rebuilt to a double left-turn lane. Staff would agree that the current 200-foot left-turn lane is too short. This is indeed an adequacy issue because excessive queuing of vehicles in a short left-turn lane will prevent the through lanes from operating ideally, resulting in unintended congestion. Staff will recommend a condition consistent with DPW&T's recommendation.

The property is affected by a planned expansion of the MD 4/MD 223 interchange. The master plan identified a later need for a flyover ramp connecting northbound MD 223 and westbound MD 4, and approximately one-half of the site is within the footprint of this proposed interchange.

Staff has referred the plans to the county and the state and has several findings at this time:

- No comments were received from the county.
- SHA did provide comments. While the state indicated that an upgrade to MD 4 between I-95/I-495 and MD 223 is under study, improvements to the MD 4/MD 223 interchange were not included as a part of the study. No statement was given regarding a desire to pursue a purchase of the right-of-way, nor was a general statement of support for reservation provided.

Given these findings, the transportation staff does not recommend that the right-of-way for the expansion of the MD 4/MD 223 interchange be placed in reservation. No support for reservation was provided by an outside agency, nor was a timetable to complete the purchase provided.

Osborne Road is adjacent to a commercial zone at this location, and dedication of 35 feet from centerline is required. The site shall not have driveway access onto MD 4 or its ramps.

The traffic impact study analyzed several area intersections during weekday peak hours, including the MD 223/MD 4 EB ramps intersection, which is unsignalized.

Both the northbound and eastbound right-turn movements (ramps onto and from eastbound MD 4) are channelized. While the northbound right-turn movement has little effect on the overall operation of the intersection, eastbound right-turn traffic must merge into nonstop through traffic moving southbound on MD 223. This is particularly important given that a sizable portion of existing traffic and 60 percent of the applicant's site-generated traffic must weave across two lanes of southbound traffic to make a left turn onto South Osborne Road. The distance available for this merge is 500 feet. Therefore, staff believes that the channelized right-turn movement from the eastbound MD 4 ramps should have been included in the unsignalized analysis for this intersection.

Consequently, the MD 223/MD 4 EB ramps intersections operates with a maximum delay of 22.5 seconds during the AM peak hour and 292.4 seconds during the PM peak hour under existing traffic. It operates with a maximum delay of 29.1 seconds during the AM peak hour and 811.3 seconds during the PM peak hour under background traffic. It operates with a maximum delay of 29.3 seconds during the AM peak hour and +999 seconds during the PM peak hour under total traffic. The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Neither operating agency noted this issue, but staff believes that this is a situation that warrants

further study by the applicant. This is particularly true given that much of the applicant's site traffic must use this intersection, the distance available to complete the weave is very limited, and either lengthening the left-turn lane or creating a double left-turn lane could easily exacerbate the existing situation.

Based on these findings, staff concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with conditions.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002). The proposed subdivision is exempt from Adequate Public Facilities test for schools because it is in a commercial zone and no residential uses are proposed.
10. **Fire and Rescue**—The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
 - a. The existing fire engine service at Forestville Fire Station, Company 23, located at 8321 Old Marlboro Pike, has a service travel time of 4.24 minutes, which is beyond the 3.25-minute travel time guideline.
 - b. The existing ambulance service at Forestville Fire Station, Company 23, has a service travel time of 4.24 minutes, which is within the 4.25-minute travel time guideline.
 - c. The existing paramedic service at Marlboro Fire Station, Company 20, located at 14815 Pratt Street, has a service travel time of 6.25 minutes, which is within the 7.25-minute travel time guideline.
 - d. The existing ladder truck service at Marlboro Fire Station, Company 45, located at 7710 Croom Road, has a service travel time of 5.35 minutes, which is beyond the 4.25-minute travel time guideline.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department recommends that a fire suppression system be installed in all commercial structures in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

11. **Police Facilities**—The proposed development is within the service area for Police District V-Clinton. In accordance with Section 24-122.01(c) of the Prince George's County Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Wood-Mar Corner development.

12. **Health Department**—The Health Department reviewed the application and has no comment to offer.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #8009940-1997-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. The approval is valid through June 30, 2004. Development must be in accordance with this approved plan or any revisions thereto.
14. **Cemeteries**^{3/4} The applicant has indicated that there are no cemeteries on the property; however, the preliminary plan does not include the required notation. Prior to signature approval, the preliminary plan needs to be revised to include a note concerning cemeteries on the property.

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 Scott, with Commissioners Lowe, Scott, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 15, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of June 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JD:rmk