

R E S O L U T I O N

WHEREAS, Campus Way, LLC is the owner of a 10.82-acre parcel of land known as Lots 1-9, Block B; Lot 28, Block C and parcels F and H (VJ 190@66), said property being in the 13th Election District of Prince George's County, Maryland, and being zoned R-S; and

WHEREAS, on July 15, 2003, Rocky Gorge Homes, LLC filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 4 lots and 2 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03067 for Villages at Campus Way 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 December 4, 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 December 4, 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/12/97-02), and further APPROVED Preliminary Plan of Subdivision 4-03067, Villages at Campus Way for Lots 29 and 30, Block C, Lots 10 and 11, Block B and Parcels I and J with the following conditions:

1. Prior to signature approval of the preliminary plan:
  - a. The Type I Tree Conservation Plan, TCPI/12/97-02 shall be revised as follows:
    - (1) Revise the acreage of off-site mitigation being provided to 17.94 acres.
    - (2) The TCPI shall be stamped, signed and dated by the licensed landscape architect, licensed forester or qualified professional who prepared the plan.
  - b. A revision to the approved stormwater concept plan, or a new plan altogether, shall be approved. The approval number and date shall be included on the preliminary plan.
  - c. The plan shall be revised to include the required ten-foot-wide public utility easement parallel and contiguous to all public streets.

2. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/12/97-02). The following notes shall be placed on the Final Plat of Subdivision:

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/12/97-02), 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."

3. Prior to permit submission, TCPII/69/97 shall be revised to address the additional woodland clearing approved by TCPI/12/97-02 and to identify the location of the additional off-site mitigation required by this application.
4. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

5. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Area except for approved impacts. 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 are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

6. The applicant, his heirs, successors and/or assignees shall construct an eight-foot-wide, hard-surface trail running west to east internally along interior streets and open space from Campus Way North along one side of Dunrobin Drive and Nicol Circle, where it will end at the park property.
7. Prior to the issuance of any residential building permits, the applicant, his heirs, successors and/or assignees shall demonstrate that the improvements required by Condition 9 are in place or fully funded in any one or more of the following ways:
  - a. One hundred percent construction funding in the first three years of an approved county Capital Improvement Program and/or state Consolidated Transportation Program.
  - b. Suitable financial assurances for full (100 percent) private sector funding for design, right-of-way costs and construction (in a manner suitable to SHA and/or DPW&T), including construction permits and a written agreement with SHA and/or DPW&T on when to commence and complete construction.

- c. A road club agreement between interested private sector parties acceptable to SHA, DPW&T and the Planning Department that is consistent with the requirements of item b. above.
- 8. The following improvements shall be funded in accordance with the requirements described in Condition 7 above and to the specifications and requirements of SHA and DPW&T:
  - a. Provide a third lane on southbound MD 202, largely within the existing median, beginning at the end of the loop ramp from southbound I-95 and ending at the Arena Drive/Lake Arbor Way intersection.
  - b. Provide a third through lane and reconstructed shoulder on northbound MD 202, largely along the existing outside shoulder, beginning 1,500 feet north of the Arena Drive/Lake Arbor Way intersection and ending at the Lottsford Road intersection. In conjunction with this improvement, provide new acceleration and deceleration lanes on northbound MD 202 at Lottsford Road.
  - c. Provide a second lane on the ramp from northbound MD 202 to northbound I-95 beginning at the MD 202 ramp terminal and ending prior to the I-95 ramp terminal (striping would delineate two 2-lane diverges from three approach lanes at the MD 202 ramp terminal).
  - d. Provide a reconstructed auxiliary lane on southbound MD 202 between the directional ramp from northbound I-95 and the right-turn lane to McCormick Drive.
  - e. Provide a third left-turn lane on the McCormick Drive approach to MD 202.
  - f. Provide a second left-turn lane on the southbound MD 202 approach to Lottsford Road.
  - g. Provide a fifth approach lane on the eastbound Lottsford Road approach to MD 202 to provide two left-turn lanes, two through lanes and a free right-turn lane.
- 9. If the applicant chooses to participate in the provision of improvements cited in Condition 7 via a road club agreement cited in Condition 7.c. above, the following may be required to occur:
  - a. A qualified road club participant would include any developer with conditions approved by the Planning Board and/or District Council, similar to those outlined in Conditions a. and b. above.
  - b. The road club agreement would divide the cost of responsibilities between participants by a ratio based on the number of AM plus PM peak-hour trips assigned to MD 202 between I-95 and Lake Arbor/Arena Drive; the numerator being the participant's trips and denominator being all of the participants' [sic] trips.

- c. The road club agreement would be modified, along with each participant's cost requirement, whenever a new participant is included or whenever a participant is excluded (the latter only occurring if the land were to revert back to "raw" acreage prior to recordation).
  - d. The total cost of improvements to MD 202, for which each participant's cost share ratio is to be applied, shall be agreed to by SHA, DPW&T and interested parties and shall be used for the sole purpose of sectioning off improvement work scopes.
  - e. A participant would be responsible for all costs associated with the construction of their assigned improvements including additional costs which may result from revisions to the design contract documents for partial construction, temporary pavement required for temporary roadway transitions, inflation, differences between costs estimates and bids, etc.
  - f. The order and scope of improvements to be constructed by any one participant would be determined by SHA and DPW&T but in no case would exceed the participant's required cost share established in the road club agreement.
  - g. Any cost estimate differences between an identified improvement and a participant's share would be paid to DPW&T to fund additional segments.
  - h. Once a participant's scope of improvements is identified and suitable financial assurance is secured with SHA (1) building permits may be issued and (2) no adjustments may be added to or subtracted from that participant's construction work scope.
10. Funds for design costs under a road club agreement conducted in accordance with Condition 7.c. above will be provided in the following manner:
- a. All costs associated with the preparation of the initial set of final design plans, documents, contracts and specifications shall be provided from the more than \$600,000 in previously received developer contributions now being held by DPW&T.
  - b. Available money that is either remaining from the final design costs, or that may come in as contributions from previously conditioned developers, would be used to reimburse any participant involved in construction of a segment of MD 202, up to but not beyond the release of the construction bonds, which certify completion of the project.
11. At a minimum, the first and only the first participant under a road club as discussed in Condition 7(c) above would be required to provide the following road improvements:
- a. A third through lane on southbound MD 202 from the directional ramp from northbound I-95 to Lottsford Road (ending as a left-turn lane).

- b. A new right-turn deceleration lane on southbound MD 202 at McCormick Drive.
11. Prior to the issuance of any building permits, the applicant, his heirs, successors and/or assignees shall enter into a written agreement with DPW&T to delineate the timing and exact scope of improvements to Lottsford Road and Campus Way North. At a minimum, the following must be provided:
- a. Physical improvements to the intersection of Lottsford Road and Campus Way North.
  - b. A partial section for Campus Way North between Lottsford Road and the northernmost access point into the subject property.
  - c. A fair share contribution toward a signal at Lottsford Road and Campus Way North.

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 in the Tartan South Subdivision, at the intersection of Dunrobin Drive, Nicol Circle, and Ballston Court.
- 3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-S	R-S
Use(s)	Single-family detached homes, stormwater management facility and park land	Single-family detached homes stormwater management facility and park land
Acreage	10.82	10.82
Lots	3	4
Parcels	2	2
Detached Dwelling Units	3	4

4. **Environmental**—A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils may be found to occur on the property. No transportation-related noise generators have been identified in the immediate vicinity of this property. The soils found to occur according to the Prince George's

County Soil Survey include Adelphia fine sandy loam and Collington fine sandy loam. The Adelphia soils have limitations with respect to high water tables and impeded drainage but will not affect the layout of this site as proposed. According to available information, Marlboro clay is not found to occur on this property. 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. There are no designated scenic and historic roads in the vicinity of this property. This property is located in the Western Branch watershed of the Patuxent River Basin and in the Developing Tier as reflected in the adopted General Plan.

### **Woodland Conservation**

A Detailed Forest Stand Delineation (FSD) was submitted with the previous applications for this property and found to address the requirements for a Forest Stand Delineation.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there are previously approved Tree Conservation Plans (TCPI/12/97 and TCPII/69/97). The Type I Tree Conservation Plan, TCPI/12/97-02, as revised with this application has been reviewed and was found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance. TCPI/12/97-02 as revised includes the entire 84.40-acre site that was the subject of the original application.

This property is immediately south of the project known as Balk Hill that has an approved Preliminary Plan of Subdivision, 4-02016, and an approved Type I Tree Conservation Plan, TCPI/16/02. The Balk Hill approval provides for a buffer along its southern boundary where it abuts the Villages of Campus Way. That buffer includes the area west of Ballston Court where this application, 4-03067, proposes impacts to the Patuxent River Primary Management Area (PMA) and Woodland Conservation Areas as approved on the Balk Hill plans.

This 84.4-acre property has a net tract area of 70.99 acres and a Woodland Conservation Threshold (WCT) of 20 percent or 14.2 acres and replacement requirements of 16.5 acres for the clearing of woodlands. The 30.7-acre requirement is proposed to be satisfied by 5.6 acres of on-site preservation, 6.2 acres of on-site reforestation, 0.96 acre of fee-in-lieu, and 17.94 acres of off-site mitigation. TCPI/12/97-02 is recommended for approval with conditions.

The Type I Tree Conservation Plan, TCPI/12/97-02, as revised generally shows the location of the Patuxent River Primary Management Area (PMA) in accordance with what was approved by Preliminary Plan of Subdivision 4-97027 and as it extends onto this property from the Balk Hill site to the north. This application proposes impacts to the PMA for the construction of the stormwater management pond and proposed Ballston Court. These impacts have been minimized to the greatest extent possible and are associated with the site infrastructure only. Proposed PMA impacts have been found to have been minimized. Therefore, the PMA is being preserved to the greatest extent possible.

### **Water and Sewer Categories**

The water and sewer service categories are W-3 and S-3 according to water and sewer maps dated September 2002, obtained from the Department of Environmental Resources. The lots will be served by public systems.

5. **Community Planning**—This preliminary plan of subdivision is a resubdivision of 4-97027 for Parcels F and H and Lots 1, 9 and 28 only. It involves minor modifications to the approved subdivision. The affected Comprehensive Design Plan (CDP-9303) has been revised per CDP-9303/01. The property is located on the northeast side of Campus Way North, north of Lottsford Road. It is zoned R-S. This application includes 10.82 acres. The modifications include street rights-of-way changes (i.e., vacation and dedication) and boundary line changes to several lots and parcels. The subdivision is in conformance with the Largo-Lottsford and Vicinity Master Plan (1990) and is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier.
6. **Parks and Recreation**—In accordance with Section 24-134(a)(3)(D) of the Prince George's County Subdivision Regulations, the subject subdivision is exempt from mandatory dedication requirements because they have already been fulfilled.

As for the land exchanges between the property owner and the Commission, the deeds and replatting are in process, in accordance with Commission approval.

7. **Trails**—Two master plan trails were included in prior approvals (CDP-9303 and SDP-9702) for the subject site. A master plan trail was recommended along the subject property's frontage of Campus Way North. This condition is not impacted by the subject application and should be implemented as approved.

A trail was also recommended through the subject site along one side of Dunrobin Drive up to and around Nicol Circle and terminating where Dunrobin Drive meets the property to the north. The road relocation proposed does slightly modify this condition. The trail along Dunrobin Drive and Nicol Circle should still be completed. However, no trail or sidewalk is recommended along Street "A" as this will be an open section roadway in both the Villages of Campus Way and Balk Hills (the property immediately to the north of the subject site). This trail recommendation will provide internal pedestrian and bicycle access to the park property and will be consistent with approvals for the property to the north of the subject site.

The revised master plan trail recommendation is listed below. The location for the trail through the subject site (Condition 11 for CDP-9303) should be modified to reflect the new street pattern and road cross sections.

8. **Transportation**—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. Based on the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, one single-family development will generate 1 AM peak hour trip, and 1 PM peak hour trip. Pursuant to provisions in the guidelines, the Planning Board may find that traffic impact of small developments is *de minimus*. A *de minimus* development is defined as one that generates five trips or fewer in any peak period. There are no issues regarding on-site circulation of traffic.

The property is part of a larger residential subdivision that was the subject of Preliminary Plan 4-97027, approved in 1997. The approval was for 162 residential lots and 5 parcels. At the time of the original approval, the following transportation conditions were imposed:

6. **Prior to the issuance of any residential building permits, the applicant, his heirs, successors and/or assigns shall demonstrate that the improvements required by Condition 8 are in place or fully funded in any one or more of the following ways:**
  - a. **One hundred percent construction funding in the first three years of an approved County Capital Improvement Program and/or State Consolidated Transportation Program.**
  - b. **Suitable financial assurances for full (100 percent) private sector funding for design, right-of-way costs and construction (in a manner suitable to SHA and/or DPW&T), including construction permits and a written agreement with SHA and/or DPW&T on when to commence and complete construction.**
  - c. **A road club agreement between interested private sector parties acceptable to SHA, DPW&T and the Planning Department which is consistent with the requirements of item (b) above.**
7. **The following improvements shall be funded in accordance with the requirements described in Condition 6 above and to the specifications and requirements of SHA and DPW&T:**
  - a. **Provide a third lane on southbound MD 202, largely within the existing median, beginning at the end of the loop ramp from southbound I-95 and ending at the Arena Drive/Lake Arbor Way intersection.**
  - b. **Provide a third through lane and reconstructed shoulder on northbound MD 202, largely along the existing outside shoulder, beginning 1,500 feet north of the Arena Drive/Lake Arbor Way intersection and ending at the Lottsford Road intersection. In conjunction with this improvement, provide new acceleration and deceleration lanes on northbound MD 202 at Lottsford Road.**



- c. **Provide a second lane on the ramp from northbound MD 202 to northbound I-95 beginning at the MD 202 ramp terminal and ending prior to the I-95 ramp terminal (striping would delineate two 2-lane diverges from three approach lanes at the MD 202 ramp terminal).**
  - d. **Provide a reconstructed auxiliary lane on southbound MD 202 between the directional ramp from northbound I-95 and the right-turn lane to McCormick Drive.**
  - e. **Provide a third left-turn lane on the McCormick Drive approach to MD 202.**
  - f. **Provide a second left-turn lane on the southbound MD 202 approach to Lottsford Road.**
  - g. **Provide a fifth approach lane on the eastbound Lottsford Road approach to MD 202 to provide two left-turn lanes, two through lanes and a free right-turn lane.**
- 8. **If the applicant chooses to participate in the provision of improvements cited in Condition 6 via a Road Club Agreement cited in Condition 6(c) above, the following may be required to occur:**
  - a. **A qualified road club participant would include any developer with conditions approved by the Planning Board and/or District Council, similar to those outlined in Conditions a and b above.**
  - b. **The Road Club Agreement would divide the cost of responsibilities between participants by a ratio based on the number of AM plus PM peak hour trips assigned to MD 202 between I-95 and Lake Arbor/Arena Drive; the numerator being the participant's trips and denominator being all of the participant's trips.**
  - c. **The Road Club Agreement would be modified, along with each participant's cost requirement, whenever a new participant is included or whenever a participant is excluded (the latter only occurring if the land were to revert back to "raw" acreage prior to recordation).**
  - d. **The total cost of improvements to MD 202, for which each participant's cost share ratio is to be applied, shall be agreed to by SHA, DPW&T and interested parties, and shall be used for the sole purpose of sectioning off improvement work scopes.**
  - e. **A participant would be responsible for all costs associated with the construction of their assigned improvements including additional costs**

which may result from revisions to the design contract documents for partial construction, temporary pavement required for temporary roadway transitions, inflation, differences between costs estimates and bids, etc.

- f. The order and scope of improvements to be constructed by any one participant would be determined by SHA and DPW&T but in no case would exceed the participant's required cost share established in the road club agreement.
  - g. Any cost estimate differences between an identified improvement and a participant's share would be paid to DPW&T to fund additional segments.
  - h. Once a participant's scope of improvements is identified and suitable financial assurance is secured with SHA: (1) building permits may be issued and (2) no adjustments may be added to or subtracted from that participant's construction work scope.
- 9. Funds for design costs under a road club agreement conducted in accordance with Condition 6(c) above will be provided in the following manner:
  - a. All costs associated with the preparation of the initial set of final design plans, documents, contracts and specifications shall be provided from the more than \$600,000 in previously received developer contributions now being held by DPW&T.
  - b. Available money that is either remaining from the final design costs, or that may come in as contributions from previously conditioned developers, would be used to reimburse any participant involved in construction of a segment of MD 202, up to but not beyond the release of the construction bonds, which certify completion of the project.
- 10. At a minimum, the first and only the first participant under a road club as discussed in Condition 6(c) above would be required to provide the following road improvements:
  - a. A third through lane on southbound MD 202, from the directional ramp from northbound I-95 to Lottsford Road (ending as a left-turn lane).
  - b. A new right-turn deceleration lane on southbound MD 202 at McCormick Drive.
- 11. Prior to the issuance of any building permits, the applicant, his heirs, successors and/or assigns shall enter into a written agreement with the DPW&T to delineate the timing and exact scope of improvements to Lottsford Road and Campus Way North. At a minimum, the following must be provided:

- a. **Physical improvements to the intersection of Lottsford Road and Campus Way North.**
- b. **A partial section for Campus Way North between Lottsford Road and the northernmost access point into the subject property.**
- c. **A fair share contribution toward a signal at Lottsford Road and Campus Way North.**

**12. The final plat shall show dedication for Campus Way North as shown on the submitted Preliminary Plan.**

Because the area of these four lots is included in the approved preliminary plan, these conditions should apply to these lots as well. The additional lot does not affect the findings of adequacy based on these improvements.

Based on the fact that the subject application is considered to be *de minimus*, des 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.

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).

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Dwelling Units	1 sfd	1 sfd	1 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	0.24	0.06	0.12
Actual Enrollment	6182	4896	9660
Completion Enrollment	234	197	393
Wait Enrollment	96	225	451
Cumulative Enrollment	109.20	60.06	120.12
Total Enrollment	6621.44	5378.12	10624.24
State Rated Capacity	6616	4638	8770
Percent Capacity	100.08%	115.96%	121.14%
Funded School	Bowie, Whitehall	N/a	N/a

Source: Prince George's County Planning Department, M-NCPPC, July 2003

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

The school surcharge may be used for the construction of additional school facilities, which are expected to accommodate the new students that will be generated by this development proposal. This project meets the adequate public facilities policies of Section 24-122.02, CB-30-2003 and CB-31-2003.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities.
  - a. The existing fire engine service at Kentland Fire Station, Company 46, located at 10400 Campus Way South, has a service travel time of 3.93 minutes, which is within the 5.25-minute travel time guideline.
  - b. The existing ambulance service Kentland Fire Station, Company 46, has a service travel

time of 3.93 minutes, which is within the 6.25-minute travel time guideline.

- c. The existing paramedic service at Kentland Fire Station, Company 46, has a service travel time of 3.93 minutes, which is within the 7.25-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*. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic services.

- 11. **Police Facilities**— The proposed development is within the service area for Police District II-Bowie. In accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Villages at Campus Way development. This police facility will adequately serve the population generated by the proposed subdivision. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of June 30, 2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 69 sworn personnel.
- 12. **Health Department**<sup>¾</sup> The Health Department reviewed the application and offered no comments.
- 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, # 948000680, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. However, that approval was valid for the platting of the Tartan South Subdivision. The proposed subdivision involves existing Parcel H, which was created for stormwater management facilities. This revision to the Tartan South plan requires a revision to the approved stormwater concept plan. The revision should be approved prior to signature approval of the preliminary plan.
- 14. **Cemeteries**<sup>¾</sup> There are no known cemeteries on or adjoining the subject property.
- 15. **Public Utility Easement**—The preliminary plan does not include the required ten-foot-wide public utility easement. Prior to signature approval, the plan should be revised to include this easement parallel and contiguous to all public streets.

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.

\* \* \* \* \*

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Squire, Vaughns and Hewlett voting in favor of the motion at its regular meeting held on Thursday, December 4, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of January 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:JD:rmk