

R E S O L U T I O N

WHEREAS, Vox II, LLC is the owner of a 26.3-acre parcel of land known as Parcels 5, 29, 55, 62 and 65, Tax Map 170 and Grid E-3, said property being in the 5th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on July 13, 2004, Vox II, LLC 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 4-04102 for Homeland Recreational Facility 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 October 21, 2004, 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 October 21, 2004, 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/68/04), and further APPROVED Preliminary Plan of Subdivision 4-04102, Homeland Recreational Facility for Parcel A and a Variation to Section 24-130 of the Subdivision Regulations with the following conditions:

1. Prior to signature approval of the preliminary plan:
 - a. The 50-foot stream buffer shall be correctly labeled and the expanded stream buffer shall be correctly shown on the Preliminary Plan and the Type I Tree Conservation Plan.
 - b. The Stormwater Management Concept Plan shall be approved and a copy of the approval letter shall be submitted to the Development Review Division.
 - c. The Type I Tree Conservation Plan shall be revised to:
 - (1) Correctly show the expanded stream buffer.
 - (2) Remove the scale reading 1" = 200'.
 - (3) Eliminate the use of areas less than 35 feet in width adjacent to Livingston Road.

- (4) Revise the worksheet as needed.
 - (5) Have the revised plan signed and dated by the qualified professional who prepared the plan.
2. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer, excluding those areas where variation requests have been approved, and be reviewed by the Environmental Planning Section prior to approval. 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."
3. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
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/68/04), 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. A Type II tree conservation plan shall be approved prior to the issuance of permits.
6. Prior to the issuance of building permits, the property shall be deeded to the Homeland Homeowners Association.
7. The land to be conveyed to a homeowners association shall be subject to the following:
 - a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
 - c. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.

- d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse, or similar waste matter.
 - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and storm drain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
 - f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
 - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
 - h. Storm drain outfalls shall be designed to avoid adverse impacts on adjacent land owned by or to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). If the outfalls require drainage improvements on land to be conveyed to or owned by M-NCPPC, the Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - i. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to, M-NCPPC without the review and approval of DPR.
 - j. The Planning Board, or its designee, shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
8. Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archaeological investigation with the concurrence of the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archaeological literature) for those lands determined to be subject. Prior to approval of final plats, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff as needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland (Schaffer and Cole: 1994)* and must be presented in a report following the same guidelines.
9. 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.”

10. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFA) to DRD for approval prior to the submission of final plats for construction of recreational facilities on homeowners land. Upon approval by DRD, the RFA shall be recorded among the county Land Records.
11. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee prior to building permits for the construction of recreational facilities on homeowners land.
12. In accordance with Section 27-445, the applicant shall submit a detailed site plan for the private recreational area. The DSP shall be approved by the Planning Board or its designee prior to final plat.

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 of Indian Head Highway at Livingston Road/Gabriel Drive and Shiloh Church Road, along the boundary between Prince George's County and Charles County.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Vacant	Private Recreational Facility
Acreage	26.3	26.3
Parcels	1	1

4. **Environmental**—The Environmental Planning Section has reviewed the revised preliminary plan of subdivision for the Homeland Recreational Facility, 4-04102, and the revised TCPI/68/04 stamped as accepted for processing on September 15, 2004. The Environmental Planning Section supports the variation requests for the reasons stated in this memorandum and recommends approval of 4-04102 and TCPI/68/04 subject to the conditions noted at the end of this memorandum. The Environmental Planning Section previously reviewed SE-4017 and TCPII/248/91 for the placement of a mobile home on a portion of the property.

A review of the available information indicates that streams, 100-year floodplain, and wetlands occur on the property. There are no areas of severe slopes or steep slopes with highly erodible soils on the property. The site is mostly wooded. There are no nearby sources of traffic-generated noise and the proposal is not expected to be a noise generator. According to the *Prince George's County Soil Survey* the soils on the site are in the Aura, Beltsville, Bibb, Iuka and Leonardtown series. According to available information, Marlboro clay does not occur in the vicinity of 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 Mattawoman Creek watershed of the Potomac River basin and in the Developing Tier as reflected in the adopted General Plan.

Floodplain, Streams, Wetlands and Buffers

This site contains expanded stream buffers associated with Mattawoman Creek in the Potomac River watershed. These natural features are required to be protected under Section 24-130 of the Subdivision Regulations. The streams conform to those shown in *Prince George's County Soils Survey*. A wetlands report, including the area of the subject application, was included with the Homeland Subdivision, 4-02124. The streams, 50-foot stream buffers, wetlands, 25-foot wetland buffers, and 100-year floodplain are correctly depicted on the plans; however the 50-foot stream buffer is labeled as the expanded buffer on the plans and in the legend. The expanded stream buffer should follow the 50-foot stream buffer, the 100-year floodplain limit, or 25-foot wetland buffers, whichever is greater.

Disturbance to sensitive environmental features is shown on the TCPI. All disturbance not essential to the development of the site as a whole is prohibited within expanded stream buffers. Essential development includes such features as public utility lines (including sewer and stormwater outfalls), streets, and so forth, which are mandated for public health and safety; non-essential activities are those such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare. Impacts for essential development features require variations to the Subdivision Regulations. Staff will not support impacts to sensitive environmental features that are not associated with necessary road construction or the installation of public utilities. A variation request for the abutting portion of the main access road was granted by the Planning Board during the approval of Homeland 4-02124.

Two variation requests, dated September 1, 2004, were submitted. Request 1 is for temporary impacts totaling 12,400 square feet to an expanded stream buffer that is required for the installation of sanitary sewer lines. Request 2 is for the construction of Street "A" and will impact 17,900 square feet of the expanded stream buffer. The proposed road and sanitary sewer appear to be necessary and unavoidable.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of

variation requests. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;**

The installation of sanitary sewer lines is required by the Prince George's County Code to provide for public safety, health and welfare. The construction of Street "A" is required by the Department of Public Works and Transportation to provide access for emergency vehicles and safe travel. All designs of these types of facilities are reviewed by the appropriate agency to ensure compliance with other regulations. These regulations require that the designs are not injurious to other property.

- (2) The conditions on which the variations are based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The specific topography of the site and the location of the existing sewer main dictate the alignment of the sanitary sewer needed to adequately serve the proposed development. The alignment of Street "A" has been chosen to minimize impacts and no alternative access is possible. Thus, all of the requested variations are not generally applicable to other properties.

- (3) The variation does not constitute a violation of any other applicable law, ordinance or regulation; and**

The installation of the sanitary sewer and the proposed road construction are required by other regulations. Because the applicant will have to obtain permits from other local, state and federal agencies as required by their regulations, the approval of this variation request would not constitute a violation of other applicable laws.

- (4) Because of the peculiar physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulation is carried out.**

The topography provides no alternative for the location of the sanitary sewer line that is required to serve the development. Without the required sanitary sewer line, the property could not be properly developed in accordance with the regulations of the R-R Zone. Street "A" is required not

only for this application but also to provide access and safe travel for the Homeland Subdivision. If these variations are not approved the clubhouse could not be built and a major access to the site would be denied.

Woodland Conservation

The revised forest stand delineation (FSD) has been reviewed. The FSD, based upon eight samples points, indicates three forest stands totaling 15.70 acres and notes the locations of five specimen trees. The plan shows soils boundaries and required sensitive environmental elements and the text contains all of the required information. The FSD meets the requirements of the Woodland Conservation Ordinance.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site, and a portion of the site has a previously approved Type II tree conservation plan. A Type I tree conservation plan is required.

SE-4017 for the placement of a mobile home on a portion of the property, and its associated TCPII, TCPII/248/91, were previously approved. The TCPI shows off-site clearing on the Homeland property that will need to be addressed during the review and approval of the specific design plan and Type II tree conservation plan for that property. The plan shows additional clearing in Charles County; however, that is beyond the jurisdictional review of the Planning Board.

The revised Type I tree conservation plan, TCPI/68/04, has been reviewed and was found to require revisions. As noted previously, the expanded stream buffer is not entirely correct. The plan contains two scale bars; however, one is incorrect. A portion of the woodland proposed for preservation near Livingston Road has a width of less than 35 feet.

The TCPI proposes clearing 8.25 acres of the existing 14.80 acres of upland woodland and clearing 0.30 acre of the existing 0.90 acre of woodland within the 100-year floodplain. The woodland conservation requirement has been correctly calculated as 6.22 acres. The plan proposes on-site preservation of 6.55 acres.

Of the proposed 6.55 acres of on-site preservation, 6.25 acres create a contiguous area that contains most of the sensitive environmental features on the site. Additionally, some small open areas will naturally regenerate to increase the size of this area. The plan meets the goals stated in the Prince George's County Woodland Conservation and Tree Preservation Policy Document.

Soils

According to the *Prince George's County Soil Survey*, the soils on the site are in the Aura, Beltsville, Bibb, Iuka and Leonardtown series. The Beltsville, Iuka and Leonardtown soils have

limitations that could affect the development of this property and include high water tables, impeded drainage, and slow permeability. Bibb soils are associated with floodplains. The design of the site must consider appropriate grading and drainage because the lack of topography creates the potential for ponding. The soils pose problems for foundations and the potential for flooding of basements.

Stormwater Management

The Preliminary Plan and Type I TCP indicate that a stormwater management concept plan, CSD #111272-2004-00, has been submitted to the Prince George's County Department of Environmental Resources. The TCPI shows the use of several small ponds for stormwater management. Because the proposed use is not residential, the specific locations of the ponds should not significantly affect the lotting pattern if the concept plan is altered in the future.

Water and Sewer Categories

The water and sewer service categories are W-4 and S-4 according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources. The property will be served by public systems.

5. **Community Planning**—This property is located in the Developing Tier as described by the 2002 General Plan. 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. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier.

The 1993 Subregion V master plan recommends residential land use at the Low-Suburban density of up to 2.6 dwelling units per acre. The 1993 Subregion V SMA classified this property in the R-R Zone. This preliminary subdivision application conforms to the Low-Suburban residential land use recommendation of the master plan.

This preliminary subdivision application proposes recreation and stormwater management facilities on property classified in the R-R Zone as a component of the adjacent Homeland residential development project. The Homeland residential project is classified in the R-S Comprehensive Design Zone and was approved for development by preliminary plan of subdivision 4-02124 and Comprehensive Development Plan CDP-0203. The proposed recreation complex is referenced on CDP-0203 in the area generally occupied by this application and is an integral part of the residential development proposal for this area. As such, this application conforms to the recommendation of the master plan for Low-Suburban residential land use in this area.

6. **Parks and Recreation**—This is the recreational facility site for the adjacent Homeland subdivision. Once completed, the property and the facilities will be turned over to the homeowners association. The transfer of the property and facilities should be subject to conditions ensuring that the property is suitable for transfer. These conditions are included in this

report.

7. **Trails**— Prior approvals for the subject site addressed master plan trail facilities. The main trail facility to be implemented on the subject site is the Mattawoman Creek Stream Valley Trail. This will ultimately be a major trail facility in the southern portion of the county. A trailhead facility is also required on the subject site. Both of these facilities will be located south of the area included in the subject application. These facilities are required by prior approvals and are discussed in the resolutions for CDP-0203 and 4-02124.

The prior approvals, however, also contained conditions regarding internal HOA trails and pedestrian connections. Sidewalks are to be provided along both sides of all internal roads. All HOA connections shall be a minimum of six feet wide and asphalt. At the time of SDP, a comprehensive trail and sidewalk map shall be provided. These conditions are reiterated below. The recommendations included below are from Condition 11 of approved CDP-0203.

The internal path and sidewalk network shown on the submitted plan appears to be comprehensive and links all of the proposed recreational facilities. Additional internal paths may be recommended at the time of SDP when a greater level of detail is shown.

Sidewalk Connectivity

The subdivision immediately to the east of the subject site includes sidewalks along both sides of all internal roads. Prior approvals for the subject site require sidewalks along both sides of the internal roads within the Homeland development.

8. **Transportation**—The application is a preliminary plan of subdivision for a lot that is intended to provide recreational facilities associated with an adjacent planned development. Given that the facilities are intended to be used primarily if not exclusively by residents of the adjacent development, it is determined that the proposed development would generate 0 AM and 0 PM peak-hour vehicle trips.

The site is 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.

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.

The traffic generated by the proposed preliminary plan would impact the intersection of MD 210 and Shiloh Church Road/site access.

The site is intended to provide recreational facilities associated with an adjacent development that was reviewed as subdivision 4-02124 for Homeland. Under existing, background, and total traffic, it was determined that the intersection would operate at Level of Service (LOS) D or better in each peak hour with improvements that have been made conditions of development for Homeland. Due to the limited trip generation and its association with the adjacent basic plan/subdivision, however, the Prince George's County Planning Board could deem the site's impact at this location to be de minimus. Staff would therefore recommend that the Planning Board find that 0 AM and 0 PM peak-hour trips will have a de minimus impact upon delay in the critical movements at the MD 210/Shiloh Church Road/site access intersection.

TRANSPORTATION CONCLUSIONS

Based on the preceding findings, 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. No conditions are recommended at this time.

9. **Schools**—The proposal is exempt from the adequacy test for public schools because it is a nonresidential use.
10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section reviewed the subdivision plans for adequacy of public fire and rescue facilities.
 - a. The existing fire engine service at Accokeek Fire Station, Company 24, located at 16111 Livingston Road, has a service travel time of 6.34 minutes, which is beyond the 3.25-minute travel time guideline.
 - b. The existing ambulance service at Accokeek Fire Station, Company 24, located at 16111 Livingston Road, has a service travel time of 6.34 minutes, which is beyond the 4.25-minute travel time guideline.
 - c. The existing paramedic service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road, has a service travel time of 19.19 minutes, which is beyond the 7.25-minute travel time guideline. The nearest fire station, Accokeek, Company 24, is 6.34 minutes from the development. This facility would be within the recommended travel time for paramedic service if an operational decision to locate this service at that facility is made by the county.
 - d. The existing ladder truck service at Oxon Hill Fire Station, Company 21, located at 7600 Livingston Road, has a service travel time of 23.83 minutes, which is beyond the 4.25-minute travel time guideline.

To alleviate the negative impact on fire and rescue services due to the inadequate service

discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

These findings are in conformance with the standards and guidelines contained in the *Adopted and Approved Public Safety Master Plan 1990* and the "Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities."

The Historic Preservation and Public Facilities Planning Section has concluded that the proposed recreational facility is beyond response time standards for ambulance service to Company 24, Accokeek. Furthermore, there are no existing, programmed or proposed projects in a master plan that would mitigate this inadequacy. However, the subject 26.3-acre property (multipurpose field, pool, clubhouse, tennis courts) is located at the southwestern most corner of Prince George's County, approximately two-miles from a fire station in Charles County.

Staff has been assured by Charles County that the Bryans Road Fire Station, in accordance with the approved (July 1981) mutual aid agreement, is able and willing to provide first arrival services (engine and ambulance) to the subject property. The Accokeek Fire Station, Company 24, would retain first due responsibility as the closest fire station in Prince George's County, although the Bryans Road facility is significantly closer to the development than Company 24. The proposal will be adequately served by the Bryans Road Fire Station, and that no Prince George's County existing or planned facility is closer to the property.

11. **Police Facilities**—The proposed development is within the service area for Police District IV-Oxon Hill. 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 January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**—The Health Department noted the presence of domestic trash and one tire on the property. The trash and debris must be disposed of properly. The Health Department also noted that wells and septic systems to be abandoned must be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04. In addition, the Health Department noted the presence of abandoned vehicles and a plastic drum filled with an unknown liquid. The liquid must be evaluated and disposed of in an appropriate manner by a licensed hazardous waste company. A copy of the manifest must be submitted to the Health Department prior to signature approval of the preliminary plan.
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, Concept 111272-2004-00, has been submitted, but not yet approved. To ensure that development of this site does not result in on-site or downstream flooding, a stormwater management concept plan must be approved prior to signature approval of the

preliminary plan. Development must be in accordance with this approved plan, or any revisions thereto.

14. **Cemeteries**^{3/4} There are no known cemeteries on or adjoining the subject property. However, there are prehistoric archeological sites in similar settings in the vicinity of the property. Therefore, a Phase I Archeological investigation should be required.
15. **Public Utility Easement**—The preliminary plan includes the required ten-foot-wide public utility easement parallel and contiguous to all public rights-of-way. The easement will be shown on the final plat.

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 Harley, seconded by Commissioner Squire, with Commissioners Harley, Squire, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, October 21 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of November 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:TL:rmk