

R E S O L U T I O N

WHEREAS, a 4.78-acre parcel of land in the 5th Election District of Prince George's County, Maryland, and being zoned R-R/R-C-O; and

WHEREAS, on January 24, 2008, Friendship Greens on the Potomac, LLC filed an application for approval of a Chesapeake Bay Critical Area Conservation Plan for the purpose of a subdivision that is partially within the Chesapeake Bay Critical Area; and

WHEREAS, the application for approval of the aforesaid Chesapeake Bay Critical Area Conservation Plan, also known as Conservation Plan CP-07011 for River Bend Estates, 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 January 24, 2008, for its review and action in accordance with Zoning Ordinance, Subtitle 27, 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 January 24, 2008, 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 Section 24-151 of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Conservation Plan CP-07011, River Bend Estates for Preliminary Plan 4-07047 with the following condition:

Prior to signature, the Conservation Plan shall be revised to include the following notes:

- a. "No development is proposed. Any future proposed disturbance will require review and approval by the Planning Board."
- b. "Only passive recreation is permitted within the R-C-O."

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

1. **SITE DESCRIPTION**

The 12.81-acre property in the R-R/R-C-O zones is located on the northwest side of Fort Foote Road approximately 5,000 feet southwest of its intersection with Oxon Hill Road. There are no streams or 100-year floodplain on the property. An isolated wetland occurs on the property.

According to the *Prince George's County Soil Survey* the principal soils are in the Aura, Beltsville, Chillum and Leonardtown series. Marlboro clay is not found to occur in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, no rare, threatened, or endangered species occur in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of the property. This property is located in the Potomac River watershed.

2. **FINDINGS**

1. Except for noting that the property is within the Chesapeake Bay Critical Area, there are no specific recommendations pertaining to the environmental elements of the Henson ~~Master~~ Plan that relate to the subject property.
2. The Countywide Green Infrastructure Plan designates the R-C-O area as a Regulated Area and the remainder of the site is within a designated Evaluation Area. The plan proposes no development within the R-C-O.
3. This R-C-O portion of the site is not subject to the provisions of the Woodland Conservation and Tree Preservation Ordinance, because it is within the Chesapeake Bay Critical Area. The portion outside of the R-C-O zone has a Tree Conservation Plan associated with Preliminary Plan 4-07047.
4. The maximum amount of impervious surface areas permitted per Section 27-548.17, footnote 4 A (ii) of the Zoning Ordinance is 15 percent of the gross tract area or 31,252.5 square feet. The plan proposes no disturbance and no impervious surface areas.
5. All other provisions of the Chesapeake Bay Critical Area regulations have been met on-site.

3. **Summary**

On November 2, 2007, the Subdivision Review Committee determined that the conservation plan was not in conformance with the requirements of the R-C-O Zone and the "Chesapeake Bay Critical Area Conservation Manual" because it proposed the installation of stormwater management facility to support adjacent development. Revised plans were accepted for processing on December 17, 2007. The revised plans show no disturbance to any portion of the Chesapeake Bay Critical Area 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.

\* \* \* \* \*

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Cavitt and Parker voting in favor of the motion, and with Commissioner Vaughns absent at its regular meeting held on Thursday, January 24, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of February 2008.

Oscar S. Rodriguez  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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