

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 11, 2003, regarding Conceptual Site Plan CSP-03001 for Balk Hill Village, the Planning Board finds:

1. The subject property consists of 125.4 acres in the M-X-T Zone and is located on the north side of MD 202 at its intersection with St. Joseph's Drive. The site is approximately 1,000 feet southeast of the interchange of the Capital Beltway (I-95) and MD 202. The site is currently vacant, as is all adjacent surrounding property except the existing St. Joseph's parish on the west side of St. Joseph's Drive.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	M-X-T	M-X-T
Use(s)	vacant	Residential, commercial
Acreage	125.4	125.4
Lots	0	393 residential
Parcels	0	0
Square Footage/GFA	0	328,480 sf commercial
Dwelling Units:		
Attached	0	60±
Detached	0	283±
Multifamily	0	50±

Other Development Data**Floor Area Ratio (FAR) in the M-X-T Zone****FAR Permitted:**

Base Density	0.4 FAR
Residential	1.0 FAR
Total Permitted	1.4 FAR (permitted under the Optional Method of Development, 27-545(b)(4), for provision of more than 20 dwelling units) (1.4 x 5,462,424 sf (gross site area)=7,647,394 sf permitted)

FAR Proposed:

Residential	1,000,000 to 1,200,000 sf
Retail	18,000 to 20,000 sf
Commercial	300,000 to 329,480 sf
Total FAR	1,318,000 to 1,549,480 sf (0.24 to 0.28 FAR)

3. The Conceptual Site Plan represents a reasonable alternative for satisfying the Site Design Guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

Required Findings in the M-X-T Zone

4. *The proposed development is in conformance with the purposes and other provisions of this Division.*

Section 27-542. Purposes of the M-X-T Zone

(a) *The purposes of the M-X-T Zone are:*

- (1) *To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;*
- (2) *To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;*
- (3) *To promote the effective and optimum use of transit and other major transportation systems;*
- (4) *To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;*
- (5) *To encourage diverse land uses which blend together harmoniously;*
- (6) *To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;*
- (7) *To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;*
- (8) *To permit a flexible response to the market; and*
- (9) *To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.*

The Conceptual Site Plan provides for a development that meets the above purposes of the M-X-T Zone. The plan proposes a mix of uses including a variety of residential types, retail and office in a village pattern utilizing a grid street system. The proposed development is located at a major intersection in the county where the office and retail will provide for an expanding source of desirable employment while also providing for an assortment of living opportunities for its citizens. A mixed-use development at this location maximizes the development potential inherent in the location of the zone and promotes the effective use of major transportation systems. The retail and office components have the ability to facilitate and encourage a 24-hour environment.

The plan provides for a variety of residential opportunities in different settings that offer choices for the consumer. Three residential types are to be provided: single-family detached lots, manor homes, and triplex and quadplex units. The manor homes are multifamily units constructed to look like large single-family homes. The triplex and quadplex units are models that are designed to look more like townhouse units and will be interspersed with the single-family detached lots. A grid street pattern with a hierarchy of street widths, buildings sited close to the street, pedestrian sidewalks, and street trees will provide for animated streetscapes throughout the development. An open space system is evenly dispersed throughout the development, consisting of a centrally located 8- to 10-acre public open space with a stormwater management (SWM) pond on the west side of Saint Joseph's Drive and a one-acre pocket park on the east side of Saint Joseph's Drive. The larger open space is connected to an existing wooded tributary along the west side of the property. Two large specimen trees will be saved within the open space; a 50-inch diameter American Elm and a 59-inch Black Gum. The SWM pond in that area should be designed with naturalistic contours and as an amenity. Both open space areas should be provided with trails, sitting areas and other recreational facilities such as tot lots and tennis courts.

All recreational facilities should be determined at the time of Preliminary Plan. These features, connected together with a grid street pattern, create dynamic, functional relationships among individual uses within a distinctive visual character and identity. The Conceptual Site Plan for Balk Hill Village, with its mix of uses on a grid street pattern, promotes optimum land planning at this location with greater efficiency through the use of economies of scale and savings in energy beyond the scope of a single-purpose project. People who live and work in the community will also be able to shop, eat or work in a community that is walkable. The layout, with its diversity of uses and building types, will permit a flexible response to the market and freedom of architectural design will be allowed within the framework of the Conceptual Site Plan.

5. *The proposed development has an outward orientation, which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation.*

Along the frontage with future Campus Way North, the plan proposes to provide manor homes, which are multifamily units constructed to look like large single-family homes. The homes will be set back from the right-of-way by 50 feet. Within the 50-foot-wide bufferyard will be landscaping. Private pedestrian access to the front of the buildings should be provided in this location. The private pedestrian access should periodically connect to the public sidewalk along the right-of-way. Along this most publicly visible edge of the development, the fronts of the manor homes will face Campus Way North, which will lend the development an impressive outward orientation.

Along the western property line a wooded tributary will be preserved, screening the development from the adjacent vacant property in the M-X-T Zone.

Along the northeastern property line, the residential portion of the development will be screened from vacant property in the C-O and I-3 Zones by a small wooded tributary and by the employment of a landscape bufferyard in compliance with the requirements of the *Landscape Manual*.

Along the southeastern property line, the proposed commercial development is deemed to be compatible with the adjacent property in the I-3 Zone.

Therefore, it can be concluded that the proposed development has an outward orientation that is physically and visually integrated with existing and future adjacent development.

6. *The proposed development is compatible with existing and proposed development in the vicinity.*

As explained in Finding 5 above, the proposed development will be compatible with existing and future adjacent development in the vicinity, either by virtue of the intrinsic compatibility of the adjacent land uses or by the existence of wooded areas and/or landscape buffers.

7. *The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.*

The Conceptual Site Plan meets the above requirement by providing for a development with a mixture of residential units, commercial retail and office, and an open space system that is interconnected with a grid street pattern. The village development pattern creates dynamic, functional relationships among individual uses within a distinctive visual character and identity. The applicant proposes to provide a high-quality development of continuing quality and stability.

8. *If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases.*

The development is broken into five stages. At the conceptual level, the phasing appears to be adequate to ensure self-sufficient phases. The staging should be fine tuned as subsequent development plan approvals are obtained.

9. *The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development.*

The grid street pattern will provide for a comprehensive pedestrian system. Sidewalks are proposed to be on both sides of all streets. The pedestrian system is convenient in that there will be easy access to the open space areas and to the village center where the Balk Hill Circle is located. The applicant proposes that the circle be accommodated with a large fountain, special paving, benches, pedestrian lighting and landscaping. It is envisioned to be a public area for relaxation and repose. Pedestrian circulation could be improved if an eight-foot-wide hiker/biker

trail were provided between the residential area in the northwest corner of the site and the Village center area via the stormwater management pond embankment (between Street C and Street D). Additionally, pedestrian paths should be provided throughout the common open spaces areas connecting the various recreational facilities to be provided.

10. *On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.*

The property was placed in the M-X-T Zone by Zoning Map Amendment (Case No. A-9956-C), approved by the District Council on July 23, 2002. Adequate public facilities will be reviewed at the time of Preliminary Plan.

Conformance to Zoning Map Amendment A-9956-C

11. The Conceptual Site Plan is in general conformance to Zoning Map Amendment A-9956-C. The following conditions warrant discussion:

10. **An Advisory Planning Committee, consisting of the applicant and representatives from St. Joseph's Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations, shall be established to advise the Revenue Authority, a community development corporation, or another nonprofit entity about the development, use, and disposition of the 20-acre employment parcel.**

The applicant, by letter dated July 21, 2003 (Arrington to Wagner) has indicated that an Advisory Planning Committee has been established to advise the Community Development Corporation on the development and use of the 20-acre employment parcel. The Conceptual Site Plan does not show a pattern of development for the employment parcel, but generally states that "the design will be small in scale with parking areas generally located to the rear of buildings and screened from view of major roadways."

11. **The applicant shall work with the Fox Lake and Ridgewood communities in restoring the entranceway hardscape and landscape at a cost not to exceed \$35,000.**

The applicant, by letter dated July 21, 2003 (Arrington to Wagner), has indicated that the developer is working with the communities to provide assistance with the entrance restoration. The applicant has also noted that Lottsford Road is currently under construction and that this resulted in the destruction of the entrance features. After the county has completed its work on Lottsford Road, the applicant intends to meet with the communities to provide additional landscape and hardscape in accordance with condition 11 above.

- 12. The open area designated on the Basic Plan as the Balk Hill Circle shall include an amphitheater or other suitable facility that may be used for outdoor cultural activities.**

The plan provides for a large fountain with landscaping, special paving, benches and pedestrian-scaled lighting to satisfy the above requirement. Conceptually, the plan is adequate and will be reviewed in more detail at the time of Detailed Site Plan to ensure that it meets the above requirements.

- 13. The community building shall be designed with an area suitable for community theatrical productions.**

The plan provides for two potential locations for the community building. The preferable location would be in the commercial area, close to the retail where parking could be shared between the office, retail and community building. This is particularly important since the community building is to provide theatrical productions. The other location is in the larger open space area at the intersection of Street A and St. Joseph's Drive. This location is less desirable since it is in a residential area where parking may be a problem. The potential buildable area for the community building would be approximately 1.5 acres. This area may be more suitable for private recreational facilities such as sitting areas, playgrounds, open play areas or tennis courts. The final size, location, and timing of construction of the community building should be determined at the time of Preliminary Plan.

Referrals

11. In a memorandum dated July 14, 2003 (Masog to Wagner), the Transportation Planning Division offered the following comments. The subject property consists of approximately 125.4 acres of land in the M-X-T Zone. The property is located between MD 202 and Campus Way, at the intersection of MD 202 and McCormick Drive/St. Joseph's Drive. The applicant proposes to develop the property under the M-X-T zoning with 393 residences, nine retail units, and up to 348,480 square feet of mixed office and retail space.

The adequacy of transportation facilities was reviewed at the time of the property's rezoning to M-X-T under Zoning Map Amendment A-9956. When this has occurred, the adequacy of transportation facilities is not an issue in the review of a conceptual site plan. Adequacy findings and off-site transportation conditions are governed by conditions placed on A-9956, and will be re-reviewed at such time that the subject plan is the subject of a preliminary plan of subdivision.

Review Comments

The current plan is a revision from an earlier plan on which the transportation staff provided comments. There continue to be several issues with the plan:

- a. St. Joseph's Drive is a master plan collector facility, and the alignment is substantially in conformance to the master plan. The Department of Public Works and Transportation

(DPW&T) must determine the appropriateness of the traffic circle and approve its design elements. A full review should occur prior to preliminary plan approval.

- b. The slight rerouting of St. Joseph's Drive at Ruby Lockhart Boulevard results in a narrow green strip to the west of the street that could effectively prevent the Rouse property (about twice the size of this one zoned M-X-T) from obtaining access. If determined to be desirable and needed at the time of preliminary plan, Ruby Lockhart Boulevard must be extended beyond Saint Joseph's Drive to the west property line (a distance of 38 feet) as a 70-foot right-of-way.
- c. Approximately 80 percent of the single-family residences and all of the townhouse residences will be served by alleys, according to the plan. DPW&T generally does not support 50-foot rights-of-way in front of townhouses, but may allow them where alleys are present.
- d. The street typical sections shown appear to be consistent with current practices. The applicant is put on notice that all public streets must conform to DPW&T standards, and any variation from those standards must be approved by the Director of Public Works and Transportation.
- e. There will be no on-street parking along St. Joseph's Drive and along the traffic circle. The plan has not identified an area of off-street parking that will serve the attached residences around the circle.

Compliance With Basic Plan Conditions

The staff's review of this conceptual site plan application is part of an ongoing review that started with A-9956. There are several transportation-related conditions in the District Council order approving the Basic Plan that require follow-up during the staff's review of succeeding plans:

Condition 1: Requires construction of Campus Way and St. Joseph's Drive within the limits of the subject property. Timing will be determined at the time of preliminary plan.

Condition 2: Requires off-site road improvements in the area, either directly by the applicant or through payment of a fee on a pro-rata basis. Timing will be determined at the time of preliminary plan.

Condition 3: Requires that adequate right-of-way for needed master plan facilities is provided. The submitted plans show adequate right-of-way where needed.

Condition 4: Requires further study at Campus Way/St. Joseph's Drive. This condition is enforceable at the time of preliminary plan.

Condition 5: Caps development of the property. The upper end of the current proposal appears to slightly exceed the cap shown in this condition, while the lower quantity of office and retail space would conform. Conformance with this condition will be determined when a traffic study is submitted at the time of the preliminary plan. In any regard, the cap contained in this condition

shall govern.

Conclusions

The Transportation Planning Section finds that the conceptual site plan represents a reasonable alternative for satisfying the site design guidelines related to transportation. Furthermore, the plan is in general conformance with the transportation elements of the approved Basic Plan. These findings are subject to conditions 2-4 in the Recommendation Section.

12. In a memorandum dated June 25, 2003 (Ingrum to Wagner), the Environmental Planning Section offered the following comments. The Environmental Planning Section has reviewed the above referenced revised Conceptual Site Plan and Type I TCP, stamped as accepted for processing by the Countywide Planning Division on June 13, 2003. CSP-03001 and TCPI/19/03 are recommended for approval subject to the conditions at the end of this memorandum. This memorandum supercedes all previous memorandums from this section concerning this case.

Background

The Environmental Planning Section previously reviewed rezoning application number A-9956 for the rezoning of the subject property from Industrial (I-3) zone to the Mixed Use-Transportation Oriented Zone (M-X-T). A portion of the site is subject to TCPI/05/97, which was approved with preliminary plan 4-97013.

Site Description

The 125.4-acre site is located east of the Capital Beltway, south of Ardwick-Ardmore Road, and north of Lottsford Road. Current air photos indicate that portions of the site are wooded and portions contain open agricultural fields. This property is within the Western Branch watershed, which is part of the Patuxent River watershed. A stream is located in the northwestern portion of this property and wetlands may occur adjacent to this stream. Steep and severe slopes have also been found to occur on the property. Campus Way North, a planned arterial highway, will be a future noise source. Marlboro Clay does not occur in the area. The predominant soils found to occur, according to the Prince George's County Soil Survey, are the Collington series, which do not pose any difficulties for development. The sewer and water service categories are S-4 and W-4.

According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "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 or historic roads in the vicinity of the property.

Summary of Prior Environmental Conditions of Approval

A-9956-C

A-9956-C included two conditions that are required to be addressed at time of Conceptual Site Plan. The respective conditions are in **bold** type and the associated comments are in italics.

Condition 7. “The Conceptual Site Plan shall include a tree-stand delineation plan. Where possible, major stands of trees shall be preserved, especially along streams, and where they serve as a buffer between the subject property and adjacent residentially zoned land.”

Comment: A Forest Stand Delineation was submitted with this application and will be reviewed in the Environmental Review Section of this memo. It should be noted that to the extent possible, woodlands have been preserved between the subject property and the adjacent residentially zoned land.

Condition 8. “At the time of Conceptual Site Plan, TCPI/05/97 shall be revised as required if areas along St. Joseph’s Drive and Campus Way North are not proposed for woodland reforestation or preservation.”

Comment: The proposed TCPI for this site, TCPI/19/03, encompasses a portion of TCPI/05/97. The woodland conservation requirements on the portion of the property covered by TCPI/05/97 are being satisfied by TCPI/19/03. TCPI/05/97 will not need to be revised.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

1. The revised detailed Forest Stand Delineation (FSD) submitted later in the review process was reviewed and was found to address the criteria for an FSD in accordance with the Prince George’s County Woodland Conservation and Tree Preservation Technical Manual.

Discussion: No additional information is required with respect to the Forest Stand Delineation.

2. 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 there is a previously approved Tree Conservation Plan, TCPI/05/97, encompassing a portion of the property.

The subject property has a net tract area of 125.40 acres, a woodland conservation threshold (WCT) of 15 percent or 18.80 acres, replacement requirements totaling 31.53 acres, and a total requirement of 41.62 acres. This 41.62-acre requirement is being satisfied by 9.95 acres of on-site preservation in priority retention areas, 0.93 acre of on-site reforestation, and 30.74 acres of off-site mitigation. It is noted that the revision boxes on the plan sheets have been properly

used to note revisions made since April of 2003; however, the plan has not been signed and dated by a qualified professional and the initials of the person who made the changes differ from the qualified professional whose name is printed on the plan. The revised Type I Tree Conservation Plan shows the preservation of a large block of woodland and several associated specimen trees. These trees will require special treatment prior to and during construction. The measures necessary to ensure preservation of the specimen trees need to be provided on the Type II Tree Conservation Plan. TCPI/19/03 is recommended for approval subject to the following conditions:

Recommended Condition: Prior to certification of the Conceptual Site Plan, the Type I Tree Conservation Plan shall be signed and dated by the qualified professional who prepared the plan.

Recommended Condition: At time of Detailed Site Plan submission, the TCPII shall contain details and a narrative regarding the proposed preservation measures for all specimen trees to be preserved on site. These measures shall include treatments to occur prior to, during and after construction.

Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/19/03). The following note shall be placed on the Final Plat of Subdivision:

A Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/19/03), 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. Two unnamed streams that drain to the Patuxent River are located on this property. Section 24-130(b)(5) of the Subdivision Ordinance provides for the protection of streams and the associated buffers that comprise the Patuxent River Primary Management Area, (PMA). The PMA includes the 50-foot stream buffer, adjacent areas of wetlands, the 25-foot wetland buffer, the 100-year floodplain, adjacent slopes in excess of 25 percent (severe slopes), and adjacent slopes between 15 and 25 percent on highly erodible soils (steep slopes). The PMA has been accurately shown on the plans as revised on June 13, 2003.

Comment: No further information is required with respect to the location of the PMA.

4. The Subdivision Ordinance, Section 24-130(b)(5) requires that the PMA be preserved in a natural state to the fullest extent possible. A letter of justification for four proposed PMA impacts was submitted with the plan revisions on June 13, 2003. The proposed impacts for two road crossings, a stormwater management pond, and a stormwater management outfall are necessary infrastructure for the development of this site. It should be noted that the site has been redesigned so that the impacts to the PMA from the proposed roads and stormwater management facilities have been reduced. These impacts are supported and recommended for approval.

Comment: The Patuxent River Primary Management Area has been preserved to the fullest extent

possible.

5. A DER-approved stormwater management concept approval letter and plan have been submitted with this application; however, the location of the stormwater management facilities has changed since the initial submission of this application. In addition, the stormwater management concept approval letter contains a stipulation that a 25-foot landscape buffer is required between the pond and the proposed lot lines. The DER-approved technical stormwater management plans must be submitted at time of Detailed Site Plan submission for review of the location of the stormwater management facilities and the proposed landscape buffer.

Recommended Condition: At the time of Detailed Site Plan, the DER-approved technical stormwater management plans shall be submitted.

The Urban Design Section notes that the Type I Tree Conservation Plan should be modified to incorporate any design changes made subsequent to the Environmental Planning Section memo dated June 25, 2003.

13. In a memorandum dated May 7, 2003 (Asan to Wagner), the Park Planning and Development Division recommends that private recreational facilities be provided for the site

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/19/03), and further APPROVED Conceptual Site Plan CSP-03001 for the above-described land, subject to the following conditions:

1. At the time of Detailed Site Plan, the following shall be provided::
 - a. Private pedestrian access shall be provided to the front of the manor homes fronting on Campus Way North. The private pedestrian access shall periodically connect to the public sidewalk along the right-of-way.
 - b. Consideration shall be given to removing the three single-family detached lots from the south end of Street C, adjacent to the SWM pond. The three lots may be provided on either side of St. Joseph's Drive, at the entrance along Campus Way North, or other locations on the site.
 - c. An eight-foot-wide hiker/biker trail shall be provided across the SWM pond embankment connecting Street C and Street D.
2. Prior to preliminary plan approval, the Department of Public Works and Transportation shall determine the appropriateness of the traffic circle along St. Joseph's Drive and approve its design elements.
3. If determined to be desirable and needed at the time of preliminary plan, the preliminary plan shall reflect an extension of Ruby Lockhart Boulevard beyond Saint Joseph's Drive to the west

property line as a 70-foot right-of-way.

4. The applicant, his successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreational Facilities Guidelines*.
5. The amount and location of private recreational facilities shall be determined at the time of Preliminary Plan review and approval.
6. The final size, location and timing of the construction of the community building shall be determined at the time of Preliminary Plan.
7. Prior to certification of the Conceptual Site Plan, the Type I Tree Conservation Plan shall be signed and dated by the qualified professional who prepared the plan.
8. At time of Detailed Site Plan submission, the TCPII shall contain details and a narrative regarding the proposed preservation measures for all specimen trees to be preserved on site. These measures shall include treatments to occur prior to, during and after construction.
9. *Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/19/03). 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/19/03), 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.”
10. *At time of submission of the Detailed Site Plan, the technical stormwater management plans shall be submitted.*
11. *The Type I Tree Conservation Plan shall be modified to incorporate any design changes made subsequent to the Environmental Planning Section memo dated June 25, 2003.*

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with the District Council of Prince George=s County within thirty (30) days following the final notice of the Planning Board=s decision.

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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 Harley, with Commissioners Lowe, Harley, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 11, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of September 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk