RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed 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 February 19, 2009, regarding Detailed Site Plan DSP-07078 and SP-070013 for 4334 Farragut Street Adaptive Re-Use, the Planning Board finds:

1. **Request:** The subject application requests approval of a mixed-use project including seven multifamily residential units and 3,393 square feet of commercial space in the adaptive reuse of an existing building.

2. **Development Data Summary**

| | EXISTING | APPROVED |
|-----------------------------|-----------------|----------------------------|
| Zone | D-D-O/C-O | D-D-O/C-O |
| Use(s) | Vacant | Commercial and Residential |
| Acreage | .1613 | .1613 |
| Parcels | None | None |
| Lots | One | One |
| Building Square Footage/GFA | 10,726 | 17,602 |
| Multifamily Dwelling Units | 0 | 7 |

| Item | Square Footage |
|--|----------------|
| Existing Square Footage on the Site | 10,726 |
| Square Footage of New Construction | 6,876 |
| Total Square Footage Planned for the Site | 17,602 |
| Resulting Commercial Square Footage | 3,393 |
| Resulting Residential Square Footage | 13,313 |
| Total Commercial and Residential Square Footage | 16,706 |
| Differential due to Razing of an Existing Addition | 896 |

OTHER DEVELOPMENT DATA

| Total Parking | Required | Provided |
|-------------------|-----------------------------|----------|
| Residential Units | 11/2 = 5.5, rounded up to 6 | 6 |
| Commercial Space | 44/2 = 22 | 22* |

*Provided as permitted in the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District.

- 3. **Location**: The site is in located in Planning Area 68. The project is located in Council District 2. More specifically, it is located in the northwestern quadrant of the intersection of Farragut Street and Church Place in Hyattsville.
- 4. **Surrounding Uses**: The subject property is bounded to the north by a 15-foot-wide alley with a post office and its ancillary parking beyond; to the west by an existing commercial building with office use on the first floor and residential units on the upper stories; to the south by Farragut Street with a vacant building owned by Prince George's County and the Justice Center beyond; and to the east by the rear façades of a commercial retail building and its ancillary parking.
- 5. **Previous Approvals**: The site is subject to Final Plat 14, Block B, as recorded in Plat Book A@20A in 1884 and re-enrolled in 1930. The property is the subject of Liber 24542, Folio 463, being the same property recorded in land records in Liber 1822, Folio 388, on January 28, 1955. Lot 14 was subdivided by deed into Parcels 1 and 2, both the subject of this application and correctly indicated on the detailed site plan. The site is also the subject of an approved Stormwater Management Concept Plan, 4798-2008, dated March 24, 2008.
- **Design Features**: The project is planned to adaptively re-use a 36-foot, two-story existing building 6. located in the northwestern quadrant of the intersection of Farragut Street and Church Place, built as a firehouse, but used commercially in recent years, together with the existing three-story commercial building adjacent on its western side. A new building is planned immediately adjacent on the rear portion of the site to include seven multifamily dwelling units, a residential entry lobby, six parking spaces on the ground floor integral to the addition, and an area for bicycle storage on its ground floor. Brick pavers or semi-pervious paving is indicated in the front yard of the buildings, landscaped with street trees and mulched planting beds and shrubs along the Farragut Street frontage, the front yard portion of the Church Place frontage, and as a separation between the front yards of the two buildings. The pavers are specified to be placed on a six-inch subsurface gravel bed. The new mulched planting beds for the shrubs are specified as being set flush with the new pavers. Building-mounted signage is specified on 4334 Farragut Street at a maximum of 15 square feet and on 4332 Farragut Street at a maximum of ten square feet, to be applied inside the glass of the storefront only. A concrete walk offers pedestrian accessibility along Farragut Street, whereas brick pavers are utilized on the public walk area along Church Place and along the alley accessing the rear

of the building. The front yard of the building is landscaped with three street trees and mulched planting beds and shrubs along the major part of its periphery and separating the front yards of the two buildings.

The front (south) elevations of the two buildings were joined at some point in time by the application of a common facing material. The distinct character of the two buildings is retained, however, in its fenestration. The right side of the front façade of the old firehouse has roll-up doors in its base, necessary for ingress and egress of the fire apparatuses to the original firehouse, and double-high windows expressive of the interior design of a firehouse with tall ceilings to enable the hanging of fire hoses at their full length to dry. In contrast, the first story of the left-hand side of the façade has a more standard commercial storefront entranceway and windows, with regular fenestration of smaller double-hung windows for the residential use on the upper stories. Plans for the front façade of the project include retaining the existing facing brickwork, while installing a new cornice, a steel-framed photovoltaic panel canopy, double-hung windows, a new glazed overhead storefront and entry doors, and creating a zone for tenant signage above the entry doors.

A portion of the right side elevation of the existing building would be treated with a neutral colored exterior insulation finishing system (EIFS) with dark grey feature joints. The EIFS has been offered in either a smooth or rough finish by the applicant. The smooth finish is conditioned as part of this approval. Fenestration on this façade, including three existing glass block windows on the first story, are to be retained and a fourth existing opening is planned to be filled with glass block to match these existing windows. Three new large casement windows are to be added to the second story of the façade with two smaller windows toward the rear of the existing façade. Such fenestration is complemented by an irregular pattern of smaller new glass block windows, with the joints in the EIFS providing additional visual interest.

The right portion of the right side façade is all new construction and contains three residential units (one on each floor) over a base floor providing six structured parking spaces. Rainscreen is specified as the addition's sheathing material in three grey colors randomly applied. Rainscreen is an eco-friendly construction façade system which consists of a subframe and finish. The finish in this case is a high-density cementitious board product. Rainscreen cladding is the attachment of an outer skin of rear-ventilated cladding or a double wall construction that uses an outer layer to keep rain out and an inner layer to provide thermal insulation, prevent excessive air leakage, and carry wind loading. The outer layer breathes like a skin while the inner layer reduces energy loss. The structural frame of the building is kept absolutely dry, as water never reaches it or the thermal insulation. Evaporation and drainage in the cavity removes water that penetrates between panel joints. The rainscreen principle means that water droplets are not driven through the panel joints or openings because wind pressure action on the outer face of the panel is equalized in the cavity. Therefore, there is no significant pressure differential to drive rain through the joints. During extreme weather, a minimal amount of water may penetrate the outer cladding, but will run as droplets down the back of the cladding sheets and dissipate through evaporation and drainage.

The addition is four stories tall and the fenestration is a mix of square and rectangular regularly-placed casement windows. Fenestration of the first floor of the addition includes two metal

garage doors which will provide vehicular access to the structured parking within and a galvanized steel greenscreen on the remainder of the first story of the façade with an EIFS finish behind. An exception to this treatment is on the extreme left (or forward) portion of the addition that allows visual access to a column of steel egress stairs which, in addition to an elevator within, provide access to the upper stories of the building.

The rear (north) façade of the building is, like the rear portion of the side façade, sheathed in various tones of grey rainscreen panels. Fenestration is quite regular with two new large casement windows installed two on a floor on the left and central portions of the façade, and a narrow band (three) of new awning windows on the right side of the façade. The roof is flat with a metal capping and the corners are finished with metal panels. The base floor indicates five metal garage doors of varying heights due to the sloping topography of the site. The metal screen on the rear side portion of the right side façade will be partially visible from the rear.

The left (west) elevation is visible generally in the rear portion because the front of the façade is obscured by the adjacent building. Where visible, the existing building will be sheathed in insulated stucco and a new casement window and railing will be installed. The addition in the rear is sheathed in the same grey tones of rainscreen panels as the other portions of the addition and the roof and corner treatments are identical. The fenestration pattern varies, however, with windows/doors exclusively on the right portion of the façade. The elevator shaft provides a vertical element and an anchor for additional greenscreen, as well as terraces accessed from the individual units by glass sliding doors and paired large casement windows to its right. A pedestrian entrance is provided on the ground floor of the foremost portion of the addition on this façade.

7. The requirements of the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District:

- a. The sector plan and sectional map amendment superimpose a Development District Overlay Zone over designated subareas called "character areas" to ensure that the development of the land meets the sector plan goals. The development district standards follow and implement the recommendations in the sector plan and sectional map amendment. The project falls within the "town center" character area under the sector plan. The development district standards are organized in three parts to address site design, building design, and public space.
- b. Section 27-548.25(b) requires that in approving the detailed site plan, the Planning Board shall find that the site plan meets applicable development district standards. The subject detailed site plan meets the applicable development district standards as explained below in the point-by-point response to the applicable development district standards.
- 8. **Development District Standards of the Development District Overlay Zone (DDOZ):** Overall the application meets the development standards pertinent to achieving the town center character area in Hyattsville.

- 9. Requirements of the Zoning Ordinance in the Commercial Office (C-O) Zone: Where the development district standards contained in the Gateway Arts District Plan are silent on varying regulated areas, the requirements for the C-O Zone contained in the Zoning Ordinance apply. More specifically, the C-O Zone is identified in Section 27-453 of the Zoning Ordinance. Therein, the purpose of the zone is stated as providing locations for predominantly nonretail commercial uses, such as business offices and services of a professional, clerical, or administrative nature, and such retail and service uses are desirable for the efficient and convenient operation of the nonretail uses. As to landscaping and screening, it states that such will be provided in accordance with Section 27-450, which simply states that the requirements of the *Prince George's County Landscape* Manual apply. As to uses, the section cites the Table of Uses, which specifically allows the uses proposed in this application. As to regulations, Section 27-453 states that additional regulations concerning the location, size, and other provisions for all buildings and structures in the C-O Zone are provided for in Divisions 1 and 5 of "this" part (Part 6. Commercial Zones), the Regulations Table (Division 4) of "this" part (Part 6. Commercial Zones), General (Part 2), Off-Street Parking and Loading (Part 11), and Signs (Part 12) apply. Staff has reviewed each relevant regulatory section not replaced by development district standards in the 2004 Gateway Arts District sector plan and found the subject project to be in compliance with those requirements.
- 10. **Landscape Manual:** The proposed development is subject to the requirements of Sections 4.1.g., 4.1.h., 4.1.k., 4.2.a., and 4.4.b. of the Landscape Manual. Staff has reviewed the submitted plans against the requirements of these sections and found them to be in conformance.
- 11. **Woodland Conservation Ordinance:** The site is exempt from the requirements of the Prince George's County Woodland Conservation Ordinance.
- 12. **Planning Board Analysis**: The subject application was referred to the concerned agencies and divisions referenced below. The following findings are based upon the comments contained in the referrals and the evidence presented at the hearing. The referral comments are summarized as follows:

Historic Preservation—The applicant shall use the smooth finish EIFS as included in samples provided and all other materials are acceptable as presented on the sample board dated October 20, 2008.

Archeological Review—The subject property is located within the Hyattsville National Register Historic District and includes two early 20th century buildings that are identified as contributing resources within the district. The easternmost of the two buildings was constructed as the town's first municipal building/firehouse. The subject property is also located within the Gateway Arts District plan area. Therefore, the subject application has been evaluated against the historic preservation goals and objectives of the adopted plan. Specifically, the plan's goal to "preserve and protect the Historic Sites and districts of the Arts District" and the associated objective "To evaluate and designate historic resources and historic survey properties that meet the criteria of the Historic Preservation Ordinance," which speak to the need to gather and analyze information about these

buildings beyond the summary data included in the national register documentation. Although the alterations and additions of the proposed project will likely render the property ineligible for historic site designation, completed Maryland Historical Trust (MHT) survey forms documenting the physical character and historic significance of these buildings will aid in their understanding and appreciation by the public.

A Phase I archeological survey is not recommended on the above-referenced 0.16-acre property located at 4334 Farragut Street in Hyattsville, Maryland. Two buildings and their associated parking lots are located on the property. According to tax records, the two buildings on the subject property were built in 1912. Since these buildings will be significantly altered by the proposed construction, their current characteristics should be recorded on a Maryland Inventory of Historic Properties (MIHP) form. There are two previously recorded archeological sites, 18PR96 (the Indian Queen Tavern) and 18PR390 (the Calvert Mansion), located within a one-mile radius of the subject property. In addition there are 27 County historic sites and six historic resources located within a one-mile radius of the subject property. Seven of the historic sites are listed in the National Register of Historic Places.

Completion and submission of the above-mentioned MHT survey forms is required by conditions of this approval.

Community Planning—The application conforms to the 2002 *Prince George's County Approved General Plan* development pattern policies for the Developed Tier and the mixed-use-infill land use recommendations of the 2004 Gateway Arts District sector plan and sectional map amendment as well as the development standards of the Gateway Arts District Development District Overlay Zone.

The following is an analysis of the development with respect to the goals and objectives of the 2002 General Plan:

The site is located in the Developed Tier on the Baltimore Avenue Corridor. More particularly, the project fronts on Farragut Street, a two-lane municipal street. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. The vision for corridors is mixed residential and nonresidential uses at moderate- to high-densities and intensities, with a strong emphasis on transit-oriented development. This development should occur at local centers and other appropriate nodes within one-quarter mile of major intersections or transit stops along the corridor.

The project is located in Planning Area 68 in the City of Hyattsville and in the town center character area of land use as identified in the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*, (the Plan). The Plan retained the underlying Commercial Office (C-O) Zone, but changed permitted uses and development standards according to those permitted in the town center character area.

The Plan governs development of this site and sets goals, objectives, and concepts based on the identification of the following seven character areas: 1) town center, 2) arts production and

entertainment, 3) neighborhood arts and production, 4) multifamily residential community, 5) traditional residential neighborhoods, 6) neighborhood commercial, and 7) stream valley park. Each character area has its particular set of development district standards with the exception of the stream valley character area. The property is in the town center character area in which development standards emphasize the creation of a pedestrian-oriented streetscape that will welcome residents and visitors and establish a build-to-line to ensure a common street wall that creates a comfortable sense of enclosure and minimizes total parking requirements while encouraging shared parking. In particular, residential uses above first floor retail or commercial uses are desired in town centers to infuse the areas with new residents who can enliven the streets and support commercial retail and middle- to high-end housing with structured parking. The goal for a town center character area is to enhance the walkability of town centers by creating a framework for high-quality, mixed-use, pedestrian-oriented development incorporating human-scale buildings, an attractive streetscape, and landscaping and small pocket parks.

The project is in compliance with the following district development standards:

- Standards 5 and 6, page 147, regarding parking at the rear of a lot or parcel on a side street or alley a maximum of 18 feet wide.
- Standard 2, page 148, regarding parking in the town center character area must be at a minimum rate of 1.5 parking spaces per artist live/work space. If all seven residential units are artist live/work units, a total of 11 parking spaces is required.
- Parking for commercial units is calculated in accordance with Section 27-568(a) of the Zoning Ordinance that requires one parking space for every 150 square feet of retail space up to the first 3,000 square feet and one parking space for every 200 square feet of retail space above the first 3,000 square feet would require 21.9 or 22 parking spaces.
- Parking Standard 6, page 148, provides that the minimum parking required is 50 percent of Section 27-568(a) of the Zoning Ordinance when there is a parking district established; eleven spaces would be required. Standard 9, page 149, provides that off-site parking may be used to accommodate the parking requirement, but documentation of the off-site parking needs to be provided. (The applicant provides six parking spaces on the site to accommodate parking for the residential units. The City of Hyattsville is providing an existing on-grade parking lot to the west of the development to accommodate the commercial parking uses.)
- Standards 1, 2, 3 and 4 regarding building height:
 - Multifamily residential buildings: 70 feet maximum
 - Townhouse buildings: 45 feet maximum
 - Commercial buildings: 18 feet minimum
- Build-to requirements: Standard 1, page 144, provides that in the town center character area, the build-to-line along all streets other than US 1, 34th Street, and 38th Street shall be 15 feet

from the curb plus or minus five feet.

• Access and circulation: Standard 2, page 147, provides that sidewalks a minimum of five feet in width shall connect to dwelling entrances, parking, recreational facilities, auxiliary buildings, and recycling and dumpster areas. The Community Planning North Division stated that, with respect to this standard, the three-foot-wide sidewalk along Church Place, which functions more like a pedestrian way than a street, is sufficient in this particular case.

Transportation—The replacement of commercial use with residences would result in an overall reduction in trip generation and from the standpoint of transportation, all relevant standards including those for parking are met.

Subdivision—The property is known as Lot 14, Block B recorded in Plat Book A@20A, in 1884, and re-enrolled in 1930. The property is the subject of Liber 24542, Folio 463, being the same property recorded in land records in Liber 1822, Folio 388, on January 28, 1955. Lot 14 was subdivided by deed into Parcels 1 and 2, both the subject of this application and correctly indicated on the detailed site plan.

Section 24-111 of the Subdivision Regulations provides for certain exemptions from the requirement of filing a preliminary plan of subdivision. Specifically, (c)(4) provides:

- (c) A final plat of subdivision approved prior to October 27, 1970, shall be resubdivided prior to the issuance of a building permit unless:
 - (4) The development of more than five thousand (5,000) square feet of gross floor area, which constitutes at least ten percent (10%) of the total area of the site, has been constructed pursuant to a building permit issued on or before December 31, 1991.

Based on PGAtlas, the available aerial photographs indicate that the buildings on-site to remain and be reused existed on-site in 1965. Based on the deed (Liber 24542, Folio 463), the site is approximately 7,025 square feet and the existing gross floor area of the buildings are 10,726 square feet, exceeding ten percent of the total area of the site.

The project involves the conversion of existing commercial into a mixed-use development, converting more than half of the existing 10,726 square feet of commercial to residential and adding 6,876 square feet. In total, the project will result in the creation of seven residential dwelling units (13,313 square feet) and 3,393 square feet of commercial retail space.

The development is exempt from the requirement of filing a preliminary plan of subdivision pursuant to Section 24-111(c)(4) of the Subdivision Regulations based on existing development. If the application instead involved the razing of existing buildings, a plat would have to be filed in accordance with Section 24-107(d) of the Subdivision Regulations to vest the existing exemption.

Trails—The Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District recommends uses that will support dense, mixed-income, multifamily residential units with reduced buffers, side yards, and setbacks. The master plan recommends the use of all transportation modes within the district.

Major bikeways affected by this application include the "Trolly Trail" and the Northwest Branch trail system. Residents will be able to access these trails because the application maximizes the use of the existing transportation network to promote bicycling and walking. One of the sector plan objectives is to define the streetscape as an inviting public space. Another is to include enhanced crosswalks and sidewalks so that the area is recognized as pedestrian-friendly. This proposal accomplishes some of these objectives and implements a sector plan objective to accommodate those who choose to bicycle to and within the sector plan area. Although the sector plan does not specifically recommend bicycle parking, bicycle parking is provided on-site. The bicycle parking spaces are accessed via appropriate entrance features, including a ramp system. The plan will improve existing sidewalks and construct new sidewalks surrounding the building.

Permits—Initially, a departure from design standards would have been necessary to reduce the size of the required parking spaces and that the site plan must be revised to include handicap accessible parking spaces required by the Americans with Disabilities Act (ADA) or Code of Maryland Regulations (COMAR). Revisions to the plans, however, made this unnecessary as the size of the parking spaces was increased and ADA and COMAR standards regarding inclusion of parking for the handicapped met.

Environmental Planning—The site is exempt from the Prince George's County Woodland Conservation Ordinance and has an approved stormwater management concept plan. There were no other environmental issues or comments connected with the project.

Prince George's County Fire/EMS Department—In a memorandum dated January 29, 2009, the Prince George's County Fire/EMS Department offered the applicant information regarding required access for fire apparatuses, private road design, and the location and performance of fire hydrants.

Department of Public Works and Transportation—In a memorandum dated January 8, 2009, noting that Hyattsville has proper authority to comment on the roadways, the Department of Public Works and Transportation (DPW&T) stated that the proposed detailed site plan is consistent with approved Stormwater Management Concept Plan 4798-2008, dated March 24, 2008.

Washington Suburban Sanitary Commission—In a memorandum dated December 11, 2008, the Washington Suburban Sanitary Commission (WSSC) stated that an on-site plan review package should be submitted and suggested that the applicant contact their permit services unit for additional information.

Maryland State Highway Administration—The Maryland State Highway Administration (SHA) appropriately deferred authority to comment to the City of Hyattsville.

Potomac Electric Power Company—In an email dated January 15, 2009, a representative of PEPCO stated that they would not approve the undergrounding of its facilities along US 1 due to a reliability problem. Further, it was explained that they will be feeding the new building from a pole already located in public space, but do not know which pole that will be by the time power is requested. In closing, PEPCO stated that the applicant needs to make a "class of service" change.

Verizon—In an email dated January 15, 2009, a representative of Verizon stated that they would not be offering comment on the subject application.

City of Hyattsville—A letter dated October 15, 2008 from a representative of the City of Hyattsville stated that on September 15, 2008, the City Council voted to support the adaptive reuse and construction components of the application, as the proposed mixed-use is consistent with the Gateway Arts Development District Overlay Zone, and will provide additional retail and residential units in the City's traditional town center. With respect to Special Permit SP-070013, however, they noted pedestrian and vehicular conflicts along Church Place, a 15-foot-wide alley with two-way vehicular traffic. Further, they stated that the subject building had previously served as the City municipal building and fire station and was constructed along the property line. They said that they applicant proposes the construction of a decorative sidewalk on Church Place that would connect the existing sidewalk on Farragut Street to the existing sidewalk on Gallatin Street, as well as provide some protection to the building from vehicles. In order for the sidewalk to be ADA compliant, however, it must be a minimum of four feet wide, creating a one-way 11-foot vehicular lane on Church Place. He then stated that the City will complete a city-wide traffic study and will have the information necessary to provide a recommendation on the best solutions to resolve their pedestrian and vehicular safety concerns on Church Place. Toward that end, the City requested that the decision be withheld on SP-070013 while the detailed site plan is approved until the City has completed the study and reviewed the best options. Additionally, the City mentioned that the cost for the sidewalk construction and maintenance would have to be paid by the applicant if it varies from the City's concrete sidewalk specifications. Staff subsequently explained to the City that the special permit must be approved together with the detailed site plan.

Other Municipalities—Representatives of the following municipalities indicated to staff that they would not be offering comment on the subject application:

Town of Cottage City
Town of North Brentwood
Town of Bladensburg
Town of Brentwood
Town of Edmonston
Town of Riverdale Park
Town of University Park
Town of Colmar Manor

15. As required by Section 27-285(b) of the Zoning Ordinance, the detailed 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.

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 Detailed Site Plan DSP-07078 and SP-070013, subject to the following conditions:

- 1. Prior to signature approval of this detailed site plan, the following revisions shall be made to the plans and additional specified documentation submitted:
 - a. The two buildings within the subject property shall be documented with Maryland Inventory of Historic Properties (MIHP) forms according to Maryland Historical Trust standards.
 - b. A note shall be added to the plan that a smooth rather than rough exterior insulation finishing system (EIFS) shall be used, as represented on the sample board provided. All other materials proffered may be utilized.
 - c. The applicant shall change the reference to "Church Street" on the vicinity map to "Church Place."
 - d. The inclusion of a sidewalk is contingent on the approval of the sidewalk by the City of Hyattsville. Toward that end, the applicant shall work with the staff of the City of Hyattsville to determine the one-way direction of Church Place, whether the proposed sidewalk should be included on city property along Church Place and the design of that sidewalk, including width and choice of paving materials for the sidewalk. If determined necessary by the City of Hyattsville, a traffic study will be completed on this site and, if the sidewalk is not approved by the City, it shall be removed from the plan.
 - e. Should a transformer be required, applicant shall paint it a color coordinated with that of the building and shall screen it with landscaping, which shall include evergreens. Final design shall be approved by the Urban Design Section as designee of the Planning Board.
- 2. The Maryland Inventory of Historic Properties (MIHP) form shall be submitted to Historic Preservation staff for review and approval prior to the issuance of any building permits.

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.

* * * * * * * * * * * *

PGCPB No. 09-37 File No. DSP-07078 Page 12

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, Vaughns and Parker voting in favor of the motion, and with Commissioner Cavitt absent at its regular meeting held on Thursday, February 19, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of March 2009.

Oscar S. Rodriguez Executive Director

By Frances J. Guertin Planning Board Administrator

OSR:FJG:RG:bjs