

R E S O L U T I O N

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 April 12, 2007, regarding Detailed Site Plan DSP-05115 for Brandywine Village, the Planning Board finds:

1. **Request:** The subject application requests approval of 18,550 square feet of commercial retail space in the C-S-C zoned portion of a larger shopping center containing 115,947 square feet.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	C-S-C	C-S-C
Use(s)	Vacant	Integrated Shopping Center
Acreage	3.6093	3.6093
Square Footage	0	18,550

3. **Location:** The site is in Planning Area 85A and Council District 9. More specifically, it is located west of US 301, south of Chaddsford Drive, east of the proposed General Lafayette Boulevard and north of Clymer Drive.
4. **Surroundings and Use:** The site is bounded to the south by Clymer Drive, with a stormwater management pond and a liquor store on its opposite side; to the west by environmentally sensitive floodplain and stream buffer to be conveyed to the M-NCPPC; to the north by vacant land proposed to be utilized by the remaining portion of the integrated shopping center; and to the east by dedicated right-of-way extending to the limits of US 301.
5. **Previous Approvals:** Previous approvals on the site include Basic Plan A-9878, Comprehensive Design Plan CDP-0102/02, Preliminary Plans of Subdivision 4-04174 (C-S-C portion of the site) and 4-05130 (L-A-C portion of the site).
6. **Design Features:** The subject detailed site plan covers the southern portion of an integrated shopping center, zoned C-S-C (Commercial Shopping Center). The remaining northern portion of the proposed integrated shopping center is the subject of a separate, companion application, Specific Design Plan SDP-0519, zoned L-A-C (Local Activity Center).

This subject southern portion of the site is proposed to be accessed at two points from Clymer Drive, a 70-foot right-of-way that leads due east from Robert Crain Highway (US 301). The accesses lead into ancillary parking areas provided for the project. Additional parking is located

behind the proposed strip of retail/restaurant space that connects to the proposed Giant Food store on the northern, L-A-C zoned portion of the site.

More particularly, a 7,500-square-foot retail space and a 5,850-square-foot restaurant are proposed to occupy the portion of the strip in the subject detailed site plan that physically connects to an additional retail bay and the proposed Giant Food store on the L-A-C portion of the integrated shopping center to the project's north.

A second restaurant, this one measuring 5,000 square feet, sits on a pad site in the southeastern corner of the site. A loading space is located immediately adjacent to it and parking is provided both to its south and its west. Stormwater management facilities are located at the eastern and western peripheries of the subject site.

A landscape plan submitted with the project demonstrates the project is well landscaped and in compliance with the requirements of the *Prince George's Landscape Manual*.

Architecture for the project involves the use of prefinished standing seam metal on the small roofed areas, EIFS on the cornice and signbands, fabric awnings and/or metal canopies, a prefinished aluminum storefront window system ground-faced concrete masonry, aluminum coping and a brick watertable as well as the use of brick pilasters to provide vertical accents and relief on the building's façade. Signage would be limited to one per tenant and would be composed of surfacemount channel letters. The above enhanced treatment is not extended to the west (rear) elevation of the strip building. Their materials are limited to painted CMU with aluminum coping with a painted concrete FDN wall at its base.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Preliminary Plan of Subdivision 4-05130:** The following condition of the preliminary plan warrants discussion:

Condition 9 - The applicant and/or the applicant's heirs, successors, or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club that will include the applicant, the Montgomery Wards Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area "C" in the Subregion V Master Plan, as well as any properties along US 301/MD 5 between T.B. (the intersection of US 301 and MD 5 in Prince George's County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board. For development on the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of the following:

- **A fee calculated as \$1.24 per gross square foot of space X (Engineering News-Record Highway Construction Cost index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).**
- **Payment is to be made in trust to the road club escrow agent and shall be due, on a pro rata basis, at the time of issuance of building permits. Prior to issuance of any building permit(s), the applicant shall provide written evidence to M-NCPPC that the required payment has been made.**

The off-site transportation improvements to be constructed are set forth below. Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if and only if sufficient funds for engineering, full design, and construction have been deposited into the road club escrow account by road club members or said funds have been provided by public agencies. The off-site transportation improvements shall include:

- a. **Widen US 301/MD 5 from a four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved SHA plans.**
- b. **Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.**
- c. **Make minor widening/striping improvements to the US 301/MD 5 interchange ramps.**
- d. **Widen US 301 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.**
- e. **Reconstruct the traffic signal at US 301/MD 381.**
- f. **Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by DPW&T and SHA.**
- g. **Provide a grade separation at the point the spine road crosses US 301 northeast of T.B.**
- h. **Reconstruct the traffic signal at MD 5/Brandywine Road.**
- i. **Construction of an interchange in the area of US 301/MD 5 and Cedarville/McKendree Roads.**

- j. Construction of an interchange in the area of MD 5 and A-63 north of T.B.**
- k. Construction of A-63 as a six-lane arterial roadway (where off-site) between the US 301/MD 5/Cedarville Rd./McKendree Rd. intersection and MD 5 north of T.B.**
- l. Widen US 301/MD 5 from a six-lane road to an eight-lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.**
- m. Widen MD 5 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.**

Staff Comment: The required pro-rata payments will be made to DPW&T at time of building permit.

- 8. **Preliminary Plan of Subdivision 4-04112:** Conditions 2, 6, 7 and 11 are relevant to SDP-0519, a companion to the subject case. Please see the staff report for that case for a discussion of those conditions.
- 9. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-S-C Zone and the site plan design guidelines of the Zoning Ordinance. The subject application is in conformance with the requirements of Section 27-461 and Section 462, which govern respectively the permitted uses and applicable regulations in the C-S-C Zone. The proposal is a permitted use in the C-S-C Zone.
- 10. **Landscape Manual:** The project is subject to the requirements of Section 4.2, Commercial Landscape Strip adjacent to Public Right-of-Way, Section 4.3a, Parking Lot Landscape Strip adjacent to a Public Right-of-Way and Section 4.3c, Interior Parking Lot Landscaping of the Prince George's County *Landscape Manual*. Staff has reviewed the submitted plans and determined that the proposed project is in accord with the requirements of these sections.
- 11. **Woodland Conservation Ordinance:** The site is subject to the provisions of the Woodland Conservation Ordinance because the property has a previously approved Tree Conservation Plan, TCPI/63/95-01 and a Type II Tree Conservation Plan is required. The Environmental Planning Section reviewed a Type II Tree Conservation Plan for the project, TCPII/170/06, and has unconditionally recommended approval. Therefore, it may be said that the proposed project is in conformance with the requirements of the Prince George's Woodland Conservation Ordinance.
- 12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—In comments dated January 12, 2007, the Historic Preservation Section stated that the subject project would have no effect on historic resources.

- b. **Archeological Review**—In a memorandum dated December 4, 2006, the staff archeologist stated the following:

Phase I archeological survey has been completed on the 4.89-acre Brandywine Village, DSP-05115 property. The final report, *A Phase I Archeological Survey of the Clymer Drive Property: An 8-Acre+/- Parcel Located on Both Sides of Clymer Drive, Near Its Intersection with Robert Crain Highway (Route 301), in Brandywine, Prince George's County, Maryland (Development Case No. 4-05130)*, has been received and was accepted by Paula Bienenfeld, Archeology Consultant, in July 2006. At that time, the archeological review was considered complete and no further archeological work is necessary on this 4.89-acre property. However, please note that additional archeological work is required on the 14.75-acre tract to the north (Brandywine Village SDP-0519) at the former location of the Pheasant's Thicket, the former home of Zadoch Robinson. Moreover, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies or federal permits are required for a project.

- c. **Community Planning**—In a memorandum dated December 8, 2006, the Community Planning Division stated that the subject application was not inconsistent with the 2002 *General Plan* Development Pattern policies for a possible future Center in the Developing Tier and that the application conforms to the land use recommendation of the 1993 *Subregion V Master Plan* for a Commercial/Neighborhood Activity Center at this location, as determined in the approval of previous Comprehensive Design Plan and preliminary subdivision applications.

- d. **Transportation** —In a memorandum dated December 4, 2006, the Transportation Planning Section offered the following information regarding transportation-related conditions pertaining to the project:

Preliminary Plan of Subdivision 4-05130:

Condition 8: This condition sets a trip cap on the portion of the site within the C-S-C zone. Retail space totaling 18,350 square feet is proposed on this portion. The proposal within the C-S-C site, in consideration of pass-by trip rates, would generate 13 AM and 60 PM peak-hour vehicle trips. This is consistent with the underlying trip cap.

Condition 9: This condition is identical to Condition 12 of Preliminary Plan of Subdivision 4-04112, and the required pro-rata payments will be made to DPW&T at the time of building permit.

Access and circulation is acceptable, and it is consistent with the preliminary plan. The overall access and circulation plan for the two sites taken together is cohesive and effective.

The site is adjacent to US 301/MD 5, which is a master plan freeway facility, and General Lafayette Boulevard, which is a major collector facility within a 100-foot right-of-way. All required dedication has already occurred with past plans.

The subject property is required to make roadway improvements in the area pursuant to a finding of adequate public facilities made in 2005/2006 for Preliminary Plans of Subdivision 4-04112 and 4-05130, and in consideration of the findings and conditions associated with Basic Plan A-9878. These findings were supported by a traffic study submitted in 2004. Insofar as the basis for the findings is still valid, and in consideration of the scope of this application, the transportation staff can make a finding that the subject property is in general conformance with the approved preliminary, Comprehensive Design, and Basic Plans. From the standpoint of transportation, the Transportation Planning Section finds (a) that Specific Design Plan SDP-0519 will be served by adequate transportation facilities within a reasonable period of time; and (b) that Detailed Site Plan DSP-05115 is acceptable and meets the finding required for a detailed site plan in Section 27-285.

- e. **Subdivision**—In a memorandum dated December 22, 2006, the Subdivision Section offered a summary of the subdivision-related conditions of the previous approvals which stated that Preliminary Plan of Subdivision 4-04112 and 4-05130, the applicable preliminary plan approvals, included no conditions directly relevant to the review of the subject detailed site plan.
- f. **Trails**—In a memorandum dated January 8, 2007, the senior trails planner stated that he had reviewed the subject plan for conformance with trail requirements in the Countywide Trails Plan and/or the appropriate area Master Plan and that one master plan trail would be required to be installed for the project. Specifically, The Subregion V Master Plan recommends a stream valley trail within Department of Parks and Recreation parkland along a tributary of the Timothy Branch, which would ultimately connect to the Timothy Branch Trail to the south and the planned trail along A-55 to the north. Further, he stated that in addition to providing recreational opportunities for the residents of the subject site, the trail would also connect to a future library, elementary school, and park and ride within the Brandywine Special Study Area, part of the larger Chaddsford development and beyond the scope of the subject application. He went on to note that Preliminary Plan (4-04174) for that larger project includes an extensive network of planned trails, including the master plan stream valley trail, a complete trail loop around the planned lake, and several additional homeowner association's trail connections. The subject site will have access to the trails via sidewalk to be installed on Chaddsford Drive. Condition 15 of approved preliminary plan 4-04112 requires that, at the time of specific design plan review, a detailed analysis of pedestrian and trail facilities for the subject site be

conducted. The result of that analysis endorses the connection of the site to the proposed sidewalk along Chaddsford Drive, which in turn will connect to the planned trail and sidewalk network in the adjoining Chaddsford development. With respect to sidewalks internal to the development, the Senior Trails Planner noted that:

- a. An extensive network of internal sidewalks is proposed for the subject project.
- b. Condition 1 a. (10) of CDP-0102/02 requires standard sidewalks be placed along both sides of all internal roads, unless modified by the DPW&T at the time of issuance of street construction permits.
- c. That plans for the project include standard sidewalks along both Chaddsford Drive and Clymer Drive, as well as an extensive network of internal sidewalks in keeping with the comprehensive design plan condition.
- d. That the application provides for sidewalk connectivity both internal to the development and to adjacent properties.

In sum, the senior trails planner unconditionally supported the sidewalk network and connections as proposed on the submitted plans.

- g. **Permits**—In a memorandum dated December 5, 2006, the Permit Review Division offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.
- h. **Environmental Planning**—In a memorandum dated January 12, 2007, the Environmental Planning Section offered the following:

The following text addresses previously approved environmental conditions related to the subject applications. The text in BOLD is the actual text from the previous cases or plans.

PGCPB No. 06-135, File No. 4-05130

3. **Development of this site shall be in conformance with the Stormwater Management Concept Plan 8840-2004-00 and any subsequent revisions.**
Comment: The stormwater management pond shown on the TCPII is in conformance with Stormwater Management Concept Plan, CSD #8840-2004-00.
12. **Prior to signature of the Preliminary Plan, the Type I Tree Conservation Plan shall be revised to:**
 - a. **Include only the area of Preliminary Plan 4-05130.**
 - b. **Reflect changes on the worksheet as needed.**
 - c. **Have the revised plan signed and dated by the qualified professional who prepared the plan**

Comment: All of these changes were made and the Preliminary Plan was signed.

Environmental Review

1. This site is subject to the provisions of the Woodland Conservation Ordinance because the property has a previously approved Tree Conservation Plan, TCPI/63/95-01. A Type II Tree Conservation Plan is required. The Type II Tree Conservation Plan, TCPII/170/06, has been reviewed. The plan proposes clearing all 3.59 acres of the existing 3.59 acres of woodland and 1.16 acres of woodland off-site. The worksheet correctly calculates the woodland conservation requirement for this proposal as 3.01 acres. The plan proposes to meet this requirement by providing 3.01 acres of off-site mitigation. Because the woodland on-site is of low quality and contains no significant environmental features and conforms to TCPI/63/95-01, the total clearing of the site and the use of off-site woodland conservation are recommended.

Comment: The Type II Tree Conservation Plan, TCPII/170/06 is in complete conformance with the approved Type I Tree Conservation Plan, TCPI/63/95-01.

2. According to the Prince George's County Soil Survey the principal soils on the site are in the Beltsville and Croom soil series. Bibb soils are in hydrologic group D and have limitations of flood hazard, high water table and poor drainage. Croom soils may present an erosion problem on steep slopes

Discussion: This information is provided for the applicant's benefit. No further action is needed as it relates to this Preliminary Plan of Subdivision review. A soils report may be required by the Prince George's County during the permit process review.

In summary, The Environmental Planning Section recommends approval of DSP-05115 and TCPII/170/06

- i. **Fire Department**—In a memorandum dated December 13, 2006, the Prince George's Fire Department offered information regarding required access for fire apparatuses, the desire of private roads and the location and performance of fire hydrants.
- j. **Department of Public Works & Transportation (DPW&T)**—In a memorandum dated December 22, 2006, the Department of Public Works and Transportation, deferred in jurisdiction to the State Highway Administration regarding US 301 and stated that:
 - Chaddsford Drive is permitted and maintained by the developer and that, because access to the proposed site is provided from this road, further review of the access is necessary.

- Since Clymer Drive is a county-maintained urban commercial and industrial roadway, right-of-way dedication and roadway improvements for Clymer Drive along the frontage of the property must be constructed in accordance with DPW&T's standards.
- Since the project is also located along the frontage of the proposed General Lafayette Boulevard, a modified collector roadway as shown on the area Master Plan, right-of-way dedication and roadway improvements for the road along the project's frontage must be completed in accordance with DPW&T's standards.
- All storm drainage systems and facilities are to be designed in accordance with DPW&T's requirements.
- All improvements within the public right-of-way, as dedicated to the County, are to be designed in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act.
- The applicant is to satisfy all requirements stated in the Maryland-National Capital Park and Planning Commission's Planning Board Resolution for File No. 4-05130, Brandywine Village subdivision.
- A soils investigation report which includes subsurface exploration and geotechnical engineering evaluation for the proposed General Lafayette Boulevard, Clymer Drive and subdivision street is required.
- The proposed site plan is in conformance with Stormwater Management Concept 8840-2004-00, approved April 1, 2004 and due to expire April 1, 2007.

Please note that DPW&T's requirements are enforced through their separate permitting process, except for the necessity to provide a valid stormwater management concept approval letter. Therefore, a recommended condition below would require that, prior to signature approval of the subject plans the applicant will provide a valid stormwater management concept approval letter to staff.

k. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated December 6, 2006, WSSC noted the following:

- that a water and sewer extension would be required, and an onsite plan review package should be submitted;
- that Project #DA4388Z06 is an approved project within the limits of the site;
- that dedication of right-of-way would be required (applicant should delineate and label right-of-way for a proposed 10-inch sewer and reserve additional easement

to northern property line for a future sewer main extension crossing Chaddsford Drive); and

- that the proposed sewer extension impacts stream, floodplain and buffers (applicant should show water connection and the proposed 12-inch water main extension in Clymer Drive on the plan).

1. **State Highway Administration**—In a letter dated January 31, 2007, the State Highway Administration offered the following:

- We have been notified by our Project Planning Division that their review of the subject plan is complete. Based on the US 301 Southern Corridor Study - Western Waldorf Bypass alignments 6 and 8, the Brandywine Village Center will be impacted by the future upgrade of US 301. However, it appears according to the detailed site plan, that the required right-of way along the property frontage has been dedicated for public use per plat VJ 186-64.
- The site plan shows access to the Shopping Center will be via 3 access points. One located on Chadds Ford Drive approximately 500 feet west of US 301 and two (2) located on Clymer Drive at 390 feet and 720 feet from US 301. The state recommends that the entrance located 390 feet from US 301 on Clymer Drive be designed to accommodate inbound traffic only given the close proximity of the entrance to US 301.
- The State Highway Administration review of a February 2004 Traffic Impact Study on the commercial component of the Brandywine Village development concluded the development would negatively impact the US 301 corridor. However, fee in lieu of an improvement was recommended. The state supports that conclusion and monetary contributions established by Park and Planning should be paid to the road club.

“The recommendation that the entrance located on Clymer Drive 390 feet from its intersection with US 301 be designed to accommodate only inbound traffic has been incorporated as a condition in the Recommendation Section of this report.”

13. The proposed project fulfills the requirements of Section 27-285(b) of the Zoning Ordinance, i.e., that 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 Type II Tree Conservation Plan (TCPII/170/06) and further APPROVED Detailed Site Plan DSP-05115 for the above-described land, subject to the following conditions:

1. Prior to certification of the subject detailed site plan the plans shall be revised or additional materials submitted as follows:
 - a. The entrance located 390 feet from US 301 on Clymer Drive shall be designed to the satisfaction of DPW&T. Any permit for access at this location shall have a contingency or separate agreement that allows for future modification of access as directed by DPW&T and/or SHA.
 - b. The Applicant shall submit a valid, i.e. unexpired, stormwater concept approval letter and evidence from DPW&T that the subject detailed site plan is in conformance with that conceptual approval.
2. The applicant and/or the applicant's heirs, successors, or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club that will include the applicant, the Montgomery Wards Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area "C" in the Subregion V Master Plan, as well as any properties along US 301/MD 5 between T.B. (the intersection of US 301 and MD 5 in Prince George's County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board. For development on the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of the following:
 - A fee calculated as $\$1.24 \text{ per gross square foot of space X (Engineering News-Record Highway Construction Cost index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993)}$.

Payment is to be made in trust to the road club escrow agent and shall be due, on a pro rata basis, at the time of issuance of building permits. Prior to issuance of any building permit(s), the applicant shall provide written evidence to M-NCPPC that the required payment has been made.

The off-site transportation improvements to be constructed are set forth below. Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if and only if sufficient funds for engineering, full design, and construction have been deposited into the road club escrow account by road club members or said funds have been provided by public agencies. The off-site transportation improvements shall

include:

- a. Widen US 301/MD 5 from a four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved SHA plans.
- b. Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.
- c. Make minor widening/striping improvements to the US 301/MD 5 interchange ramps.
- d. Widen US 301 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.
- e. Reconstruct the traffic signal at US 301/MD 381.
- f. Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by DPW&T and SHA.
- g. Provide a grade separation at the point the spine road crosses US 301 northeast of T.B.
- h. Reconstruct the traffic signal at MD 5/Brandywine Road.
- i. Construction of an interchange in the area of US 301/MD 5 and Cedarville/McKendree Roads.
- j. Construction of an interchange in the area of MD 5 and A-63 north of T.B.
- k. Construction of A-63 as a six-lane arterial roadway (where off-site) between the US 301/MD 5/Cedarville Rd./McKendree Rd. intersection and MD 5 north of T.B.
- l. Widen US 301/MD 5 from a six-lane road to an eight-lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.
- m. Widen MD 5 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.

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 Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire and Parker voting in favor of the motion, and with Commissioner Clark absent at its regular meeting held on Thursday, April 12, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of May 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:RG:bjs