

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2003 Legislative Session**

Resolution No. CR-13-2003  
Proposed by Council Member Shapiro  
Introduced by Council Members Shapiro and Knotts  
Co-Sponsors \_\_\_\_\_  
Date of Introduction April 1, 2003

**RESOLUTION**

1 A RESOLUTION concerning

2 Approval of School Facilities Agreements

3 (First Subdivision Group)

4 For the purpose of approving certain school facilities agreements for residential  
5 subdivisions with preliminary plan approval before December 31, 2002, and school facilities  
6 applications with all information required by State law.

7 WHEREAS, the County Council of Prince George's County, Maryland, sitting as the  
8 District Council for that part of the Maryland-Washington Regional District in Prince George's  
9 County, Maryland, makes the following findings, based on evidence submitted at public hearings  
10 before the Council on proposed school facilities agreements on March 25, 2003:

11 A. This Resolution approves school facilities agreements for eight residential  
12 subdivisions, listed in Exhibit 1. The form agreement for the subdivisions is set out in Exhibit 2,  
13 and the findings for the agreements are stated here.

14 B. The completed school facilities agreement for each subdivision has been signed by the  
15 applicant, approved by Planning Board staff for conformance to the Planning Board preliminary  
16 plan resolution, reviewed in public hearing before the District Council, and approved by this  
17 Resolution, and it will be transmitted to the Office of the County Executive.

18 C. Each school facilities agreement includes a description of its subject property in the  
19 attached Planning Board resolution approving the preliminary plan for the property's  
20 subdivision. The Planning Board resolution includes all conditions, terms, restrictions, and other  
21 requirements determined by the Board to be necessary for development of the property, to ensure  
22 the public health, safety, and welfare of County citizens.

1         D. For each agreement, the Planning Board staff has determined, and the Council agrees,  
2         that the proposed development is consistent with the General Plan and with all applicable  
3         development laws and regulations pertaining to the approval of the subdivision.

4         E. The purpose of each school facilities agreement is to fulfill the Council's intentions in  
5         passing Council Bill 40-2001, which will enhance revenues available for school construction,  
6         and to alleviate the overcrowding of County schools.

7         F. Each agreement approved in this Resolution includes a physical description and the  
8         location of all buildings, structures, and supporting facilities and features on the subject property.

9         G. Each agreement approved in this Resolution describes the total number of dwelling  
10        unit permits anticipated for the subject residential subdivision.

11        H. The school facilities agreements approved in this Resolution will advance school  
12        capacity in Prince George's County by adding to the capital funds to pay for school construction.

13        NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
14        County, Maryland, sitting as the District Council for that part of the Maryland-Washington  
15        Regional District in Prince George's County, Maryland, that the Council hereby determines that  
16        the school facilities agreements for the residential properties listed in Exhibit 1 are supported by  
17        the Council's findings, as stated above, and meet all requirements set forth in § 7-121.1 of  
18        Article 28 of the Annotated Code of Maryland, as amended by Chapter 389 of the Laws of  
19        Maryland, 2002. The agreements for the properties listed in Exhibit 1, in the form shown in  
20        Exhibit 2, are hereby approved, and are eligible for final approval by the County Executive.

Adopted this 1st day of April, 2003.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL  
FOR THAT PART OF THE MARYLAND-  
WASHINGTON REGIONAL DISTRICT  
IN PRINCE GEORGE'S COUNTY,  
MARYLAND

BY: \_\_\_\_\_  
Peter A. Shapiro  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

Exhibit 1

Residential Subdivisions for  
First School Facilities Resolution

<b>P.P. #</b>	<b>CD</b>	<b>Subdivision</b>	<b>Units</b>	<b>Total Payment</b>	<b>Per Permit</b>
4-02007	6	Horizon House	140	\$691,600.00	\$4,940.00
4-02013	1	Pettit Property	2	\$4,300.00	\$2,150.00
4-02025	8	Palmer Estates	31	\$127,000.00	\$4,100.00
4-02026	8	Ashley's Crossing	28	\$114,800.00	\$4,100.00
4-02038	8	Old Friendly Hills	6	\$24,600.00	\$4,100.00
4-02049	4	Glendale Forest	70	\$345,800.00	\$4,940.00
4-02054	3	Seabrook Estates II	9	\$44,460.00	\$4,940.00
4-02073	6	Spring Meadows Cluster	<u>52</u>	<u>\$256,880.00</u>	\$4,940.00
<b>TOTALS</b>			<b>338</b>	<b>\$1,564,980.00</b>	

# Exhibit 2

## Approved School Facilities Agreement Form

### SCHOOL FACILITIES AGREEMENT (FOR PRELIMINARY PLAN WITH FEWER THAN 600 UNITS)

#### Subdivision Information

Subdivision Name \_\_\_\_\_ Resolution Adoption No. \_\_\_\_\_  
Prel. Plan No. \_\_\_\_\_ Resolution Adoption Date \_\_\_\_\_  
Planning Area \_\_\_\_\_ Dwelling Units \_\_\_\_\_  
Liber/Folio \_\_\_\_\_ Tax Account No. \_\_\_\_\_  
Tax Map, Grid Number, and Parcel(s) or Record Plat Designation: \_\_\_\_\_  
At the time of the execution of this Agreement, the property is currently: Unimproved \_\_\_\_\_,  
or Improved with the following: \_\_\_\_\_  
\_\_\_\_\_

#### School Information (as of Preliminary Plan Approval):

Elementary School Cluster # _____	% Capacity _____
Middle School Cluster # _____	% Capacity _____
High School Cluster # _____	% Capacity _____

#### Agreement

For the purpose of advancing school capacity, THIS AGREEMENT authorizes building permits issuance after plat recordation for \_\_\_\_\_ dwelling units in the Subdivision, notwithstanding school facilities percent capacity restrictions in Section 24-122.02, Pr. Geo. Co. Code, which would delay permit issuance until \_\_\_\_\_.

The Applicants agree, for themselves, their heirs, successors, and assigns, to pay \$2,150.00 per unit for Elementary School Capacity; \$840.00 per unit for Middle School Capacity; and \$1,950.00 for High School Capacity. The Applicants agree to pay these fees for the number of dwelling units stated above, regardless of the date of permit issuance, to meet school facilities requirements for the affected school clusters.

Total fees to be paid to Prince George's County, Maryland, for the Subdivision are \$ \_\_\_\_\_. For each dwelling unit, fees of \$ \_\_\_\_\_ are to be paid prior to the issuance of a building permit for such unit.

Fees due Prince George's County, Maryland, under this Agreement are in addition to those due for a School Facilities Surcharge, a public facilities agreement, or any other payment requirement under law or regulation.

This Agreement shall be effective on the date of the Planning Board resolution approving the Preliminary Plan, or on recordation of this Agreement, whichever is later. A copy of the Planning Board resolution is attached hereto.

Prior to recordation of the first final plat of subdivision for the property subject to this School Facilities Agreement, this School Facilities Agreement shall remain in full force and effect as long as the preliminary plan of subdivision remains valid.

This Agreement shall be recorded among the Land Records prior, if applicable, to the recording of the first final plat of subdivision, and it shall remain valid for 15 years from the effective date of this Agreement, as defined in the preceding paragraph. Six years after the effective date, the fees stated above shall be adjusted for inflation, if permitted by law.

Prince George's County Maryland  
School Facilities Agreement

Witness/Attest:

Applicants:

\_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

Date of Applicant's signature: \_\_\_\_\_

Witness:

Prince George's County, Maryland

\_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

By: \_\_\_\_\_

Chief Administrative Officer

Date of County's signature: \_\_\_\_\_

Reviewed for Conformance to Preliminary Plan Approval:

By: \_\_\_\_\_

Subdivision Supervisor, Maryland-National Capital  
Park and Planning Commission

**Attachment:** Planning Board resolution approving the preliminary plan containing, if applicable, a finding that the proposed development is consistent with the General Plan for Prince George's County and all conditions attributable to the approval.