

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

Resolution No. CR-21-2003
Proposed by Council Member Shapiro
Introduced by Council Members Shapiro, Dean and Knotts
Co-Sponsors _____
Date of Introduction April 29, 2003

RESOLUTION

1 A RESOLUTION concerning

2 Approval of School Facilities Agreements

3 (Second Subdivision Group)

4 For the purpose of approving certain school facilities agreements for residential
5 subdivisions with preliminary plan approval before March 4, 2003, 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 April 22, 2003:

11 A. This Resolution approves school facilities agreements for 21 residential subdivisions,
12 listed in Exhibit 1. The form agreement for the subdivisions is set out in Exhibit 2, and the
13 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 purposes of each school facilities agreement are to fulfill the Council's intentions
5 in 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 29th 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 Second School Facilities Resolution

P.P. #	CD	Subdivision	Units	Total Payment	Per Permit
4-01045	9	Brandywine Village	13	\$53,300.00	\$4,100.00
4-01086	5	Sycamore Woods	3	\$14,820.00	\$4,940.00
4-01090	9	Hollaway Estates	1	\$4,940.00	\$4,940.00
4-02048	9	Ridges III	30	\$123,000.00	\$4,100.00
4-02053	8	Noah Glen	26	\$106,600.00	\$4,100.00
4-02056	9	Loveless	42	\$172,200.00	\$4,100.00
4-02057	9	Foster Property	9	\$36,900.00	\$4,100.00
4-02063	6	Collingbrook	191	\$943,540.00	\$4,940.00
4-02068	8	Washington Overlook	89	\$364,900.00	\$4,100.00
4-02069	9	Rosewood Estates	76	\$311,600.00	\$4,100.00
4-02076	4	Glenn Dale Village	14	\$39,060.00	\$2,790.00
4-02077	9	Dennis Duley	14	\$69,160.00	\$4,940.00
4-02078	1	Beltsville	4	\$8,600.00	\$2,150.00
4-02081	8	The Willows	12	\$49,200.00	\$4,100.00
4-02084	6	Woodmore @O.C. II	64	\$316,160.00	\$4,940.00
4-02085	9	Archer's Glen	11	\$45,100.00	\$4,100.00
4-02083	9	Marlton Town Center	48	\$237,120.00	\$4,940.00
4-02088	6	Mount Oak Manor	4	\$19,760.00	\$4,940.00
4-02094	9	George Property	10	\$41,000.00	\$4,100.00

Exhibit 1Residential Subdivisions for
Second School Facilities Resolution

P.P. #	CD	Subdivision	Units	Total Payment	Per Permit
4-02096	8	Aragona Village	31	\$127,100.00	\$4,100.00
4-02108	4	Prospect Hills	12	\$33,480.00	\$2,790.00
TOTALS			<u>704</u>	<u>\$3,117,540.00</u>	

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.