

Case No. SP-02024/05

Applicant: Auth Way Land, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 10-77, to approve with conditions a detailed site plan, landscape plan, TCP II, and architectural elevations for 27 new townhouse lots, on property described as approximately 47.25 acres of land in the M-X-T Zone, for a project referred to as Town Center at Camp Springs (Phase 1-B, Lots 333-359), located in the southwest corner of the intersection of Auth Way and Telfair Boulevard, Suitland, is:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to signature approval, the detailed site plan shall be revised as follows:
 - a. Provide for a tot lot in accordance with Department of Parks and Recreation guidelines at the northeast terminus of Talmadge Circle, adjacent to Lots 246 and 269.
 - b. The plans shall be reviewed and approved by each of the utility companies and appropriate easements shall be shown free and clear of any structures, including the noise fence.
 - c. Provide dimensions on all lot lines and open space parcels, including dimensions between lots.
 - d. The site plan and general notes shall be revised to accurately reflect the extent of the original DSP, which shall include parcels in their entirety.

- e. The plant list shall be revised to eliminate both Leland Cypress and Colorado Spruce and substitute with appropriate native plant material.
 - f. The retaining walls shall be enhanced to be a stone face, to be approved by the Planning Board or its designee.
 - g. Delineate the public use easement over the master plan trail on Parcel N.
 - h. An ornamental tree shall be located in every other front yard of Lots 333–346 and a shade tree at the ends of each stick of units.
 - i. All handicap spaces in excess of the 6 spaces required by ADA shall be converted to standard size spaces.
2. Prior to the approval of building permits for Lots 276 through 280, the applicant shall file a record plat in accordance with Section 24-108 of the Subdivision Regulations for which no preliminary plan is required. The record plat shall reflect the adjusted lot sizes in conformance with the approved DSP.
 3. The applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) of M-NCPPC for construction of recreational facilities on homeowners land (Parcel N) for approval prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded among the County Land Records.
 4. The applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on homeowners land prior to the issuance of building permits.
 5. The record plat for Parcel N shall reflect a public use easement over the master plan trail as reflected on the approved DSP.
 6. Prior to certification of the detailed site plan, the TCP II shall be revised to show:
 - a. The existing contour lines for the north section of the site. All plans shall be revised to show the correct expanded buffer in conformance with the previously approved TCP II.
 - b. All proposed woodland conservation areas to be located a minimum of ten feet away from the proposed retaining wall. The worksheet shall be revised as necessary.

7. Prior to signature approval, the architectural elevations shall be revised to:
 - a. Reflect that the front and rear of the building sticks that include Lots 347–359 shall be a minimum of 60 percent brick. The sides of the units located on Lots 347 and 359 shall be shown as entirely brick. Any siding shown on the architectural elevations shall be a natural color and the decks shall be natural wood.
 - b. Increase roof slopes from 6:12 to 8:12 pitch.
8. Prior to the issuance of building permits for Lots 274, 276, 333, 346, 347, 352, 353 and 359 the front and side elevations shall be shown as entirely brick. The front elevations of all building sticks shall be required to be a minimum of 60 percent brick.
9. Prior to the issuance of building permits for Lots 347-359, the trail on Parcel N shall be constructed and completed.
10. All residents of the townhouses to be constructed upon the subject property of this application shall have full access to the clubhouse and other recreational facilities operated by the Town Center at Camp Springs Homeowners Association, located at 4300 Telfair Boulevard. It is acknowledged that an optional initiation fee and annual fee (separate from the annual homeowners association dues) specifically for use of the swimming pool and indoor basketball court within the clubhouse may be charged. The initiation fee for the use of the swimming pool and indoor basketball court shall be waived for a period of three months after the date of settlement for the initial residents of each of the townhouses to be constructed upon the subject property.

Ordered this 19th day of October, 2010, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Exum, Knotts and Olson

Opposed:

Abstained:

Absent: Council Members Harrison and Turner

Vote: 7-0

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: _____
Thomas E. Dernoga, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council