

Case No. SP-04026

Applicant: Briggs 4, LLC

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

SECOND REVISED ORDER AFFIRMING PLANNING BOARD DECISION,
WITH ADDITIONAL CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 05-158, to approve with conditions an infrastructure detailed site plan for 18 semidetached dwelling units, and a variance to allow 12 surface parking spaces in the front yards of six units, on property referred to as the Bradbury Subdivision, described as approximately 2.55 acres of land in the R-T Zone, located on the west side of Shadyside Avenue, approximately 295 feet north of the center line of Brookfield Drive, Suitland, is:

AFFIRMED, as stated in the District Council's Order approved May 8, 2006, for the reasons stated by the Planning Board, whose decision was adopted as the findings of fact and conclusions of law of the District Council; and the Council's 2006 Order is:

REVISED, REAFFIRMED, AND READOPTED for a second time, after approval of a revised and corrected order by the District Council on July 18, 2006, with changes to conditions 6, 8, and 9, and the addition of condition 11, as stated in the revised order, as corrected on January 7 2008, with changes to conditions 2.a., and 3.a., to remove the references to recreation facilities, this second revision modifying conditions 8 and 9, on the basis of mistake or inadvertence.

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

1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Revise the plan to show that the two parking spaces provided at the end of the turnaround are handicapped van accessible spaces.

- b. Provide a new Stormwater Management Concept Approval letter by the Department of Environmental Resources that reflects the revised site plan layout.
 - c. Show the elevation information (of the top and bottom) for each retaining wall.
 - d. Delete the dumpster and provide a trash receptacle at the same location.
 - e. Remove the 12 surface parking spaces (in the front yard) from the site plan.
- 2. At time of the full-scale detailed site plan, the applicant shall:
 - a. Provide an approval sheet with the application.
 - b. Provide a fence along the perimeter of the site, except for the street frontage along Shadyside Avenue.
- 3. Prior to issuance of any building permits, the applicant shall:
 - a. Record a new final plat to reflect the lot line adjustment as approved in the subject detailed site plan.
 - b. Revise the TCP II to state the location of the required off-site mitigation.
- 4. At time of building permit, the applicant shall provide a chart to show lot size, lot coverage and building height of each lot.
- 5. The entrance road shall be at least 26 feet wide.
- 6. The following items shall be added:
 - a. Additional parking spaces shall be added on the circle where the tot lot is shown, and the tot lot shall be removed.
 - b. A fee-in-lieu of \$19,100 shall be paid, for parks and recreation facilities.
- 7. After the homeowners' association is turned over to the residents and becomes autonomous, the applicant shall assist the homeowners' association with its costs. The applicant shall pay the homeowners' association \$5,000 per year, for the first five years after it becomes autonomous.
- 8. Each dwelling unit shall have at least 1,860 square feet of usable interior space.
- 9. The perimeter fence shall be of wrought iron, or vinyl and sight-tight, eight feet in height.
- 10. The site shall have no more than 18 dwelling units.

11. The sum of \$5,000 shall be donated to Suitland Elementary School, as a partial offset to anticipated school enrollment increases generated by residential development of the subject property.

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

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

Opposed:

Abstained:

Absent: Council Member Harrison

Vote: 8-0

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