

Case No.: CDP-9902/03

Applicant: Oak Creek Club Corporation

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 Planning Board's decision in Resolution PGCPB No. 11-41, approving with conditions a comprehensive design plan to amend Condition 27 of CDP-9902, as modified in Condition 1 of CDP-9902/02, regarding the trigger for commencing construction of the golf course clubhouse and its attendant parking, located east of Church Road in the central northern section of the site and bounded to the north by open space, zoned Residential-Agricultural (R-A), and Residential-Estate (R-E), and to their east, west, and south by other portions of the Oak Creek development, on the east and west sides of Church Road, approximately 2,800 feet south of its intersection with Central Avenue (214), Mitchellville, is:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, which are hereby adopted as the findings of fact and conclusions of law of the District Council.

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

1. That Condition 27 of the approval of CDP-9902, as revised by CDP-9902/02, be amended to read as follows (additions are indicated by underline and deletions by "strike-through"):

OAK CREEK CLUB PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
Golf Course	N/A	Complete by 287th building permit
Swim/Tennis Center	Prior to 250th building permit	Complete by 500th building permit
Swimming Pool	Prior to 250th building permit	Complete by 500th building permit
Two (2) Tennis Courts	Prior to 250th building permit	Complete by 500th building permit
8-foot-wide Asphalt Trail System (not on public park land)	Prior to 250th building permit	Complete by 800th building permit
Golf Clubhouse	Prior to 750th building permit	Commence construction prior to the 850th building permit (permits shall be suspended for noncompliance)
<p>*It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessity. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25 percent, and an adequate number of permits shall be withheld to assure completion of all facilities prior to the completion of all the dwelling units.</p>		

The originally recommended community building and the proposed golf clubhouse shall be satisfied by providing a golf clubhouse structure of at least 25,000 square feet on the golf course property.

2. That a condition be added to the approval of CDP-9902 stating the following:

The co-owners of Oak Creek Club, Club Group, Inc., Club Group, Inc. II, Oak Creek Golf, LLC and/or the developer, Montgomery Development, and the heirs, successors, and assigns for the above legal entities, shall provide up to date information in quarterly reports to the Prince George's County Planning Board as an administrative item including, but not limited to, the following items:

- (a) Information regarding the exact number of building permits issued by the Department of Environmental Resources in the Oak Creek Club development.
 - (b) A report on the progress of the phasing of amenities in accordance with the schedule contained in Condition 30 of the approval of CDP-9903/02 and Condition 27 of CDP-9902/03. This report shall also note the relationship of the current permits issued to all of the outstanding triggers for amenities that if reached by the future issuance of permits would result in suspension of the issuance of permits for Oak Creek Club.
3. The applicant and the property owners of record, specifically Oak Creek Club Corporation, Club Group, Inc., Club Group, Inc., II, Oak Creek Golf, LLC and the Oak Creek Homeowners' Association (individual homeowners shall not be required to sign the CDP application) shall sign the CDP-9902/03 and CDP-9903/02 application forms prior to certification of the subject amended CDP plans; and
4. Issuance of building permits shall be suspended and denied in the event that any condition contained herein is not complied with by the applicant, record property owners and/or their heirs, successors and assigns.

Such reporting requirement shall commence six months after the final approval of the case by either the Prince George's County Planning Board or District Council and shall cease when a certificate of occupancy is issued for the golf clubhouse. Proof of issuance of such Certificate of Occupancy shall be furnished to the Prince George's County Planning Board at such time.

Ordered this 30th day of January, 2012, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson, Toles and Turner.

Opposed:

Abstained:

Absent:

Vote: 9-0

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: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council