



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Request for Reduction of Filing Fee

CDP-9902-05

Application	General Data	
Project Name: Oak Creek Club Location: East and west side of Church Road, approximately 2,800 feet south of its intersection with Central Avenue (MD 214). Applicant/Address: NVR MS Cavalier Oak Creek, LLC 11700 Plaza America Drive, Suite 310 Reston, VA 20190	Planning Board Hearing Date:	12/06/12
	Memorandum Date:	11/20/12
	Date Accepted:	10/15/12
	Planning Board Action Limit:	N/A
	Plan Acreage:	892
	Zone:	RL
	Dwelling Units:	N/A
	Gross Floor Area:	13,000 sq. ft.
	Planning Area:	74A
	Tier:	Developing
	Council District:	06
	Election District	07
Municipality:	N/A	
200-Scale Base Map:	201SE12	

Purpose of Application	Notice Dates	
Request for a reduction and partial refund of the filing fee in the amount of \$20,000 of the \$25,540 filing fee, for a total of \$5,540.	Informational Mailing:	08/02/12
	Acceptance Mailing:	10/11/12
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Ruth Grover Phone Number: 301-952-4317 E-mail: Ruth.Grover@ppd.mncppc.org	
APPROVAL	APPROVAL OF FEE REDUCTION	DISAPPROVAL	DISCUSSION
	X		

November 20, 2012

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor, Development Review Division

FROM: Ruth Grover, Planner Coordinator, Urban Design Section, Development Review Division

SUBJECT: Comprehensive Design Plan CDP-9902-05
Oak Creek Club
Request for a reduction and partial refund of the filing fee

In a letter dated October 22, 2012, Norman Rivera, representative of the applicant (NVR MS Cavalier Oak Creek, LLC), requested a refund for part of the filing fee for Comprehensive Design Plan CDP-9902-05. The total filing fee is \$20,540 of which \$540 is a nonrefundable charge for signs, and the entire fee was paid prior to acceptance of the application. The applicant (not taking into account the sign posting fee) has requested a reduction of the fee to \$5,000 and that \$20,000 of the fee paid be refunded to the applicant.

The applicant's justification for the requested reduction is that the nature of the request (modification of the size of the golf course clubhouse from 25,000 to 13,000 square feet) does not include plan modifications and is simply a revision of a single condition in each CDP approval (Condition 27 in CDP-9902 as modified in CDP-9902-02 and Condition 30 in CDP-9903 as modified in CDP-9903-01) which states that the square footage of the clubhouse will be 25,000 square feet. The fee is probably disproportionate when viewed in relation to the minor change requested in the condition of approval that is attached to the comprehensive design plan. Additionally, PGCPB Resolution No. 10-36 states that the purpose of the application fees, in general, is to "defray the costs related to the processing of the application," which in this application is very limited in scope.

Staff is in agreement with the applicant's assertions above and recognizes that time, effort, and cost efficiencies result from simultaneous review of the subject case with its companion, Comprehensive Design Plan CDP-9903-04, for which the applicant is paying the full review fee (\$5,340). For the foregoing reasons, staff supports the applicant's request.

RECOMMENDATION

The Urban Design Section recommends that \$20,000 of the \$25,540 filing fee be refunded to the applicant, resulting in a total application fee of \$5,540.