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SPECIFIC DESIGN PLAN

SDP-8716/02

Application	General Data
Project Name BONIWOOD, SECTION SIX Location SOUTH OF THRIFT ROAD - EAST SIDE OF EAST BONIWOOD TURN Applicant/Address OAKLAWN BUILDERS INC. 5296 W. BONIWOOD TURN CLINTON, MARYLAND 20735	Date Accepted 01/30/2002
	Planning Board Action Limit N/A
	ZHE Hearing Date N/A
	Plan Acreage 18.6
	Zone R-S
	Dwelling Units 126
	Square Footage N/A
	Planning Area 81A
	Council District 09
	Municipality N/A
	200-Scale Base Map 215SE05

Purpose of Application	Notice Dates
REQUEST TO DELETE PLAY AREA AND PROVIDE FUNDS TO THE HOMEOWNERS ASSOCIATION	Adjoining Property Owners 01/28/02 (CB-15-1998)
	Previous Parties of Record N/A (CB-13-1997)
	Sign(s) Posted on Site 03/16/02
	Variance(s): Adjoining N/A Property Owners

Staff Recommendation			Staff Reviewer: LAREUSE, SUSAN
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

July 30, 2009

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Susan Lareuse, Planner Coordinator

SUBJECT: Specific Design Plan SDP-8716/02
Boniwood, Section Six

The Urban Design Section has reviewed the proposed revision to the recreational facilities for Boniwood and recommends APPROVAL with conditions, as stated in the recommendation section of this report.

FINDINGS

1. The Boniwood Subdivision is located on the south side of Thrift Road at Boniwood Turn. Section Six is located on the east side of Boniwood Turn East. Section Six is approximately 18.5 acres of land developed with 126 single-family attached (townhouse) homes. The original Comprehensive Design Plan CDP-8306 set the requirements for the construction of recreational facilities for the Boniwood Development (Sections One-Six). Mandatory dedication of park land was fulfilled by dedication of 104 $\frac{1}{2}$ acres of land to The Maryland-National Capital Park and Planning Commission. A Recreational Facilities Agreement (RFA) addressing provision of private recreational facilities for Sections Five and Six, dated October 11, 1988, was recorded in liber 7139, folio 161.
2. The applicant is requesting this revision because the Boniwood Homeowners Association (HOA) requested the developer not to build the final phase of the recreational facilities. The HOA is opposed to the development of additional recreational facilities and prefers that the applicant provide the cost of construction of the facilities to the HOA so that these funds could be used to repair and maintain the existing facilities within the Boniwood development.
3. In a letter dated December 21, 2001, Douglas Harris, President of Oaklawn Builders, Inc., to The Maryland-National Capital Park and Planning Commission, the applicant requested the following changes:
 - At the request of the Boniwood Homeowners Association, we hereby propose to eliminate the following recreational facilities:
 - One Tot Lot
 - One Picnic Area

- One Open Play Area
 - One Pre-teen Lot
 - One Bridge
 - All landscaping and associated paths on the eastside of the flood plain in section 6 (Please see the mark up on the enclosed plan.)
- Our proposal is to give the Boniwood Homeowners Association cash-in-lieu of building these facilities•

In a letter dated February 8, 2002, Douglas Harris, President of Oaklawn Builders, Inc., to Susan Lareuse, The Maryland-National Capital Park and Planning Commission, the applicant further defined the request as follows:

- As per your request, the following figures represent the savings to Oaklawn Builders Inc., by eliminating the following facilities in Boniwood Subdivision:

- One Tot Lot
- One Picnic Area
- One Open Play Area
- One Pre-teen Lot

- Which Totals \$30,887.00 (see proposal from Sports Systems)

- One Bridge \$5,900.00
- One Bike path. \$1,500.00
- All Landscaping \$2,200.00

- Total Amount Being: \$40,487.00"

4. In letter dated March 13, 2002, Lonnie Stilley, President of the Boniwood Homeowners Association, Inc., to Susan Lareuse, provided the following information for the record:

- Based on the letter from Oaklawn Builders stating the costs for building the proposed Recreation Area in Section Six, Boniwood Homeowners Association, Inc., is most agreeable in receiving the funds in lieu of building the Recreation Area. A vote was taken at our annual meeting and the homeowners of Boniwood are all in agreement with this decision. The funds can be used to make much needed improvements in common areas already in existence. We are most appreciative of your cooperation and consideration in this matter.●

Comment: The staff supports the applicant's request to delete the recreational facilities within Section Six. The HOA has stated they are concerned about the location of the facilities within an isolated wooded area for safety reasons. There is no other reasonable location on site to relocate the facilities. The currently developed recreational facilities are sufficient in quantity to serve the residents of the Boniwood Subdivision.

The HOA also submitted evidence of the needed repairs to the existing recreational facilities. Photographs submitted to the staff indicate poor drainage conditions, loss of surfacing, needed

repairs to some of the facilities, and replacement of other facilities. The HOA has indicated that they will use the funds to repair, replace, and solve drainage issues.

5. It is appropriate for the Planning Board to adopt a condition that requires the applicant to revise the RFA in order to delete the recreational facilities in Section Six of Boniwood. The Maryland-National Capital Park and Planning Commission holds a surety bond on the recreational facilities which was submitted to the Department of Parks and Recreation in October 1995 in the amount of \$107,330.00. This surety bond is the financial guarantee that the recreational facilities will be built. Before the bond can be released, the RFA must be revised. Therefore, the staff recommends that the Planning Board adopt a condition that the RFA be amended prior to release of the bond. In addition, the funds should be transferred to the HOA prior to release of the surety bond.
6. This revision to the Specific Design Plan (SDP) will have no impact on the original finding of conformance to the Comprehensive Design Plan.
7. This revision to the Specific Design Plan will have no impact on the previous finding of the original SDP that it will be adequately served within a reasonable period of time with existing programmed public facilities, either shown in the Comprehensive Design Plan or provided as part of the development.
8. This revision to the SDP will have no impact on landscaping for the remaining subject property, which is in conformance with the requirements of the *Landscape Manual*.
9. This revision to the SDP will have no impact on the previous finding that the Specific Design Plan will have no impact on provisions for draining surface water to prevent adverse effects on the subject property or any adjacent property.

RECOMMENDATION

The Urban Design Section recommends that the Planning Board adopt the findings of this report and APPROVE this revision to the Specific Design Plan (SDP-8716/02) with the following condition:

1. Prior to the release of the surety bond (No. 935160), the applicant shall:
 - a. Submit evidence in the form of a notarized letter from the Boniwood Homeowners Association, Inc., stating that they have received the amount of \$40,487.00.
 - b. Amend the Recreational Facilities Agreement.