

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on May 12, 2005, regarding Detailed Site Plan DSP-04077 for Brandywine Crossing On-site Private Recreational Facilities, the Planning Board finds:

1. **Request:** The subject application requests approval of on-site recreational facilities for the Brandywine Crossing subdivision in the R-E Zone.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	R-E	R-E
Use(s)	Vacant	Single-family detached residential and recreational
Acreage	26.87	26.87
Parcels	2	2
Building Square Footage/GFA	N/A	N/A

3. **Location:** The site is in Planning Area 85A, Council District 9. More specifically, it is located on Dyson Road 4,000 feet north of its intersection with Robert Crain Highway (US 301).
4. **Surroundings and Use:** The subject property is bounded to the northeast by R-E zoned land that is generally vacant. To the east and south is residential large lot development in the R-E Zone.
5. **Previous Approval:** A previous approval relating to land involved in the current application is the application for Preliminary Plan of Subdivision 4-04013, approved by the Planning Board on June 24, 2004. PGCPB No. 04-150, formalizing that approval, was adopted by the Planning Board also on June 24, 2004. The following condition attached to that approval is germane to the subject project:

19. Prior to the first building permit a limited detailed site plan shall be approved by the Planning Board for recreational facilities on Parcel C in the amount of a value of no less than \$50,000. The contribution does not include the land value of Parcel C. Development of the private recreational facilities on Parcel C shall include a tot lot. Timing for the construction of recreational facilities shall be determined at the time of review of the limited detailed site plan.

Comment: The Urban Design Section estimates the value of the recreational facilities proposed herein to equal approximately \$50,488, fulfilling the requirements of the first portion of Condition 19 above. As specified, the amount does not include the land value of Parcel C. In addition, a tot lot as described in Finding 6, Design Features, below, has been included in plans for the recreational facility. Lastly, the timing for the construction of the recreational facilities as specified in recommended Condition 1 shall be as follows:

1. Construction of the recreational facilities shall be completed prior to the release of the tenth building permit for the project.

6. **Design Features:** The recreational area is located in the northerly portion of the subdivision, on the easterly side of the cul-de-sac of Vitner Drive. The recreational facility is also located on the southerly side of stormwater pond 1, one of the two stormwater management ponds in the subdivision, both obligated to be designed as an amenity to the subdivision by a condition of the preliminary plan approval. The recreational facility itself, complies with the Consumer Product Safety Commission, the American Society for Testing and Materials, and the Americans with Disabilities Act. The tot lot contained within the recreational facility takes up a 31- by 17-foot area and an expanded 45- by 34-foot protective area.. The total area for the recreational facility is 1,135 square feet and its perimeter is approximately 125 feet. The tot lot, in the form of a roofed, hexagonal tree house designed for ages 2-5, contains:
 - A side by side slide
 - Two “Fun Fones”
 - A Tube Slide
 - A Tot Rock Climber
 - Free standing play equipment adjacent, but not attached to, the tree house structure include a “Rodeo Rocky and an ATV Spring Rider”
 - ½ Fire Truck

In addition, the recreational facility will include a gazebo and four benches.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-E Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-441, which governs permitted uses in residential zones. The proposed on-site recreational facility is a permitted use in the R-E Zone.

8. **Preliminary Plan of Subdivision, 4-04013:** Preliminary Plan 4-04013 was approved by the Planning Board on June 24, 2004. Resolution PGCPB No. 04-150 was similarly adopted on June 24, 2004. The following conditions of approval apply to the review of the subject Detailed Site Plan:

19. Prior to the first building permit a limited detailed site plan shall be approved by the Planning Board for recreational facilities on Parcel C in the amount of a value of no less than \$50,000. The contribution does not include the land value of Parcel C. Development of the private recreational facilities on Parcel C shall include a tot lot. Timing for the construction of recreational facilities shall be determined at the time of review of the limited detailed site plan.

Comment: Please see discussion in Finding 5 above.

9. **Landscape Manual:** The proposed recreational facility is not subject to the requirements of the *Landscape Manual*. Trees are provided adjacent to the play area in excess of the number required by the Parks and Recreation Facilities Guidelines.

10. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area, more than 5,000 square feet of woodland was disturbed, and has a previously approved Type I Tree Conservation Plan, and a Type II Tree Conservation Plan.

TCPII/113/94-01 was approved together with the detailed site plan for Brandywine Crossing and remains unchanged by the addition of the subject on-site recreational facilities. The staff finds that the plan is in general compliance with the Woodland Conservation Ordinance.

11. As required by Section 27-285(b) of the Zoning Ordinance, the Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-04077, subject to the following condition:

1. Construction of the recreational facilities herein discussed shall be complete prior to the release of the tenth building permit for the proposed subdivision.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 12, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of June 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:rmk