

Case No. SP-05044

Applicant: Atapco Ritchie Interchange, Inc.
Atapco Ritchie Interchange, LLC

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

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. 05-240, to approve with conditions a detailed site plan, SP-05044, showing two conventional (sit-down) restaurants, two fast-food restaurants, one gas station (to be owned by WaWa, Inc.), one bank, one multi-tenant building, and one retail building, on property referred to as Steeplechase 95 Business Park, described as approximately 12.74 acres of land in the I-1 Zone, located at the intersection of I-495 and Ritchie-Marlboro Road, Upper Marlboro, is hereby:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

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

1. Prior to certification of the detailed site plan, a copy of the approved 100-year floodplain study shall be submitted for verification of the location of the proposed floodplain. All plans shall show the approved configuration of the proposed 100-year floodplain.
2. Prior to certification of the detailed site plan, the Type II Tree Conservation Plan (TCP II/128/90-03) shall be revised as follows:
 - a. Show clearly the phases on the cover sheet, and a note regarding which phase is associated with each TCP II revision.
 - b. Eliminate any encroachments into the regulated areas that were not previously approved. Show the required tree protection fencing and permanent afforestation/reforestation fencing and signage.

- c. Provide a detail for the permanent afforestation fencing.
 - d. Show the proposed building and parking configurations for the current phase.
 - e. Consistently show all of the information on the TCP II on the detailed site plan.
 - f. Revise the plan to eliminate Tree Conservation Area 1 shown on Sheet 4 of 14 because it is less than 2,500 square feet in area.
 - g. Provide a woodland conservation worksheet, which reflects all revisions made to the plan.
 - h. Provide a legend to show all symbols used on the plan on every sheet.
 - i. When all the revisions have been completed, have the plan signed and dated by the qualified professional who prepared the plan.
3. Prior to certification of the detailed site plan, a field investigation shall be conducted to verify the woodlands that remain on the site. The qualified professional shall verify this information and the preservation areas shown on the plans shall depict the woodlands that remain on-site.
4. Prior to signature approval of the detailed site plan, provide a standard sidewalk along the subject site's entire frontage of Walker Mill Road extended and Ritchie-Marlboro Road, unless modified by DPW&T.
5. Prior to signature approval of the detailed site plan, the applicant shall:
- a. Provide copies of the new stormwater management plan demonstrating that Parcel D is no longer required and that there is no increase in the number of lots.
 - b. Revise the site bearings and distances to match the final plat with the detailed site plan.
 - c. Provide two (2) perimeter site walls on the detailed site plan. The walls shall be:
 - i. Located along the subject property eastern portion lots, beginning at the northwest corner of lot 14 and continuing along the property line in a southeasterly direction and ending at the southeast corner of lot 16, or as close to that point as possible, given the proposed grading and elevation along that frontage; provided that the wall shall not be required if the elevation of the ground surface adjacent to the Interstate 95/495 ramp is not at the same grade as the southeast corner of lot 16.

- ii. Located along the subject property western portion lot, beginning at the northeast corner of lot 24, and continuing along the property line in a southwesterly direction, and ending at the southwest corner of lot 24.
 - iii. Constructed of high-quality materials, such as decorative brick veneer, split face blocks, brick, and precast; with split face blocks, if employed, similar in appearance to those used in the Ritchie Station Marketplace wall.
 - iv. A maximum length of fifty feet (50') of continuous, unbroken, and uninterrupted wall plane. Breaks shall be provided through the use of columns, landscaping pockets, and/or a change in material.
 - v. At least 3 but no more than 6 feet high.
 - vi. Set back from the property line, to allow a landscape setback area facing the rights-of-way. The setback area shall be landscaped, with turf, shrubs, and trees, using a variety of species, to provide seasonal color and plant variety, but it is not intended to provide dense screening that conceals the wall.
- d. Each limited DSP shall also show landscaping and plantings on all lots subject to that plan. Plantings of evergreen trees, 6 to 8 feet high, shall be used to screen dumpster areas.
- 6. Prior to the issuance of a building permit, the applicant shall file a new record plat to conform to the new detailed site plan.
- 7. The District Council's approval of this detailed site plan, DSP-05044, allows permits to be issued for construction of a gas station on Lot 24, subject to compliance with conditions above, approval of a final plat, and plat recordation. For other construction on the subject property, the applicant must submit additional DSP applications, as stated below.

The requirements recited in this condition, for architecture, boundary wall, and plantings, are intended to ensure design compatibility of the proposed retail, restaurant, commercial, and gas station development with the existing and proposed development on adjacent and neighborhood properties. The District Council has concluded that compliance with these requirements will achieve a well-designed project, as shown in this approved DSP.

- (a) To receive permits for construction on each lot other than Lot 24, the applicant shall obtain approval of one or more limited DSPs, to show proposed architecture for structures on the lot or lots subject to that plan.

Ordered this 11th day of July, 2006, by the following vote:

In Favor: Council Members Dernoga, Campos, Dean, Exum, Harrington, Hendershot, Knotts
and Peters

Opposed:

Abstained:

Absent: Council Member Bland

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