

Case No. CSP-12001 Forks of the Road

Applicant: Forks of the Road, LLC

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 decision of the Planning Board in PGCPB No. 13-37, to approve with conditions a conceptual site plan for 59,156 square feet of commercial development in the M-X-T (Mixed Use-Transportation Oriented) Zone, located in the northwest quadrant of the intersection of Ritchie-Marlboro Road and Old Marlboro Pike (MD 725), in Planning Area 78, Council District 6 within the Developing Tier, is:

AFFIRMED, as the basis for this action, the District Council adopts the findings and conclusions stated by the Planning Board in its Resolution, PGCPB No. 13-37, as its findings and conclusions in this case.

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

1. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided.
 - a. The conceptual site plan shall indicate that a mix of commercial, retail, and office uses will be provided with the ultimate mix to be determined by the Planning Board at time of DSP (except for a DSP for infrastructure). The amount of gross floor area (GFA) devoted to each use, or ranges of possible floor area quantities, shall be provided on the plan.
 - b. Building square footages and development data shall be provided on the submitted Illustrative Site Plan exhibit,

- with notes specifying the conceptual nature of the layout shown.
- c. The plan shall note the property's position relative to the Joint Base Andrews Interim Land Use Controls (ILUC) Study area.
 - d. A public space (plaza, courtyard, or village green) shall be indicated at or near the center of the development scheme, in close proximity to proposed buildings.
 - e. The CSP and tree conservation plan shall not reference historic resource Navajo (78-000-22), as it was destroyed by fire in October 1996.
2. At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:
- a. The preliminary plan of subdivision shall be designed in such a way as to accommodate appropriate landscape and signage treatments for the frontage of historic Old Marlboro Pike (MD 725) and Ritchie-Marlboro Road in accordance with the 2010 *Prince George's County Landscape Manual* that will be evaluated in detail at the time of the review of the DSP.
 - b. At the time of the Preliminary Plan of Subdivision, the applicant shall demonstrate that rights-of-way for Ritchie-Marlboro Road and Old Marlboro Pike (MD 725) are consistent with the recommendations of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* and shall label them for dedication.
3. Prior to acceptance of any detailed site plan for the subject property, the applicant shall submit a geotechnical report for the entire site. The report shall be prepared following, at a minimum, the "Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments" prepared by the Prince George's County Unstable Soils Taskforce for the review and approval of the Prince George's County Department of Public Works and Transportation (DPW&T) to satisfy the requirements of Section 24-131 of the Subdivision Regulations and Section 4-131 of the Water Quality Resources and Grading Code in accordance with the guidelines established by the Department of Environmental Resources (DER) for Marlboro clays to confirm the elevation of the Marlboro clay and determine the slope stability factor. Where appropriate, the "rational method" shall be used to determine the slope stability safety factor.

4. At the time of detailed site plan (except for a DSP for infrastructure), the following issues shall be addressed, or information shall be provided:
 - a. Design of a gateway and a village green, or other public space, shall be provided. The design of public spaces shall incorporate high-quality design details and be connected with other amenities throughout the site by a well-designed pedestrian system. An attractive mix of design features including focal points, such as public art, sculpture or fountains; seating areas; specialty landscaping; and specialty paving materials shall be demonstrated.
 - b. The design of loading areas shall be visually unobtrusive as viewed from public spaces and the public right-of-way.
 - c. Details of light fixtures, benches, trash receptacles, bicycle racks and other street furniture shall be provided.
 - d. The detailed site plan shall show the proposed pond designed as a submerged gravel wetland with various types of hydrophitic plantings to help remove pollutants; and provide a planting plan showing the location, species and spacing of these pond plantings, subject to modification by the Department of Public Works and Transportation (DPW&T).
 - e. The final landscape and signage treatments for the frontage of historic Old Marlboro Pike (MD 725) and Ritchie-Marlboro Road shall be determined. The landscape treatment shall provide an equivalent or better streetscape appearance than would be achieved under strict application of Section 4.6, Buffering Development from Special Roadways.
 - f. Access to existing or future bus routes shall be evaluated at time of detailed site plan, and facilities for a bus stop shall be shown if deemed appropriate by the Department of Public Works and Transportation (DPW&T).
5. At the time of Detailed Site Plan review for the first commercial/retail building for the subject property, the site will be evaluated for conformance to the gateway design guidelines for the *2007 Approved Westphalia Sector Plan and Sectional Map Amendment*. Review shall include items such as gateway entrance features, architectural design, materials, pedestrian connectivity, design details for the “commons” area shown on the conceptual site plan, colors, landscape palate, and streetscape features and amenities.

6. The following standards shall apply to and be reflected on all detailed site plans for commercial/retail buildings on the property. At the time of Detailed Site Plan review, the Planning Board may make modifications to the Development Standards without the need to amend the Conceptual Site Plan if the Planning Board finds such modification is appropriate and consistent with the character and quality of the development envisioned by the Conceptual Site Plan and the *2007 Approved Westphalia Sector Plan and Sectional Map Amendment*.
 - a. Any building located on the eastern portion of the site shall be visually parallel to Ritchie-Marlboro Road.
 - b. Provision of parking between buildings on the eastern portion of the site and Ritchie-Marlboro Road shall be minimized, but may be allowed in limited amounts if it will be completely or substantially out of the view from the road because of topographic changes, or if the parking will be buffered with appropriate screening and/or landscape features such as decorative fencing, masonry walls, and plantings along Ritchie Marlboro Road that also serve to visually connect the site to the overall gateway center features.
 - c. Buildings shall be multi-story or provide a visual appearance of being at least two stories in height.
 - d. On the southernmost lot, off-street parking shall not be permitted between any building and Ritchie-Marlboro Road. Parking shall only be permitted between any building and Old Marlboro Pike if said parking is completely or substantially out of view from the road because of screening and/or landscape features such as decorative fencing, masonry walls, and plantings along Ritchie Marlboro Road that also serve to visually connect the site to the overall gateway center features.
 - e. Buildings shall be designed with interesting and attractive architectural features to promote a “sense of place.”
 - f. Buildings shall be attractive on all sides while utilizing materials and finishes that reinforce a sense of quality and permanence. The applicant’s selection of materials and finishes will be carefully reviewed at time of submission of the first Detailed Site Plan for any commercial/retail building.

- g. Buildings shall provide ample and numerous windows on the front ground level elevation.
- h. Commercial development shall, to the maximum extent practicable, front on a park, plaza, or courtyard.
- i. The proposal shall show increased connectivity between buildings through shared plazas, shared open space, and/or architectural features that link building forms.
- j. Future uses shall be interconnected between parcels to the fullest extent practical with the sharing of curb cuts, parking, and stormwater management.
- k. To the maximum extent practicable, restrict drive-in commercial services to rear areas behind main structures.
- l. Provide high levels of pedestrian accommodation, safety and amenity.
- m. Design internal sidewalks no less than six feet in width.
- n. Design internal streets/site circulation as low-speed streets/site circulation to employ appropriate traffic calming measures to reduce internal vehicular speeds.
- o. If a gas station is proposed at the southernmost lot, the main gas station building shall be designed utilizing the above stated principles, and any gas station canopy shall be placed on the western portion of the lot to substantially screen views of the canopy from the Ritchie Marlboro Road/Old Marlboro Pike intersection. The materials and design of any gas station canopy shall utilize materials and architectural features reflected in the main building to promote an attractive and unified theme. Architecture for any gas station shall not be a standard franchise prototype; shall incorporate the materials and details of the other buildings on the site; and shall be multi-story or provide a visual appearance of being at least two stories in height.

7. The following improvements shall be provided and indicated on all plans of development.
 - a. Provide an eight-foot-wide sidepath or wide sidewalk along the subject site's frontage of Ritchie-Marlboro Road, unless modified by the Department of Public Works and Transportation DPW&T.
 - b. Provide a standard sidewalk along the subject site's entire frontage of Old Marlboro Pike (MD 725), unless modified by DPW&T.
 - c. Provide a marked crosswalk along Ritchie-Marlboro Road at the site's ingress/egress points, unless modified by DPW&T.
 - d. Provide a marked crosswalk along Old Marlboro Pike (MD 725) at the site's ingress/egress point, unless modified by DPW&T.
 - e. Provide at least one sidewalk/crosswalk connection from the wide sidewalk along Ritchie-Marlboro Road to the internal buildings/pad sites.
8. Total development within the subject property shall be limited to uses that would generate no more than 229 AM and 276 PM peak-hour vehicle trips. Any development generating an impact greater than that identified hereinabove shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.
9. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

Ritchie Marlboro Road and Old Marlboro Pike Intersection

- a. Add a southbound right-turn lane on Ritchie-Marlboro Road
- b. Add a northbound left-turn lane on Ritchie-Marlboro Road (Ramp from Pennsylvania Avenue (MD 4)).

Ritchie-Marlboro Road and Brooke Lane

- a. Conduct a signal warrant study and install signal, pursuant to Department of Public Works and Transportation (DPW&T) specifications if signal is deemed warranted and approved by DPW&T.
10. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:
- “Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
11. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
12. The DSP and Type 2 tree conservation plan (TCP2) shall indicate the unmitigated 1.5 safety factor line. No structures shall be placed within the 1.5 safety factor line unless proper mitigation has been provided.

Ordered this 24th day of July, 2013, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Toles.

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: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council