

R E S O L U T I O N

WHEREAS, a 22.85-acre parcel of land known as Parcels 11, 52, 98-107, 109-114, 119, 129, Lot 1 and P/O Parcel 115, said property being in the 15th Election District of Prince George's County, Maryland, and being zoned I-1, C-S-C, and R-R; and

WHEREAS, on April 12, 2006, Ritchie Hill, LLC. filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 parcel and 1 outparcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-05133 for Ritchie Station Marketplace was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on June 15, 2006, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on June 15, 2006, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/100/04-01), and further APPROVED Preliminary Plan of Subdivision 4-05133, Ritchie Station Marketplace for Parcel A and Outparcel A with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised to make the following technical corrections:
 - a. Correctly indicated that the property is known as Parcels 11, 52, 98-107, 109-114, 118, 119, 129, Lot 1 and part of Parcel 115.
 - b. Clearly label the apparent unrecorded rights-of-way of Ritchie Avenue, Claggett Avenue and Ryon Avenue.
 - c. Delineate a ten-foot public utility easement along the property's frontage with the Ritchie Road spur along the entire north property line. The easement shall be 20 feet to avoid the existing easement for the eight-inch sewer.
 - d. Provide an acreage breakdown by zoning.
 - e. Clarify that the outparcel is not part of the Marketplace concept.

- f. Clarify and reduce the line weight of the zoning line(s).
2. A Type II tree conservation plan shall be approved with the detailed site plan.
3. Development of this site shall be in conformance with the Stormwater Management Concept Plan 19661-2005 and any subsequent revisions.
4. Prior to the approval of the final plat of subdivision, the apparent unrecorded rights-of-way of Ritchie Avenue, Claggett Avenue, and Ryon Avenue necessary for the development of this property shall go through the road closure process as determined appropriate by DPW&T in accordance with Subtitle 23.
5. Prior to signature approval of the preliminary plan, the applicant shall submit evidence that the property is not encumbered by any prescriptive or descriptive easements that are to the benefit of other properties. If encumbered, that applicant shall submit evidence that the rights and privileges associated with those easements will not be interrupted with the development of this property. If appropriate, the applicant shall provide evidence of the agreement of those benefited properties to the abandonment or relocation of said easements.
6. The final plat shall demonstrate a ten-foot public utility easement along the property's frontage with the Ritchie Road spur along the entire north property line. The easement shall be 20 feet to avoid the existing easement for the eight-inch sewer along the north property line.
7. Prior to the issuance of grading permits, the applicant shall demonstrate that any abandoned well or septic system has been pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department, or other timing determined appropriate by the Health Department.
8. The applicant, his heirs, successors and/or assignees shall:
 - a. Provide a standard sidewalk along the subject site's frontage of Ritchie Road Spur, unless modified by DPW&T.
 - b. Provide a standard sidewalk along the subject site's frontage of Ritchie Station Court, unless modified by DPW&T.
9. Prior to signature approval of the preliminary plan, the Type I Tree Conservation Plan (TCPI/100/04-01) shall be revised as follows:
 - a. Adjust the phased worksheet to eliminate the shortage.
 - b. Correct the vicinity map to show and label the boundaries for both Phases I and II. If the boundaries of the application are different than that shown on the current TCPI, it shall be revised to show all of the land within the subject application and the land within the

original TCPI approval.

- c. Identify the location of the one specimen tree on the plan with a corresponding symbol in the legend and provide a specimen tree table with information regarding the tree number, species, size, condition and proposed disposition at post development. Put a note below the table regarding how the tree was located (field or survey located).
 - d. In TCPI standard note 1, insert reference to the subject preliminary plan number at the end of the first sentence. In note 6, in the first sentence, refer to the subject preliminary plan number. In the second sentence of note 6, replace the word “final” with the word “conceptual.”
 - e. Show the conceptual building footprints and conceptual grading.
 - d. After these revisions have been made, have the qualified professional who prepared the plan sign and date it.
10. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/100/04-01). The following note shall be placed on the final plat of subdivision:
- “Development is subject to the restrictions shown on the approved Type I Tree Conservation Plan (TCPI/100/04-01), or as modified by the Type II tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005.”
11. An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George’s County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
12. Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
13. Ritchie Marlboro Road at Hampton Park Boulevard: Prior to the issuance of any building permits within the subject property other than for an information/leasing center, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction with DPW&T/SHA, and (c) have an agreed-upon timetable for construction with DPW&T/SHA:
- a. Along the westbound approach of Ritchie Marlboro Road, modify the median to provide two exclusive left-turn lanes into the subject site.
 - b. Along the northbound approach of Hampton Park Boulevard exiting the subject site, provide an exclusive left-turn lane, a shared through/left-turn lane, and two exclusive

channelized right-turn lanes under signalized stop-control.

- c. Along the eastbound approach of Ritchie Marlboro Road, provide an exclusive channelized right-turn lane entering the subject site.
 - d. Prior to approval of the initial detailed site plan proposing development on the site, the applicant shall complete a traffic signal warrant analysis, considering existing and future traffic conditions. If a signal is determined to be warranted by the responsible transportation agency, the applicant shall fund said traffic signal at the time of building permit with installation prior to issuance of the initial use and occupancy permit. This signalization shall include loop detectors and queue detectors as determined to be necessary by DPW&T and/or SHA.
 - e. Items (a) through (d) above shall include all signage and pavement markings as determined to be necessary by DPW&T and/or SHA.
 - f. The scope of improvements required by this condition may be modified if needed to achieve all state and federal approvals, as indicated in Condition 3.
14. I-95/I-495/Ritchie Marlboro Road Interchange (Roundabouts): Prior to the issuance of any building permits within the subject property other than for an information/leasing center, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction with DPW&T/SHA, and (c) have an agreed-upon timetable for construction with DPW&T/SHA:
- a. *Western Roundabout (at the ramps to/from the inner loop of the Capital Beltway):* Modify the westbound roadway between the bridge overpass and the roundabout to provide for transition into three lanes and continuing as three lanes within the affected portion of the circulating roadway of the roundabout, with appropriate overhead signage and pavement markings to delineate the required movements. This improvement would provide for one additional approach lane and one additional circulating lane over the existing situation. Also, modify the eastbound approach between the site entrance and the roundabout to provide three through lanes and continuing as three lanes within the affected portion of the circulating roadway of the roundabout, and transitioning into two eastbound lanes prior to the bridge overpass, with appropriate overhead signage and pavement markings to delineate the required movements.
 - b. *Eastern Roundabout (at the ramps to/from the outer loop of the Capital Beltway):* Modify the eastbound approach between the bridge overpass and the roundabout to provide for transition into three lanes and continuing as three lanes within the affected portion of the circulating roadway of the roundabout, with appropriate overhead signage and pavement markings to delineate the required movements. This would provide for one additional approach lane and one additional circulating lane over the existing situation.
 - c. The scope of improvements required by this condition may be modified if needed to

achieve all state and federal approvals, as indicated in Condition 3.

15. The scope of improvements to the I-95/I-495/Ritchie Marlboro Road Interchange and the Ritchie Marlboro Road/Hampton Park Boulevard intersection may be modified by SHA through discussions with the Federal Highway Administration (FHWA) as a part of the Interstate Access Point Approval (IAPA) process. Therefore, prior to approval of the initial Detailed Site Plan proposing development on the site, the transportation staff shall confirm the final scope of improvements in consultation with the applicant, DPW&T, and SHA. All improvements shall have approval of the operating agencies, and improvements to the I-95/I-495/Ritchie Marlboro Road interchange shall have IAPA approval by FHWA. A timetable for completion of these improvements shall be provided at the same time.
16. At the time of final plat approval, the applicant shall demonstrate:
 - A note has been placed on the final plat for Preliminary Plan of Subdivision 4-04184 limiting the total development for all properties included in Preliminary Plan of Subdivision 4-04184 and Preliminary Plan 4-05133, combined to 1,000,000 square feet of retail space or equivalent development that generates no more than 554 AM and 1,802 PM new peak-hour vehicle trips.
17. Total development within the subject property and the approved Preliminary Plan 4-04184, combined, shall be limited to 1,000,000 square feet of retail space or equivalent development that generates no more than 554 AM and 1,802 PM new peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
18. The final plat shall indicate that access is denied from Parcel 7 to the Ritchie Spur road, and that access to Parcel 7 is via a 24-128(b)(9) access across abutting (4-04184) to Ritchie Station Court.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. This property is located in the southwest quadrant of the new Ritchie Marlboro Road interchange with the Capital Beltway.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	I-1, C-S-C & R-R	I-1, C-S-C & R-R
Use(s)	Residential	Retail (Part of 1,000,000 square feet of gross floor area 4-04184)

Acreage	22.85	22.85
Lots	1	0
Outparcels	0	1
Parcels	21	1
Existing Streets	2 (Ritchie Avenue and Claggett Avenue)	To be closed
Dwelling Units:		
Detached	0	0

4. **Environmental**—The Environmental Planning Section originally reviewed the subject property in 1991 as part of a larger property for timber harvest in conjunction with TCPII/203/91 and was later revised in 2001 as TCPII/203/91-01. In 2004, Preliminary Plan 4-04184 was reviewed in which 11 existing parcels totaling 101.83 acres in the I-3 and R-R Zones were consolidated into six parcels. The Planning Board's conditions of approval for Preliminary Plan 4-04184 are found in PGCPB Resolution No. 05-115. The Board's approval of Preliminary Plan 4-04184 included the Type I Tree Conservation Plan TCPI/100/04.

The purpose of the subject preliminary plan is for the inclusion of an additional 22.85 acres within Phase II of the overall development. This additional area is identified as Parcel 7 and Outparcel 1. Inclusion of the additional acreage represents an –01 revision to TCPI/100/04. As a result of the additional area, the TCPII will subsequently be revised to include the 22.85 acres in a –01 revision.

Based on year 2000 air photos the Phase II portion is approximately 34 percent wooded. There are no regulated environmental features associated with the site such as streams, wetlands, and 100-year floodplain. Five soils series are present at the site and these include Adelphia Fine Sandy Loam (two types in this series), Galestown Gravelly Sandy Loam, Sandy Land, Sassafras Gravelly Sandy Land, and Westphalia Fine Sandy Loam. The latter soil series has a K-factor of 0.49. There are development constraints associated with several of the soils. These include Adelphia Fine Sandy Loam and Galestown that have slopes associated with them that can be problematic when roads or highways are located on them. Sometimes, this same problem is associated with the Sassafras soils when the same type of development is located on them along with parking lot. Marlboro clays are not found at this site. The property is in the Southwest Branch watershed of the Patuxent River basin.

The site is located less than 1,000 feet from I-95, which is a source of significant traffic noise; however, noise impacts are not anticipated because Phase II is outside of the 65 dBA Ldn noise contour and is a commercial development. There are no scenic or historic roads in vicinity of the site. According to the Maryland Department of Natural Resources, Natural Heritage Program staff, rare, threatened and endangered species are not found at this site. According to the 2005 approved *Countywide Green Infrastructure Plan*, there are no network features from the plan associated with the site. The property is in the Developed Tier as designated by the General Plan.

The preliminary plan application has a signed natural resources inventory (NRI/159/05) that was included in the package submitted. It appears the preliminary plan and TCPI show all the

required information correctly, when compared to the signed NRI.

As part of the review requirements, a detailed forest stand delineation (FSD) was prepared in February 2006 and subsequently revised in March 2006. Three forest stands, A, B and D were identified. Portions of all three stands were previously timber harvested. Stand A contains 4.38 acres and is dominated by red maple and sweet gum. Stand A is an early intermediate-age upland hardwood forest. There is one specimen tree at the site and it is located in Stand A (a 36-inch yellow poplar classified as in good condition). Most of Stand A was removed in the timber harvest. This stand had a moderate retention rating.

Stand B contains 0.65 acre and prior to the timber harvest was dominated by sweetgum and red oak. This stand is an intermediate-age upland hardwood forest. The stand contains steep slopes. The health, vigor and species diversity of the stand was considered to be good. Stand B has a moderate retention rating.

Stand D contains 2.83 acres and is dominated by American beech and Virginia pine. This stand is a late intermediate-age upland hardwood forest. Portions of the stand were removed in the timber harvest. The stand contains highly erodible soils and some steep slopes. The species diversity in the stand was considered to be moderate. The stand has a moderate retention priority.

The site is subject to the provisions of the Woodland Conservation Ordinance because it has a previously approved Type I tree conservation plan associated with it. A revised TCPI has been submitted and reviewed.

Existing woodland on the site totals 7.86 acres. Based on the three zones associated with the site, the woodland conservation threshold (WCT) is 4.27 percent or 5.07 acres. The proposed amount of woodland to be cleared totals 7.79 acres. The site's woodland conservation requirement is based on a phased worksheet. This cumulative total is 7.79 acres. The requirement is proposed to be met entirely with 7.79 acres of off-site mitigation on another property.

Several revisions are necessary in order for the plan to be in compliance with the Woodland Conservation Ordinance. Worksheet calculations on the current plan appear to be incorrect when compared to the Environmental Planning Section's worksheet because the former plan shows a shortage. It appears the plan shows all 7.86 acres of existing woodland proposed to be cleared. The worksheet shows only 7.79 acres of existing woodland as the proposed amount on the net tract to be cleared. General information required on the TCPI needs to be revised.

A copy of the approved stormwater management concept plan has been submitted. The concept plan has a DER case number of 19661-2005 and was approved on June 7, 2005. This approval is valid for three years from the date of issuance. Because the current TCPI shows the proposed clearing of all the existing woodland at Phase II, there are no issues regarding woodland treatment areas and the location of stormwater management facilities.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003, and the site will, therefore, be served by public systems.

5. **Community Planning**—The subject property is located within the limits of 1986 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B*. The master plan land use recommendation for the property includes medium suburban density residential, retail commercial, and employment land uses. Although a portion of the property is zoned R-R, the applicant is not proposing residential development. However, this property is a part of a 121.66-acre site intended to be developed in a comprehensive manner as a retail shopping center. In 2003 the County Council enacted Council Bill 65-2003 (and then in CB-19-2005) amending the residential, commercial, and industrial zone use tables to permit retail uses, generally permitted in the C-S-C Zone, in the R-R, I-1, and I-3 Zones in certain circumstances. Also required by CB-65-2003 is the approval of a detailed site plan in accordance with Part III, Division 9, of the Zoning Ordinance and restricts the amount of R-R-zoned land to no more than 20 percent. In general the site must be a minimum of 80 acres and be located inside and on the Capital Beltway.

The subject of this preliminary plan is known as Phase II (19.83 acres) of the Ritchie Station Marketplace, not including the 3.02-acre outparcel. The entire Marketplace comprises approximately 121.66 acres and is located inside and on the Capital Beltway in the southwest quadrant of its intersection with Ritchie Marlboro Road. Phase I (101.83 acres) was approved pursuant to Preliminary Plan 4-04184 (PGCPB Resolution No. 05-115). Subsequent to that approval the applicant has obtained approval of Detailed Site Plan DSP-04080 (PGCPB Resolution No. 05-118) for Phase I. That DSP is based on an overall concept for the entire 121.66 acres. In fact, the traffic study submitted by the applicant in support of Preliminary Plan 4-04184 proposed a maximum of one million square feet of gross floor area, which included a proposed total cap on the development of the entire 121.66 acres of the Ritchie Station Marketplace, Phase I (4-04184) and Phase II (4-05133), as discussed further in the Transportation Finding of this report. Of the 121.66 acres of the overall concept for the Ritchie Station Marketplace, approximately 78 percent of the site is zoned I-3; 3 percent is zoned I-1; 3 percent is zoned C-S-C; and 15 percent is zoned R-R (abandoned roads equal roughly 1 percent).

Although the development does not include suburban density residential, it was clearly anticipated by the County Council that in certain circumstances the R-R Zone could be utilized in a comprehensive retail development (no more and 20 percent) as set forth in CB-65-2003 and CB-19-2005.

The property is located within the Developed Tier as identified in the General Plan. One of the visions for the Developed Tier is to create a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier and proposes a development that supports the use of transit, will encourage pedestrian movement, and proposes a mix of retail type uses.

The General Plan recognizes that the county needs to ensure that future commercial development in the Developed Tier is of the highest quality. The visual attractiveness of the development created at this prominent location should be ensured through the provision of high-quality design, this being one of the reasons that the County Council requires the approval of a DSP (CB-65-2003).

The following urban design strategies are recommended by the 2002 General Plan for projects in the Developed Tier to achieve the highest quality of design:

- Emphasize and encourage design of pedestrian friendly environments.
- Ensure that ample amenities such as plazas, public open space, public art, and civic uses are provided.
- Require special signage, lighting, landscaping, street furniture, and architecture.
- Emphasize the need for the overall design and amenities to create a special sense of place.

Further, given the site's regionally accessible location on the Capital Beltway, the following guidelines from the 1986 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B* are applicable and should be carefully considered with the review of the DSP:

- Innovative site design and/or ample landscaping should be used within and around renewed and expanded commercial areas, to enhance the aesthetic qualities of the area and to break up the otherwise monotonous, barren look of parking areas. (Page 170)
- Freestanding signs advertising commercial activities adjacent to major thoroughfares should be consolidated wherever possible. (Page 229)
- A gas station or other freestanding structure, locating in a renewed or expanding commercial area, should be coordinated with an overall site plan and should be of similar architectural design to other buildings in the center. (Page 171)
- Where an existing or future business extends between two streets, with the minor street providing only access to the parking lot in the rear of the business, and the property opposite the rear entrance is designated for residential use, the rear should be reserved for required parking. (Page 171)
- Intrusions by commercial uses into some neighborhoods have weakened the vitality of once stable neighborhoods. Therefore, the applicant is encouraged to provide for an effective transition between nonresidential uses and adjoining residential uses, particularly the Forestville Park townhouses to the south, "buffering in the form of landscaping, open space, attractive fencing and/or creative site planning technical should be utilized to protect residential areas from commercial, industrial and other incompatible uses." (Page 1066)

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the preliminary plan of subdivision is exempt from the requirements of the mandatory dedication of parkland because the proposed subdivision is non-residential.
7. **Trails**—There is one master plan trail in the vicinity of the subject site. Ritchie-Marlboro Road is designated as a master plan trail corridor in the 1985 Equestrian Addendum to the adopted and approved Countywide Trails Plan. More specifically, a Class II trail is recommended along this section of Ritchie-Marlboro Road. As seen on the Equestrian Addendum, this planned trail will connect to the Chesapeake Beach Rail-Trail outside the Beltway, and provide a trail connection to nearby Walker Mill Regional Park. This master plan facility has been implemented as a six- to eight-foot wide sidewalk along the south side of Ritchie-Marlboro Road in the vicinity of the new Beltway interchange. This trail/wide sidewalk along Ritchie-Marlboro Road provides safe pedestrian and bicycle access under the Capital Beltway, which would otherwise be a barrier to bicycle and pedestrian travel. The portion of the Ritchie-Marlboro Road constructed as part of the new interchange includes a six- to eight-foot-wide sidewalk along the south side. The subject site's entire road frontage of Ritchie-Marlboro Road has been improved and includes this wide sidewalk. No additional improvements are recommended along this roadway.

SIDEWALK CONNECTIVITY:

The majority of the road frontage of the subject site is along Ritchie Road and Ritchie Road Spur. The subject site's portion of this road is open section with no sidewalks. Currently, Ritchie Road includes a standard sidewalk along the north side but no sidewalk along the south side. Road improvements along Ritchie Road include a short distance of sidewalk onto Ritchie Road Spur from the master plan trail/wide sidewalk. Staff recommends the provision of a standard sidewalk along the subject site's entire frontage, unless modified by DPW&T, in keeping with improvements made to the north side of Ritchie Road Spur.

8. **Transportation**—The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 22.85 acres of land in the I-3 and R-R Zones. The property is located on the south side of Ritchie Marlboro Road, approximately 1,000 feet west of the I-95/I-495 (Capital Beltway) interchange with Ritchie Marlboro Road. The applicant proposes to create Parcel 7 and Outparcel 1. The subject property is in the developed tier, as defined in the General Plan for Prince George's County.

At the subdivision review meeting held for the subject application, the applicant indicated that the area covered by this preliminary plan has always been part of the overall concept plan for one integrated shopping center, also known as the Ritchie Hill Center, containing up to one million square feet of gross floor area. The only reason Preliminary Plan of Subdivision 4-04184 did not include this 22.85 acres of land was because the property had not been acquired. This would mean the approval of the subject plan would net no more additional peak-hour trips to the area transportation facilities above the numbers that were included in the original traffic study submitted and reviewed for the original preliminary plan of subdivision for the Ritchie Hill Center (4-04184).

On May 12, 2005, the Prince Georges County Planning Board approved Preliminary Plan of Subdivision 4-04184(Ritchie Hill Center) consisting of 101.83 acres of land with several transportation-related conditions and a total development cap of 1,000,000 square feet of retail space or equivalent development that generates no more than 554 AM and 1,802 PM new peak-hour trips.

Plan Comments

The proposed Parcel 7 and Outparcel A has frontage along Ritchie Road and Ritchie Spur Road, and does not have frontage along the to-be-dedicated right-of-way of Ritchie Station Court. Ritchie Road is a master plan collector facility with 80 feet in total rights-of-way (ROW) and Ritchie Spur Road is an industrial roadway with only 70 feet in total ROW. Adequate right-of-way dedication of 40 feet, and 35 feet from the existing centerline, is needed for Ritchie Road and Ritchie Spur Road, respectively. Since the subject property is proposed to be part of one integrated shopping center with a vehicular access plan consolidating via the proposed Ritchie Station Court, no additional access is proposed or deemed appropriate to the Ritchie Spur Road. The Outparcel consumes the property's frontage of Ritchie Road.

Access to the Ritchie spur road should be denied and access to Parcel 7 should be via a 24-128(b)(9) access easement across Ritchie Station Phase I to the south, which allows for the consolidation of access for the commercial uses onto Ritchie Station Court. Direct access to the Ritchie Spur Road, could create an unsafe traffic circulation pattern because of the possible volume of traffic generated from Ritchie Station Marketplace.

Based on the preceding findings adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with conditions, that are also consistent with the conditions of approval for Preliminary Plan 4-04184 (Phase I))

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for its impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded that the subdivision will have no impact because it is a commercial use.

The subject site is located in an area recommended by the approved Suitland–District Heights and Vicinity Master Plan for a proposed elementary school site. Staff submitted a copy of the site plan and case file cover sheet to the Board of Education for comments regarding the possible reservation of land for a school site. The Board of Education, Division of Supporting Services, indicated in their memo dated May 22, 2006, that there is not a need at the current time or in the immediate future for an elementary site at this location.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue facilities and concluded the following:

- a. The existing fire engine service at Ritchie Fire Station, Company 37, located at 1415 Ritchie-Marlboro Road has a service travel time of 0.05 minutes, which is within the 3.25-minute travel time guideline.
- b. The existing paramedic service at Kentland Fire Station, Company 46, located at 10400 Campus Way South has a service travel time of 6.12 minutes, which is within the 7.25-minute travel time guideline.
- c. The existing ladder truck service at District Heights Fire Station, Company 26, located at 6208 Marlboro Pike has a service travel time of 6.90 minutes, which is beyond the 4.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system should be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

These findings are in conformance with the standards and guidelines contained in the *Approved Public Safety Master Plan* (1990) and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

11. **Police Facilities**—The proposed commercial development is within the service area for Police District III-Landover. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed development.
12. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for Ritchie Station Marketplace and has the following comments to offer:
 - a. Raze permit inspections have already been conducted by this office for all the structures on this property.
 - b. All the abandoned shallow wells (two at 8829 Ritchie Spur Road and one at 8817 Ritchie Spur Road) must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department as part of the grading permit. The location of the shallow well at 8817 Ritchie Spur Road should be located on the preliminary plan. The well indicated on the plans at 8837 Ritchie Spur Road was not observed during this department's site investigation. Its existence should be confirmed.
 - c. All abandoned septic systems serving the existing houses must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic systems should be located on the preliminary plan.
 - d. Three abandoned vehicles (van, bus, trailer) found at 8837 Ritchie Spur Road must be removed and properly disposed.

13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 19661-2005, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
14. **Historic**—Phase I archeological survey is not recommended by the Planning Department on the above-referenced property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites on the subject property is low.

Section 106 review may require archeological survey for state or federal agencies, however. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

15. The subject property is zoned I-1, C-S-C, and R-R. Although the subject application is not proposing any residential development, if legislation would permit such a land use, a new preliminary plan should be approved. Staff would note that although the subject application is not proposing any residential development, the R-R Zone does permit residential development and a new preliminary plan should be approved. Because there exists different adequate public facility tests, and there are considerations for recreational components for residential subdivision, a new preliminary plan should be required if residential development is to be considered.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

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 Clark, with Commissioners Eley, Clark, Squire, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, June 15, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of July 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:bjs