

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 November 12, 2020, regarding Detailed Site Plan DSP-20017 for Royal Farms #381, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) proposes construction of a 4,649 square-foot food and beverage store, gas station, and a 1,248 square-foot car wash.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	I-1	I-1
Use(s)	Vacant	Food and beverage store, gas station, and car wash
Acreage	7.67	7.67
Gross Floor Area (sq. ft.)	0	5, 897

Zoning Regulations

	REQUIRED	APPROVED
Minimum Lot Coverage (percentage)	None	31
Green Area (percentage)	10	71.2*

Parking Requirements

Use		Number of Spaces Required	Number of Spaces Provided	
Retail - 4,649 sq. ft.	1 space/150 sq. ft. for first 3,000 sq. ft.	20		
	+1.0 space/200 sq. ft. (above the first 3,000 sq. ft.)	9		
Gas Station – 8 employees @ 1 space/employee		8		
Car Wash – 1,248 sq. ft. @ 1 space/500 sq. ft.		3		
Eating and drinking establishment – 29 seats @ 1 space/3 seats		10		
TOTAL		50**		72
Of which handicap-accessible		3		3

Loading Requirements

Description	Number of Spaces Required	Number of Spaces Provided
1 space for 2,000 – 10,000 sq. ft. @ 5,897 GFA	1	1
TOTAL	1	1

BICYCLE REQUIREMENTS	Number of Spaces Provided
TOTAL	6

Notes: *Green area was provided by the applicant but does not appear on the DSP. A condition is included in this resolution to provide the green area tabulations in the General Notes.

**The Parking and Loading Schedule provided on the DSP incorrectly shows 49 spaces required but does not include the spaces required for the car wash. A condition is included in this resolution to include the car wash and correct the tabulations to reflect the 50 required spaces in the parking schedule.

3. **Location:** This property is located in the southwest quadrant of the intersection of Walker Mill Road and Ritchie Road, in Planning Area 75A, and Council District 6.
4. **Surrounding Uses:** The site is bounded to the north and south by commercially-developed properties in the Light Industrial (I-1) Zone, to the east by Walker Mill Road and Ritchie Road with commercially-developed property in the I-1 Zone beyond, and to the west by single-family detached residential properties in the One-Family Detached Residential (R-55) Zone.

5. **Previous Approvals:** The site, consisting of existing Parcels B and G, was originally partially designated in the Rural Residential (R-R) Zone, and partially in the Local Commercial, Existing (C-1) Zone; however, the parcels were rezoned to I-1 on October 16, 1970, via Zoning Map Amendment A-8033-C, and on September 12, 1977, via Zoning Map Amendment A-9190-C, respectively. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA) retained this site as an industrial property in the I-1 Zone.

Parcel B is subject to Preliminary Plan of Subdivision (PPS) 4-74093, approved in 1974, and Parcel G is subject to PPS 4-77195, which was approved in 1977. The resolutions of approval and other documents from the approval of PPS 4-74093 and PPS 4-77195 are no longer available. The site has an approved Stormwater Management (SWM) Concept Plan 52507-2019-00 and associated letter, which is valid until May 28, 2023. The approved concept plan is consistent with the DSP.

6. **Design Features:** This DSP proposes to construct a 4,649-square-foot food and beverage store, a gas station with seven standard and three diesel fuel dispensers, and a 1,248-square-foot car wash. The application also includes associated site improvements including landscaping and SWM facilities. The majority of the western portion of the property, which includes environmental features, is to remain undisturbed with this DSP.

The site plan shows two points of vehicular access; one on Walker Mill Road and one on Ritchie Road. Both access points are right-in/right-out only. The plan includes a 10-foot-wide shared use path along the property's frontage on Walker Mill Road and a 5-foot-wide sidewalk along the frontage of Ritchie Road. The plan also includes a pedestrian and bicycle access sidewalk from the intersection of Walker Mill Road and Ritchie Road to the food and beverage store an internal sidewalk surrounding the food and beverage store, a sidewalk linking the food and beverage store to the car wash, and crosswalks crossing both points of vehicle entry at Walker Mill Road and Ritchie Road. In addition, inverted U-style bicycle racks will be installed near the entrance of the food and beverage store.

The food and beverage store building faces Walker Mill Road but sits back behind the gas station canopy. Surface parking is proposed along the front of the building with additional parking along the eastern edges of the property. The loading space will be located between the diesel fueling dispensers and the car wash southeast of the food and beverage store. The applicant is providing six outdoor tables for dining. In a direct response to citizen concerns, the applicant proffered, and the Planning Board accepts, that the applicant accommodate future demand for electric vehicle charging by installing the necessary infrastructure for charging stations on-site. A condition to install the necessary infrastructure for future electric vehicle charging stations is included in this resolution.

Written and oral testimony was received and considered by the Board on design issues questioning the need for a truck turn around, the need for two diesel pumps, and the number for the number of parking spaces on the property. The applicant in oral testimony provided an explanation of the need for the site to accommodate truck deliveries and fueling, which are

incidental to the permitted uses, and also noted that the number of parking spaces will reduce the health and safety concerns related to excess queuing at gas pumps. After considering all such testimony, the Board determined the proposed site design represented a reasonable alternative for on-site parking and circulation.

Architecture

The applicant will construct a high-quality, one-story building in varied materials, which include stone, brick, and composite siding. The fuel canopy and car wash are reflective of the architecture and materials of the store. The applicant is using materials that are typical of the brand, used at other locations in the County, and incorporates sustainable building design elements.

The proposed retail building has a height of approximately 21 feet and is designed to reflect a rural aesthetic. A stone veneer water table will wrap the base of the building, with a wide brick band in the middle, and beige cementitious siding with a copper-red cornice trim along the top portion. This horizontal mix of materials is integrated into the design scheme on all four elevations. The main entrance projects from the front façade and features two side entry points. The front elevation features white metal trim in a horizontal and vertical fashion with large storefront windows, allowing natural light to permeate the interior of the building. A gable-end metal-seam roof over the main entrance is topped with a cupola and weathervane, characteristic of corporate brand. Faux windows are proposed with green canvas awnings on the side and rear elevations.

The approximately 14-foot-high car wash will be located to the southeast of the store and will complement it, featuring a mix of stone and cementitious siding, with storefront windows on the side façade facing the activity on the site.

The proposed 19-foot-high gas canopies will have a flat roof, supported by two white prefinished metal wrapped columns between each fuel dispenser aisle, with the two columns on each end of the canopies wrapped in stone veneer. The fascia will be wrapped in a white internally-illuminated cabinet, with the corporate 'Royal Farms' logo provided on the front and each side fascia. The canopy for the diesel dispensers will have a yellow horizontal band wrapping the center of the fascia, with "Diesel" displayed on each front to distinguish this canopy from the standard one.

Signage

The site features building-mounted signs, illuminated, directional signs, and a pylon sign.

The building-mounted signs are proposed as illuminated channel letters in the Royal Farms blue and green along the front projecting section accompanied by the corporate slogan, "World Famous Chicken and Fresh Kitchen". The plans also show a Royal Farms sign with blue and green illuminated channel letters on the rear facade; however, in response to citizens concerned about light pollution into the residential properties to the west, the applicant proffered and the Planning Board accepts that the rear building-mounted sign be removed. A condition to remove the rear building-mounted sign from the plans is included in this resolution.

The 25-foot-tall pylon sign will be located along the frontage of the site near the intersection of Walker Mill Road and Ritchie Road. The pylon sign will have a masonry base uniting the architecture of the site. The sign information, consisting of the corporate name and the fuel prices, will be blue, back-lit boxes with white lettering.

Directional signs throughout the site will be placed primarily for wayfinding, car wash information, and fuel type designation. A signage table provided with the sign details on the DSP demonstrates conformance with the Prince George's County Zoning Ordinance.

Lighting

This DSP proposes building-mounted and pole-mounted lighting throughout the site to illuminate the driveways, parking areas, and open spaces on the site. A photometric plan was submitted with this application and reflects adequate lighting throughout the site with minimal spillover onto adjacent neighboring properties. The submitted photometric plan shows that there is adequate lighting for users on-site, with no spillover onto the adjacent residential properties, and the Planning Board approves the lighting, as proposed.

Dumpster Enclosure

The dumpster enclosure is located to the southeast of the building, beyond the car wash, and will be approximately eight feet in height. The enclosure is proposed to be constructed with brick to match the proposed building with a solid double gate.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-8033-C:** On October 16, 1970, Zoning Map Amendment A-8033-C was enacted by the Prince George's County District Council to rezone a portion of this property from the R-R to the I-1 Zone with two conditions, as follows:

1. **The flood plain area (as indicated on the study submitted by the applicant) shall be maintained in accordance with the regulations of the Maryland Department of Water Resources, the Washington Suburban Sanitary Commission, and the Department of Public Works.**

Disturbance to the floodplain for the installation of a sewer connection to serve the site is proposed with this application. A condition is provided herein to provide all necessary state and federal approvals prior to permit approval.

2. **There shall be submitted to, and approved by, the District Council a site plan showing suitable landscaping of the subject properties abutting the residential properties before the properties are developed.**

This DSP and the associated landscape plan will be submitted to the District Council for mandatory review following a decision by the Prince George's County Planning Board. The landscape plan shows existing vegetation to be preserved between the development

on this site and the adjacent residential properties, in conformance with the 2010 Prince George's County Landscape Manual (Landscape Manual).

8. Zoning Map Amendment A-9190-C: On September 12, 1977, Zoning Map Amendment A-9190-C was enacted by the District Council with two conditions, as follows:

1. Development shall be confined to the area east of the Washington Suburban Sanitary Commission right-of-way.

This DSP conforms to this condition.

2. A site plan shall be submitted to the District Council for approval before the property is developed to insure [sic] that there are no adverse effects to surrounding properties.

This DSP will be submitted to the District Council for mandatory review following a decision by the Planning Board.

9. Prince George's County Zoning Ordinance: The subject DSP has been reviewed for compliance with the requirements of the I-1 Zone and the site design guidelines of the Zoning Ordinance.

a. This DSP proposes uses that conform with the requirements of Section 27-473(b) of the Zoning Ordinance which governs uses in the I-1 Zone. The proposed gas station and food and beverage store are permitted uses in the I-1 Zone, subject to Footnote 65, that permits each use if approved with a DSP. The car wash is permitted by right in the I-1 Zone.

The Planning Board received and heard testimony concerning numerous issues related to the proposed use. Because the proposed uses are permitted as of right on the property, written and oral testimony concerning the number of gas stations and fast food restaurants in the surrounding area, the number of gas pumps on site, and the business' operating hours is not relevant to the Board's decision. In addition, testimony concerning the nature of the proposed operator's ownership structure, the economic viability and investment potential of the fossil fuel industry, potential other uses involving alternative fuels or renewable energy, the community giving programs offered by the proposed user, the food proposed to be sold on site, the potential for loitering, and the impact of convenience stores on the economic and physical health of the surrounding community is not relevant.

b. Section 27-474 of the Zoning Ordinance provides additional regulations for development in industrial zones, including requirements for setbacks, net lot area, lot frontage, building coverage, and green area. The subject DSP meets all these requirements as shown on the submitted plans.

- c. The DSP represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance. For example, vehicular and pedestrian circulation is designed to be safe, efficient, and convenient for both pedestrians and drivers; pedestrian access is provided to the site from the public right-of-way; and the architecture proposed for the building is constructed of durable, low-maintenance materials, and employs a variety of architectural features and designs, such as window and door treatments, projections, colors, and materials.
- 10. 2010 Prince George’s County Landscape Manual:** The application is subject to the requirements of the Landscape Manual for Section 4.2, Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. The required schedules have been provided demonstrating conformance to the requirements. Technical corrections are required as conditioned in this resolution.
- 11. 2010 Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 2 Tree Conservation Plan, TCP2-027-2020, was submitted for review with this application. According to the worksheet, the overall site is 7.67 acres within the I-1 Zone. A total of 5.42 acres of existing woodlands are on the net tract. The site has a woodland conservation threshold of 0.81 acre, or 15 percent of the net tract, as tabulated. The TCP2 shows a total woodland conservation requirement of 1.64 acres. The TCP2 shows this requirement will be met entirely on-site by preserving 2.13 acres of woodland; however, the TCP2 worksheet incorrectly shows the area of the trail easement as preservation. A condition is included in this resolution to correct the TCP2 worksheet to show the area of the trail easement as “retained, counted as cleared.” Other minor technical revisions to the TCP2 are required as provided herein.
- 12. Prince George’s County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance requires a 10 percent tree canopy coverage (TCC) on properties in the I-1 Zone. The subject site measures 7.67 acres and the required TCC amounts to approximately 0.77 acre. The subject application provides a schedule showing that 2.48 acres of TCC will be provided in conformance with this requirement.
- 13. Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to all agencies and divisions the Planning Board deems appropriate. The referral comments are summarized as follows:
 - a. **Historic Preservation**—The Planning Board adopts, herein by reference, a memorandum dated September 17, 2020 (Stabler to Hurlbutt), which evaluated the site and locations of currently known archeological sites indicating that the probability of archeological sites within the subject property is low. The Planning Board notes that the

subject application will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not required for this site.

- b. **Community Planning**—The Planning Board adopts, herein by reference, a memorandum dated October 8, 2020 (Byrd to Hurlbutt), which indicated that pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.

This property is located within the Military Installation Overlay Zone for height, Surface B (Approach-Departure Clearance Surface), with an approximate allowable height limit of 318 feet. The proposed single-story building is within the height limit.

- c. **Subdivision Review**—The Planning Board adopts, herein by reference, a memorandum dated October 22, 2020 (Gupta to Burke), which provided an evaluation of the previous zoning map amendments and record plats and determined that the development proposal does not represent a substantial revision to the mix of uses that affects Subtitle 24 adequacy findings. The development remains commercial and does not result in any change to the adequacy analysis required for a commercial development that would have been conducted at the time of subdivision approval. Three subdivision conditions are included in this resolution.
- d. **Transportation Planning**—The Planning Board adopts, herein by reference, a memorandum dated October 12, 2020 (Burton to Hurlbutt), which found the DSP met the development policies governing the site including the Subregion 4 Master Plan and SMA, as well as the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). This application is proposing right in/right-out access on both Walker Mill Road, as well as Ritchie Road. Walker Mill Road is a master planned arterial (A-35) road within a 120-foot right-of-way. Ritchie Road is a master planned collector (C-426) road within an 80-foot right-of-way. Along the property's frontage, both roads have existing rights-of-way that are wider than the planned requirement. Consequently, no additional right-of-way is required.

Based on the information provided in the *Trip Generation Manual, 10th edition* (Institute of Transportation Engineers (ITE)), the proposed development will generate approximately 346 AM and 305 PM trips during peak hours. The ITE manual also recommends a pass-by trip reduction rate of 76 percent. Consequently, the proposed development will generate 83 AM and 73 PM new trips on the adjacent streets to this development.

An evaluation of adequate public transportation facilities is not undertaken at the time of DSP and is not a required finding for approval of a DSP. Therefore, testimony concerning increased truck traffic around the community, car racing, congestion and traffic gridlocks on local streets, and the condition of offsite roadways was received and considered by the Planning Board but cannot be addressed through changes in the site plan and are therefore not relevant to the Board's decision on the DSP.

- e. **Trails**—The Planning Board adopts, herein by reference, a memorandum dated October 12, 2020 (Ryan to Burke), which evaluated the DSP for conformance with the MPOT and Subregion 4 Master Plan and SMA to provide the appropriate pedestrian and bicycle transportation recommendations. The policies set forth in the plans reinforce the need for adequate sidewalk and bikeway construction with bicycle-friendly roadways in conformance with the latest standards and guidelines.

The site contains an MPOT planned Ritchie Branch Trail running east-west through the rear of the property and recommends a hard surface trail for this facility. However, with the primary management area (PMA), floodplain, and existing woodland in the rear of the property, and considering that the proposed trail would not connect to an existing trail segment on either side of the property, the Planning Board requires that the applicant provide a public use easement along the future trail alignment. At a future time, when a complete connection to the Walker Mill Regional Park or other trails can be made, the Prince George's County Department of Parks and Recreation can build and maintain the Ritchie Branch Trail. A condition is included in this resolution to provide a public use easement in the rear of the property.

- f. **Environmental Planning**—The Planning Board adopts, herein by reference, a memorandum dated October 13, 2020 (Rea to Burke), which provided an evaluation, summarized as follows:

Natural Resources Inventory/Existing Conditions

An approved Natural Resources Inventory, NRI-019-2020, was submitted with the application. Two specimen trees are associated with this site. The site contains regulated environmental features, including streams and associated buffers steep slopes, and 100-year floodplain, which comprise the PMA. The forest stand delineation indicates that there is one forest stand which has a high rating for preservation. The site has a total of 7.67 acres of gross tract woodland, of which 2.21 acres are within the existing 100-year floodplain, as shown on the NRI. There are two large areas of steep slopes located on-site; the first is along the western property boundary and is associated with an existing forested perennial stream system, which passes through the western property boundary; while the second is located along the north east portion of the site and is associated with rising elevations that extend to the northeast boundary line.

Preservation of Regulated Environmental Features/Primary Management Area (PMA)

A statement of justification (SOJ) dated October 12, 2020 and associated exhibits were submitted on October 12, 2020 for three on-site impacts to the PMA, totaling 13,060 square feet (0.30 acre). Based on the SOJ, the applicant is requesting the following impacts described below:

Impact 1: On-site for proposed retaining wall, drive aisle and stormwater management facility

Impact 1 is proposed for the disturbance of 6,614 square feet of steep slopes for installation of a retaining wall, drive aisle and a SWM facility. The retaining wall minimizes the impacts that would otherwise be needed to grade the area. This disturbance is needed for proper site circulation for truck traffic, utility connections, and SWM for the proposed site. The impact is located outside of the preserved woodland area and the existing stream buffer. For the aforementioned reasons, the Planning Board approves this impact.

Impact 2: On-site for sanitary sewer connection

Impact 2 is proposed for the disturbance of 1,348 square feet of steep slopes and floodplain for the installation of a sewer connection to serve the site. A sanitary sewer is a required public utility and the location of the connection is the shortest distance to the main sanitary sewer. Therefore, the Planning Board approves this impact.

Impact 3: Future on-site trail easement

Impact 3 is proposed for the disturbance of 5,098 square feet of PMA for a 20-foot future trail easement. The easement is located to avoid PMA connections wherever possible and allows for a master planned trail connection. Therefore, the Planning Board approves this impact.

Stormwater Management

An approved SWM Concept Plan and associated letter, 52507-2019, were submitted with this application. The approved SWM concept plan shows the use of seven micro-bioretenion devices on-site. The concept approval expires on May 28, 2023.

The Planning Board also received and considered oral and written testimony concerning the impacts on air quality from the proposed uses and the disproportionate impact of such uses on the environment in predominantly black communities. However, these environmental factors cannot be addressed through changes in a site plan and are not otherwise relevant to the Board's evaluation of the DSP.

- g. **Permits**—The Planning Board adopts, herein by reference, a memorandum dated September 10, 2020, (Bartlett to Burke), which evaluated the DSP and offered comments that have either been addressed through revisions to the plans or are conditioned herein.
- h. **Prince George's County Fire/EMS Department**—Comments regarding this application were not received from the Fire/EMS Department.
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—Comments regarding this application were not received from DPIE.
- j. **Prince George's County Police Department**—Comments regarding this application were not received from the Police Department.

- k. **Prince George's County Health Department**—Comments regarding this application were not received from the Health Department.
 - l. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board adopts, herein by reference, an email dated September 16, 2020 (Westendorf to Burke), in which WSSC offered utility related comments that have been provided to the applicant and will have to be addressed before sewer and water connections are allowed.
14. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
15. As required by Section 27-285(b)(4) of the Zoning Ordinance, for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Prince George's County Subdivision Regulations, with three approved impacts totaling 13,060 square feet (0.30 acre).

NOW, THEREFORE, BE IT RESOLVED, that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopted and incorporated by reference (except as modified herein), and upon consideration of the entire record, the Planning Board APPROVED Type 2 Tree Conservation Plan TCP2-027-2020, and further APPROVED Detailed Site Plan DSP-20017 for the above described land subject to the following conditions:

1. Prior to certification of the detailed site plan (DSP), the following revisions shall be made to the plan:
 - a. Provide the green area tabulations in the General Notes.
 - b. Provide the required car wash parking spaces in the Parking and Loading Schedule and correct the total number of required spaces.
 - c. Correct General Note 6 to add car wash as a proposed use.
 - d. Revise General Note 12 to remove parts of Parcel G and indicate the entirety of Parcel G is recorded in Plat Book NLP 100-27. The plan label for Parcel G should also include the plat recordation number.
 - e. In General Note 14, complete the Type 2 tree conservation plan data once the information is provided.

- f. Provide a 10-foot-wide shared-use-path/sidewalk west of the Walker Mill Road motor vehicle entrance, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.
- g. Provide inverted-U bicycle racks, or racks of a similar style that can provide two points of contact to support and secure each parked bicycle.
- h. Provide crosswalks at each of the motor vehicle access driveways.
- i. Provide the linear foot measurement for the Schedule 4.3-1 on the Landscape Plan.
- j. Label the recording reference for the right-of-way dedication deed as recorded in Liber 18207 folio 359. There is a discrepancy between the bearings and distances on Plat Book NLP 100-27 for Parcel G resulting from this dedication.
- k. Prior to certification of the DSP, the Type 2 tree conservation plan shall be revised as follows:
 - (1) Show the proposed master plan trail easement that overlaps existing woodlands to remain, as being woodland retained counted as cleared on the plan, not as woodland preservation and update the woodland conservation worksheet accordingly.
 - (2) Have the Property Owners Awareness Certificate signed and dated by the owner or owner's representative.
 - (3) Add the following note under the Type 2 tree conservation plan certification block on Sheet 1:

“Woodlands preserved, planted, or regenerated in fulfillment of on-site woodland conservation requirements have been placed in a Woodland and Wildlife Habitat Conservation Easement recorded in the Prince George's County Land Records at Liber ____ Folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”
- l. Revise the Landscape Plan as provided on Applicant's Exhibit 3.
- m. Remove the rear building-mounted sign from the plans.
- n. Provide the necessary infrastructure for future installation of electric vehicle charging stations as demand warrants.

2. Prior to the approval of any permits, which impact 100-year floodplain, 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.
3. Prior to the approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall provide a public use easement for the future Ritchie Branch Trail, the location and width of which shall be determined in accordance with the Prince George's County Department of Parks and Recreation.

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, November 12, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of December 2020.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:TB:nz

APPROVED AS TO LEGAL SUFFICIENCY
David S. Warner /s/
M-NCPPC Legal Department
Date: December 1, 2020