



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

VACATION PETITION

V-05010

Application	General Data
Project Name & Record Plat Affected: Highland, Holladay Company's Addition, A-009 Location: Located on the south side of Allison Street and northeast side of Wallace Road Petitioner: First Baptist Church of Brentwood, et al. Applicant/Address: Shipley & Horne, P.A. 1101 Mercantile Lane, Suite 240 Largo, MD 20774	Date Accepted: 11/01/05
	Planning Board Action Limit: N/A
	Plan Acreage: 0.348
	Zone: R-55
	Tax Map Grid: 50-A2
	Dwelling Units: N/A
	Square Footage: 15,193
	Planning Area: 68
	Council District: 05
	Municipality: N. Brentwood
200-Scale Base Map: 205NE03	

Purpose of Application	Notice Dates
To vacate Church Street and Windom Street between Allison Street and Wallace Road.	Adjoining Property Owners: (CB-15-1998) N/A
	Previous Parties of Record: (CB-13-1997) N/A
	Sign(s) Posted on Site: 4
	Variance(s): Adjoining Property Owners: N/A

Staff Recommendation		Staff Reviewer: Becky Nordan	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Vacation Petition V-05010 **Holladay Company's Addition to Highland (Brentwood)**

Vacation of Church Street and Windom Street between Allison Street and Wallace Road in Brentwood, totaling 15,193 square feet or 0.348 acres, as shown on a subdivision plat entitled Holladay Company's Addition to Highland (Brentwood) MD, recorded in Plat Book "A," Plat Number 9, March 1904, among the Land Records of Prince George's County, Maryland, Election District No. 17.

OVERVIEW

The petitioners, The First Baptist Church of North Brentwood MD, Inc., James E. Spriggs, Jr., Barbara A. Spriggs, Lardner B. Gray, and Maxine J. Gray are the owners of the property abutting Church Street and Windom Street. Petitioners request the vacation of Church Street and Windom Street established by a subdivision plat in 1904. The subject property is located within a municipality, the Town of North Brentwood. The adjacent property on the northwest side of Church Street is improved with a church and parking facilities and the southeast side of Church Street is improved with single-family residences that have access from Banner Street. The subject street has been improved and used by the public but with the removal of said street, the lots and parcels abutting the street will continue to have access from other improved streets. Section 23-161 of the Road Ordinance of Prince George's County states that the road closure provisions shall not apply to any road within the boundaries of a municipality that are not under the county's jurisdiction. The Department of Public Works and Transportation indicates that the roads are not county-maintained and are within the jurisdiction of the Town of North Brentwood. By letter dated May 11, 2005, Mayor Beverly of the Town of North Brentwood indicates that the Council of the Town of North Brentwood voted to support the vacation petition.

It is the church's intention to record a new subdivision plat pursuant to Section 24-108(a)(3) to consolidate Parcel A, Lots 15-24 and the total vacated street area into one parcel for use as the church site with associated parking facilities.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. The public utilities and Prince George's County have been notified of this petition as required by Section 24-112(e) of the Subdivision Regulations.
2. The Department of Public Works and Transportation consented to this petition as required by Section 24-112(1)(e) of the Subdivision Regulations, indicating the subject streets are not county-maintained roads and fall within the jurisdiction of the Town of North Brentwood.
3. The Washington Suburban Sanitary Commission (WSSC) consented to this petition subject to the applicant granting easements required for existing WSSC facilities.
4. The Town of North Brentwood Council voted to support the vacation of Church Street and Windom Street (letter from Town of North Brentwood to Shipley and Horne dated May 11, 2005).

5. PEPCO consented to the vacation petition subject to the applicant granting easements required for existing facilities.
6. Washington Gas Company consented to the vacation petition subject to the applicant granting easements for existing facilities or abandonment of the existing Gas Main pursuant to Washington Gas Company procedures and requirements.
7. Co-petitioners (Spriggs and Gray) have agreed to donate their portion of the vacated land to the church by waiving their rights for the vacated area to revert to their ownership.
8. No referral agency or department recommended disapproval of the petition.
9. No objections were received from adjacent property owners.
10. Petitioners are the owners of all land abutting street area to be vacated.

RECOMMENDATION

APPROVAL, with conditions:

1. Subsequent to the approval of this petition, the church shall record a new final plat of subdivision to consolidate Parcel A, Lots 15-24 and the vacated area of 15,193 square feet as shown on the plat of computation.
2. The petitioners shall grant necessary easements required by WSSC and PEPCO as indicated in the consent letters of each agency.
3. The petitioners shall abandon existing facilities or grant necessary easement to Washington Gas Company.