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Vacation Petition

V-08002

Application	General Data
Project Name & Record Plat Affected: Hyattsville, J. A. Register's Addition to, Plat A-34 Location: Located in the Subdivision of J. A. Register's Addition to Hyattsville. Petitioner: LH East Associates Ltd, Partnership, Et Al c/o EYA, Inc., 4800 Hampden Lane, Suite 300 Bethesda, MD 20814 Applicant/Address: O'Malley, Miles, Nylan & Gilmore, P.A. 11785 Beltsville Drive, 10 th Floor Calverton, MD 20705	Date Accepted: 05/05/08
	Planning Board Action Limit: N/A
	Plan Acreage: 1.14
	Zone: M-U-I
	Tax Map Grid: 42 C-4
	Dwelling Units: N/A
	Square Footage: 49,682
	Planning Area: 68
	Council District: 02
	Municipality: Hyattsville
200-Scale Base Map: 207NE04	

Purpose of Application	Notice Dates
To vacate p/o Longfellow St.; p/o Kennedy St.; and alley south of and connected to that portion of Longfellow St. to be vacated; p/o an alley south of Kennedy St. and North of Hamilton St. east of Lot 11 and p/o Lot 9 and west of Lot 12 and p/o Lot 10	Adjoining Property Owners: N/A (CB-15-1998)
	Previous Parties of Record: N/A (CB-13-1997)
	Sign(s) Posted on Site: 3
	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-08002 J. A. Register's Addition to Hyattsville

Petition to Vacate part of Longfellow Street; part of Kennedy Street; and alley south of and connected to that portion of Longfellow Street to be vacated; part of an alley south of Kennedy Street and north of Hamilton Street east of Lot 11 and part of Lot 9 and west of Lot 12 and part of Lot 10; all in the subdivision known as J. A. Register's Addition to Hyattsville, recorded in Plat Book A, Plat 34, all among the Land Records of Prince George's County, Maryland being in the 16th Election District. Total area of vacation 49,682 square feet or 1.14 acres.

OVERVIEW

The site is located between Baltimore Avenue and the Baltimore Ohio Railroad, north of Hamilton Street and south of Madison Street in the City of Hyattsville. The property is zoned M-U-I.

The Petitioners LH East Associates Ltd. Partnership; L&B Investment LLC; N/F Columbia and Maryland Railroad; Burton M. Lustine; Lustine Chevrolet; Walter L. Green and Carlton M. Green (Petitioners) and J.H.Q. Properties (Adjacent Owner) are the owners of all properties abutting part of Longfellow Street; part of Kennedy Street; and alley south of and connected to that portion of Longfellow Street to be vacated; and part of an alley south of Kennedy Street and north of Hamilton Street, east of Lot 11 and part of Lot 9 and west of Lot 12 and part of Lot 10; in the subdivision know as J. A. Register's Addition to Hyattsville.

The above referenced petitioners and J.H.Q. Properties, adjacent property owner, own all lots abutting streets/alleys to be vacated by this Petition. J.H.Q. Properties, owns Lots D-1 and D-2 which are adjacent to a portion of the alley proposed to be vacated south of Longfellow Street. J.H.Q. Properties elected not to sign the subject petition, verbally stating an objection to Mr. Taub, applicants attorney. JHQ properties objects because the building to be constructed immediately to the north of his property would be built so close to the street that it will block the visibility of his property. The proposed building location is the subject of a previously approved detailed site plan for EYA Arts District Hyattsville- East Village, DSP-06029 and Special Permit Nos. SP-070003 and SP-060001, as well as the Gateway Arts District Sector Plan and is not the subject of this vacation petition. Approval of this vacation petition will have no negative impact on access to property owned by J.H.Q. Properties. The land will revert to adjacent owners/co-petitioners as stated in the conditions and findings of this report.

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)(1) of the Subdivision Regulations.
2. The Department of Public Works & Transportation (DPW&T) consented to this petition as required by Section 24-112(e)(1) of the Subdivision Regulations.
3. The Washington Suburban Sanitary Commission (WSSC) consented to this vacation petition as required by Section 24-112(e)(1).
4. City of Hyattsville consented to this petition by vote of Hyattsville City Council on November 11, 2007 as stated in letter dated December 11, 2007 from Elaine Murphy, City Administrator.
5. Adjacent owner, J.H.Q. Properties objects to this vacation petition as put forth in letter dated April 21, 2008 from Taub to Nordan (Exhibit C). In the event of approval of this Petition, 967 square feet will revert to the ownership of J.H.Q. Properties as shown on plat of computation, Exhibit B-1.
6. No referral agency or department recommended disapproval of the petition.
7. Petitioners and J.H.Q. Properties are the owners of all land abutting street area to be vacated.

RECOMMENDATION: APPROVAL subject to the following conditions:

1. The applicant shall record new subdivision plat pursuant to Preliminary Plan 4-06050 and Detailed Site Plan DSP-06029 Eya Arts District Hyattsville, East Village.
2. Vacated areas shown on Plats of Computation, Exhibits B-1 and B-2, shall revert to ownership of petitioners as follows:

North and south side Kennedy Street

- a. L&B Investment LLC – 13,193 square feet (part one)

South Side Kennedy Street

- b. LH East Associates Limited Partnership – 1,850 sq. ft.
- c. Columbia and Maryland Railroad – 600 sq. ft.

North Side Kennedy Street

- d. Burton M. Lustine – 1,847 sq. ft.
- e. LH East Associates Limited Partnership – 1,447 sq. ft.
- f. Columbia and Maryland Railroad – 1,039 sq. ft.

Alley and South side Longfellow Street

- g. LH East Associates Limited Partnership – 6,471 sq. ft.
- h. J.H.Q. Properties – 967 sq. ft.

South side of Alley

- i. L&B Investment LLC – 2,184 sq. ft. (part two)

North side alley and south side Longfellow Street

- j. Lustine Chevrolet – 755 sq. ft. (part eight)
- k. Lustine Chevrolet – 1,500 sq. ft. (part eight)
- l. LH East Associates Limited Partnership – 377 sq. ft. (alley)

- m. LH East Associates Limited Partnership – 750 sq. ft. (Longfellow St.)
- n. LH East Associates Limited Partnership – 418 sq. ft. (alley)
- o. LH East Associates Limited Partnership – 830 sq. ft. (Longfellow Street)
- p. L & B Investments LLC – 506 sq. ft. (part two alley)
- q. L & B Investments LLC – 1,005 sq. ft. (part two Longfellow Street)
- r. LH East Associates Limited Partnership – 9 sq. ft. (alley)
- s. LH East Associates Limited Partnership – 2,369 sq. ft. (Longfellow Street)

North side Longfellow Street

- t. Lustine Chevrolet – 4,356 sq. ft. (part three and four)
- u. L & B Investments LLC – 2,400 sq. ft. (part six)
- v. Lustine Chevrolet – 2,969 sq. ft. (part one)
- w. Columbia and Maryland Railroad – 642 sq. ft.

East and west side of alley

- x. L & B Investments LLC – 1,198 sq. ft. (part one)
- y. LH East Associates Limited Partnership – 1,198 sq. ft. (alley)