



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

Vacation Petition

V-09001

Application	General Data	
Project Name & Record Plat Affected: Cross Creek Club Location: Intersection of relocated Old Gunpowder Road and Old Gunpowder Road, south of Fairland Regional Park Petitioner: Cross Creek Phase VI, Inc. 522 Church Road Upper Marlboro, MD 20774 Applicant/Address: Rifkin, Livingston, Levitan & Silver, LLC 6305 Ivy Lane, Suite 500 Greenbelt, MD 20770	Date Accepted:	05/02/09
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.17
	Zone:	R-R
	Tax Map Grid:	8/F4
	Dwelling Units:	N/A
	Square Footage:	7,406
	Planning Area:	61
	Council District:	01
	Municipality:	None
200-Scale Base Map:	217NE05	

Purpose of Application	Notice Dates	
To vacate part of relocated Old Gunpowder Road as shown on plat Cross Creek Club, Phase 3, Plat 4, recorded in Plat Book VJ 185 @ 21.	Adjoining Property Owners: (CB-15-1998)	0
	Previous Parties of Record: (CB-13-1997)	N/A
	Sign(s) Posted on Site:	2
	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-09001
Cross Creek Club

Petition to Vacate part of relocated Old Gunpowder Road as shown on subdivision plat entitled Cross Creek Club, Phase 3, Plat 4, recorded in Plat Book VJ 185 @ 21, further described on Exhibit "C" Plat of Computation, all being in the 1st Election District, Prince George's County, Maryland. Total area of vacation is 7,406 square feet or 0.17 acre, all reverting to the ownership of Cross Creek Phase VI, Inc.

OVERVIEW

The site is located at the intersection of relocated Old Gunpowder Road and Old Gunpowder Road, south of Fairland Regional Park. The subject street area was dedicated to public use by subdivision plat VJ 185 @ 21 on December 2, 1998. The subject street is adjacent to property owned by the applicant that was included in Preliminary Plan 4-03016 with the intention to create Lot 1 of Cross Creek. The surrounding properties to the north, south, and west include single-family residential homes in the Cross Creek Subdivision. The area to the east is improved with single-family homes.

The petitioners are the owners of all land abutting the area to be vacated. It is the applicant's intention to incorporate the vacated area with the adjacent acreage parcel to create Lot 1 of Cross Creek, Phase VI, pursuant to Preliminary Plan 4-03016 and Detailed Site Plan DSP-03013. The surrounding properties are zoned R-R (Rural Residential). The land will revert to adjacent owner/petitioner as stated in the conditions 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 and Transportation 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) of the Subdivision Regulations.
4. Easement Liber 965, Folio 92, to the benefit of Baltimore Gas and Electricity (BG&E) shall survive this vacation. BG&E consented to the petition subject to the applicant granting new easements for existing facilities not covered by Liber 965, Folio 92.

5. Verizon consented to the petition subject to the applicant granting easements for existing facilities or relocating the same pursuant to a letter of intent with said agency.
6. No referral agency or department recommended disapproval of the petition.

RECOMMENDATION: APPROVAL subject to the following conditions:

1. The applicant shall record a new subdivision plat in accordance with Preliminary Plan 4-03016 to consolidate the vacated area and adjacent acreage into one lot.
2. Vacated area of 7,406 square feet or 0.17 acre as shown on the Plat of Computation, Exhibit C, shall revert to the ownership of Cross Creek Phase VI, Inc.