THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2022-68 Petition No. V-22001

# RESOLUTION

WHEREAS, on March 29, 2022, a petition was filed by Maryland Science and Technology Center II, LLC for the vacation of an 1,885-square-foot portion of Marconi Drive in the subdivision of University of Maryland Science and Technology Center, such petition, accompanying plat and plat of computation being attached to this Resolution to be considered a part of the Resolution; and

WHEREAS, on or about June 30, 2010, said street, Marconi Drive, was dedicated by plat as a public right-of-way as part of a subdivision known as University of Maryland Science and Technology Center, all situated in the 7th Election District in Prince George's County; and

WHEREAS, the University of Maryland Science and Technology Center Subdivision appears on a plat recorded in Plat Book PM 232, Plat 80, all among the Land Records of Prince George's County, Maryland; and

WHEREAS, upon consideration of the Petition for Vacation filed herein pursuant to Section 24-112 of the Subdivision Regulations, Prince George's County Code, and it appearing that the petitioners are the owners of all land abutting said street to be vacated; and

WHEREAS, the aforesaid application, also known as Vacation Petition V-22001 University of Maryland Science and Technology Center (Marconi Drive) 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 2, 2022, for its review and action in accordance with the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County; and

WHEREAS, signs have been posted on the premises for at least thirty (30) days prior to the date of this action; and

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

WHEREAS, on June 2, 2022, 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, Subdivision Regulations, Prince George's County Code, it is hereby directed by the Prince George's County Planning Board that the public street be vacated.

BE IT FURTHER RESOLVED, that a copy of this Resolution be directed to the Clerk of the Court, Prince George's County, Maryland to note upon the subject plats the fact of this vacation and that the findings and reasons for the decision of the Planning Board are as follows:

1. **Background –**The right-of-way to be vacated is located north of the intersection of Melford Boulevard and Marconi Dive, on Tax Map 48, Grid A-3. The property is located within the Town Activity Center – Edge Zone and was formerly zoned Mixed Use-Transportation Oriented. This application was accepted prior to April 1, 2022 and was reviewed in accordance with the prior Prince George's County Zoning Ordinance and the Prince George's County Subdivision Regulations, as required by Section 24-1703(a) of the Subdivision Regulations.

   The owner and petitioner, Maryland Science and Technology Center II, LLC, requested to vacate an 1,885-square-foot portion of Marconi Drive, which was dedicated as a public right-of-way by plat recorded among the Prince George's County Land Records in Plat Book PM 232 page 80. The stub end of Marconi Drive is the portion requested for vacation. Continuance of this roadway is not proposed or required as part of any master-planned roadway. Development plans for the subject site have been previously approved for townhouse development at this location. This vacation was anticipated and is now filed in accordance with Section 24-112 of the Subdivision Regulations. Minor final plats will be processed subsequent to the vacation petition, in accordance with Section 24-112(c).

   The area being vacated is currently improved and accessible to the public. However, the portion of Marconi Drive to be vacated only abuts the petitioner's property, and no other property will be denied access as a result of this vacation. The applicant has submitted draft minor final plats along with this application demonstrating how the area to be vacated will be incorporated into their property, currently known as Parcel 5, which is recorded among the Land Records in Liber 17411 at folio 710. This area to be vacated will be incorporated into the lotting pattern established with the Preliminary Plan of Subdivision PPS 4-16006 for Melford Village, which was approved by the Prince George's Planning Board on May 18, 2017, and Detailed Site Plan amendment DSP 18034-01 for Melford Town Center, which was approved by the Prince George's County Planning Director on May 1, 2022.

2. Pursuant to Section 24-112(e)(1) of the Prince George's County Subdivision Regulations, the Washington Suburban Sanitary Commission reviewed the vacation petition requested and provided a response indicating that they have no objection to the request.

3. Pursuant to Section 24-112(e)(1) and (4) of the Prince George's County Subdivision Regulations, the Prince George's County Department of Permitting, Inspections and Enforcement, and the Prince George's County Department of Public Works and Transportation (DPW&T) were notified of this petition. A consent email was received from DPW&T indicating no objection to this request, and a formal memorandum was received on May 23, 2022, confirming the same. A road closure process by DPW&T is not required because the project is located within the municipal boundaries of the City of Bowie, pursuant to Section 23-161 of the Prince George's County Road Code.

4. Pursuant to Section 24-112(e)(1) of the Prince George's County Subdivision Regulations, the City of Bowie was notified in writing of this petition and provided a referral indicating no objection to the request.

5. The Prince George's County Planning Department's Transportation Planning Section reviewed this petition and has no objection to this request, as outlined in the memorandum from the Transportation Planning Section, dated May 6, 2022 (Patrick to Vatandoost), incorporated by reference herein.

6. Pursuant to Section 24-112(e)(2) of the Prince George's County Subdivision Regulations, the public utilities have been notified of this petition and no responses were received objecting to the request.

7. Pursuant to Section 24-112(a) of the Prince George's County Subdivision Regulations, the applicant provided the required notification to the owners of all land adjacent to the area to be vacated. Notification to registered community associations, municipalities within one mile, and parties of record was also provided.

8. No referral agency or department recommended disapproval of the petition.

9. Pursuant to Section 24-112(b) of the Prince George's County Subdivision Regulations, the applicant posted the property for public hearing 30 days prior to the public hearing.

10. Pursuant to Section 24-112(c) of the Prince George's County Subdivision Regulations, a minor final plat has been submitted to incorporate the vacated area and will be recorded in the Prince George's County Land Records, subsequent to approval of the vacation petition.

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

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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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, and Shapiro voting in favor of the motion, and with Commissioners Doerner and Washington absent at its regular meeting held on Thursday, June 2, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of June 2022.

Peter A. Shapiro
Chairman

By Jessica Jones
Planning Board Administrator

PAS:JJ:MV:rpg

Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel