



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

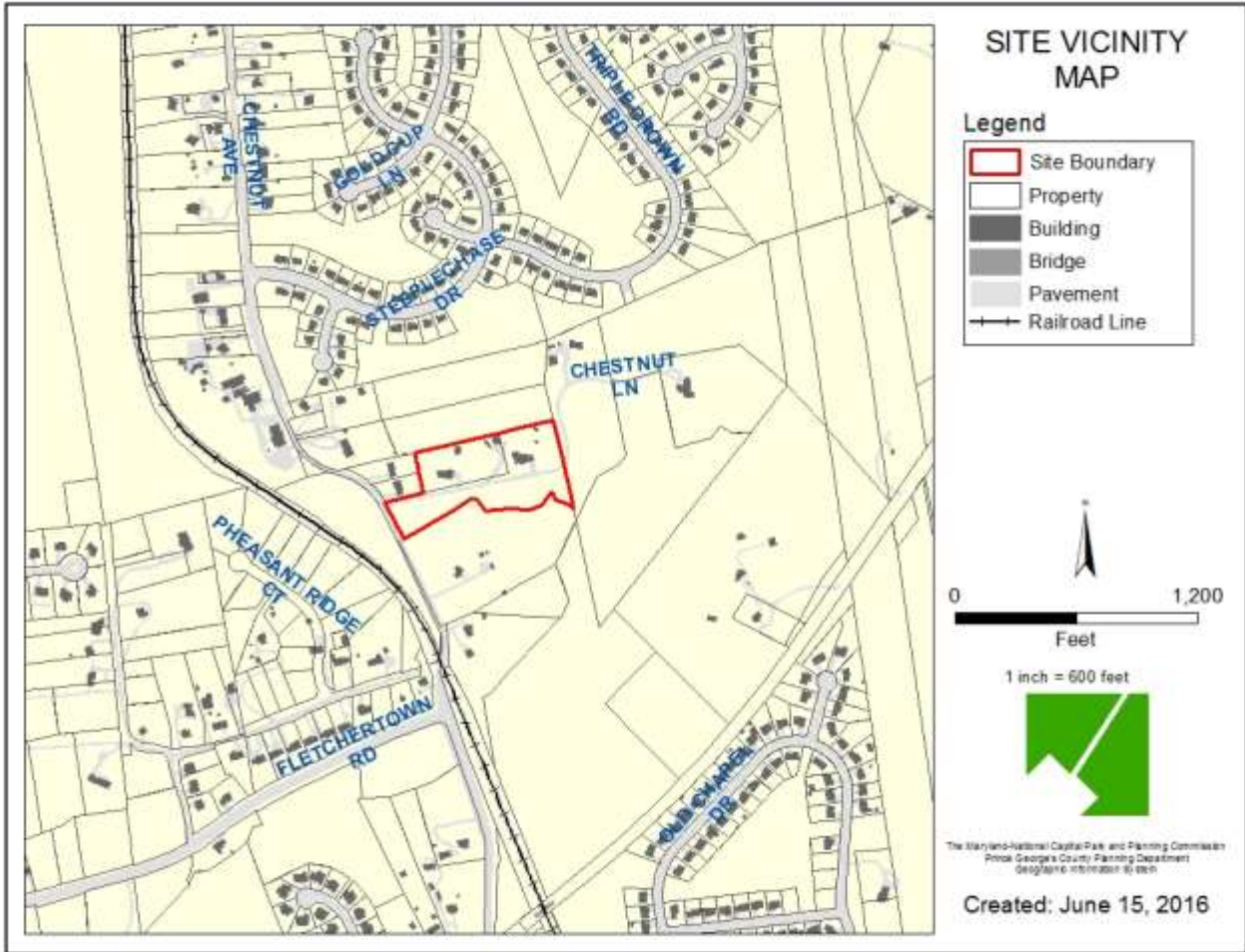
Preliminary Plan 4-87075

Reconsideration Hearing

Application	General Data	
Project Name: Highbridge, Houchens Addition Location: Highbridge, Houchens Addition to (Lots 4 and 5) Applicant/Address: William D. Flanders 7699 Chestnut Lane Bowie, MD 20715 Property Owner: William D. Flanders (Lot 5) 7699 Chestnut Lane Bowie, MD 20715 Ralph Harrison (Lot 4) 7701 Chestnut Lane Bowie, MD 20715	Planning Board Hearing Date:	10/27/16
	Memorandum Date:	10/14/16
	Date Received:	06/02/16
	Planning Board Action Limit:	N/A
	Plan Acreage:	6.47
	Zone:	R-R
	Gross Floor Area:	N/A
	Lots/Dwelling Units:	2
	Parcels:	0
	Planning Area:	71A
	Council District:	04
	Election District:	14
	Municipality:	N/A
	200-Scale Base Map	210NE12

Purpose of Application	Notice Dates	
Reconsideration Hearing	Previous Parties of Record (Applicant)	None
	Parties of Record (M-NCPPC)	06/13/16 10/14/16

Staff Recommendation		Staff Reviewer: Sherri Conner Phone Number: 301-952-3168 E-mail: Sherri.Conner@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



October 14, 2016

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Whitney Chellis, Supervisor, Subdivision Review Section, Development Review Division

FROM: Sherri Conner, Senior Planner, Subdivision Review Section, Development Review Division

SUBJECT: Reconsideration Hearing for Highbridge, Houchens Addition
Preliminary Plan of Subdivision 4-87075

By letter dated May 23, 2015, William Flanders, owner of Lot 5 (4.47 acres) being zoned Rural Residential (R-R) requested a waiver of the Planning Board's Rules of Procedure and a reconsideration of Preliminary Plan of Subdivision (PPS) 4-87075. On June 23, 2016, the Planning Board granted the waiver and the request for reconsideration for other good cause in furtherance of substantial public interest.

The reconsideration is limited to the findings and conditions of approval (PGCPB Resolution No. 87-238) that require a detailed site plan approval to ensure safe and convenient access to Lot 5.

The PPS was approved and the resolution adopted on June 11, 1987. At the time of the PPS approval, Lot 5 contained a 25-foot-wide private access easement to the benefit of parcels located east of Lot 5 and not included in the PPS. The private access easement was not intended for use by Lot 5, which has frontage on Chestnut Avenue, a dedicated public street to the west. The record plat for the subject property (NLP 139@26) notes that Lot 5 shall have a driveway to serve Lot 5 only, extending east from Chestnut Avenue, and not utilize the existing 25-foot-wide access easement which ran through Lot 5. The requirement for approval of a site plan is not a standard requirement for a two-lot subdivision in the underlying R-R Zone. However, because of the intervening private access easement across the subject property, it was found that a site plan was necessary to ensure appropriate access to Lot 5. Consequently, a Detailed Site Plan (DSP-88035) was approved (PGCPB Resolution No. 88-156) on April 14, 1988, but development of the property did not address the fact that Lot 5 was to have a private and separate driveway, apart from the private access easement.

Since the PPS approval (June 11, 1987), a substantial change in the circumstances of the frontage and access to the subject lots has occurred. The private access easement crossing Lot 5 has since become a public road, more particularly described as Other Public Road No. I-9052 named Chestnut Lane with the Prince George's County Department of Public Works and Transportation which provides street

frontage and access to Lots 4 and 5 of this subdivision. Lot 4 was previously approved having no street frontage and access via an easement across abutting Lot 2, not part of this PPS, which fronts on Chestnut Avenue. The applicant had previously requested a lot line adjustment between Lots 4 and 5 which initiated the processing of this reconsideration request in order to recognize the current disposition of the properties and the public road status of Chestnut Lane.

Given the public road status, the applicant requests to remove Condition 5 of the PPS requiring site plan approval for the evaluation of access to Lot 5. Staff finds that the removal of the condition is appropriate. If the reconsideration is granted, the applicant has committed to the dedication of Chestnut Lane to the extent currently required for secondary subdivision streets, at a minimum of 50 feet wide. This would be a much more efficient way for the applicant and staff to address the fact that Chestnut Lane is a public street to which Lots 4 and 5 of the approved PPS gain access, without the requirement of a revision to the site plan approval for Lot 5. The public street (Chestnut Lane) bisects Lots 5, resulting in a division of the property exempt from the requirements of filing a PPS pursuant to Section 24-107(c)(5) of the Subdivision Regulations, and thus creating two separate legal lots. Due to the division, this PPS application becomes a three-lot subdivision (Lots 6, 7, and 8), a one lot increase over that previously approved, having a de minimus impact. An evaluation of the resulting three lots indicates that each meet the minimum lot size requirements of the R-R Zone. Any future development will be evaluated for conformance the requirements of the Prince George's County Zoning Ordinance at the time of permitting. Staff recommends that the applicant prepare a minor final plat dedicating Chestnut Lane, 50 feet in width. The minor final plat should also recognize that existing Lot 5 was bisected by Chestnut Lane, which results in a three-lot subdivision, and renumber the lots in sequence as Lots 6, 7, and 8.

The PPS approved two lots (Lots 4 and 5) that are currently under separate ownership. Lot 4 is owned by Ralph Harrison who has provided his consent to this reconsideration.

Staff has prepared an amended resolution of approval (PGCPB Resolution No. 87-238(A)) removing the condition that requires a detailed site plan approval for Lot 5 and deleting the associated finding. New findings and conditions have been added which recognize Chestnut Lane as a public right-of-way, further dividing Lot 5, and resulting in a total of three lots under this PPS (proposed Lots 6, 7, and 8). The amended resolution is scheduled for Planning Board review on the same day as this reconsideration hearing, which will require separate action for the adoption of the resolution.

RECOMMENDATION

APPROVAL of the reconsideration.