

Case No.: CSP-19009
5600 Ager Road

Applicant: Mariachiara “Meri” Baroni
Hyattsville West One, LLC

COUNTY COUNCIL OF PRINCE GEORGE’S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

FINAL DECISION — ORDER OF APPROVAL WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, Conceptual Site Plan 19009 (“CSP-19009”), a property owner’s request to change the list of allowed uses for the subject property, in accordance with Section 27-548.09.0I(b) of the Zoning Ordinance, located in the northwest quadrant of the intersection of Ager Road and Jamestown Road, Planning Area 68, Council District 2, is hereby APPROVED.

The companion case, DSP-19053 (PGCPB Resolution No. 2020-45), was approved by the Planning Board on the same day for the same request.

As the basis for this final decision, the District Council adopts, except as otherwise stated herein, the findings and conclusions in Planning Board’s Resolution PGCPB No. 2020-44.

Approval of CSP-19009 is subject to the following conditions:

1. Prior to certification of the plan, the applicant shall:
 - a. Submit a copy of an approved natural resources inventory equivalency letter.
 - b. Submit a copy of an approved Woodland Conservation Letter of Exemption.
 - c. Remove the tree canopy coverage schedule from the plan and provide a note regarding the applicable exemption.
 - d. The following permitted uses for the subject property, 5600 Ager Road, shall be listed on the plan:

- (1) Eating or drinking establishment (without drive-through service)
- (2) Food or beverage store
- (3) Food or beverage goods preparation on the premises of a food and beverage store
- (4) Barber, hair salon, or beauty shop
- (5) Hardware store, clothing, or dry goods retail
- (6) Banks, savings and loan associations, or other savings and lending institution
- (7) Medical or professional offices
- (8) Pet grooming shop
- (9) Repair shop (non-automotive) for small items (such as bicycles, watches, electronics, clothing, and shoes).

The uses hereby approved for 5600 Ager Road are subject to the following limitations:

- (1) No automobile dependent uses are permitted.
 - (2) No drive-through services are permitted.
 - (3) No check-cashing businesses are permitted.
 - (4) No pawnshops or consignment stores are permitted.
2. The property owner, its heirs, successors and assigns shall use their best efforts to inform all prospective purchasers of the property, and/or prospective tenants, that the future use of the property may be subject to various land-use restrictions applicable to the property, such as a Conceptual Site Plan, Detailed Site Plan, Master Plan, Sectional Map Amendment, Sector Plan, Transit District Development Plan, West Hyattsville Transit District Overlay Zone Map, Development District Overlay Zone, M-X-T Zone, non-conforming use regulations and/or any pending County-wide Zoning Map Amendments.
 3. If the property is redeveloped, the property owner, its heirs, successors and assigns shall use their best efforts to offer pre-redevelopment tenants of 5600 Ager Road an opportunity to relocate into the redeveloped building located at 5600 Ager Road.

Ordered this 21st day of September, 2020, by the following vote:

In Favor: Council Members Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter, Taveras, and Turner.


Opposed:

Abstained:

Absent:

Vote: 11-0.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: 

Todd M. Turner, Council Chair

ATTEST:



Donna J. Brown
Clerk of the Council