



## Legislation Details (With Text)

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<b>On agenda:</b>	9/20/2021	<b>Final action:</b>		9/20/2021	
<b>Title:</b>	Queens Chapel Town Center - Amendment to Conditions of Approval				
<b>Sponsors:</b>	City Administrator				
<b>Indexes:</b>	Planning & Development				
<b>Code sections:</b>					
<b>Attachments:</b>	1. Memo - DSP-10011-02 - QC Town Center 9.2.pdf, 2. Council Materials 09.20.21 QCTC, 3. Maisel QCTC Presentation				

Date	Ver.	Action By	Action	Result
9/20/2021	1	City Council	Read into the Record	

Submitted by: At the Request of the City Administrator  
Submitting Department: Community & Economic Development  
Agenda Section: Presentation

**Item Title:**  
**Queens Chapel Town Center - Amendment to Conditions of Approval**

**Suggested Action:**  
Presentation Only

### Summary Background:

The applicant is requesting an amendment to the conditions of approval related to Conceptual Site Plan (CSP)-10002 and Detailed Site Plan (DSP)-10011 which would allow for the continued use of an existing eating and drinking establishment with drive-through service within Queens Chapel Town Center.

The property is located within the West Hyattsville Transit District Overlay Zone (TDOZ). This application is requesting validation of the existing Kentucky Fried Chicken drive-through restaurant at 5401 Ager Road.

On January 27, 2011, the Prince George's Planning Board approved CSP-10002 and DSP-10011 which allowed for an amendment to the Table of Uses to permit eating and drinking establishment with drive-through service within Queens Chapel Town Center.

The adopted resolution included one modification and three conditions. Condition 3c states:

*Within Queens Chapel Town Center, any eating or drinking establishment, with drive-through service, operating pursuant to an approved detailed site plan as of the effective date of County Council Resolution CR-24-2006, shall remain valid, be considered a legal use, and shall not be deemed a nonconforming use. Such eating or drinking establishments, with drive-through service, and their underlying detailed site plans may be modified pursuant to the existing provisions relating to revisions or amendments to detailed site plans generally as they exist in the Zoning Ordinance. If the use is discontinued for a period of 180 or more consecutive calendar days, unless the conditions of non-operation were beyond the control of the owner or holder of the use and occupancy permit, then the use shall no longer be considered a legal use.*

The applicant is requesting Condition 3c be deleted.

**Next Steps:**

This item will return for action at the Council's October 4<sup>th</sup> meeting.

This case is scheduled to go before the Zoning Hearing Examiner on October 20<sup>th</sup>.

**Fiscal Impact:**

N/A

**City Administrator Comments:**

For Presentation

**Community Engagement:**

The applicant is scheduled to present to the Hyattsville Planning Committee on September 21, 2021.

**Strategic Goals:**

Goal 2 - Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**

N/A