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Via Electronic Mail: ClerkoftheCouncil@co.pg.md.us djbrown@co.pg.md.us

Calvin S. Hawkins, Chairperson Donna J. Brown, Clerk of the Council Prince George's County Council 14741 Governor Oden Bowie Drive Upper Marlboro, MD 20772

Re: Royal Farms #220 & S.E. 4816
Request for Reconsideration and Amendment of Final Decision

Dear Chairperson Hawkins and Clerk Brown:

As a person of record appearing *pro se* in the above cases, I am writing, pursuant to PGCC Sec. 27-135(b), to file this formal request that the Council reconsider and amend its May 10th decision on the ground that it was reached in error. Among other things, the Request to Withdraw the Applications was legally defective because it was not "signed by the owner[s] of record," as required by PGCC Sec. 27-299(a). Indeed, the names on the page with signatures submitted on April 8, 2021 are not even the same as the names of owners listed in the original applications (see SE 4816 ZHE Exhibit #2(a)). Because there was no legitimate Request to Withdraw before the Council, there was no basis for the Final Decision; it should, therefore, be reconsidered and amended.

In its amended Final Decision, the District Council should deny the applications on the ground that they fail, on their face, to comply with Maryland's "consistency requirement". See LU Secs. 1-303, 1-417. The Record demonstrates, and applicants do not deny, that their proposal entails a *high intensity*, highway-oriented project. This, by definition, is "contrary to" the Subregion V Master Plan, which legally designates the subject properties on the Livingston Road Corridor as "low-intensity" neighborhood-oriented commercial properties. LU Sec.1-303(7); Subregion 5 Approved Master Plan (2013), pp. ii.

The Council should reconsider and amend its Final Decision in this way so as to render it a proper "final action" in these cases, as required by County Council of Prince George's County v. Billings, 420 Md. 84, 21 A.3d 1065 (Md. 2011). Indeed, it is imperative for the Council to do so in order to make clear that the Zoning Hearing Examiner's decision was wrong, and to definitively preclude the resubmission of the applications (see PGCC Sec. 27-300), and the possible construction of this high intensity project, at some future date. The applicants should not be permitted to evade a legally-mandated Final Decision that protects both the integrity of the Master Plan and the heart of small town Accokeek by submitting a faulty, last minute request to withdraw the applications days before an officially scheduled hearing they knew they would lose – a hearing which they chose not to attend (an act that, by itself, calls for them to lose by default).

Thank you in advance for your consideration.

Respectfully submitted,

Madeline S. Kochen, Esq.,

Person of Record appearing pro se