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Via Electronic Mail

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Via First Class Mail

Alan K. Thompson, Chair
Riverdale Park Local Design Review Committee
5008 Queensbury Road
Riverdale, Maryland 20737

**Re.: 6315 Baltimore Avenue
Proposed 7-Eleven**

Dear Chairman Thompson:

As you will recall, during the November 5, 2014 Committee meeting regarding the above-referenced matter, I indicated that prior to the next Committee meeting, which is currently scheduled for December 3, 2014, I would advise the Committee of the applicant's intention on how best to move forward, since I was only able to request a deferral of the case at the conclusion of the November 5th meeting. Accordingly, please accept this letter on behalf of the applicant, to formally memorialize its election moving forward.

Having already attended two Committee meetings and having already submitted original and revised site plans and architectural renderings, and after a very spirited discussion in which the applicant's consultants attempted to satisfactorily respond to the Committee's questions, it is clear that there remains, among other things, a fundamental difference of opinion regarding the legal interpretation of the applicability of some or all of the MUTC Design Standards within the Development Plan. Moreover, questions likely remain regarding the Committee's interpretation of gross floor area and the site calculations depicted on the site plan. In fairness, and I think we can all agree, the issues or legal differences of opinion are not likely to be resolved with additional plans and/or public discussions before the Committee. That is, we understand and respect that the Committee's views and conclusions differ from the applicant's. Consequently, and so as to not belabor the matter any longer, the applicant believes that it behooves everyone to obtain the Committee's recommendation without any further delay or additional hearings. For this reason, please be advised that the applicant has elected not to introduce any additional information and hereby respectfully submits on all of the documents and testimony provided to date. In addition, the applicant does not intend to attend the December 3, 2014 Committee meeting. The decision not to attend is based solely on the fact that it is our understanding, as

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discussed in detail on November 5th, that if the applicant was to advise that it desired the Committee to make a decision without any further hearings or discussions, that the Committee would simply move forward on the motion/recommendation that was prepared for the November 5th meeting. For that reason, it seems unnecessary for the applicant to attend on December 3rd, as we expect the Committee to simply move forward with the motion already prepared, and any further discussion, at this point, would be superfluous.

Nevertheless, we look forward to receiving the Committee's recommendation and will most certainly consider the Committee's explanation(s) regarding its decision if this application moves forward under the special permit process.

As always, thank you and the Committee for its understanding, professionalism, and courtesy in this matter.

Respectfully submitted,



Matthew C. Tedesco

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