Bowie-Mitchellville & Vicinity Sectional Map Amendment (SMA) Rezoning Request Form

	ner Information		
Property Owner(s)*	The Irmgard H. Hawkins By-Pass Trust	Mailing Address Including City, State, and ZIP Code*	c/o Timberlake Fairwood Square,LLC 304 Harry S. Truman Parkway, Suite M Annapolis, MD 21401
Email Address*	bmessineo@timblerakehomes.com	Telephone*	443-837-3115
Is the property ow	ner(s) an individual or a business entity?		
	McNamee Hosea, P.A. Attn: Matthew C. Tedesco	Agent's Mailing Address Including City, State, and ZIP Code	6411 Ivy Lane Suite 200 Greenbelt, MD 20770
Email Address	MTedesco@mhlawyers.com	Telephone	301-441-2420
Property Info	rmation		
Property Address or location*	12205 and 12105 Annapolis Road, and 5015 Enterprise Road, Bowie, MD 20720	Tax Account Number(s)*	0733741; 0733782; and 0817676
Legal Description (Subdivision/Plat)	Deed References: 15572/171; 15572/167; 15594/275	Tax Map/Grid*	45/F-3 and E-3
Councilmanic District	6	Lot/Block/Parcel*	Parcels 5, 123, and 118
Other Pertinent Information	The parcels are occupied by the site of the former Fi 800 feet of frontage on Enterprise Road and 1,600 for Fairwood community in the LMXC Zone (prior M-X-CGO Zonce (prior C-O Zone). Across the Glenn Dall RR Zone (prior R-R Zone). Abutting the property to the property is the subject of Revision Number 3 in	eet of frontage on Annapo C Zone). Across Annapolis e and Enterprise Roads to he south are single - fam	olis Road. Abutting the property to the east is the Road to the north are office buildings in the otherwest are single - family dwellings in the
Property Zor	ing Information		
Current Zone* per the existing zoning Map	RE	Zone Requested*	CGO
Current Uses*	Site of the former Frank's Nursery		

Provide a statement describing how the proposed zoning change complies with the <u>Plan Prince George's 2035</u> <u>Approved General Plan (Plan 2035)</u> and the <u>2022 Approved Bowie-Mitchellville and Vicinity Master Plan</u> (provide here or via separate attachment to this form)*:

The rezoning of the former Frank's Nursery property from the RE Zone to the CGO Zone will implement the Future Land Use Recommendations provided in the 2022 Approved Bowie-Mitchellville and Vicinity Master Plan Map 16 (page 50) (attached), which depicts the entire Frank's Nursery Property in the "Commerical" future land use designation. Placing all of the parcels in the CGO Zone will also implement a number of Land Use policies for the property. Specifically, LU 17.1 recommends to "redevelop the former Frank's Nursery property at 12205 and 12105 Annapolis Road (Tax ID 0733741 and 0733782) and 5015 Enterprise Road (Tax ID 0817676) into a commercial land use." (Page 73) (attached).

Comprehensive Policy CZ 11.1 instructs the SMA to "reclassify the property known as Frank's Nursery property located at 12205 and 12105 Annapolis Road (Tax ID 0733741 and 0733782) and 5015 Enterprise Road (Tax ID 0817676) to the CGO (Commercial, General, Office) Zone to support the recommended commercial development. (Page 89) (attached). See also, Table 28, which directs all of the parcels to be rezoned to the CGO Zone. (Attached).

Finally, the CGO Zone will be consistent with the vision, policies, and strategies contained within the 2035 General Plan, which places the Property within the "Established Communities" designation on the Growth Policy Map. These are areas outside Centers and Districts that are served by public water and sewer and suitable for low-to medium density development. The 2035 General Plan projects an additional 12,600 new dwelling units in the Established Communities area(s). (See 2035 General Plan, Table 17, p. 110). The Property is located within the growth boundary designated in the 2035 General Plan. Uses consistent with those allowed in the CGO Zone will enhance the surrounding community by providing compatible commercial and/or residential development that will meet the existing and future retail and housing needs of residents of Prince George's County. It is expected that any development will be high-quality to maintain compatibility with adjacent residential communities. Details of such development will be reflected in necessary entitlement applications.

Rezoning to the CGO Zone will be not only be consistent with CB-50-2021 - as the property satisfies the applicability requirements of the subclassification created thereby, but is also consistent with the vision, policies, and strategies contained within the 2035 General Plan which places the Property within the "Established Communities" designation on the Growth Policy Map. These are areas outside Centers and Districts that are served by public water and sewer and suitable for low-to medium density development. The 2035 General Plan projects an additional 12,600 new dwelling units in the Established Communities area(s) (see 2035 General Plan, Table 17, p. 110). The Property is located within the growth boundary designated in the 2035 General Plan.

The property owner (or its agent) reserves the ability to further supplement this written statement with additional written or oral testimony at or before the Joint Public Hearing and/or prior to the close of the record for the SMA.

Signature

Signature of the Person Submitting this Form

Name

Matthew C. Tedesco

Name of the Person Submitting this Form

(print)

Date of Signature

08

MM

DD

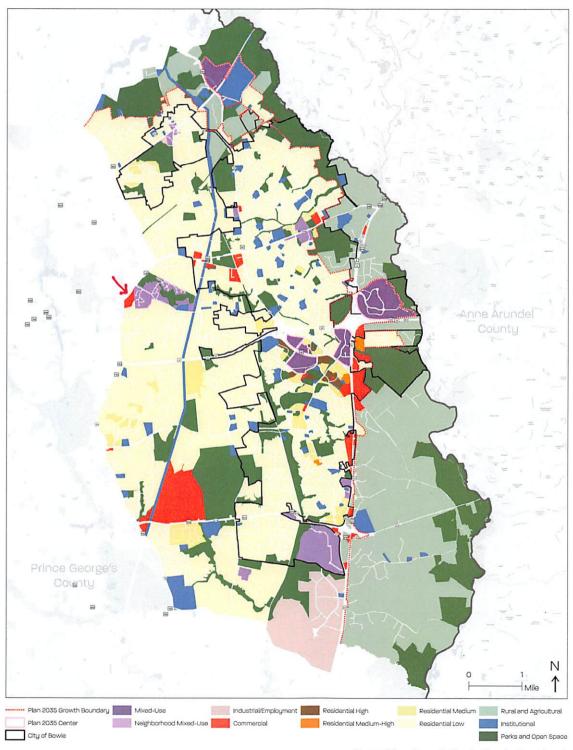
2022

YY

*Required



Map 16. Future Land Use



Source: Prince George's County Planning Department

Note: The future land use map is 34x44 and is too large to be fully visible in this document. It can be viewed online at https://bit.ly/BMVMPMap.



MD 450 Corridor Concept

The concept along MD 450 between Free State Shopping Center and Bowie Marketplace includes is a narrower street, lined with two- to threestory buildings that feature retail, restaurants, and service uses and complete bicycle and pedestrian facilities. They have a sense of place and offer opportunities to socialize and shop.

Superior Lane Boulevard Concept

The Superior Lane boulevard concept is envisioned to be a north-south connector between Free State Shopping Center and Bowie Marketplace. The implemented concept would create an opportunity to draw foot traffic from one retail center to the other. The boulevard will be complete with a tree-lined path and landscaping, and small retail shops lining the way, making this area an inviting pedestrian environment.

Policy LU 17

Create strategic opportunities for infill commercial land use along MD 450, served by existing infrastructure.

LU 17.1 Redevelop the former Frank's Nursery property at 12205 and 12105 Annapolis Road (Tax ID 0733741 and 0733782) and 5015 Enterprise Road (Tax ID 0817676) into commercial land use. Map 16. Future Land Use, designates this property in the Commercial future land use category.

MD 197 CORRIDOR

Policy LU 18

To preserve the commercial viability and the continued presence of neighborhood-serving retail and services, construct infill housing at designated existing shopping center locations (see Policy EP 15).

LU 18.1 Redevelop Bowie Plaza (6806-6948 Laurel Bowie Road, tax ID 1640762) to include mid-rise multifamily residential uses vertically or horizontally integrated with neighborhood-scale retail uses, including a grocery. If existing buildings are retained, façades should be upgraded to better attract shoppers and tenants.

US 301/MD 3 CORRIDOR

Policy LU 19

Work with the owners of Pointer Ridge Shopping Center on a redevelopment strategy that increases commercial activity and the range of housing types and price points proximate to the Collington Local Employment Area to ensure employees can live near their workplaces.

- LU 19.1 Work with property owners, tenants, and economic development professionals on exterior improvements to Pointer Ridge Shopping Center to attract new tenants.
- LU 19.2 Redevelop Pointer Ridge Plaza (1334 NW Robert Crain Highway, tax ID 0797563) to include multifamily residential uses to meet housing needs for new workers in the southern part of the plan area along the US 301 Corridor and to increase continued commercial viability.

Comprehensive Zoning

OLD TOWN BOWIE

Policy CZ 10

Implement Policy LU 15.1 by ensuring the appropriate zoning for the transition, over time, of existing light industrial uses to neighborhood-scale mixed use.

CZ 10.1 Reclassify community properties listed in Table 27. CZ 10.1 Zoning Recommendations—Old Town Bowie Neighborhood Mixed-Use into the Commercial, General Office (CGO) Zone. (See Map F-23. CZ 10.1 Zoning Recommendations—Old Town Bowie Neighborhood Mixed-Use [CGO Zone].)

MD 450 CORRIDOR

Policy CZ 11

Ensure properties along MD 450 Corridor are classified under appropriate zoning.

CZ II.1 Reclassify the property known as Frank's
Nursery property located at 12205 and
12105 Annapolis Road (Tax ID 0733741 and
0733782) and 5015 Enterprise Rod (Tax ID
0817676) to the CGO (Commercial, General,
Office) Zone to support the recommended
commercial development. (See Table 28. CZ
11.1 Zoning Recommendations—Former
Frank's Nursery and Map F-24. CZ 11.1
Zoning Recommendations—Former Frank's
Nursery [CGO Zone].)

Table 26. CZ 9.1 Zoning Recommendations—Leeland Road

Address	Tax ID	Proposed CMA Zone	Recommended Zone	Land Use Cross Reference
16000 Leeland Road	3111648	LCD	IE	LU 13.3
16012 Leeland Road	0800144	RR	IE	LU 13.3
16014 Leeland Road	0800110	RR	IE	LU 13.3
15520 Leeland Road	0818450	RR	IE	LU 13.3
15524 Leeland Road	0743542	RR	IE	LU 13.3
15620 Leeland Road	0824805	RR	IE	LU 13.3
15700 Leeland Road	0713966	RR	IE	LU 13.3
15720 Leeland Road	0739730	RR	IE	LU 13.3
15800 Leeland Road	0713990	RR (Correct Split Zone)	IE	LU 13.3
Leeland Road	3466240	LCD (Correct Split Zone)	IE	LU 13.3

Table 27. CZ 10.1 Zoning Recommendations—Old Town Bowie Neighborhood Mixed-Use

Address	Tax ID	Proposed CMA Zone	Recommended Zone	Land Use Cross Reference
8333 Zug Road	1667997	IE	CGO	LU 15.1
Railroad Avenue	1622547	IE	CGO	LU 15.1
12950 Railroad Avenue	1652965	IE	CGO	LU 15.1
Zug Road	1658145	IE	CGO	LU 15.1

Table 28. CZ 11.1 Zoning Recommendations—Former Frank's Nursery

	Tax ID	Proposed CMA Zone	Recommended Zone	Land Use Cross Reference
Address				
12205 Annapolis Road	0733741	RE	CGO	LU 17.1
12105 Annapolis Road	0733782	RE	CGO	LU 17.1
5015 Enterprise Road	0817676	RE	CGO	LU 17.1

This Form Is To Be Filed With:

STATE ETHICS COMMISSION 45 CALVERT STREET, 3RD FLOOR ANNAPOLIS, MD 21401 410-260-7770 1-877-669-6085

CLERK OF THE COUNTY COUNCIL COUNTY ADMINISTRATION BUILDING **ROOM 2198** UPPER MARLBORO, MD 20772 301-952-3600

Business Entity¹ Affidavit (Form PG 2)

General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website http://ethics.maryland.gov/public-ethics-law/, Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit only if these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law and if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

PART A. Business Entity Applicant

Identifying Information

Case No. (where applicable) SMA Address of Applicant 304 Harry S. Truman Parkway, Ste. M, Annapolis, MD 21401 Bowie-Mitchellville & Identity of the Property/ 12205, 12105 Annapolis Rd and 5015 Vicinity Sectional Map Subject of Application Enterprise Rd Bowie MD 20720 Type of Application Amendment Parcels 5, 118 and 123 (see § 5-833(d)) Tax Accts: 0733741, 0733782, 0817676

Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1.	Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application? Yes No					
	If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:					
	Name of Member					
	If the payment/contribution was through a PA continuing committee:		ate of the transfer to the treasurer or			
G - 1: - :	totion and other December (Contribution Information					
2.	Did the applicant solicit a person or business months before the application filing or during Yes No	entity to make a payment/conf				
		If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:				
	Name of Member	<u>Date</u>	Name of Contributor			
PA	RT B. <u>Directors</u> , Officers and Stock					
	*Note: For a corporation's application to a check at the beginning of each question					
1.	All directors, officers, and stockholded disclosure requirement as provided in the corporation has no directors, officers or N/A	Law and are identified as fo	llows (list name and title – if the			
2.	Affidavits (Form PG 1 Individual Appabove, who have made or solicited contributifile with the Clerk of the County Council O	ions and are therefore required	to disclose, are either attached or on			
	by make oath or affirmation that the contents on nation and belief.	of this affidavit are true and co	prrect to the best of my knowledge,			
	Signature (original to be filed with the Clerk SUZANNE HAWKIN	<u> </u>	8/5/2022 Date			
	Printed Name of Signer Successor TRUGIET Title of Signer (Authorized to sign for the b	STEMPALD H. How usiness entity) BY-Page	PLINS TRUST			

STATE ETHICS COMMISSION 45 CALVERT STREET, 3RD FLOOR ANNAPOLIS, MD 21401 410-260-7770 1-877-669-6085 This Form Is To Be Filed With:

CLERK OF THE COUNTY COUNCIL
COUNTY ADMINISTRATION BUILDING
ROOM 2198
UPPER MARLBORO, MD 20772
301-952-3600

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PART A. Business Entity Applicant

Name of Applicant The Irmgard H. Hawkins By-Past Trust Address of Applicant 304 Harry S. Truman Parkway, Ste. M, Annapolis, MD 21401 Identity of the Property/ Subject of Application Parcels 5, 118 and 123 Tax Accts: 0733741, 0733782, 0817676 Tose No. (where applicable) SMA Case No. (where applicable) SMA Annapolis, MD 21401 Bowie-Mitchellville & Vicinity Sectional Map Type of Application Amendment (see § 5-833(d))

¹Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

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	Name of Member					
	If the payment/contribution was through continuing committee:		date of the transfer to the treasurer or			
Solici	itation and other Payment/Contribution Info	ormation				
2.	Did the applicant solicit a person or bus months before the application filing or Yes No	Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? Yes No				
	If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:					
	Name of Member	<u>Date</u>	Name of Contributor			
			-			
PA	ART B. Directors, Officers and St) (For Corporations Only)			
	*Note: For a corporation's applicati a check at the beginning of each ques	on to be processed, this section stion to indicate the action has b	must be completed in full (place peen completed).			
1.	All directors, officers, and stock disclosure requirement as provided in corporation has no directors, officers/A	the Law and are identified as f	er interest have been notified of the follows (list name and title – if the cent or greater interest, so state):			
2.	Affidavits (Form PG 1 Individual above, who have made or solicited contrible with the Clerk of the County Council	ibutions and are therefore require	individuals identified in question #1 d to disclose, are either attached or on quired to file affidavits.			
I here inforn	by make oath or affirmation that the contenation and belief.	nts of this affidavit are true and c	orrect to the best of my knowledge, $8/8/zz$			
	Signature (original to be filed with the Commes Hawkins	Clerk)	Date			
	Printed Name of Signer Trugged Title of Signer (Authorized to sign for t	H Hankins By-Pass he business entity)	Trust			

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Solic	itation and other Payment/Contribution Information	ation				
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			-			
PA	ART B. Directors, Officers and Stock	kholders (see § 5-838(b)	(For Corporations Only)			
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1.	All directors, officers, and stockhold disclosure requirement as provided in the corporation has no directors, officers or	I aw and are identified as for	ollows (list name and title - if the			
2.	X Affidavits (Form PG 1 Individual Apabove, who have made or solicited contributile with the Clerk of the County Council O	tions and are therefore required	d to disclose, are either attached or on			
	by make oath or affirmation that the contents of mation and belief.	of this affidavit are true and c	orrect to the best of my knowledge,			
	6/2		7/72/22			
	Signature (original to be filed with the Cler	k)	Date			
	Printed Name of Signer Preside + Title of Signer (Authorized to sign for the b	ousiness entity)				

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STATE ETHICS COMMISSION 45 CALVERT STREET, 3RD FLOOR ANNAPOLIS, MD 21401 410-260-7770 1-877-669-6085 CLERK OF THE COUNTY COUNCIL
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PART A. Business Entity Applicant

Identifying Information

Name of Applicant Timberlake Homes, BT

Address of Applicant 304 Harry S. Truman Parkway, Ste. M, Annapolis, MD 21401

Bowie-Mitchellville & Vicinity Sectional Map Subject of Application Enterprise Rd Bowie MD 20720

Parcels 5, 118 and 123

Tax Accts: 0733741, 0733782, 0817676

Case No. (where applicable) SMA

Annapolis, MD 21401

Bowie-Mitchellville & Vicinity Sectional Map Type of Application Amendment (see § 5-833(d))

¹Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks) 1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application? _____ Yes _____ No If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution: Name of Member Date If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee: Solicitation and other Payment/Contribution Information 2... Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? ____ Yes _ X No If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor: Name of Member Name of Contributor PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only) *Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed). All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the 1. disclosure requirement as provided in the Law and are identified as follows (list name and title - if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state); N/A X Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 2. above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council OR there are no individuals required to file affidavits. I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Signature (original to be filed with the Clerk)

Signature (original to be filed with the Clerk)

Minzer

antity)

Title of Signer (Authorized to sign for the business entity)

From: <u>Matthew C. Tedesco</u>

To: <u>PPD-BVMP</u>; <u>Clerk of the Council</u>

Cc: <u>Bryan C. Spell</u>; <u>Lester, Thomas</u>; <u>Brian Messineo</u>

Subject: Bowie-Mitchellville & Vicinity SMA Rezoning Request; Frank's Nursery Property

Date: Thursday, August 11, 2022 8:40:53 AM

Attachments: <u>image001.pnq</u>

Rezoning Request Form (Franks Nursery).pdf

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

M-NCPPC Planning Department and Madam Clerk:

Pursuant to the filing instructions in the Bowie-Mitchellville & Vicinity SMA Rezoning Request Packet, on behalf of the owner, The Irmgard H. Hawkins By-Pass Trust c/o Timberlake Fairwood Square, LLC, please find attached a Rezoning Request Form and all SECA Forms for the following property:

- Parcels 5, 123, and 118 (12205 and 12105 Annapolis Road, and 5015 Enterprise Road, Bowie, MD 20720);
- Tax Account/ID Nos.: 0733741, 0733782, and 0817676

The attached form requests that the property be rezoned from the RE Zone to the CGO Zone pursuant to the Future Land Use designation (Map 16), Policy LU 17.1, and CZ 11.1 of the 2022 Approve Bowie-Mitchellville & Vicinity Master Plan.

If you should need anything else to process this request, please let me know.

Please confirm receipt.

Thank you in advance,

Matt

McNamee Hosea



Matthew C. Tedesco

Principal*

McNamee Hosea

6411 Ivy Lane, Suite 200 o 301.441.2420 Greenbelt, Maryland 20770 **r** 301.982.9450

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*Admitted in Maryland

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Internal Revenue Service, or 2) promoting, marketing or recommending to another party any transaction or matter addressed herein.