

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

## Property Owner Information

Property Owner(s)*	New Market Free State, LLC	Mailing Address Including City, State, and ZIP Code*	3284 Northside Parkway Suite 150 Atlanta, GA 30327
Email Address*	bharrison@pacapts.com	Telephone*	770-818-4100
Is the property owner(s) an individual or a business entity?			
Property Owner's Agent	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 Information

Property Address or location*	15500 Annapolis Road, Bowie, MD Parcel C (approx. 19.97 acres) and Parcel D (approx. 8.96 acres) are located on the north side of MD 450 (Annapolis Road), and better known as Free State Shopping Center	Tax Account Number(s)*	Parcel C - 3742806 Parcel D - 3742814
Legal Description (Subdivision/Plat)*	Freestate Plaza Plat Book REP 211 at Page 49	Tax Map/Grid*	38/B-4
Councilmanic District		Lot/Block/Parcel*	
Other Pertinent Information	Free State Shopping Center is currently split zoned between the CGO Zone and RR Zone. More specifically, the majority of Parcel C is the the CGO Zone with slivers of the north and west portions of the parcel in the RR Zone. Conversely, the majority of Parcel D is the RR Zone with a portion of the SE portion in the CGO Zone. These zoning lines appear to follow the old lot lines prior to the resubdivision of Parcels C and D, which now create zoning lines that bisect some of the commercial buildings. The site is developed as a shopping center.		

## Property Zoning Information

Current Zone* <i>per the existing zoning Map</i>	RR and CGO	Zone Requested*	CGO
Current Uses*	Free State Shopping Center (Parcels C and D) are developed with a number of commercial retail buildings and associated parking, which collectively makes up the entire shopping center development.		

\*Required

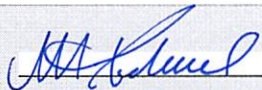
Provide a statement describing how the proposed zoning change complies with the *Plan Prince George's 2035 Approved General Plan (Plan 2035)* and the *2022 Approved Bowie-Mitchellville and Vicinity Master Plan* (provide here or via separate attachment to this form)\*:

Free State Shopping Center was developed circa 1970 and has been improved upon since. As indicated above, the property is currently development with a number of commercial/retail buildings and associated parking, which collectively make up the shopping center. Parcels C and D are split zoned, with portions of each in the CGO Zone and RR Zone, respectively. The owner, as recommended in the 2022 Approved Bowie-Mitchellville and Vicinity Master Plan is requesting that Parcels C and D be rezoned from the CGO and RR Zones to the CGO Zone, respectively. In other words, the owner is requesting that the entire shopping center property be placed in the CGO Zone.

The rezoning of Parcels C and D to be entirely within the CGO Zone will implement the Future Land Use recommendation of the recently adopted 2022 Approved Bowie-Mitchellville and Vicinity Master Plan, which depicts the entire Free State Shopping Center property in the "Neighborhood Mixed-Use" future land use designation. (See Map 16 at page 50) (attached). Table 3 on page 49 of the Master Plan defines Neighborhood Mixed-Use as "Traditional retail/shopping areas that are transitioning to a mix of residential, shopping, eating and drinking, and other neighborhood-serving amenities. Neighborhood Mixed-Use areas are located outside of designated Centers, often along arterial roadways and at key intersections and interchanges." (Attached). Placing all of Parcels C and D in the CGO Zone will also implement a number of Land Use policies for the property. Specifically, LU 16.2 recommends to "redevelop Free State Shopping Center and Bowie Market Place into an integrated mixed-use destination that includes multifamily dwellings and townhouses." (Page 73) (attached). Figure 7, on page 77, graphically depicts how the land use recommendation could be implemented; however, in order to accommodate the same, all of Parcels C and D must be placed into the CGO Zone. (See 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.

The property owner 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)*  
*Agent/Attorney For Owner*

Date of Signature 08 01 2022  
*MM DD YY*

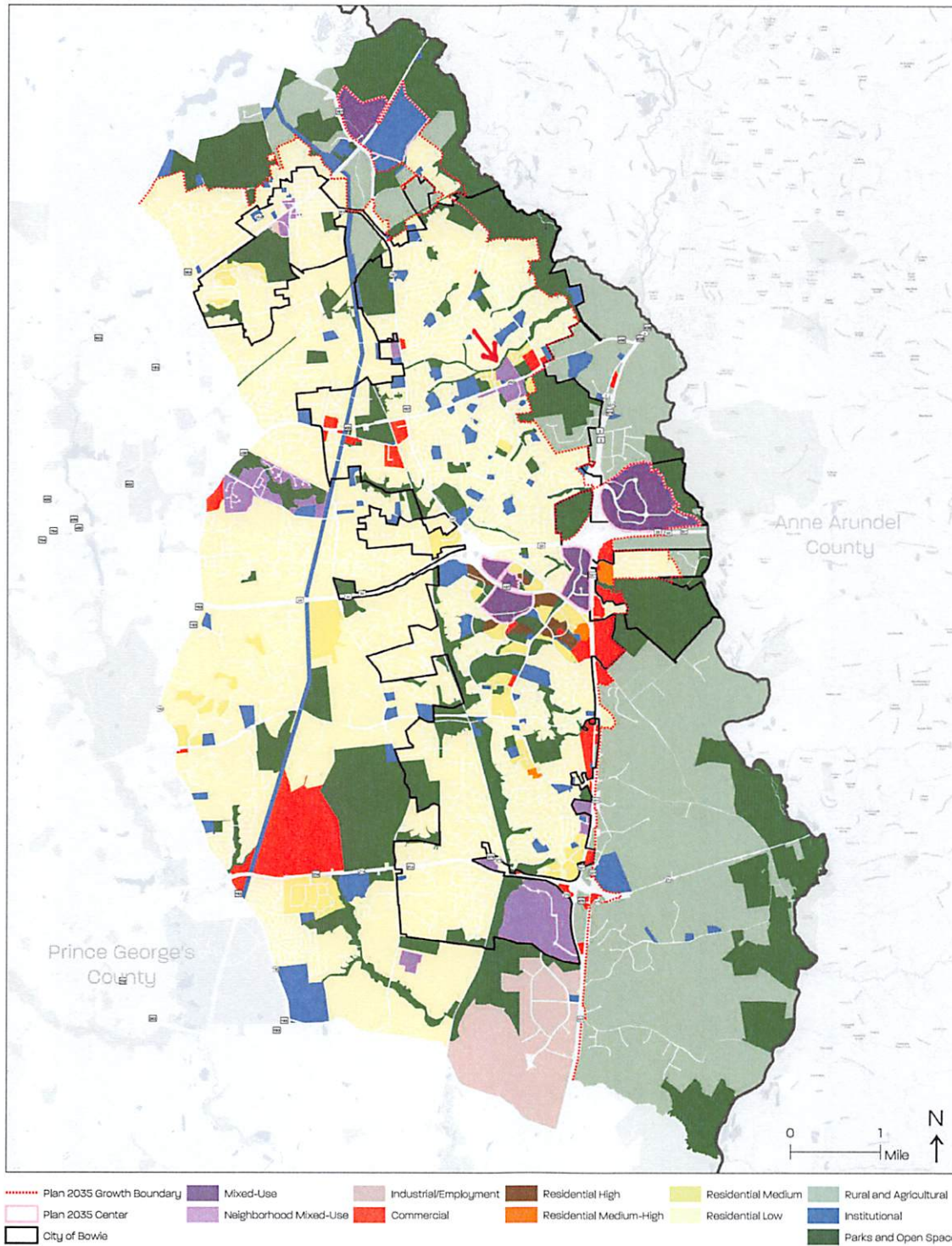
\*Required





# Land Use

**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>.





## Policy LU 15

Encourage a mix of new uses into Old Town Bowie's industrial area to further opportunities for arts-and-entertainment-based revitalization.

- LU 15.1 Transition, over time, the industrial properties at the interchange of the Amtrak Northeast Corridor and the CSX Pope's Creek Branch to a mix of arts-and-entertainment-related uses and makerspaces (see Map 16. Future Land Use, Appendix F. Zoning Recommendations, and Policy CZ 10).
- LU 15.2 Activate vacant and underused parcels such as the parking lots at 8611 Chapel Avenue (Tax ID 5644348) and at 8614 Chestnut Avenue (Tax ID 1701341) and streets by allowing temporary uses such as pop-up retail, if viable, farmers markets, outdoor performance venues, food trucks, and other temporary placemaking uses.
- LU 15.3 Construct or convert existing structures into housing that supports artists along MD 564 (9th Street) and at other strategic locations in Old Town Bowie. In addition to conventional housing types, artists' residential studios and live-work dwelling units may be accommodated in properties within the Commercial-Neighborhood (CN) Zone (see Table 6. Artist Housing Locations and HN 7.1).
- LU 15.4 All new buildings along MD 564 (9th Street) should contain dwelling units or offices on upper floors. Where feasible, existing buildings should be retrofitted to support upper-level residential units as well.

**Table 6.** Artist Housing Locations

Address	Tax ID
13001 4th Street	1646512
8th Street	1583442; 1583566; 1583574; 1583582; 1583459; 1583590; 1583608; 1583608; 1583467

## Pop-Up Retail

**Pop-up retail** is a temporary retail store or space that sells goods for short periods before closing again. It generally includes a variety of vendors and range of products that can include jewelry, fresh produce, clothing, books, and seasonal items among many others.

## MD 450 CORRIDOR

### Policy LU 16

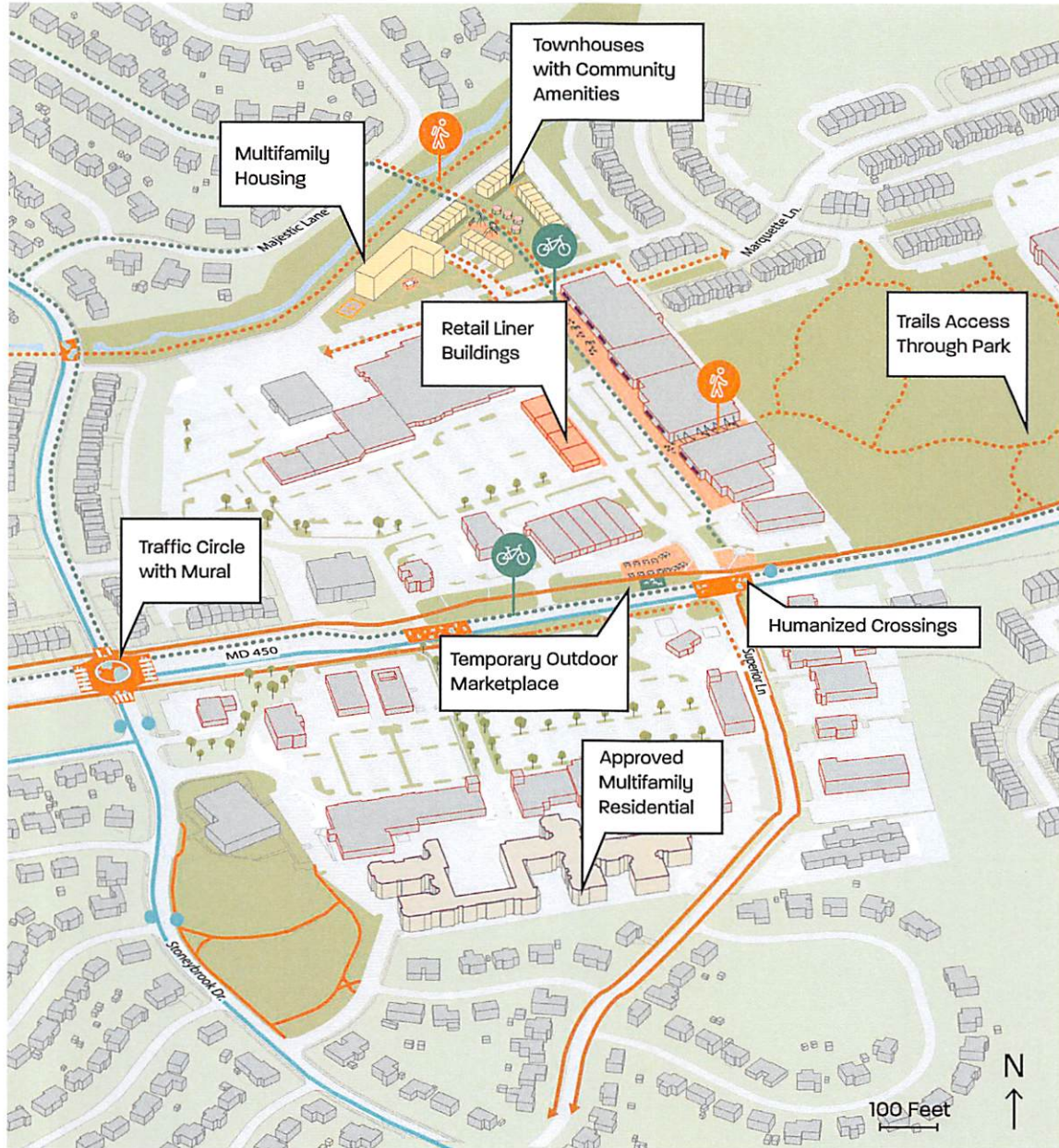
Create an active and lively neighborhood destination along MD 450 (Annapolis Road) between Belair Drive and Race Track Road.

- LU 16.1 Construct a pedestrian-oriented mix of commercial land uses along MD 450 between Free State Shopping Center and Bowie Marketplace such as retail, dining, and service uses such that over time it evolves from an arterial to a destination (see Figure 7. Free State Shopping Center and Bowie Marketplace Concept Plan).
- LU 16.2 Redevelop Free State Shopping Center and Bowie Marketplace into an integrated mixed-use destination that includes multifamily dwellings and townhouses (see Figure 7. Free State Shopping Center and Bowie Marketplace Concept Plan, and HN 8).
- LU 16.3 After completing a feasibility study, and as redevelopment along Superior Lane occurs, transform the thoroughfare into an active and lively tree-lined boulevard, with infill linear retail (restaurants and specialty shops in one- to two-story buildings) in the adjacent parking lots that stretches from Stonybrook Drive and extends northward toward Bowie Marketplace and crosses MD 450 into Free State Shopping Center (see Figure 7. Free State Shopping Center and Bowie Marketplace Concept Plan).





**Figure 7. Free State Shopping Center and Bowie Marketplace Concept Plan**



Source: Prince George's County Planning Department

Existing Retail	Proposed retail	Water	Open Space
<b>MOBILITY</b>			
Pedestrian	Existing route	New or improved route	Pedestrian zone
Bicycle	Existing route	New or improved route	
Bus	Existing route	Bus stop	



STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> 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

**Business Entity<sup>1</sup> 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

Name of Applicant New Market-Free State, LLC Case No. (where applicable) N/A, SMA

Address of Applicant 3284 Northside Parkway NW, Suite 150, Atlanta, GA 30327

Identity of the Property/ Free State Shopping Center Bowie-Mitchellville &  
Subject of Application 15500 Annapolis Road, Bowie, MD 20715 Type of Application Amendment  
Tax Accts 14-3742802, 14-3742814 (see § 5-833(d))  
Parcels C, D

<sup>1</sup>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 X 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:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

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:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**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).

1. X All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the 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):

No directors, officers or stockholders with a 5% or greater interest

2. X Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 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)

Printed Name of Signer

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

7-29-22  
Date

## Lester, Thomas

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**From:** Matthew C. Tedesco <mtedesco@mhlawyers.com>  
**Sent:** Tuesday, August 2, 2022 1:58 PM  
**To:** PPD-BVMP; Clerk of the Council  
**Cc:** Bryan C. Spell; Lester, Thomas; Brian Harrison  
**Subject:** Bowie-Mitchellville & Vicinity SMA Rezoning Request  
**Attachments:** Free State Shopping Ceneter SMA Rezoning.pdf.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**[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, New Market Free State, please find attached a Rezoning Request Form and Business Entity SECA Form for the following property:

- Parcels C and D (Free State Shopping Center – Plat Book: REP 211 at Plat Page 49)
- Tax Account/ID: 3742806 (Parcel C); and 3742814 (Parcel D)

The attached form requests that the property be rezoned from the CGO and RR Zones to the CGO Zone to implement the Future Land Use designation provided on Map 16, to implement Policy LU 16.2, and to accommodate the development provided in Figure 7 of the 2022 Approved Bowie-Mitchellville and 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



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### Matthew C. Tedesco

*Principal\**

#### McNamee Hosea

6411 Ivy Lane, Suite 200      ☎ 301.441.2420  
Greenbelt, Maryland 20770      📠 301.982.9450

[Facebook](#) | [mhlawyers.com](http://mhlawyers.com)



\*Admitted in Maryland

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