

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

Property Owner Information

Property Owner(s)*	RWSC, LLC	Mailing Address Including City, State, and ZIP Code*	8405 Greensboro Drive 8th Floor McLean, VA 22102
Email Address*	LMSpott@rappaportco.com	Telephone*	571-382-1230
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*	16590 Fife Way and 1550, 1610, 1620 NW Robert Crain Highway, Bowie, MD 20716	Tax Account Number(s)*	5698454, 5680437, 5698443, 5680426, 5680415
Legal Description (Subdivision/Plat)*	Amber Ridge; Parcels 1, 2 and A ME 255 / 93	Tax Map/Grid*	63/D4
Councilmanic District		Lot/Block/Parcel*	Parcels 1, 2 and A
Other Pertinent Information	Property was rezoned from C-S-C to M-X-T (A-10031-C); CSP-16007, PPS-4-19032, and DSP-19040 are approved and vested. The CMA rezoned the entire Amber Ridge property - including the commercial parcels from the M-X-T Zone to the RMF-48 Zone. The owner wishes to have the SMA rezone the commercial parcels to CGO to ensure future flexibility for commercial development envisioned with the entitlements for said parcels.		

Property Zoning Information

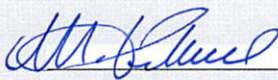
Current Zone* <i>per the existing zoning Map</i>	RMF-48	Zone Requested*	CGO
Current Uses*	Amber Ridge is a fully entitled mixed-use development with SF-Attached Units under construction and the commercial parcels being graded for delivery of future commercial development pursuant to CSP-16007 and PPS-4-19032.		

*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)*:

The Approved CMA rezoned the entire Amber Ridge Property from the M-X-T Zone to the RMF-48 Zone; however, this was a misapplication of the Zoning matrix since the ongoing development of the property and the prior approvals (to wit: A-10031-C; CSP-16007 (PGCPB Resolution No. 17-55); PPS 4-19032 (PGCPB Resolution No. 20-22); and DSP19040 (PGCPB Resolution No. 2020-81) included single-family attached units/lots and commercial parcels, which are not permitted in the RMF-48 Zone. Notwithstanding a request to correct this at the time of the CMA since the RMF-48 Zone prohibits the very townhouses being constructed and prohibits the commercial uses that are allowed in the M-X-T Zone, the CMA imposed the RMF-48 Zone, and referenced the approved CSP and the Transitional Provisions (Sec. 27-1704) as grandfathering the M-X-T Zone. However, those transitional provisions, currently, only grandfather the CSP for 20 years. Regardless of the Transitional Provisions of Section 27-1704, the designation of the RMF-48 Zone is not the most similar zone given the approval history of the property and its current development scheme. The commercial parcels (to wit: Parcels 1 and 2 (note Parcel A serves as the SWM facility for the mixed use development)) should be placed in the CGO Zone to ensure commercial uses contemplated under the CSP. In addition, consideration of the townhouse portion of the project should also be placed in the CGO Zone, as it permits townhouse development and density most consistent with the M-X-T Zone, as approved with CSP-16007. The rezoning to the CGO Zone would also be consistent with Map 16 (page 50) of the recently adopted 2022 Approved Bowie-Mitchellville and Vicinity Master Plan, which depicts the entire Amber Ridge Property in the "Neighborhood Mixed-Use" future land use designation, Table 3 defines 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." Rezoning to the CGO Zone will implement the Future Land Use recommendation and respond to the Land Use policies for the property. 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 RWSC, LLC

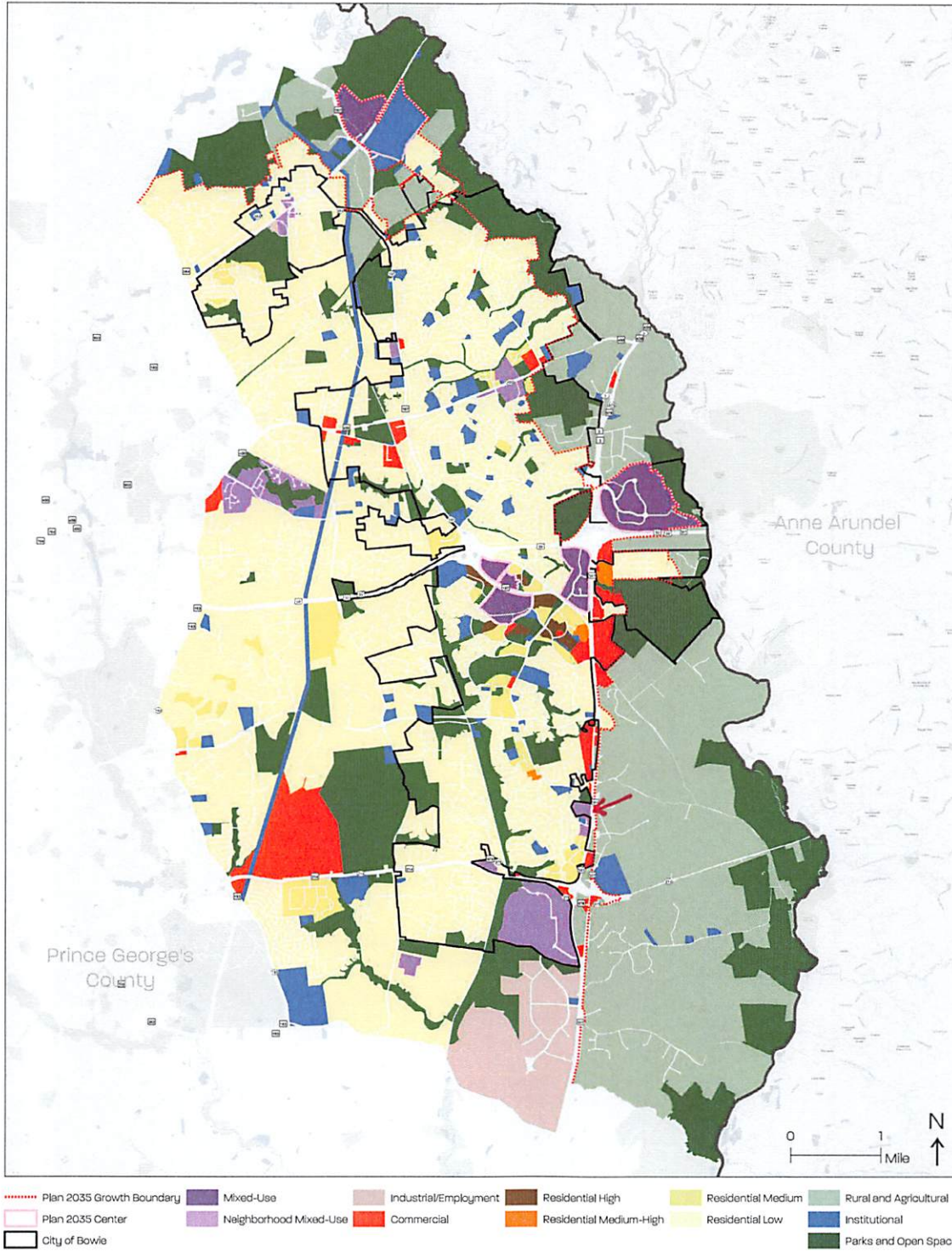
Date of Signature 08 01 2022
MM DD YY

*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>.



Table 3. Future Land Use Categories

Color	Designation	Description	Density (dwelling units per acre)
	Mixed-Use	Areas of various residential, commercial, employment, and institutional uses. Residential uses may include a range of unit types. Mixed-use areas may vary with respect to their dominant land uses, i.e., commercial uses may dominate in one mixed-use area, whereas residential uses may dominate in another. Large-scale mixed-use development should be limited to designated Centers and other areas where it currently exists.	Based on Center
	Neighborhood Mixed-Use	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.	(</=48)
	Commercial	Retail and business areas, including employment uses, such as office and services. A range of services are provided at the neighborhood to regional level. New commercial areas have access to multimodal transportation options. These areas are intended to remain predominantly or entirely commercial.	N/A
	Industrial/Employment	Manufacturing and industrial parks, warehouses, and distribution. May include other employment, such as office and services.	N/A
	Institutional	Uses such as military installations, hospitals, sewage treatment plants, and schools.	N/A
	Residential High	Residential areas exceeding 20 dwelling units per acre. Mix of dwelling unit types, including apartments	(>20)
	Residential Medium-High	Residential areas between eight and 20 dwelling units per acre. Mix of dwelling unit types, including apartments.	(> 8 and </= 20)
	Residential Medium	Residential areas between 3.5 and 8 dwelling units per acre. Primarily single-family dwellings (detached and attached).	(> 3.5 and </= 8)
	Residential Low	Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings.	(> 0.5 and </= 3.5)
	Rural and Agricultural	Low-density residential uses with areas of agricultural and forestry production. Agricultural land (cropland, pasture, farm fields), forest, and very low-density residential.	(</= 0.5)
	Parks and Open Space	Parks and recreation areas, publicly owned open space (federal, state, county, municipal, and M-NCPPC), and privately owned open space.	N/A

Future Land Use Map

Map 16. Future Land Use contains specific land use recommendations for each parcel in Bowie-Mitchellville and Vicinity. This land use map carries forward many of the land use recommendations of the 2006 *Approved Master Plan for Bowie and Vicinity* and the 2010 *Approved Bowie State MARC Station Sector Plan*, reflecting existing development patterns and development that has occurred since the approval of those plans. This map applies to the entire plan area; should any conflict arise between the future land use designation on this map and the text of a strategy within this plan, the strategy will hold.

This map applies to the entire plan area; if an actual conflict exists between the text of a strategy and a future land-use designation, the strategy will take precedence.

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

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

Name of Applicant RWSC, LLC Case No. (where applicable) SMA
Address of Applicant 8405 Greensboro Drive, Suite 830, Mc Lean, VA 22102 Bowie-Mitchellville &
Identity of the Property/ 1550, 1610, 1620 NW Robert Crain Vicinity Sectional
Subject of Application Highway, Bowie, MD 20716 Type of Application Map Amendent
Parcels: 2, 1, A (see § 5-833(d))
Tax Accts: 5680437, 5680426, 5680415, 5698454, 5698443

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:

<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 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. 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):
N/A, owner is an LLC

- 2. 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:

Gary D. Rappaport
AF22B469076F494...
 Signature (original to be filed with the Clerk)
Gary D. Rappaport
 Printed Name of Signer
Managing Member
 Title of Signer (Authorized to sign for the business entity)

7/27/2022
 Date

From: [Matthew C. Tedesco](#)
To: [PPD-BVMP](#); [Clerk of the Council](#)
Cc: [Larry M. Spott](#); [Bryan C. Spell](#); [Lester, Thomas](#)
Subject: RE: Bowie-Mitchellville & Vicinity SMA Rezoning Request
Date: Monday, August 1, 2022 12:54:25 PM
Attachments: [image001.png](#)
[Rezoning Request Form and Attachments \(Amber Ridge\).pdf.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, RWSC, LLC, please find attached a Rezoning Request Form and Business Entity SECA Forms for the following property:

- Parcels 1, 2 and A (Amber Ridge – Plat Book: ME 255 at Plat Page 93)
- Tax Account/ID: 5698454, 5680437, 5698443, 5680426, 5680415

The attached form requests that the property be rezoned from RMF-48 Zone to the CGO Zone to implement the Future Land Use designation provided on Map 16 of the approved Master Plan. Consideration is also requested for the rezoning of the remainder of the Amber Ridge Property to the CGO Zone, as entitlements pursuant to the MXT Zone are vested and construction of the single-family attached homes is underway – and the RMF-48 Zone does not currently permit townhomes. If you should need anything else to process this request, please let me know.

Please confirm receipt.

Thank you in advance,

Matt



Matthew C. Tedesco

*Principal**

McNamee Hosea

6411 Ivy Lane, Suite 200 **O** 301.441.2420
Greenbelt, Maryland 20770 **F** 301.982.9450

[Facebook](#) | mhlawyers.com

**Admitted in Maryland*

The information contained herein is confidential and intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any review, use, dissemination, distribution or copying of this message is strictly prohibited. If you received this e-mail in error, please notify the sender immediately and delete the message.
Disclosure Required by IRS Circular 230: In accordance with IRS requirements, we wish to inform you that, to the extent this communication

contains tax advice, it is not intended or written to be used for the purpose of 1) avoiding tax penalties that may be imposed on the taxpayer by the Internal Revenue Service, or 2) promoting, marketing or recommending to another party any transaction or matter addressed herein.