

## Property Owner Information

Property Owner(s)*	KHM Rt 3 LLC - Kenneth H. Michael, Manager TMC 450 LLC (as to both)	Mailing Address Including City, State, and ZIP Code*	10100 Business Parkway Lanham, Maryland 20706 (as to both)
Email Address*	rbrunk@naimichael.com (as to both)	Telephone*	301-459-4400 (as to both)
Is the property owner(s) an individual or a business entity?		Business Entity (as to both)	
Property Owner's Agent	Matthew C. Tedesco (as to both)	Agent's Mailing Address Including City, State, and ZIP Code	McNamee Hosea 6411 Ivy Lane, Suite 200 Greenbelt, Maryland 20770 (as to both)
Email Address	mtedesco@mhlawyers.com (as to both)	Telephone	301-441-2420 (as to both)

## Property Information

Property Address or location*	TMC 450 LLC/KHM ROUTE 3 LLC Property, located between the 26 northbound and southbound lanes of MD 3 (Robert Crain Highway), just south of the 27 intersection of MD 3 with MD 450 (Annapolis Road). Includes 6513-15 NW ROBERT CRAIN HWY, BOWIE, MD 20715	Tax Account Number(s)*	0822239, 5635696 and 5635708
Legal Description (Subdivision/Plat)*		Tax Map/Grid*	Tax Map 38/E3 and E4
Councilmanic District	4	Lot/Block/Parcel*	Parcels 4, 78, and 79
Other Pertinent Information			

## Property Zoning Information

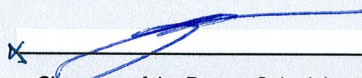
Current Zone* <i>per the existing zoning Map</i>	AR	Zone Requested*	CS
Current Uses*	Vacant		

\*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)\*:

This requested change is consistent with CR-18-2022 and would implement the change directed by Revision 4 as outlined therein. In addition, the property owner reserves the ability to further supplement this statement with written or oral testimony at or before the Joint Public Hearing and/or prior to close of the record for the SMA.

Signature

  
Signature of the Person Submitting this Form

Name

KENNETH MICHAEL  
Name of the Person Submitting this Form  
(print)

Date of Signature

7 / 20 / 2022  
MM DD YY

\*Required



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 KHM Route 3 LLC Case No. (where applicable) N/A, SMA  
Address of Applicant 10100 Business Parkway, Lanham, Maryland 20706  
Bowie-Mitchellville  
Identity of the Property/ Parcels 78-79 Vicinity Sectional Map  
Subject of Application Robert Crain Highway Type of Application Amendment  
Bowie, Maryland 20715 (see § 5-833(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. \_\_\_\_\_ 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):

\_\_\_\_\_  
\_\_\_\_\_

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)

*Kenneth H. Michael*

\_\_\_\_\_  
Printed Name of Signer

*Manager*

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

*7/20/2022*  
\_\_\_\_\_  
Date



STATE ETHICS COMMISSION  
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ANNAPOLIS, MD 21401  
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### Identifying Information

Name of Applicant TMC 450 LLC Case No. (where applicable) N/A, SMA  
Address of Applicant 10100 Business Parkway, Lanham, Maryland 20706  
Identity of the Property/ Parcels 4-6 Bowie-Mitchellville  
Vicinity Sectional Map  
Subject of Application Robert Crain Highway Type of Application Amendment  
Bowie, Maryland 20715 (see § 5-833(d))

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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:

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_____	_____	_____
_____	_____	_____
_____	_____	_____

**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):

\_\_\_\_\_

\_\_\_\_\_

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.

\_\_\_\_\_  
Signature (original to be filed with the Clerk)  
*Benneth H. Michael*  
Printed Name of Signer  
*Manager*  
Title of Signer (Authorized to sign for the business entity)

*7/20/2022*  
\_\_\_\_\_ Date

## Lester, Thomas

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**From:** Matthew C. Tedesco <mtesesco@mhlawyers.com>  
**Sent:** Monday, July 25, 2022 10:00 AM  
**To:** PPD-BVMP; Clerk of the Council  
**Cc:** Kevin J. Kennedy; Julian Curry; Bryan C. Spell; Lester, Thomas  
**Subject:** Bowie-Mitchellville & Vicinity SMA Rezoning Request  
**Attachments:** KHM ROUTE 3 LLC Property (Bowie SMA Rezoning Request).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, TMC 450 LLC/KHM ROUTE 3 LLC, please find attached a Rezoning Request Form and Business Entity SECA Forms for the following property:

**6513, 6517 NE ROBERT CRAIN HWY, BOWIE, MARYLAND**

- Property Description: TMC 450 LLC/KHM ROUTE 3 LLC Property, located between the northbound and southbound lanes of MD 3 (Robert Crain Highway), just south of the intersection of MD 3 with MD 450 (Annapolis Road).
- Map/Parcel: Tax Map 38/Parcels 4, 78, and 79
- Tax Account/ID: 0822239, 5635696 and 5635708

The attached form requests that the property be rezoned from AR Zone to the CS Zone pursuant to Revision No. 4 of CR-18-2022.

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

\*Admitted in Maryland

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*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.*

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