

## Lester, Thomas

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**From:** mcdonaldpl@aol.com  
**Sent:** Thursday, August 11, 2022 1:39 PM  
**To:** PPD-BVMP  
**Subject:** Request for Rezoning  
**Attachments:** Scan0267.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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

Please see my attachment for Rezoning.

Regards,

Paul McDonald  
Owner  
Supreme Landscaping LLC

# BOWIE-MITCHELLVILLE & VICINITY SECTIONAL MAP AMENDMENT

Rezoning Request Packet

Prince George's County

July/August 2022

# Bowie-Mitchellville & Vicinity Sectional Map Amendment Rezoning Request Packet

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

The Bowie-Mitchellville and Vicinity Sectional Map Amendment (SMA) is the second phase of the 2022 [Approved Bowie-Mitchellville and Vicinity Master Plan](#), approved on March 8, 2022, that will apply the recommended zones specified in the Comprehensive Zoning Chapter of the master plan to properties in the plan area. This SMA covers the northeastern portion of Prince George's County, approximately 59 square miles, including planning areas 71A (Bowie and Vicinity), 71B (City of Bowie), 74A (Mitchellville and Vicinity), and 74B (Collington and Vicinity) in their entirety. The SMA will apply the new zoning regulations to select properties in the plan area based on the recommendations of the approved master plan.

Pursuant to Section 27-3503(b)(1)(B) of the Prince George's County Zoning Ordinance, this request form is provided to allow any property owner or property owner's agent to request that a zone be considered for their property/properties during the preparation of the SMA. Requests must be emailed to Prince George's County Planning Department at [bvmp@ppd.mncppc.org](mailto:bvmp@ppd.mncppc.org) or mailed to M-NCPPC, Prince George's County Planning Department, ATTN: Thomas Lester, County Administration Building, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772, within thirty (30) days of initiation of the SMA. Initiation occurred on July 12, 2022, therefore requests received by e-mail, or postmarked, after 11:59 p.m. on August 11, 2022, will not be considered.

Property owners or property owner's agents may request any specific zone contained in the Zoning Ordinance, yet the County Council is prohibited from rezoning properties to certain zones through the Sectional Map Amendment process such as Planned Development Zones and Overlay Zones. **Zones included in the former Zoning Ordinance, also known as Subtitle 27 of the Prince George's County Code (2015 Ed., 2017 Supp.), may not be requested.**

## Affidavit and Ex Parte Requirement

With this rezoning request form, where your intent is to request or support intensifying the zone classification of your property, it must be accompanied by a completed affidavit in accordance with the State Public Ethics Law, §§5-833 through 5-839, General Provisions Article, Annotated Code of Maryland. As required by law, the completed affidavit must be received by the Clerk of the Council at least thirty (30) days prior to the joint public hearing on the SMA. **Failure to file an affidavit may prohibit consideration of this rezoning request by the District Council.**

Additionally, communication concerning a pending zoning request between a property owner or agent and a member of the County Council or County Executive outside of the public hearing process is prohibited by law and must be disclosed (§5-836, General Provisions Article, Annotated Code of Maryland). **An Ex Parte form must be filed by all parties regarding any such communication within five (5) days after the communication was made or received.**

Affidavit and Ex Parte forms are included in this packet and are also available on the Maryland State Ethics Commission's website: <https://ethics.maryland.gov/local-government/forms/>. Questions concerning affidavit or Ex Parte requirements should be directed to the Clerk of the Council at 301-952-3600.

Completed Affidavit and Ex Parte forms must be delivered in person or mailed to the Clerk of the County Council (Wayne K. Curry Administration Building, 1301 McCormick Drive, 2nd Floor, Largo, Maryland 20774). Forms can also be emailed to [clerkofthecouncil@co.pg.md.us](mailto:clerkofthecouncil@co.pg.md.us) or faxed to (301) 952-5178. Failure to file an affidavit may prohibit consideration of an intensification of zoning by the District Council.

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

## Property Owner Information

Property Owner(s)*	Supreme Landscaping, LLC	Mailing Address Including City, State, and ZIP Code*	125 Crain Highway Upper Marlboro, MD 20774
Email Address*	mcdonaldpl@aol.com	Telephone*	(301) 346-1571
Is the property owner(s) an individual or a business entity?			
Property Owner's Agent	Paul McDonald	Agent's Mailing Address Including City, State, and ZIP Code	
Email Address	mcdonaldpl@aol.com	Telephone	

## Property Information

Property Address or location*	180 Robert Crain Hwy, SE Upper Marlboro, 20774	Tax Account Number(s)*	0804666 & 0804641
Legal Description (Subdivision/Plat)*	Herald Harbor on the Severn Amended Plat	Tax Map/Grid*	0077
Councilmanic District	4	Lot/Block/Parcel*	00E1/0021
Other Pertinent Information	Located Southeast of the intersection of Crain Highway and Marketplace Boulevard, this re-zoning will allow the Contractor and Landscape Contractors Business to continue to legally operate. These uses are not permitted by right in this zone under the zoning code.		

## Property Zoning Information

Current Zone* <i>per the existing zoning Map</i>	AR	Zone Requested*	CS
Current Uses*	General Contractor Business and Landscape Contractor Business		

\*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)\*:

Supreme Landscaping LLC, the owner of the parcel has owns the parcel and operates both his general contracting business and his landscape contracting business at this location. The existing general contracting business is prohibited under the zoning ordinance and the existing landscape contracting business is only allowed by special exception. A change in the zoning of this property to CS will allow both of these existing businesses to continue to operate at this location. This request complies with Plan Prince George's because it helps to sustain a "diverse, innovative and regionally competitive economy that generates a range of well-paying jobs and strategically grows the tax" p. 121 by maintaining two competitive businesses that employ over 40 people and generates well over \$1 Million in taxes. This is consistent with Policy 6 in the Plan Prince George's because it promotes and maintains entrepreneurship, small business development and innovation. p. 133 as both businesses are significant small business that contribute to the overall economic health and vitality of Prince George's County by preserving these two businesses. Moreover, this is consistent with policy CZ 4 in the 2022 Approved Bowie-Mitchellville and Vicinity Master Plan to "Ensure that properties east of US 301 have the appropriate zoning classification to strongly discourage mixed-use development and support existing uses and future automobile-oriented and service uses east of the freeway. (emphasis added). Clearly, this is currently an existing use that should be protected and preserved and should not be zoned out of existence because of a change in the zoning ordinance. The existing uses compatible with the surrounding neighborhood and have been harmonious with the intent of the zone. Thus, the Applicant requests a change of zoning from AR to CS to allow him to continue with his business.

Signature

  
\_\_\_\_\_  
*Signature of the Person Submitting this Form*

Name

Paul McDonald

\_\_\_\_\_  
*Name of the Person Submitting this Form  
(print)*

Date of Signature

8      11      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  
WAYNE K. CURRY ADMIN. BUILDING  
2ND FLOOR  
LARGO, MARYLAND 20774  
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 <https://ethics.maryland.gov/wp-content/uploads/filebase/local-gov/local-gov-forms/PG-County-Zoning.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 Supreme Landscaping, LLC Case No. (where applicable) \_\_\_\_\_  
125 Robert Crain Hwy, SE,  
Address of Applicant Upper Marlboro, MD 20774  
Identity of the Property/ 180 Robert Crain Hwy, SE Sectional Map  
Subject of Application Upper Marlboro, MD 20774 Type of Application Amendment  
(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  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:

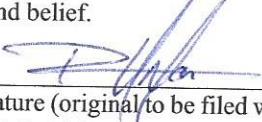
<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**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):  
Paul McDonald, Managing Memeber  
\_\_\_\_\_  
\_\_\_\_\_
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)  
Paul R. McDonald  
\_\_\_\_\_  
Printed Name of Signer  
Managing Member  
\_\_\_\_\_  
Title of Signer (Authorized to sign for the business entity)

8/11/22  
\_\_\_\_\_  
Date