

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2021 Legislative Session**

Resolution No. CR-42-2021

Proposed by The Chair (by request – County Executive)

Introduced by Council Members Hawkins, Davis, Glaros, Franklin, Harrison and Turner

Co-Sponsors \_\_\_\_\_

Date of Introduction April 27, 2021

**RESOLUTION**

1 A RESOLUTION concerning

2 PILOT Agreement for the New Carrollton Metro Station – Phase 2

3 For the purpose of approving the terms and conditions of a negotiated Payment in Lieu of Taxes  
4 (“PILOT”) Agreement between Prince George’s County, Maryland (the “County”) and New  
5 Carrollton Multi-Family II, LLC (the “Developer”) for the New Carrollton Metro Station – Phase  
6 2.

7 **WHEREAS**, there is a significant need to continue the expansion of the County’s  
8 commercial tax base and support transit-oriented development projects; and

9 **WHEREAS**, the Developer and its affiliates have begun development, construction and  
10 delivery of a mixed-use, transit-oriented development consisting of approximately 2,700,000  
11 square feet, including retail, commercial, residential and office facilities (collectively, the  
12 “Project”), located near New Carrollton Metro Station in Prince George’s County, Maryland; and

13 **WHEREAS**, in connection with Phase 1 of the Project (as defined herein), the County  
14 Council adopted CR-036-2017 on June 13, 2017, which authorized payment in lieu of taxes  
15 agreements related to Phase 1a and Phase 1b of the Project between the County and an affiliate  
16 of the Developer related to approximately 515,000 square feet of land; and

17 **WHEREAS**, the Developer and its affiliates are completing the construction of Phase 1 of  
18 the Project, which consists of two sub-phases and the construction of (i) an approximately  
19 200,000 square feet office and 2,000 square feet retail building, which was completed in 2018  
20 and (ii) an approximately 275,000 square feet multi-family and 3,500 square feet retail building  
21 containing approximately 282 units, which the Developer expects to deliver in 2021; and

22 **WHEREAS**, the Developer proposes to develop Phase 2 of the Project as a mixed-use,

1 transit-oriented development, including retail, commercial, residential and office facilities; and

2 **WHEREAS**, as a part of Phase 2 of the Project, the Developer and its affiliates propose to  
3 develop an approximately 282,000 square feet multi-family residential building containing  
4 approximately 286 dwelling units and approximately 3,900 square feet of work/live units,  
5 commercial office space, retail space, or a combination thereof, located near New Carrollton  
6 Metro Station, more particularly identified by the tax parcel account identifiers described in  
7 Attachment A and shown on the map in Attachment B attached hereto made a part hereof;  
8 and

9 **WHEREAS**, as part of Phase 2 of the Project, the Developer and its affiliates propose to  
10 develop an approximately 282,000 square feet multi-family residential building containing  
11 approximately 286 dwelling units and approximately 3,900 square feet of work/live units,  
12 commercial office space, retail space, or a combination thereof, located near New Carrollton  
13 Metro Station, more particularly identified by the tax parcel account identifiers described in  
14 Attachment A and shown on the map in Attachment B and made a part hereto; and

15 **WHEREAS**, the land described in Attachments A and B is located within a “designated  
16 focus area” as defined by Section 7-516 of the Tax-Property Article of the Annotated Code of  
17 Maryland, as amended (the “Act”); and

18 **WHEREAS**, Section 7-516 of the Act provides that the County may exempt or partially  
19 exempt an economic development project within the meaning of the Act from County real  
20 property taxes under certain conditions; and

21 **WHEREAS**, the Developer has requested that the County permit the Developer to make  
22 payments in lieu of County real property taxes pursuant to the Act; and

23 **WHEREAS**, the Developer proposes to develop a mixed use, transit-oriented development,  
24 including retail, commercial, residential and office facilities (collectively, the “Project”); and  
25 **WHEREAS**, the County has provided and intends to provide certain economic development  
26 incentives to the Project, including (a) County Capital Improvement Plan funds; (b) surcharge  
27 reductions and fee reductions; (c) commercial and residential revitalization tax credits; and (d)  
28 other incentives to facilitate additional development as determined by the County; and

29 **WHEREAS**, the Act states an economic development project must have a certificate of  
30 occupancy issued on or after October 1, 2012; be located on one or more parcels of land, all of  
31 which are situated in a designated focus area; and must have an office building that: provides at

1 least 100 full-time equivalent job opportunities and the office building must have a private  
2 capital investment of equity and debt combined of at least \$20,000,000; and

3 WHEREAS, pursuant to CR-036-2017, (1) the County determined that the Developer  
4 demonstrated that the Project constitutes an economic development project within the meaning  
5 of the Act because the Project (i) will have a certificate of occupancy issued after October 1,  
6 2012; (ii) is located on one or more parcels of land, all of which are situated in a designated  
7 focus area; and (iii) includes an office building that provides at least 100 full-time equivalent job  
8 opportunities and has a private capital investment of equity and debt combined of at least  
9 \$20,000,000; (2) the County conducted an economic analysis of the Project; (3) the Developer  
10 demonstrated to the satisfaction of the County the public benefit that the Project provides to the  
11 County; (4) the Developer demonstrated to the satisfaction of the County the financial necessity  
12 for the exemption authorized by the Act; and (5) the Developer demonstrated to the satisfaction  
13 of the County that the private capital invested in the Project included an equity investment that  
14 meets the requirements of the Act; and

15 WHEREAS, in order to facilitate the development of the Project and the County, it is in the  
16 interest of the County to accept payments in lieu of County real property taxes, subject to the  
17 terms and conditions of a negotiated PILOT Agreement (the "Agreement") set forth in  
18 Attachment C, attached hereto and made a part hereof; and

19 WHEREAS, in connection with the Phase 2 of the Project, the County and the Developer  
20 will enter into the Agreement upon the approval of this Resolution, the form of which is attached  
21 hereto as Attachment C and made a part hereof.

22 NOW, THEREFORE, BE IT RESOLVED that in accordance with the Act, the County  
23 shall accept payment in lieu of County real property taxes subject to the agreement attached to  
24 this Resolution.

25 BE IT FURTHER RESOLVED that the Project may not involve gambling activities

26 BE IT FURTHER RESOLVED that the County Executive or the County Executive's  
27 designee is hereby authorized to execute and deliver the Agreement in the name of and on behalf  
28 of the County in substantially the same form attached hereto.

29 BE IT FURTHER RESOLVED that the County Executive, prior to the execution and  
30 delivery of the Agreement, may make such changes or modifications to the Agreement as  
31 deemed appropriate in order to accomplish the purpose of the transaction authorized by this

1 Resolution, provided that such changes or modifications shall be within the scope of the  
2 transactions authorized by this Resolution; and the execution of the Agreement by the County  
3 Executive or the County Executive’s designee shall be conclusive evidence of the approval of the  
4 County Executive of all changes or modifications to the Agreement; and the Agreement shall  
5 thereupon become binding upon the County in accordance with the terms and conditions therein.

6 BE IT FURTHER RESOLVED that this Resolution shall become effective as of the date of  
7 its adoption.

Adopted this 18th day of May, 2021.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Calvin S. Hawkins, II  
Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Angela D. Alsobrooks  
County Executive

**ATTACHMENT A**  
**TAX PARCEL ACCOUNT IDENTIFIERS**

20-2275626

**ATTACHMENT B**  
**PROPERTY MAP**

**(See Attached)**

**ATTACHMENT C**  
**FORM OF PAYMENT IN LIEU OF TAXES AGREEMENT**

**(See attached)**