

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2015 Legislative Session**

Resolution No. CR-33-2015

Proposed by The Chairman (by request – County Executive)

Introduced by Council Member Franklin

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

Date of Introduction July 7, 2015

**RESOLUTION**

1 A RESOLUTION concerning

2                   Payments in Lieu of Taxes (“PILOT”) Agreement for Brinkley Hill

3 For the purpose of approving the terms and conditions of a Payments in Lieu of Taxes  
4 (“PILOT”) Agreement between Prince George’s County, Maryland (the “County”) and Brinkley  
5 Hill Associates, LLC, (the “Owner”).

6           WHEREAS there is a significant need in the County for quality housing units for  
7 households with limited income; and

8           WHEREAS, the Owner has or will acquire and own a parcel of land located in Temple  
9 Hills, Maryland (the “Property”) for the purpose of operating thereon a rental community  
10 containing approximately sixty-four (64) townhouse rental units and related facilities (the  
11 “Improvements”) dedicated to providing housing for low to moderate income residents (the  
12 Property and the Improvements being collectively referred to as the “Project”); and

13           WHEREAS, the Owner has requested that the County permit the Owner to make payments  
14 in lieu of County real property taxes pursuant to Section 7-506.1 of the Tax-Property Article of  
15 the Annotated Code of Maryland, as amended (the “Act”); and

16           WHEREAS, the Act provides, among other things, that real property may be exempt from  
17 County property taxes if:

18           (i) the real property is owned by a person engaged in constructing or operating housing  
19 structures or projects (which may include nondwelling commercial and community facilities,  
20 community rooms, dining halls, infirmaries, child and adult care facilities, and drug  
21 rehabilitation facilities);

22           (ii) the real property is used for a housing structure or project that is constructed or

1 substantially rehabilitated under a federal, State, or local government program that:

2 (1) funds construction, or insures its financing in whole or in part, or

3 (2) provides interest subsidy, rent subsidy, or rent supplements;

4 (iii) the owner and the governing body of the county and, where applicable, the municipal  
5 corporation where the real property is located agree that the owner shall pay a negotiated amount  
6 in lieu of the applicable county or municipal corporation property tax; and

7 (iv) the owner of the real property:

8 (1) (a) agrees to continue to maintain the real property as rental housing for lower  
9 income persons under the requirements of the government programs described in item (ii) of this  
10 clause; and

11 (b) agrees to renew any annual contributions contract or other agreement for  
12 rental subsidy or supplement; or

13 (2) enters into an agreement with the governing body of the county or municipal  
14 corporation to allow the entire property or the portion of the property which was maintained for  
15 lower income persons to remain as housing for lower income persons for a term of at least five  
16 (5) years; and

17 WHEREAS, the Owner has demonstrated to the County that an agreement for payments in  
18 lieu of County real property taxes is necessary to make the Project economically feasible, which  
19 the Project is described in Attachments "A-1," "A-2" and "A-3," attached hereto and made a part  
20 hereof; and

21 WHEREAS, in order to induce the Owner to provide housing for households of restricted  
22 income, it is in the interest of the County to accept payments in lieu of County real property  
23 taxes, subject to the terms and conditions of the PILOT Agreement attached hereto as  
24 Attachment "B" and made a part hereof; and

25 WHEREAS, the County Executive has recommended support for the Project.

26 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
27 County, Maryland, that in accordance with the Act, the County shall accept payments in lieu of  
28 County real property taxes for the Project subject to the PILOT Agreement attached to this  
29 Resolution.

30 BE IT FURTHER RESOLVED that the County Executive or designee of the County  
31 Executive is hereby authorized to execute and deliver the PILOT Agreement in the name of and

1 on behalf of the County in substantially the form attached hereto.

2 BE IT FURTHER RESOLVED that the County Executive, prior to execution and delivery  
3 of the PILOT Agreement, may make such changes or modifications to the PILOT Agreement as  
4 deemed appropriate by the County Executive in order to accomplish the purpose of the  
5 transactions authorized by this Resolution, provided that such changes or modifications shall be  
6 within the scope of the transactions authorized by this Resolution; and the execution of the  
7 PILOT Agreement by the County Executive or designee of the County Executive shall be  
8 conclusive evidence of the approval of the County Executive of all changes or modifications to  
9 the PILOT Agreement; and the PILOT Agreement shall thereupon become binding upon the  
10 County in accordance with the terms therein.

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

Adopted this 21st day of July, 2015.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Mel Franklin  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

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

BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

**ATTACHMENT A-1**

**PROJECT INFORMATION SHEET**

**Brinkley Hill  
Brinkley Road and Fisher Road  
Temple Hills, MD 20748**

**COUNCILMANIC DISTRICT 8**

**PROJECT DESCRIPTION:** Land acquisition and new construction of sixty-four (64) townhouse rental units

**PROPOSED OWNER:** Brinkley Hill Associates, LLC

**DEVELOPER:** Conifer Realty, LLC

**CONTACT:** Jessica Zuniga  
Conifer Realty, LLC  
8808 Centre Park Drive, Suite 205  
Columbia, MD 21045

**NEIGHBORHOOD/LOCALITY:** Temple Hills, Prince George’s County Councilmanic District 8

**UNIT MIX:** The unit mix is thirty-eight (38) two-bedroom units and twenty-six (26) three-bedroom units

**PROPOSED RENTS:** Average rent for two-bedroom units: \$1,142 per month  
Average rent for three-bedroom units: \$1,295 per month

**ATTACHMENT A-2****PROJECT INFORMATION SHEET**

**Brinkley Hill  
Brinkley Road and Fisher Road  
Temple Hills, MD 20748**

**COUNCILMANIC DISTRICT 8****PROJECT DESCRIPTION:**

Brinkley Hill Associates, LLC (the “Owner”), an entity formed by Conifer Realty, LLC (“the Developer”), has or will acquire and own approximately 15.12 acres of vacant land located at the intersection of Brinkley and Fisher Roads in Temple Hills, Maryland (the “Property”). The Developer will construct and the Owner will operate a mixed-income, sixty-four (64)-unit townhouse rental community (“Brinkley Hill”) on the Property.

Residents will enjoy convenient access to employment, schools, shopping, public transportation, and recreation. The planned community is supportive of the visions adopted in the Approved Master Plan (the “Plan”) and the Sectional Map Amendment for the Henson Creek-South Potomac Planning Area (the “Amendment”). The visions adopted in the Plan and the Amendment include: strengthening existing neighborhoods; providing a mix of housing choices to meet the needs of a wide range of citizens; and concentrating new housing in balanced, pedestrian-friendly, mixed-use communities close to and serviceable by transit. The Plan also specifically identifies the project site within the Developed Tier and for Multifamily Medium Density Residential.

In keeping with the land development approvals, the sixty-four (64) townhouse units will be clad in a variety of high-quality, durable materials such as brick, stone, and siding with ornamental details like bay windows and metal roofs. The homes will provide two (2) floors of living space, individual entries, rear patios, fully-equipped kitchens, eat-in kitchens, window treatments, walk-in closets, additional storage space, washer/dryer hook-ups, individual heating and cooling controls, and first floor powder rooms. Many of the homes will also have a garage and large bonus room. The townhouses will consist of two-bedroom units with one and a half (1.5) bathrooms averaging 1,500 square feet of living space, and three-bedroom units with one and a half (1.5) bathrooms averaging 1,800 square feet of living space. The homes will all be

Energy Star and Green Communities-certified, which will provide a direct benefit to residents' energy bills.

A community building marks the gateway into the community and opens onto a common green. The homes will be positioned along an internal street to provide for walkability and a sense of community. Parking is provided in the garages or directly in front of the few homes without garages. Additional overflow parking is available throughout within easy walking distance of all homes and amenities. The community center will feature the community amenities as well as house the management and maintenance operations. Community amenities include: a fitness center, furnished community room, TV lounge, computer lab, laundry facilities, and two (2) outdoor playgrounds. Management and maintenance space will also be provided for the on-site staff. Residents will have 24-hour emergency maintenance available should problems occur after office hours or on weekends.

Designed as a mixed-income community for working families, Brinkley Hill will serve residents of all income levels. The proposed community will primarily serve residents at or below sixty percent (60%) of the Area Median Income ("AMI") with rents that are affordable to families as low as thirty percent (30%) AMI. Approximately ten percent (10%) of units will be available to families with no limit on household income. Additionally, at least five percent (5%) of the units will be fully Uniform Federal Accessibility Standards ("UFAS") compliant and at least two percent (2%) of the units will be equipped with hearing/vision features to provide options for disabled households in Prince George's County, Maryland. A preference will also be given to households with disabilities for fifteen percent (15%) of the units. The community will work to support and enhance its residents' lives through providing a comprehensive social services program. Episcopal Housing Corporation will coordinate services to the community that will include programs such as: financial literacy, health and wellness, computer training, social events and opportunities, and specific programs designed for children.

**ATTACHMENT A-3**

**PROJECT FINANCING ESTIMATE**

**Brinkley Hill  
 Brinkley Road and Fisher Road.  
 Temple Hills, MD 20748**

**COUNCILMANIC DISTRICT 8**

<b>SOURCES OF FUNDS</b>	<b>AMOUNT</b>	<b>%</b>
FHA Insured Mortgage [221(d)(4)]	\$5,664,421.00	22.64%
MD CDA Rental Housing Works	\$2,000,000.00	7.99%
Low Income Housing Tax Credits (LIHTC)	\$14,700,000.00	58.74%
HOME Loan	\$2,000,000.00	7.99%
Developer Equity	\$659,295.00	2.63%
<b>TOTAL SOURCES</b>	<b>\$25,023,716.00</b>	<b>100.00%</b>
<b>USES OF FUNDS</b>	<b>AMOUNT</b>	<b>%</b>
Construction Costs	\$15,463,799.00	61.80%
Construction Contingency	\$773,026.00	3.09%
A&E and Other Construction Fees	\$2,922,500.00	11.68%
Acquisition Costs	\$1,350,000.00	5.39%
Financing Fees and Other Costs	\$1,190,395.00	4.76%
Developer Fee	\$2,500,000.00	9.99%
Syndication Costs	\$163,000.00	0.65%
Guarantees and Reserves	\$660,996.00	2.64%
<b>TOTAL USES</b>	<b>\$25,023,716.00</b>	<b>100.00%</b>