

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2023 Legislative Session**

Resolution No. CR-105-2023

Proposed by The Chair (by request – County Executive)

Introduced by Council Members Ivey, Fisher and Franklin

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

Date of Introduction October 23, 2023

**RESOLUTION**

1 A RESOLUTION concerning

2       Payments in Lieu of Taxes (“PILOT”) Agreement for the Promise Project

3 For the purpose of approving the terms and conditions of a Payments in Lieu of Taxes (“PILOT”)  
4 Agreement between Prince George’s County, Maryland (“County”) and A Determined Seed I LLC  
5 (“Developer”) for the Promise Project.

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

8       WHEREAS, the Developer is proposing to develop approximately 13.08 acres of land located  
9 at Lot 1, 1501 Southern Ave, Oxon Hill MD 20745 in Prince George’s County, Maryland, more  
10 particularly identified by the tax parcel account identifiers described in “Attachment A” and as  
11 shown on the map in “Attachment B” (the “Property”); and

12       WHEREAS, Section 7-516 of the Tax-Property Article of the Annotated Code of Maryland,  
13 as amended (the Act), provides that the County may exempt or partially exempt an economic  
14 development project within the meaning of the Act from County real property taxes under certain  
15 conditions and permits the County to enter into multiple payment in lieu of taxes agreements for  
16 different phases of the economic development project; and

17       WHEREAS, the Developer has requested that the County Council of Prince George’s  
18 County, Maryland, (“County Council”) authorize the Developer to make payments in lieu of  
19 County real property taxes for different phases of the economic development project pursuant to  
20 the Act; and

21       WHEREAS, the Developer proposes to develop a mixed-use development that will include  
22 multifamily, senior living, grocer, retail, and day care facilities (the “Project”); and

1           WHEREAS, the County plans to provide other certain economic development incentives to  
2 the Project to assist with the costs of design, permitting, and construction of certain infrastructure  
3 improvements; and

4           WHEREAS, the Act states an economic development project must have a certificate of  
5 occupancy issued on or after October 1, 2012; be located on one or more parcels of land, all of  
6 which are situated in a designated focus area; and must contain certain facilities that satisfies the  
7 minimum criteria for full-time equivalent job opportunities and private capital investment of equity  
8 and debt; and

9           WHEREAS, the Developer has demonstrated to the County that the Project constitutes an  
10 economic development project within the meaning of the Act because the Project (i) will have a  
11 certificate of occupancy issued after October 1, 2012; (ii) is located on one or more parcels of land,  
12 all of which are situated in a designated focus area; and (iii) is a mixed-use facility that contains  
13 one or more of the facilities described in the Act, at least one of which satisfies the minimum  
14 criteria for job opportunities and private capital investment of equity and debt as set forth in the  
15 Act; and

16           WHEREAS, pursuant to the Act, the County has conducted an economic analysis of the  
17 Project; and

18           WHEREAS, as required by the Act, the Developer has demonstrated to the satisfaction of the  
19 County the public benefit that the Project will provide to the County; and

20           WHEREAS, as required by the Act, the Developer has demonstrated to the satisfaction of the  
21 County the financial necessity for the exemption authorized by the Act; and

22           WHEREAS, as required by the Act, the Developer has demonstrated to the satisfaction of the  
23 County that the private capital to be invested in the Project includes an equity and debt investment  
24 that meets the requirements of the Act; and

25           WHEREAS, in order to facilitate the development of the Property, it is in the best interest of  
26 the County to accept payments in lieu of County real property taxes, subject to the terms and  
27 conditions of a negotiated Master Payment in Lieu of Taxes Agreement (the “Master PILOT  
28 Agreement”) for the Project; and

29           WHEREAS, in connection with the Project, the County and the Developer will enter into the  
30 Master PILOT Agreement for the Property subsequent to the approval of this Resolution and  
31 satisfaction of certain conditions, the form of which is attached hereto as “Attachment C” and

1 made a part hereof; and

2 NOW, THEREFORE, BE IT RESOLVED that in accordance with the Act, the County shall  
3 accept payment in lieu of County real property taxes for the Property subject to the agreement  
4 attached to this Resolution.

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

6 BE IT FURTHER RESOLVED that the County Executive, Chief Administrative Officer or  
7 designee of the County Executive or Chief Administrative Officer (each, an “Authorized  
8 Representative”) is hereby authorized to execute and deliver the Master PILOT Agreement in the  
9 name and on behalf of the County substantially in the form attached hereto in addition to any other  
10 agreements and documents deemed necessary and commensurate for transaction (the  
11 “Agreements”).

12 BE IT FURTHER RESOLVED that the Authorized Representative may make changes or  
13 modifications to the Agreements as deemed appropriate by the Authorized Representative in order  
14 to accomplish the purpose of the transactions authorized by this Resolution; and the execution of  
15 the Agreements by the Authorized Representative shall be conclusive evidence of the approval of  
16 the Authorized Representative of all changes or modifications to the Agreements; and the  
17 Agreements shall thereupon become binding upon the County in accordance with the terms  
18 therein.

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

Adopted this 7<sup>th</sup> day of November, 2023.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Thomas E. Dernoga  
Chair

ATTEST:

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

APPROVED:

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

**EXHIBIT A**  
**TAX PARCEL ACCOUNT IDENTIFIERS**  
**FOR THE PROPERTY**

12-1202688

**EXHIBIT B**  
**PROPERTY MAP**



**EXHIBIT C**

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

**(See attached)**