

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2019 Legislative Session**

Resolution No. CR-92-2019

Proposed by The Chair (by request – County Executive)

Introduced by Council Members Turner, Harrison, Davis, Ivey, Streeter, Glaros,  
Taveras, Hawkins & Franklin

Date of Introduction October 22, 2019

**RESOLUTION**

1 A RESOLUTION concerning

2 PILOT Agreement for the Carillon Project

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 (“County”) and RPAI  
5 Capital Centre II, L.L.C., an affiliate of Retail Properties of America, Inc. (“Developer”) for the  
6 Carillon Project.

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 is proposing to develop approximately 38.7 acres of land  
10 located at 801 Capital Centre Blvd. in Prince George’s County, Maryland, more particularly  
11 identified by the tax parcel account identifier(s) described in “Exhibit A” and as shown on the  
12 map in “Exhibit B” (the “Property”); and

13 WHEREAS, Section 7-516 of the Tax-Property Article of the Annotated Code of Maryland,  
14 as amended (the Act), provides that the County may exempt or partially exempt an economic  
15 development project within the meaning of the Act from County real property taxes under certain  
16 conditions; 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 pursuant to the Act; and

20 WHEREAS, the Developer proposes to develop a mixed-use development that will include  
21 office, residences, multifamily, retail, restaurant, and structured parking facilities (the “Project”);  
22 and

1           WHEREAS, the County plans to provide other certain economic development incentives  
2 to the Project to assist with the costs of design, permitting, and construction of certain  
3 infrastructure 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  
8 equity 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  
12 land, all of which are situated in a designated focus area; and (iii) is a mixed-use facility that  
13 contains one or more of the facilities described in the Act, at least one of which satisfies the  
14 minimum criteria for job opportunities and private capital investment of equity and debt as set  
15 forth in the 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  
19 the 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  
21 the 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  
23 the County that the private capital to be invested in the Project includes an equity and debt  
24 investment 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  
26 of the County to accept payments in lieu of County real property taxes, subject to the terms and  
27 conditions of the negotiated Payment in Lieu of Taxes Agreement (the "Agreement") for the  
28 Project; and

29           WHEREAS, in connection with the Project, the County and the Developer will enter into  
30 the Agreement for the Property upon the approval of this Resolution and satisfaction of certain  
31 conditions, the form of which is attached hereto as "Exhibit C" and made a part hereof; and

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

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

5           BE IT FURTHER RESOLVED that the County Executive or designee of the County  
6 Executive is hereby authorized to execute and deliver the attached agreement in the name and on  
7 behalf of the County in substantially the form attached hereto in addition to any other agreement  
8 deemed necessary and commensurate for transaction (the "Agreements").

9           BE IT FURTHER RESOLVED that the County Executive, prior to execution and delivery  
10 of the Agreements, may make such changes or modifications to the Agreements as deemed  
11 appropriate by the County Executive in order to accomplish the purpose of the transactions  
12 authorized by this Resolution, provided that such changes or modifications shall be within the  
13 scope of the transactions authorized by this Resolution; and the execution of the Agreements by  
14 the County Executive or designee of the County Executive shall be conclusive evidence of the  
15 approval of the County Executive of all changes or modifications to the Agreements; and the  
16 Agreements shall thereupon become binding upon the County in accordance with the terms  
17 therein.

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

Adopted this 12th day of November, 2019.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Todd M. Turner  
Chair

ATTEST:

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

APPROVED:

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

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

13-3438892

**EXHIBIT B**  
**PROPERTY MAP**  
**(see attached)**

**EXHIBIT C**  
**FORM OF PAYMENT IN LIEU OF TAXES AGREEMENT**  
**(See attached)**