

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2018 Legislative Session**

Resolution No. CR-77-2018

Proposed by The Chair (by request – County Executive)

Introduced by Council Members Glaros, Davis, Turner, Taveras and Toles

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

Date of Introduction October 16, 2018

**RESOLUTION**

1 A RESOLUTION concerning

2 PILOT Agreement for the College Park Southern Gateway Redevelopment 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 College Park JV,  
5 LLC (Developer) for the College Park Southern Gateway Redevelopment Project.

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

8 WHEREAS, the Developer is proposing to develop approximately 5.745 acres of land on  
9 Baltimore Avenue in Prince George’s County, Maryland, more particularly identified by the tax  
10 parcel account identifiers described in “Attachment A” and as shown on the map in “Attachment  
11 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

16 WHEREAS, the Developer has requested that the County Council of Prince George’s  
17 County, Maryland, (County Council) authorize the Developer to make payments in lieu of  
18 County real property taxes pursuant to the Act; and

19 WHEREAS, the Developer proposes to develop a mixed use development, including  
20 multifamily, retail, restaurant, and structured parking facilities (the “Project”); and

1           WHEREAS, the County plans to provide other certain economic development incentives  
2 to the Project, including (a) reduction in the applicable public safety surcharge per unit; and (b)  
3 loan from the Economic Development Incentive Fund; 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 have a retail facility that: provides at  
7 least 100 full-time equivalent job opportunities and has a private capital investment of equity and  
8 debt combined of at least \$10,000,000; 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) includes a retail facility that  
13 provides at least 100 full-time equivalent job opportunities and has a private capital investment  
14 of equity and debt combined of at least \$10,000,000; and

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

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

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

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

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

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

31           NOW, THEREFORE, BE IT RESOLVED that in accordance with the Act, the County shall

1 accept payment in lieu of County real property taxes for the Property subject to the agreements  
2 attached to this Resolution.

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

4 BE IT FURTHER RESOLVED that the County Executive or designee of the County  
5 Executive is hereby authorized to execute and deliver the Agreement in the name and on behalf  
6 of the County in substantially the form attached hereto.

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

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

Adopted this 16<sup>th</sup> day of October , 2018.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Dannielle M. Glaros  
Chair

ATTEST:

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

APPROVED:

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

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

- 21-2420057
- 21-2420065
- 21-2343101
- 21-2741965 (consisting of only .093 acres of this  
parcel)
- 21-2420073
- 21-2420081

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



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