

**CITY OF BALTIMORE**  
**RESOLUTION \_\_\_\_\_**  
**Council Bill 05-0301**

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Introduced by: The Council President  
At the request of: The Administration (Baltimore Development Corporation)  
Introduced and read first time: December 8, 2005  
Assigned to: Economic Development and Public Financing Subcommittee

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Committee Report: Favorable  
Council action: Adopted  
Read second time: June 12, 2006

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**A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING**

**Payments in Lieu of Taxes – Ward 03, Section 06,  
Block 1799-A, Lot #001  
“800 Aliceanna Street”**

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3  
4 FOR the purpose of authorizing an economic development project to be known as “800  
5 Aliceanna Street”, in order that the Board of Estimates may enter into a Payment in Lieu of  
6 Taxes Agreement with Harbor East Parcel B–Commercial, LLC, its successors or assigns  
7 (“Owner”), covering a portion of the Owner’s property consisting of (i) office space  
8 consisting of approximately 205,000 square feet, (ii) approximately 20 live/work units, and  
9 (iii) a structured parking facility containing approximately 665 parking spaces; generally  
10 relating to payments in lieu of taxes for the 800 Aliceanna Street development; and providing  
11 for a special effective date.

12 BY authority of  
13 Article – Tax – Property  
14 Section 7-504.3  
15 Annotated Code of Maryland  
16 (As enacted by Chapter 643, Acts of 1999)

**Recitals**

18 Pursuant to that certain “Air Rights Plat (Parcel B-1, B-2, B-3) Inner Harbor East II (a Re-  
19 Subdivision of Parcel B, Ward 03, Section 06, Block 1799-A, Lot 1, Baltimore, Maryland” dated  
20 September 6, 2005, and to be recorded in the Land Records of Baltimore City, Parcel B-2 is a  
21 commercial parcel that has been subjected to a condominium regime that contains “Unit B-2-A”  
22 and “Unit B-2-B”. Included within the uses in Unit B-2-B are (i) approximately 205,000 square  
23 feet of office space (the “Office Space”), (ii) 20 live/work units (the “Live/Work Units”), and  
24 (iii) a structured parking facility containing approximately 665 parking spaces (the “Garage”).  
25 The Office Space, the Live/Work Units and the Garage are collectively referred to as the  
26 “Improvements”. Parcel B-2 is located in the Harbor East Urban Renewal Area.

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter stricken by amendment.

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1 Section 7-504.3 of the State Tax-Property Article, as enacted by Chapter 643, Acts of 1999,  
2 authorizes the Board of Estimates of Baltimore City, subject to certain findings by the Board and  
3 to the enactment of an authorizing Resolution of the Mayor and City Council, to negotiate a  
4 payment in lieu of taxes (a "PILOT") for major economic development projects that meet certain  
5 criteria.

6 It is understood that the PILOT Agreement for the Improvements will include at least the  
7 minimum provisions required by law for minority and women participation in this economic  
8 development project.

9 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That,  
10 subject to the conditions specified in this Resolution, the Improvements are authorized for  
11 purposes of allowing the Board of Estimates to enter into a PILOT Agreement with Harbor East  
12 Parcel B-Commercial, LLC, its successors or assigns, for the Improvements, in accordance with  
13 Section 7-504.3(b) (3) of the State Tax – Property Article.

14 **SECTION 2. AND BE IT FURTHER RESOLVED,** That this authorization is subject to the  
15 condition that the Improvements not house or otherwise involve (i) gambling activities beyond  
16 that allowed by law as of January 1, 1999, or (ii) related to any game not authorized by the  
17 Maryland State Lottery; and is further contingent upon the Owner entering a lease with a  
18 commercial office tenant for a minimum of 130,000 square feet, which tenant is either moving  
19 into Baltimore City or being retained in Baltimore City with the goal to create or retain  
20 approximately 300 jobs.

21 **SECTION 3. AND BE IT FURTHER RESOLVED,** That this authorization is in the best interest of  
22 the City and will achieve significant public benefits and purposes, including (i) the  
23 encouragement of the economic development of the City, including the use of resources and  
24 entrepreneurial talents of the private sector to develop the Inner Harbor East Urban Renewal  
25 Area; (ii) the creation of job opportunities; and (iii) the general promotion and improvement of  
26 the City and its facilities in order to foster and maintain the City and its image as a positive  
27 environment for the growth of business and industry and the continuing well-being of its  
28 residents, thereby further encouraging the health, welfare, and safety of the citizens of the City.

29 **SECTION 4. AND BE IT FURTHER RESOLVED,** That this authorization is subject to the  
30 following conditions:

31 (a) The PILOT Agreement for the Improvements shall be for a period of 15 years after  
32 the effective date specified in the PILOT Agreement.

33 (b) The negotiated payment in lieu of taxes for the Improvements shall be (i) the amount  
34 of the existing taxes on that portion of the land comprising Parcel B that is allocable  
35 to Unit B-2-B as of January 1, 2005, plus (ii) payment in years 1-15 equal to 5% of  
36 the incremental real estate taxes as determined by the State Department of  
37 Assessments and Taxation ("SDAT") based on the information and assessments  
38 provided in SDAT's worksheets for the Improvements.

39 (c) The PILOT shall only be for the Improvements and shall not apply to any other part  
40 of the development on Parcel B-2.

41 **SECTION 5. AND BE IT FURTHER RESOLVED,** That this Resolution takes effect on the date it  
42 is enacted.

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Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Mayor, Baltimore City