



Legislation Details (With Text)

**File #:** 22-1136      **Version:** 1      **Name:**

**Type:** CONSENT AGENDA      **Status:** Approved as an Individual Item

**File created:** 5/5/2022      **In control:** Office of Economic Development

**On agenda:** 5/25/2022      **Final action:**

**Title:** Authorize a development agreement and all other necessary documents with FM City Park, LLC (“Adjacent Owner”) and/or its affiliates in an amount not to exceed \$285,650.00 for the design and construction of the Pearl Improvement Project (“Project”), located in the Pearl Expressway public right-of-way between Taylor Street and Marilla Street, in Tax Increment Financing Reinvestment Zone Number Six (“Farmers Market TIF District”), approved as to form by the City Attorney, payable from Farmers Market Tax Increment Financing District funds, such improvements being necessary and convenient to the implementation of the Farmers Market TIF District Amended Project Plan and Reinvestment Zone Financing Plan - Not to exceed \$285,650.00 - Financing: Farmers Market TIF District Fund (subject to annual appropriations from tax increments)

**Sponsors:**

**Indexes:** 2

**Code sections:**

**Attachments:** 1. Map, 2. Resolution, 3. Exhibit A, 4. Exhibit B, 5. Exhibit C, 6. Exhibit D, 7. Exhibit E

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**STRATEGIC PRIORITY:** Economic Development

**AGENDA DATE:** May 25, 2022

**COUNCIL DISTRICT(S):** 2

**DEPARTMENT:** Office of Economic Development

**EXECUTIVE:** Majed Al-Ghafry

**SUBJECT**

Authorize a development agreement and all other necessary documents with FM City Park, LLC (“Adjacent Owner”) and/or its affiliates in an amount not to exceed \$285,650.00 for the design and construction of the Pearl Improvement Project (“Project”), located in the Pearl Expressway public right-of-way between Taylor Street and Marilla Street, in Tax Increment Financing Reinvestment Zone Number Six (“Farmers Market TIF District”), approved as to form by the City Attorney, payable from Farmers Market Tax Increment Financing District funds, such improvements being necessary and convenient to the implementation of the Farmers Market TIF District Amended Project Plan and Reinvestment Zone Financing Plan - Not to exceed \$285,650.00 - Financing: Farmers Market TIF District Fund (subject to annual appropriations from tax increments)

**BACKGROUND**

The Farmers Market TIF District Amended Project Plan and Reinvestment Zone Financing Plan cites a goal to “improve the pedestrian environment through plaza and sidewalk improvements, landscaping, lighting, design standards, and burial of overhead utilities, including improved pedestrian connections throughout the Farmers Market TIF District” and, specifically, calls for “improvements to Pearl Street and Taylor Street for outdoor public festivals/activities.”

With this public improvement Project, the City of Dallas has the opportunity to partner with the Adjacent Owner, who is an affiliate of the entities that own or lease the property known as the Farmers Market Redevelopment Project (Shed 1, Shed 2, Harvest Lofts formerly known as Shed 3 and 4, Taylor Lofts and the Auxiliary/Administrative Building), to improve the Pearl Expressway public right-of-way between Taylor Street and Marilla Street (the “Premises”). The Project will result in the creation of a curb-less pedestrian plaza and will include raising the street right-of-way to be level with the abutting sidewalks as well as installing pavers and streetscape furnishings. The Project is intended to serve as a common space connecting the quadrants of the Farmers Market Redevelopment Project, creating a more plaza-like environment within the Premises.

On November 3, 2021, the Office of Economic Development and Adjacent Owner executed a Letter of Intent to facilitate this public improvement Project. TIF funding in an amount not to exceed \$285,650.00 is proposed to reimburse the Adjacent Owner for costs to deliver the Project. TIF funding will be sourced from district-wide set-aside funds (Farmers Market Area Improvements budget category). The Adjacent Owner will privately bid and contract for the construction of the Project. Upon verification of Project completion and compliance with all conditions of the development agreement, the TIF funding will be disbursed to Adjacent Owner.

On this same City Council agenda, a separate but related agenda item recommended by the Real Estate division of the Public Works Department seeks authorization to formally reinstate the closure and vacation of the portion of Pearl Expressway (0.279 acres) between Taylor Street and Marilla Street in order to facilitate this Project and continue the use of the area as a public non-vehicular right-of-way.

### **ESTIMATED PROJECT SCHEDULE**

Project Start Date	December 2022
Project Completion Date	December 2023

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On May 27, 1998, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Six (“Farmers Market TIF District”), in accordance with the Tax Increment Financing Act, Texas Tax Code, Chapter 311, as amended, to promote development and redevelopment in the Farmers Market area through the use of tax increment financing, by Ordinance No. 23521.

On August 25, 1999, City Council authorized the Farmers Market TIF District Project Plan and Reinvestment Zone Financing Plan (“Farmers Market TIF District Project Plan”), by Ordinance No. 24001.

On February 27, 2013, City Council authorized a Master Agreement with DFM Developer, Ltd. for the

redevelopment of the Dallas Farmers Market, by Resolution No. 13-0447.

On March 27, 2013, City Council authorized amendments to the Farmers Market TIF Project Plan (the “Amended Farmers Market TIF District Project Plan”), including the expansion of the geographic boundaries to include the Dallas Farmers Market property, by Ordinance No. 28951.

On June 10, 2015, City Council authorized an amendment to the Master Agreement with DFM Developer, Ltd. for the redevelopment of the Dallas Farmers Market, by Resolution No. 15-1099.

On December 13, 2021, the Farmers Market TIF District Board of Directors reviewed and unanimously recommended approval of a development agreement with FM City Park, LLC and/or its affiliates in an amount not to exceed \$285,650.00 to design and construct the Pearl Expressway improvements (“Pearl Improvement Project” or “the Project”) and included findings that the use of district-wide set-aside funds for the Project to enhance the pedestrian environment is a benefit to the Farmers Market TIF District and is necessary and convenient to implement the Amended Farmers Market TIF District Project Plan.

The Economic Development Committee was briefed regarding this matter on February 7, 2022.

**FISCAL INFORMATION**

Fund	FY 2022	FY 2023	Future Years
Farmers Market TIF District Fund	\$0.00	\$285,650.00	\$0.00

**APPLICANT**

**FM City Park, LLC**  
Brian Bergersen, Spectrum Properties  
2518 Converse Street  
Dallas, TX 75207

**MAP**

Attached