



**Date:** June 15, 2015

**To:** Thomas J. Bonfield, City Manager  
**Through:** Keith Chadwell, Deputy City Manager  
**From:** Kevin Dick, Director, Office of Economic and Workforce Development

**Subject:** Discussion of Economic Development Incentive Agreement with Wexford Chesterfield Parking, LLC (Wexford) for Capital Investments related to development of 701 W. Main Street (The Chesterfield) in Downtown Durham.

**Executive Summary**

This item relates to the construction of approximately 284,000 square feet of commercial space known commonly as The Chesterfield and an associated offsite structured parking facility located in the Brightleaf District of Downtown Durham. It also describes the tenets of a possible economic development incentive agreement between the City and Wexford.

**Recommendation**

1. Conduct a public hearing to review the highlights of an economic development incentive agreement between Wexford Chesterfield Parking, LLC and the City of Durham; and
2. Authorize the City Manager to negotiate an economic development incentive agreement between the City of Durham and Wexford Chesterfield Parking, LLC for capital investment associated with construction of The Chesterfield, for a total incentive payment amount not to exceed \$6,000,000.00 over 15 years.

**Background**

The Chesterfield redevelopment with an estimated total qualified capital investment of over \$91,000,000.00 would activate a significant vacant building along West Main Street in the Brightleaf District of Downtown. The Chesterfield would consist of approximately 284,000 square feet of commercial space including laboratory (153,000 square feet), Class A office (78,000 square feet), ground floor retail (11,000 square feet), and a research and development innovation space (42,000 square feet). Wexford would additionally construct a 544 space offsite structured parking deck supplemented by as many as 221 onsite surface parking spaces for a total of approximately 765 additional improved parking spaces in downtown.

Redevelopment of The Chesterfield would expand Durham’s tax base by generating new property tax revenue. The project would continue to enhance the downtown environment; an identified objective of the 2015 Joint City-County Economic Development Strategic Plan endorsed by the City Council. Anticipated new jobs created by The Chesterfield would consist of as many as 710 permanent jobs created by tenants, and as many as 560 temporary construction jobs.

All City payments would be “performance based”, meaning Wexford Chesterfield Parking, LLC (“Wexford”) would not receive any payments from the City until after the project construction is complete and incremental property tax revenue generation has commenced. Wexford would also be required to maintain a minimum level of occupancy for The Chesterfield during the term of the agreement to encourage job creation and to maintain continued eligibility of city incentive payments. A Durham-Based Business Plan and Durham Workforce Development Plan would also be required for the project. These plans would stipulate that Wexford and/or its general contractor would make good faith efforts to engage Durham-based firms in the construction work performed relative to the project, and that Wexford and its tenants and/or contractors engage the NCWorks Career Center System when hiring temporary staff related to the project.

### **Issues and Analysis**

Staff is proposing a \$6,000,000.00 incentive to be paid over a 15 year period after the building is completed. No payments to Wexford Chesterfield Parking, LLC would be made prior to project completion and verification of the stated capital investment amounts.

Payment to Wexford Chesterfield Parking, LLC will consist of annual payments subject to the company satisfying the following requirements:

- The required minimum capital investment was made by Wexford and a certificate of compliance is issued before the completion deadline;
- Maintenance of minimum tenant occupancy of The Chesterfield building;
- Compliance with the tenets of the Durham-Based Business Plan;
- Compliance with the tenets of the Durham Workforce Plan;
- Other tenets of the agreement to be negotiated, including the availability to the public of at least 50% of the spaces in the proposed parking deck and surface lot on nights and weekends.

### **Alternatives**

The City Council may decide not to authorize the City Manager to negotiate an economic development incentive agreement, or may decide to authorize such negotiation with changes. Choosing the former option would likely eliminate the chances for redevelopment of The Chesterfield in its entirety given the ability of the developer to construct the project is contingent upon public investment. The City would further forego an opportunity for a net tax revenue gain over, and beyond, the period of the incentive.

### **Financial Impact**

The Cash Flow Analysis performed as part of the analysis of the project identifies the financial impact to the City. The payments proposed would be a paid from incremental tax revenues slated to be generated from the project. There would be no impact on the existing general fund. The proposed \$6,000,000.00 incentive would yield payments to Wexford of \$400,000.00 annually over the proposed 15 year incentive period, representing approximately 70% of the incremental City property tax revenue generated by the project. Payments would begin in 2018 (assuming that the construction project begins in 2015 and is completed in 2016).

### **SDBE Summary**

While no specific SDBE provisions are required by ordinance for this agreement, it is understood that if an agreement is approved, Wexford will be required to make good faith efforts to use Durham-based firms for contracting activities. They will also be required to enter into a Workforce Development Plan to ensure that Durham residents have the first opportunity to apply for available jobs to be created.