 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: July 25, 2011
	Agenda Item No. 40 Roll Call No. <u>11-1313</u> Communication No. <u>11-489</u> Submitted by: Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation and conveyance of a portion of Glendale Cemetery to Franklin Field Senior Apartments, LLLP for \$172,500.

SYNOPSIS:

Recommend vacation and conveyance of a portion of Glendale Cemetery to Franklin Field Senior Apartments, LLLP, John Mauro, General Partner, 2611 Ingersoll Avenue, Des Moines, Iowa 50312, for \$172,500. This action is required by Iowa law prior to making a final determination on the proposed conveyance by resolution. As of this writing no other offers to purchase have been received by the City. Purchase of this City-owned property will allow for redevelopment with a 40-unit senior housing tax credit project. This property has been declared as excess property by the City Council and the City will not be inconvenienced by the sale.

FISCAL IMPACT:

Amount: \$172,500 (Revenue)

Funding Source: 2011-2012 CIP, Page Park Improvements – 6, Cemetery Infrastructure and Improvements, PKS138

ADDITIONAL INFORMATION:

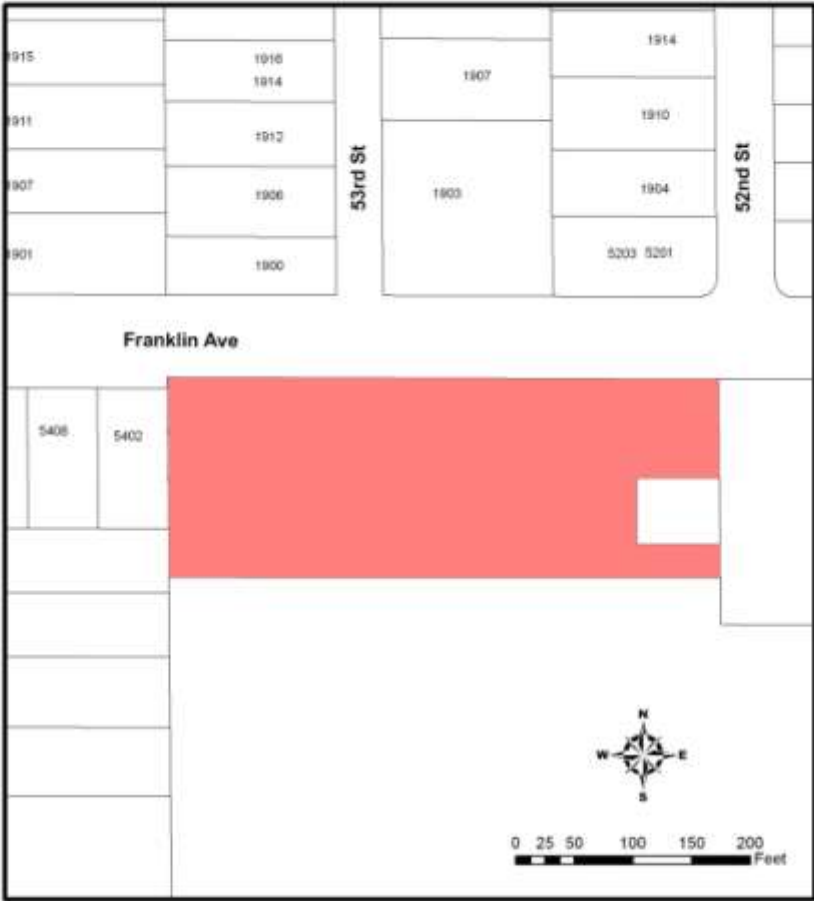
Early in 2011, Franklin Field Senior Apartments, LLLP submitted a request to the City Manager to purchase a 470.41' by 171.52' (less a 71' x 56' rectangle) unused section of Glendale Cemetery (approximately 1.8 acres) for redevelopment with a 40-unit senior housing tax credit project.

On June 13, 2011, by Roll Call No. 11-1051, the City Council declared the property was excess property and directed the City Manager to begin negotiations for the vacation and sale of the property to Franklin Field Senior Apartments, LLLP and any other interested potential buyers. Franklin Field Senior Apartments, LLLP has offered to the City of Des Moines the purchase price of \$172,500 which price reflects the appraised price per square foot of the property as determined by an independent appraiser and also reflects the fair market value of the property as further determined by the City's Real Estate Division. This proposal has completed multiple staff, neighborhood, Cemetery Committee and Park and Recreation Board reviews as follows:

- April 11, 2011: Council workshop to present developer's proposal
- April 20, 2011: Cemetery Committee initial review

- May 10, 2011: Notification of Park and Recreation Board meeting to neighborhood groups and property owners within 250 feet of the proposed project
- May 11, 2011: Cemetery Committee second review
- May 17, 2011: Neighborhood meeting at Franklin Community Center
- May 24, 2011: Park and Recreation Board review (defeated motion to declare as excess by 8-5 vote)
- June 13, 2011: City Council received and filed Park and Recreation Board letter and communication (Roll Call Nos. 11-1049 and 11-1050); City Council approved declaration of the property as excess (Roll Call No. 11-1051)

Franklin Field Senior Apartments, LLLP, and the City Real Estate Division have negotiated the terms of the Offer to Purchase which includes, among other terms, the provision that the closing on the sale of the property shall be subject to approval of rezoning of the property, and further subject to approval of senior housing tax credits by the Iowa Finance Authority. Certain conditions included in Roll Call No. 11-1051 approving the declaration of the subject property as excess have also been incorporated into the offer.



Legend Disposition-
■ Property Location Franklin Field Senior Apartments, LLLP

PREVIOUS COUNCIL ACTION(S):

Date: July 11, 2011

Roll Call Number: 11-1196

Action: [Set](#) hearing for vacation and conveyance of a portion of Glendale Cemetery to Franklin Field Senior Apartments, LLLP, \$172,500, (7-25-11). Moved by Moore to adopt. Motion Carried 7-0.

Date: June 13, 2011

Roll Call Number: 11-1051

Action: [Approving](#) Declaration of approximately 1.8 acres of Glendale Cemetery as excess property. [\(Council Communication No. 11-393\)](#) Moved by Griess to adopt. Motion Carried 6-1. Nays: Cownie.

Date: June 13, 2011

Roll Call Number: 11-1050

Action: [Receive](#) and file Park Board Letter advising reasons NOT IN FAVOR of Declaration of excess property. Moved by Griess to receive and file. Motion Carried 6-1. Nays: Cownie.

Date: June 13, 2011

Roll Call Number: 11-1049

Action: [Receive](#) and file Park Board Resolution NOT IN FAVOR of Declaration as excess property. Moved by Griess to receive and file. Motion Carried 6-1. Nays: Cownie.

BOARD/COMMISSION ACTION(S):

Board: Park and Recreation Board

Date: May 24, 2011

Resolution Number: 11-059

Action: Motion to accept the proposal by staff to declare 1.8 approximate acres of Glendale Cemetery land as excess property. A friendly amendment that the money received from the sale go back to cemetery infrastructure. Motion failed 8-5.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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