

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	February 23, 2015
	Agenda Item No.	28
	Roll Call No.	<u>15-0313</u>
	Communication No.	<u>15-078</u>
	Submitted by:	Matthew A. Anderson, Assistant City Manager

AGENDA HEADING

Resolution Approving Issuance of Certificate of Partial Completion for the Des Moines Building at 406 6th Avenue and 513 Locust Street.

SYNOPSIS

In November 2011, the City approved the sale of the Des Moines Building property to Des Moines Apartments, LP (Managing Partners are Michael Nelson of Nelson Development, 10145 76th Street, West Des Moines, IA, and Steve Foutch of Foutch Brothers, LLC, 8201 NW 97th Terrace, Kansas City, MO). The development agreement that governs the property sale requires Council approval of the completed portion(s) of the project.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION

In November 2011, the City approved the sale of the Des Moines Building property to Des Moines Apartments, LP (Managing Partners are Michael Nelson of Nelson Development, 10145 76th Street, West Des Moines, IA, and Steve Foutch of Foutch Brothers, LLC, 8201 NW 97th Terrace, Kansas City, MO). Their proposal, accepted by the City, was to renovate the upper level office space to about 145 rental units and demolish the annex building on Locust Street to create outside seating for the adjacent commercial space, such as a restaurant, and add a new public access to the skywalk.

At this time, the Des Moines Building portion – the apartments and commercial space – have been completed. The outdoor seating/open area/entrance to the skywalk are close to completion with some additional plantings and concrete work to be done by May 31, 2015.

PREVIOUS COUNCIL ACTION(S):

Date: November 3, 2014

Roll Call Number: [14-1713](#)

Action: [Request](#) by the Des Moines Apartments, LP, for an extension on the time allowed to complete the renovation and rehabilitation of the Des Moines Building at 405 6th Avenue and 513 Locust Street. ([Council Communication No. 14-523](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: August 11, 2014

Roll Call Number: [14-1232](#)

Action: [Amendment](#) to Subordination Agreement to allow refinancing of the primary loan for the renovation of the Des Moines Building at 405 6th Avenue by Des Moines Apartments, LP, represented by Steve Foutch, and subordinating the mortgage securing the City's CDBG-DR Loan to the mortgage for the new primary loan. ([Council Communication No. 14-385](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: April 21, 2014

Roll Call Number: [14-0626](#)

Action: [Amendment](#) to Development Agreement with Des Moines Apartments, LP for an extension on the time allowed to complete the renovation and rehabilitation of the Des Moines Building at 406 6th Avenue and 513 Locust Street. ([Council Communication No. 14-170](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: October 8, 2012

Roll Call Number: [12-1570](#)

Action: [Community](#) Development Block Grant Disaster Recovery Loan and Contract Documents with Des Moines Apartments, LP for development of 136 apartments at 405 6th Avenue and 513 Locust Street (Des Moines Building) and authorizing extension of completion date, \$3,000,000. ([Council Communication No. 12-530](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: August 27, 2012

Roll Call Number: [12-1349](#)

Action: [Amendment](#) to Des Moines Community Development Block Grant Disaster Recovery (CDBG-DR) Contract to accept a supplemental award for multi-family housing new production in an amount not to exceed \$9,000,000 for three projects plus general administration not to exceed \$180,000. ([Council Communication No. 12-443](#)) Moved by Meyer to adopt. Motion Carried 7-0.

Date: May 3, 2012

Roll Call Number: [12-0660](#)

Action: [Approving](#) submitting four applications for housing projects to Iowa Economic Development Authority for Community Development Block Grant-Disaster Relief (CDBG-DR) funding. ([Council Communication No. 12-197](#)) Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Moore.

Date: November 7, 2011

Roll Call Number: [11-1898](#)

Action: On conveyance of the Des Moines Building at 405 6th Avenue and 513 Locust Street to the Des Moines Apartments, LP, \$150,000. ([Council Communication No. 11-687](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: July 11, 2011

Roll Call Number: [11-1251](#)

Action: Designation of preferred developer as Nelson Development and Construction and Foutch Brothers, LLC for purchase and redevelopment of Des Moines Building, 405 6th Avenue and 513 Locust Street. ([Council Communication No. 11-467](#)) Moved by Hensley to adopt and request that the Developer keep the Des Moines Building name; refer to the City Manager to develop a timeline for construction. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S)

Board: Urban Design Review Board

Date: August 21, 2012

Resolution Number: N/A

Action: Approval of building design, plaza, and skywalk.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Completion of landscaping other outdoor amenities at 506 Locust Street plaza area by May 31, 2015.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.