

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b>	October 12, 2015
	<b>Agenda Item No.</b>	<b>26</b>
	<b>Roll Call No.</b>	<b><u>15-1697</u></b>
	<b>Communication No.</b>	<b><u>15-541</u></b>
	<b>Submitted by:</b>	<b>Matthew A. Anderson, Assistant City Manager</b>

**AGENDA HEADING:**

Set hearing for the proposed purchase of City-owned property at 849 Army Post Road by Hurd Land Company, LLC pursuant to development agreement for commercial redevelopment.

**SYNOPSIS:**

On September 28, 2015, by Roll Call No.15-1617, City Council approved preliminary terms of a development agreement with Hurd Land Company, LLC (Richard Hurd, President, 2000 Fuller Road West Des Moines, Iowa 50265) for the purchase and redevelopment of City-owned land at 849 Army Post Road.

This roll call sets the public hearing on the sale of the land for October 26, 2015.

**FISCAL IMPACT:**

Amount: Land will be sold for fair market value at \$260,000; \$40,000 will be rebated back to the developer at the time of sale as an Economic Development Grant.

Funding Source: Land sale proceeds. Account to be created by the Finance Department for SW 9<sup>th</sup> Street Revitalization Project. Per Council action on August 10, 2015, the remaining proceeds, \$220,000, will be placed into an account established for SW 9<sup>th</sup> Street Revitalization.

**ADDITIONAL INFORMATION:**

The City acquired the 849 Army Post Road site in July 2013 for the purpose of facilitating its redevelopment. The location has been a high priority site for south side neighborhoods and business owners, including the Friends of SW 9<sup>th</sup> and the SW 9<sup>th</sup> Merchants Association.

Hurd Land Company, LLC has conducted additional work to prepare adjacent properties at 6305 SW 9<sup>th</sup> Street and 812 Lally Street to move forward with acquisition and development of 849 SW 9<sup>th</sup> Street. A significant action by the company was the removal of the former Mama Lacona’s building north of the 849 Army Post site. Hurd Land Company, LLC plans to market the assembled properties to commercial tenants.

The company is required to submit a site plan for City review and approval on the redevelopment of the property by December 31, 2016. In the event that the property is being actively marketed, an extension of up to one (1) additional year may be requested by the company. The proposed Economic

Development Grant would be repaid to the City by Hurd Land Company, LLC in the event that the site is not redeveloped as proposed.

**PREVIOUS COUNCIL ACTION(S):**

Date: September 28, 2015

Roll Call Number: [15-1617](#)

Action: [City](#) Manager to negotiate agreement based on preliminary terms with Hurd Realty for 849 Army Post Road. ([Council Communication No. 15-522](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: August 10, 2015

Roll Call Number: [15-1353](#)

Action: [Receive](#) and file proposal to purchase City-owned property at 849 Army Post Road for redevelopment with 6305 SW 9<sup>th</sup> Street and 812 Lally Street and to direct the City Manager to negotiate preliminary terms of agreement with Hurd Land Company, LLC. ([Council Communication No. 15-450](#)) Moved by Gatto to receive and file the communication, and to direct the City Manager to negotiate preliminary terms of a development agreement with Hurd Land Company, LLC; and to direct that the proceeds be placed into a special account set up for SW 9<sup>th</sup> Street Revitalization. Motion Carried 7-0.

Date: July 15, 2013

Roll Call Number: [13-1158](#)

Action: [Real](#) Estate Property Exchange and Grant Agreement with Clear Channel Outdoor, Inc. and authorizing acquisition of property at 849 Army Post Road. ([Council Communication No. 13-376](#)) Moved by Meyer to adopt. Motion Carried 7-0.

Date: July 25, 2011

Roll Call Number: [11-1327](#)

Action: [Receive](#) request from Clear Channel Outdoor to consider the City's acquisition of property at 849 Army Post Road. Sponsor: Meyer. Moved by Meyer to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Hold public hearing and approve final terms of the development agreement on October 26, 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](mailto:cityclerk@dmgov.org).