

.....  
**Date** October 11, 2010

**RESOLUTION APPROVING AN AMENDED CONCEPTUAL DEVELOPMENT PLAN  
AND A FIRST AMENDMENT TO THE URBAN RENEWAL DEVELOPMENT  
AGREEMENT WITH BROWNSTONES ON GRAND, LLC, REGARDING THE  
BROWNSTONES ON GRAND**

WHEREAS, Brownstones on Grand, LLC, (the “Developer”), being a subsidiary of Hubbell Realty Company represented by Steven L. Niebuhr, Senior Vice President, is the owner of the Property at 201 Grand Avenue more specifically described as follows:

Lots 1-25, Brownstones on Grand Plat 2, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (a replat of Lots 19-43, Brownstones on Grand).

WHEREAS, the Property is located in the Metro Center Urban Renewal Area in a part of the downtown characterized by underutilized and vacant land and a pattern of disinvestment and declining resident population and employment; and,

WHEREAS, by the City Council has previously identified the need for additional housing in the downtown area to support continued growth and of the downtown as a commercial and employment center, and has identified the Property as an appropriate location for the development of such housing; and,

WHEREAS, the City and Developer had previously entered into an Urban Renewal Development Agreement, dated January 7, 2008 (the “Development Agreement”), regarding development of 25 additional residential units on the Property; and,

WHEREAS, instead of developing these 25 town homes in three buildings as originally proposed, Developer desires to develop these 25 town homes in four (4) 4-plex units on the north side of the project, and in one 5-plex unit and one 4-plex unit along the east side of the project; and

WHEREAS, the Developer has requested that the Development Agreement be amended to conform to the revised plans for development of the Property; and,

WHEREAS, the City Manager has negotiated a First Amendment to Urban Renewal Development Agreement which is on file and available for public inspection in the office of the City Clerk; and,

WHEREAS, the Urban Design Review Board considered the proposed amended Conceptual Development Plan for the 25 additional townhomes to be constructed on the Property

( continued )

**Date** October 11, 2010

at its meeting on October 5, 2010, and voted 6-0 in support of a motion to recommend approval of the amended Conceptual Development Plan;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. The amended Conceptual Development Plan for the redevelopment of the Property as described above is hereby approved.
2. The First Amendment to Urban Renewal Development Agreement between the City and Brownstones on Grand LLC, which provides for the Developer to construct the 25 additional townhome units on the Property in conformance with amended Conceptual Development Plan as described above, is hereby approved.
3. The Mayor is hereby authorized and directed to sign the First Amendment to Urban Renewal Development Agreement on behalf of the City of Des Moines, and the City Clerk is hereby authorized and directed to attest to the Mayor's signature.
4. Upon request by the City Manager or the City Manager's designee, the Finance Director shall cause each semi-annual installments on the Economic Development Grant to be timely paid in accordance with the terms of the said Urban Renewal Development Agreement as hereby amended.

( Council Communication No. 10- 609 )

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

Roger K. Brown  
 Roger K. Brown, Assistant City Attorney

C:\Rog\Eco Dev\Brownstones\1st Amend\RC Approve.doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk