



Date January 12, 2015

RESOLUTION APPROVING COMPETITIVE PROCESS FOR SALE AND
REDEVELOPMENT OF DISPOSITION PARCEL NO. 13-1 / METRO
CENTER URBAN RENEWAL PROJECT AREA, LOCATED AT 401 E.
GRAND AVENUE, AND RECEIPT OF REDEVELOPMENT PROPOSAL
FROM IOWA MACHINE SHED CO.

WHEREAS, on June 24, 2013, by Roll Call No. 13-1028, the City Council of the City of Des Moines adopted the Thirteenth Amendment to the Urban Renewal Plan for the Metro Center Urban Renewal Area which designated a City-owned parcel of land at 401 E. Grand Avenue, and more specifically described below, as Disposition Parcel 13-1:

Except the East 15 feet, Lot 3; all of Lots 4 and 5; and, the East 47.5 feet of Lot 6, in Block 9, East Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (hereinafter referred to as the "Property").

WHEREAS, on November 18, 2013, by Roll Call No. 13-1850, the City Council received a preliminary proposal from Heart of America Group represented by Mike Whalen, to acquire and redevelop the Property with a boutique hotel development, and directed the City Manager to work with Heart of America Group to refine the programming, design and financing for its proposal; and,

WHEREAS, on May 5, 2014, by Roll Call No. 14-0698, the City Council approved preliminary terms of agreement with Heart of America Group, whereby Heart of America Group would purchase and redevelop the Property with a 6-story, 100 room hotel featuring underground parking, a rooftop bar, and a small fitness center, having a total estimated project cost of \$18.125 million, in exchange for City economic development assistance consisting of a grant back of the land sales proceeds of \$550,000 and 80% of the project-generated tax increment for a term of 20 years, all as more specifically described in Council Communication No. 14-213; and,

WHEREAS, the Heart of America Group has designated Iowa Machine Shed Co., a related company, as the development entity to acquire and redevelop the Property; and,

WHEREAS, the City Manager has negotiated a proposed *Urban Renewal Agreement for Sale of Land for Private Redevelopment* (the "Proposed Agreement") with Iowa Machine Shed Co., for the acquisition and redevelopment of the Property upon terms consistent with the approved preliminary terms; and,

WHEREAS, it is necessary and appropriate that City Council take certain actions in accordance with Iowa Code Section 403.8 in order to receive the Proposed Agreement and give full and fair opportunity for other potential developers to submit competing proposals for the redevelopment of the Property; and

WHEREAS, the City Council believes it is in the best interests of the City of Des Moines to consider the Proposed Agreement from Iowa Machine Shed Co., and any competing



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proposals for the purchase and redevelopment of the Property in accordance with the procedures identified below.

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

1. The Proposed Agreement submitted by Iowa Machine Shed Co., is hereby received and filed, and shall be available for public inspection in the office of the City Clerk.
2. Any interested party (hereinafter referred to as an "Applicant") may submit a competing proposal for the acquisition and redevelopment of the Property in accordance with the following procedures:
 - A. Permitted uses of the property include retail and service uses, office, off-street structured parking with minimal surface parking, transient lodging, and housing as part of a mixed development with other permitted uses.
 - B. The design and exterior materials shall conform to the Eastern Gateway District Area "1" Design Standards set forth in Appendix B to the Metro Center Urban Renewal Plan, and to the Commercial Construction and Sustainability Design Standards set forth in Appendix A-1 to the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area.
 - C. All proposals for the redevelopment of the Property shall:
 - 1) Provide a detailed description of the proposed development,
 - 2) Provide a proposed form of the *Urban Renewal Agreement for Sale of Land for Private Redevelopment* tailored to the Applicant's proposal.
 - 3) Provide documentation of the Applicant's experience completing comparable development projects and documentation of the Applicant's and its management team experience managing similar projects over a long term.
 - 4) Provide evidence of the Applicant's financial capacity to complete its proposal, including a complete financing plan identifying proposed sources and uses of funds and a cash flow analysis that shows projected revenues and expenses with all underlying assumptions.
 - 5) Provide letters of support or commitments for the project from equity and lending sources.
 - D. It is hereby determined that a minimum purchase price for the Property is \$550,000, for uses in accordance with the Metro Center Urban Renewal Plan, taking into account the expected restrictions upon the Property and the covenants, conditions and obligations to be assumed by any Applicant for redevelopment and use of the Property.
 - E. The City Council hereby declares its intent to make available financial incentives in a form and amount acceptable to the City Council to encourage quality development. The financial incentives may include:

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- 1) A temporary exemption from taxation (tax abatement) pursuant to the City-wide Urban Revitalization Plan for the value added by improvements to any portion of the property assessed as residential property, or as commercial or multiresidential property if such property consists of 3 or more separate living quarters with at least 75% of the space used for residential purposes.
 - 2) Economic development grants to be paid in installments from the proceeds of the purchase price and/or from project generated tax increment over a period of not to exceed 20 years.
 - 3) Assistance in seeking additional funding and financial assistance from other sources including but not limited to the City of Des Moines and State of Iowa HOME Program, the State of Iowa Enterprise Zone Program, and Low Income Housing Tax Credits.
- F. All inquiries regarding the terms and conditions of this competitive bid process must be submitted to the Office of Economic Development, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, 50309. All interested potential developers are invited to contact the Office of Economic Development to discuss the types and levels of economic incentives that are available and acceptable to the City.
- G. Written proposals for the purchase and development of said Property must be received by the Office of Economic Development on or before 1:00 p.m., on February 27, 2015. Each proposal shall be opened and reviewed by the City staff after such deadline, and such proposals and a staff evaluation and recommendation will be presented to the Urban Design Review Board at a public meeting at 7:30 a.m., on March 3, 2015, for its consideration and recommendation to the City Council.
- H. If a competing proposal is received, the following Selection Criteria shall be applied to judge the relative merits of the proposals:
- 1) The extent to which the project will advance and encourage further private investment to advance the redevelopment of the East Village Area in conformance with the Metro Center Urban Renewal Plan, the Des Moines 2020 Community Character Land Use Plan, and the Eastern Gateway Area 1 Design Guidelines.
 - 2) The potential return on investment to the City over a 20 year period from the project and from further private investments anticipated to be attracted by the project.
- I. The City Council hereby declares its intent to select a developer for the sale and redevelopment of the Property consistent with the Selection Criteria identified above, after a public hearing to be held on March 9, 2015, at 5:00 p.m., in the Council Chambers.
- J. The submittal of proposals by the competing developers shall be in substantial conformity with the provisions of this resolution.

(continued)



Roll Call Number

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3. The City Clerk shall be authorized to cause the accompanying notice of the competitive bid process and the City's intent to enter into an urban renewal agreement for the sale and redevelopment of the Property to be published in the Des Moines Register on January 15, 2015.
4. The competitive bid process set forth in this resolution is hereby determined to comply with the provisions of Iowa Code Section Chapter 403.8(2), requiring "reasonable competitive bidding procedures" for the sale of the Property and this competitive bid process is hereby determined to be the appropriate method for making the Property available for redevelopment in accordance with the Metro Center Urban Renewal Plan.
5. The City Council hereby further declares its intent to take action at the public hearing on March 9, 2015, to approve the *Urban Renewal Agreement for Sale of Land for Private Redevelopment* submitted by the selected developer if such Agreement is then in a form acceptable to the City Council. If the Agreement submitted by the selected developer is not then in a form acceptable to the City Council, the City Council will schedule a later public hearing to consider approval of the Agreement after further negotiations with the selected developer.

(Council Communication No. 15- 016)

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

G:\USERS\RKBrown\Rog Docs\Eco Dev\HOA\RC Set Hrg & Process.doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

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

Date January 12, 2019

Agenda Item 22

Roll Call # _____



AC HOTEL DES MOINES
NW STREET VIEW



AC HOTEL DES MOINES
NW ELEVATED VIEW



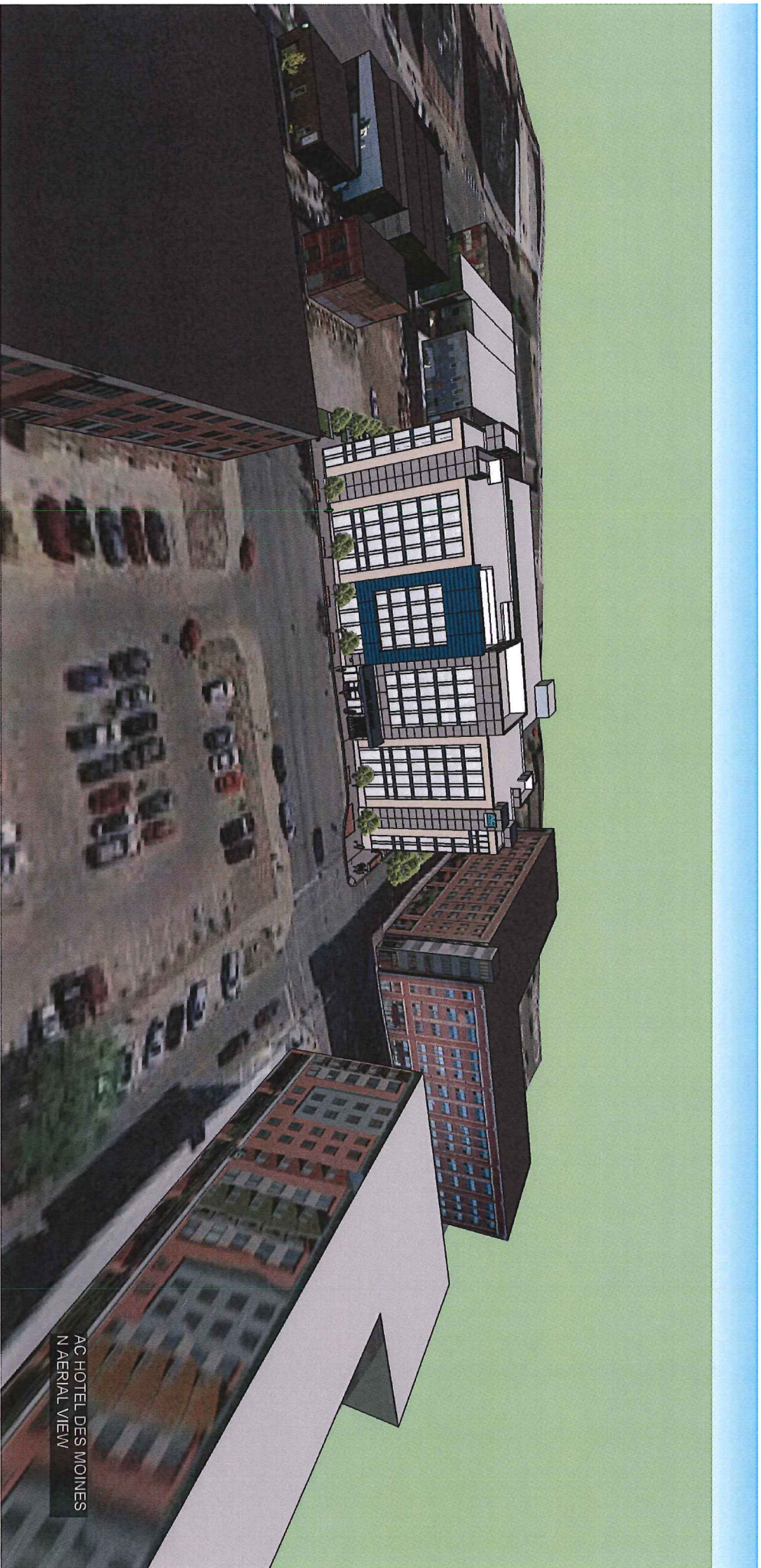
AC HOTEL DES MOINES
N STREET VIEW



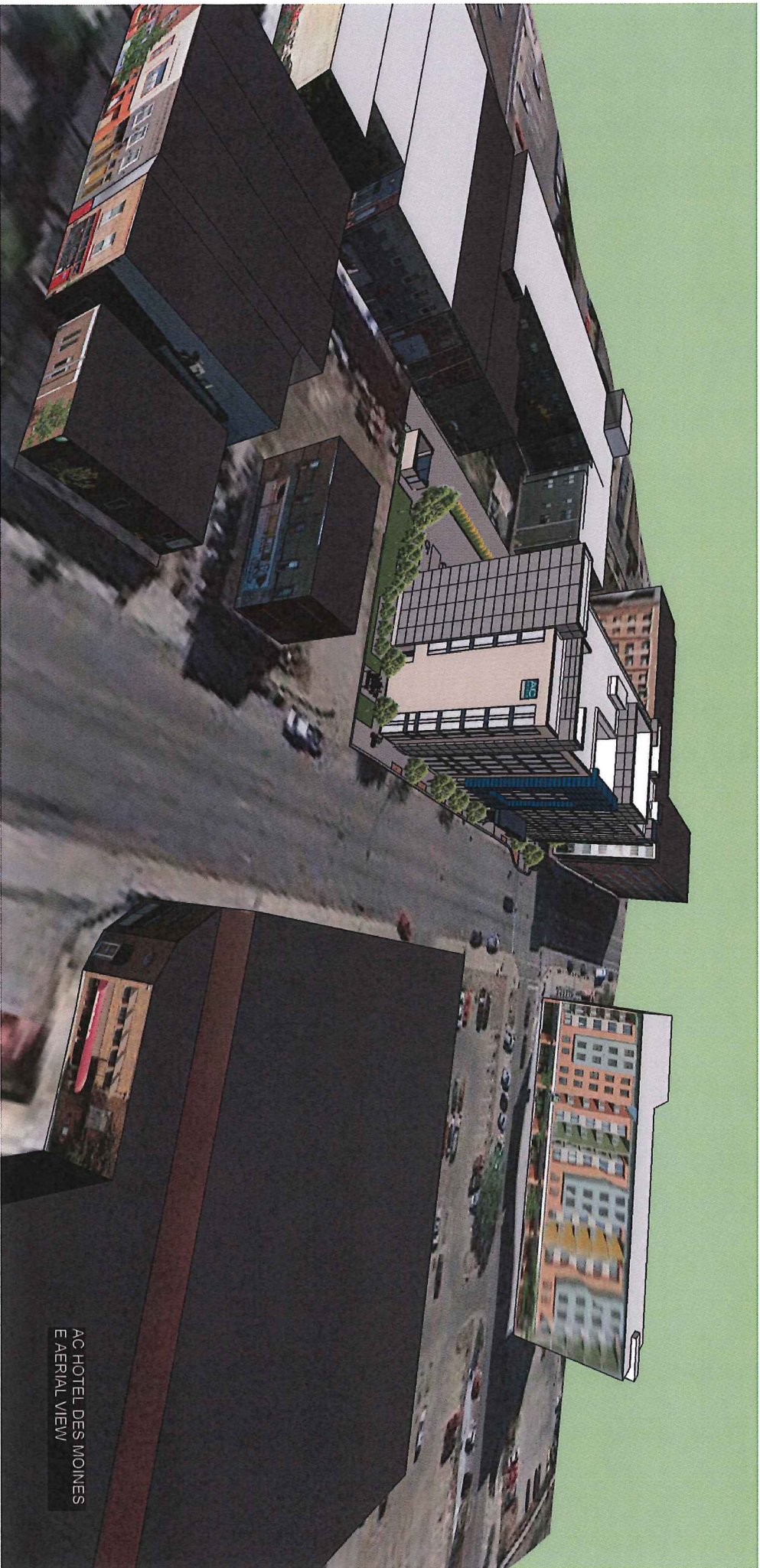
AC HOTEL DES MOINES
SW STREET VIEW



AC HOTEL DES MOINES
SW ELEVATED VIEW



AC HOTEL DES MOINES
AERIAL VIEW

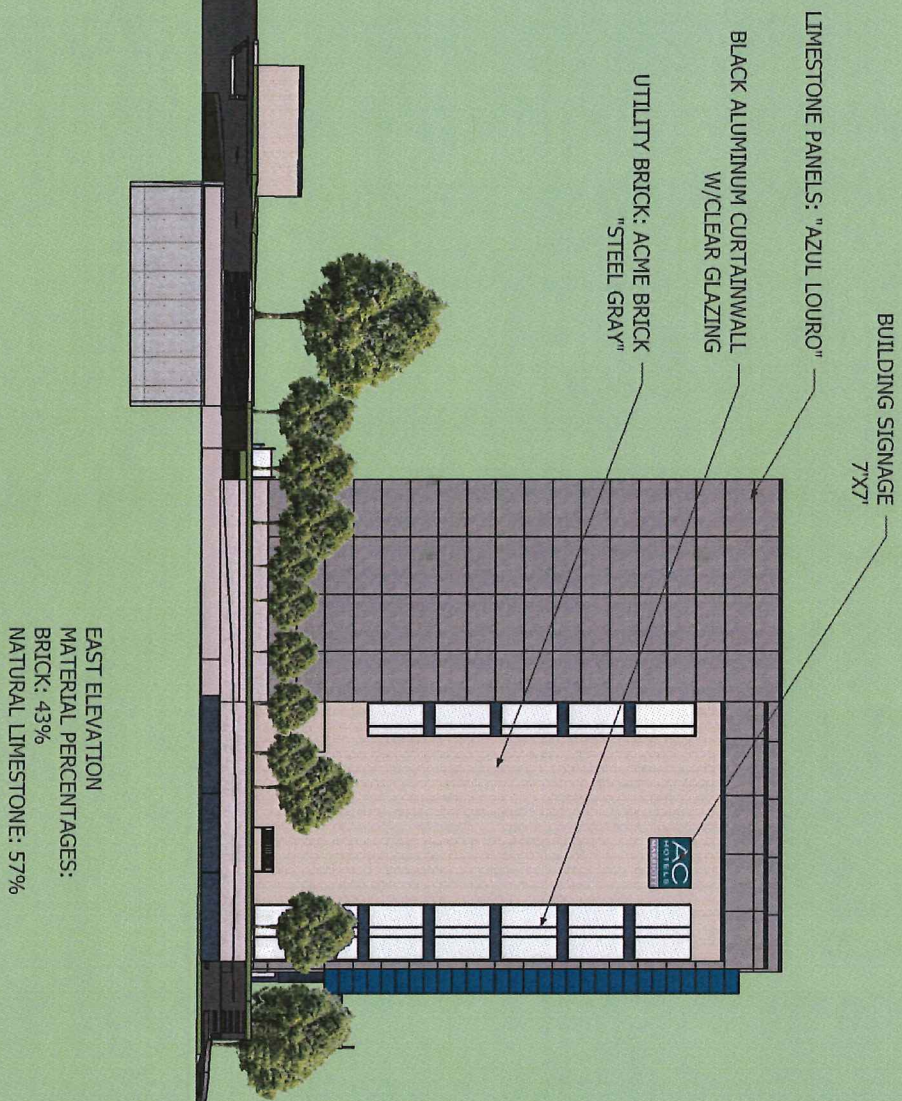


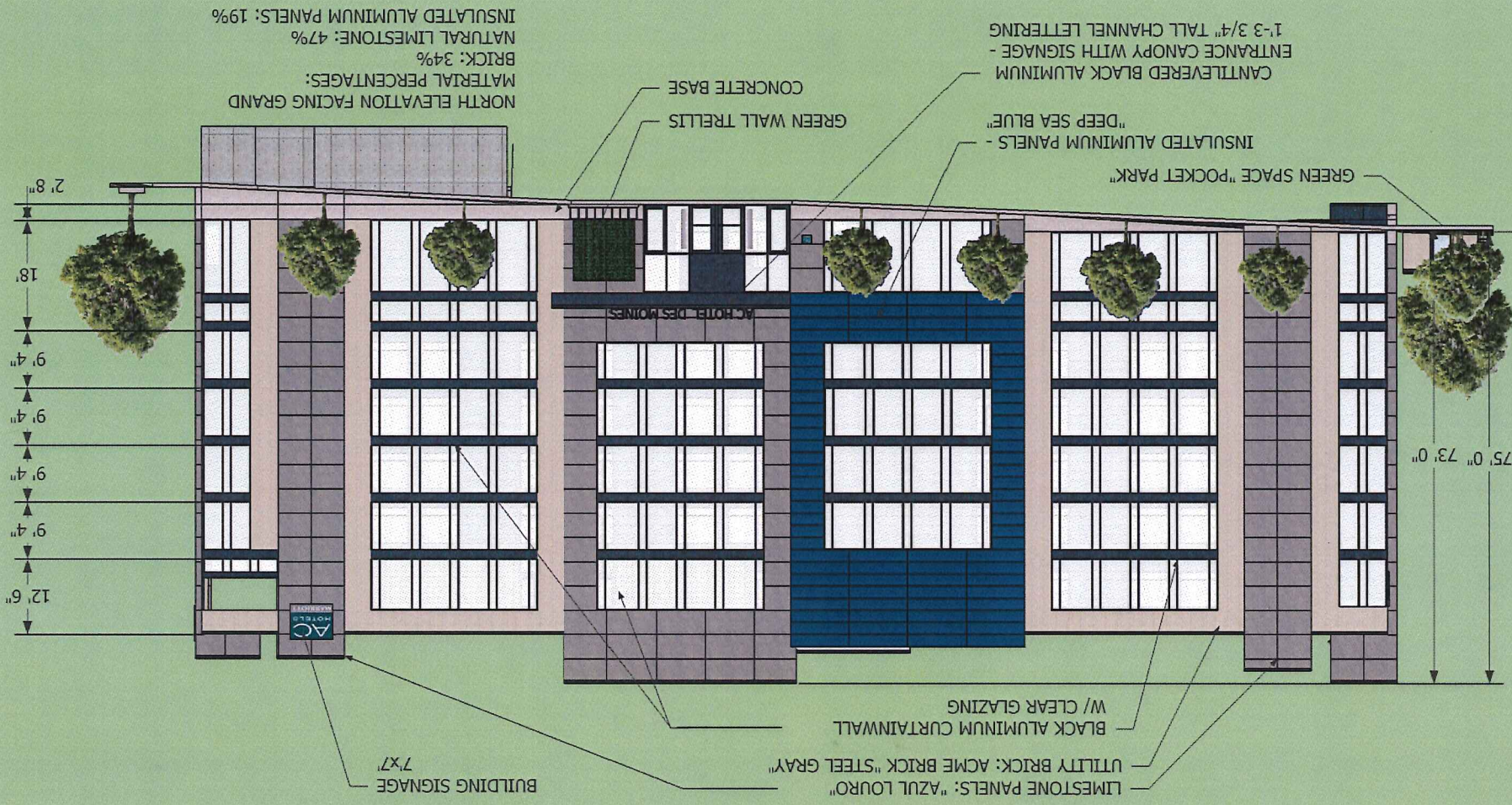
AC HOTEL DES MOINES
E AERIAL VIEW

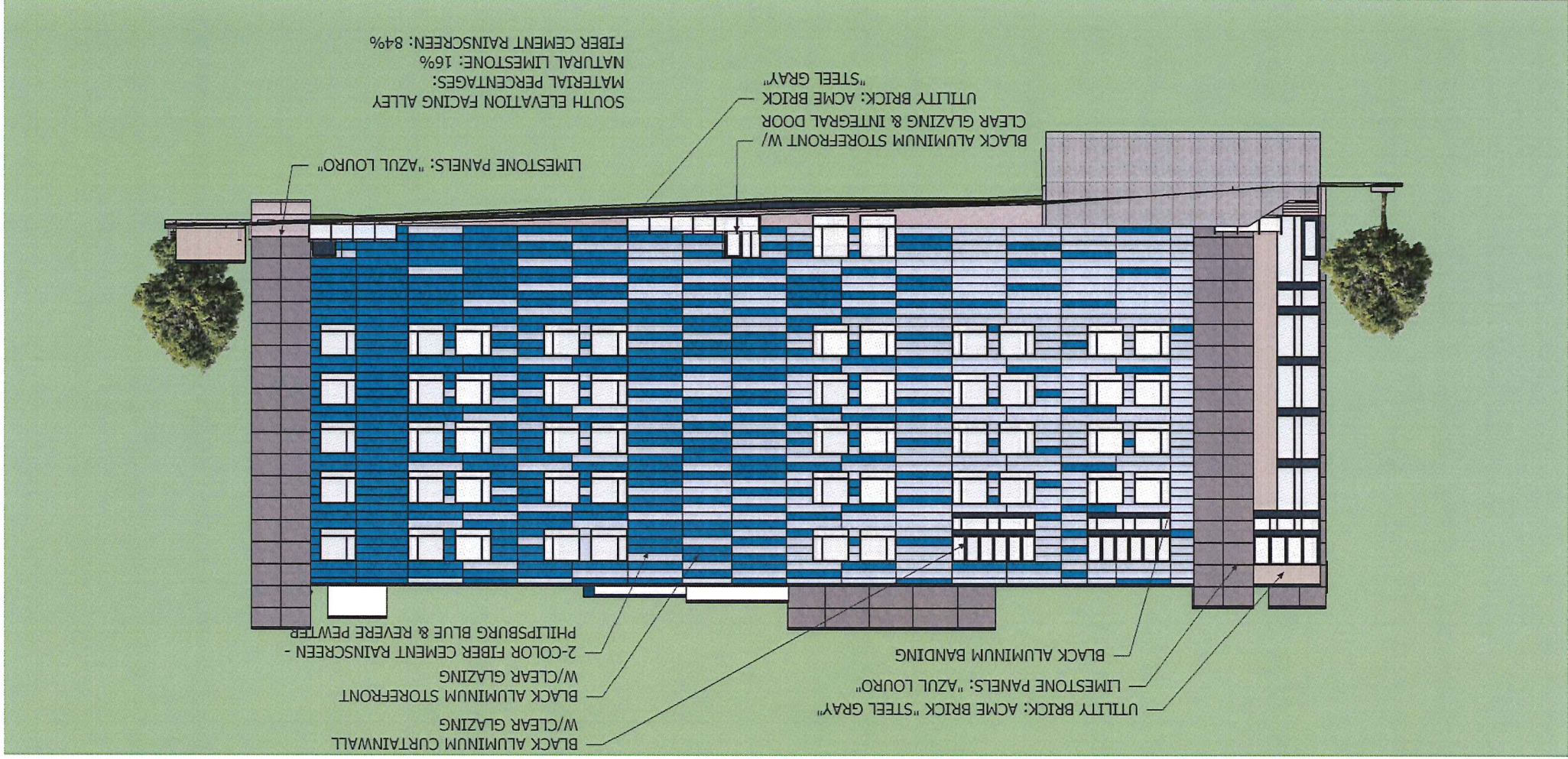


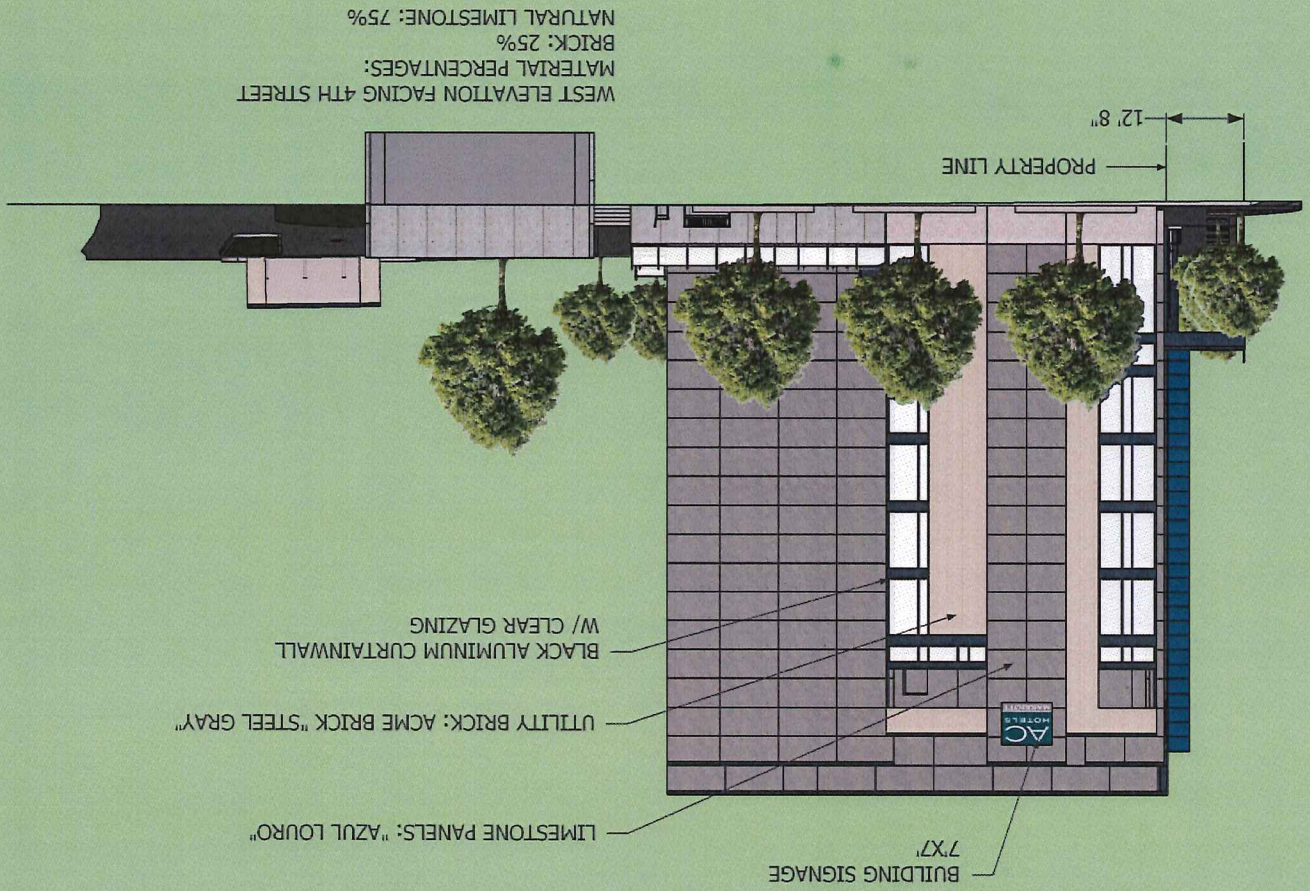
AC HOTEL DES MOINES
E GREEN SPACE VIEW











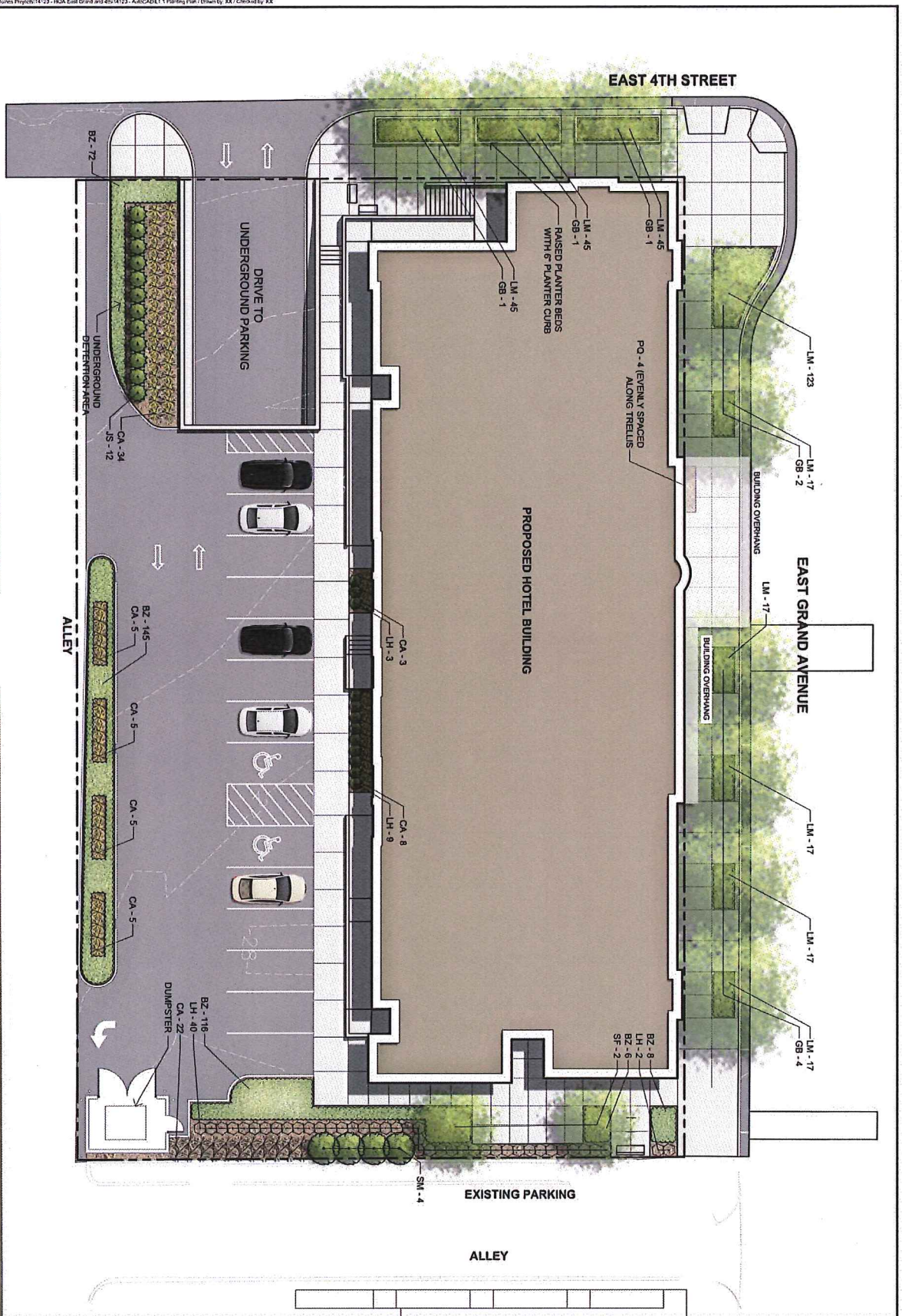
01 PLANTING PLAN

EXISTING BUILDING

EXISTING BUILDING

SCALE: 1"=10'
0' 2' 4' 6' 8' 10' 12'

CONFLUENCE PROJECT NO. 1423
L1.2



AC - MARRIOTT HOTEL

HEART OF AMERICA
DES MOINES / IOWA

CONFLUENCE
LANDSCAPE ARCHITECT
CONFLUENCE
DES MOINES, IOWA 50319
PH: 515.281.8715 FAX: 515.281.8729
ADDRESS: 1000 14TH AVE SW, SUITE 100, DES MOINES, IA 50319
CONTACT: JEFFREY J. CONNOR, AIA, LEED AP
ADDRESS: 1000 14TH AVE SW, SUITE 100, DES MOINES, IA 50319
CONTACT: JEFFREY J. CONNOR, AIA, LEED AP

REVISIONS	
NO.	DESCRIPTION
1	14-23-HOA
2	14-23-HOA
3	14-23-HOA
4	14-23-HOA
5	14-23-HOA
6	14-23-HOA
7	14-23-HOA
8	14-23-HOA
9	14-23-HOA
10	14-23-HOA

ISSUED FOR
UDRB SUBMITTAL
NOT FOR
CONSTRUCTION

SITE RENDERING

PLANT SCHEDULE						
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	SPACING & REMARKS
OVERSTORY AND COLUMNAR TREES						
GB	6	Ginkgo biloba 'Princeton Sentry'	PRINCETON SENTRY GINKGO	2' CAL.	B&B	SPECIMEN QUALITY
UNDERSTORY TREES						
SF	2	Amelanchier laevis 'JFS-406' PP 15304	SPRING FLURRY SERVICEBERRY	6' HT	B&B	SINGLE STEM
SHRUBS						
LH	64	Ilex virginica 'Spitch' P.P. #70 388	LITTLE HENRY VIRGINIA SHIMMERSHIRE	#3	CONT.	AS SHOWN ON PLAN
JS	12	Juniperus sibirica 'Nuland'	BUFFALO JUNIPER	#3	CONT.	AS SHOWN ON PLAN
SM	4	Syringa meyeri 'Palish'	OWENS KOREAN LILAC	#3	CONT.	AS SHOWN ON PLAN
PERENNIALS, GRASSES, AND GROUNDCOVERS						
CA	87	Colostephis acauliflora 'Karl Foerster'	FEATHER REED GRASS	#1	CONT.	AS SHOWN ON PLAN
BZ	347	Carex flacca 'Blue Zinger'	BLUE ZINGER SEDGE	#1	CONT.	18" TRIANGULAR SPACING
LM	343	Liriodenmus muscari	LILY TURF	#1	CONT.	12" TRIANGULAR SPACING
PQ	4	Parthenocissus quinquefolia	VIRGINIA CREEPER	#1	CONT.	

PLANTING NOTES:

1. SOD ALL AREAS WITHIN CONTRACT LIMITS, NOT COVERED BY PAVING, BUILDINGS, OR PLANTING BEDS, UNLESS OTHERWISE NOTED.
2. PLANT QUANTITIES ARE FOR INFORMATION ONLY: DRAWING SHALL PREVAIL IF CONFLICT OCCURS.
3. NOTIFY LANDSCAPE ARCHITECT AFTER STAKING IS COMPLETED AND BEFORE PLANT PITS ARE EXCAVATED.
4. CONTRACTOR SHALL PLACE SHREDDED BARK MULCH AROUND ALL TREES AND IN ALL PLANTING BEDS TO A DEPTH OF 3".
5. KIND, SIZE AND QUALITY OF PLANT MATERIAL SHALL CONFORM TO AMERICAN STANDARDS FOR NURSERY STOCK, ANSI Z60-1992, OR MOST RECENT EDITION.
6. THE CONTRACTOR SHALL REPORT SUBSURFACE SOIL OR DRAINAGE PROBLEMS TO THE LANDSCAPE ARCHITECT.
7. THE CONTRACTOR SHALL SHOW PROOF OF PROCUREMENT, SOURCES, QUANTITIES AND VARIETIES FOR ALL SHRUBS, PERENNIALS, ORNAMENTAL GRASSES, AND ANNUALS WITHIN 21 DAYS FOLLOWING THE AWARD OF CONTRACT. TIMELY PROCUREMENT OF ALL PLANT MATERIAL IS ESSENTIAL TO THE SUCCESSFUL COMPLETION AND INITIAL ACCEPTANCE OF THE PROJECT.
8. SUBSTITUTIONS SHALL ONLY BE ALLOWED WHEN THE CONTRACTOR HAS EXHAUSTED ALL SOURCES FOR THE SPECIFIED MATERIAL, AND HAS PROVEN THAT THE SPECIFIED MATERIAL IS NOT AVAILABLE. THE CONTRACTOR MUST PROVIDE NAME AND VARIETY OF SUBSTITUTION TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO TAGGING OR PLANTING. SUBSTITUTIONS SHALL BE NEAREST EQUIVALENT SIZE OF VARIETY OF PLANT HAVING SAME ESSENTIAL CHARACTERISTICS.
9. ALL PLANT MATERIAL SHALL BE NURSERY GROWN, SOUND, HEALTHY, VIGOROUS AND FREE FROM INSECTS, DISEASE AND INJURIES, WITH HABIT OF GROWTH THAT IS NORMAL FOR THE SPECIES. SIZES SHALL BE EQUAL TO OR EXCEEDING SIZES INDICATED ON THE PLANT LIST. THE CONTRACTOR SHALL SUPPLY PLANTS IN QUANTITY AS SHOWN ON THE DRAWINGS.
10. STAKE OR PLACE ALL PLANTS IN FIELD AS INDICATED ON THE DRAWINGS OR AS DIRECTED BY THE LANDSCAPE ARCHITECT FOR APPROVAL BY THE OWNER PRIOR TO PLANTING.

PLANT SCHEDULE						
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	SPECING & REMARKS
OVERSTORY AND COLUMNAR TREES						
CS	9	<i>Guttaria bioides</i> "Picramnia bioides"	OVERSTORY SENTRY GERRIGO	2' Ht.	B&B	SPECIMEN QUALITY
UNDERSTORY TREES						
GF	2	<i>Amelanchier alnifolia</i> "US-42P" PP 15204	SPRING FLUORESCY TREES	W/ Ht.	B&B	SINGLE STEM
SHRUBS						
LI	54	<i>Nowa virginica</i> "SPRING P.P." PP 101388	LITTLE HILLS VIRGINIA SWAMPSPICE	#3	CONT.	AS SHOWN ON PLAN
JB	12	<i>Juniperus squarrosa</i> "Nuttall"	BUTYFALL JUNIPER	#3	CONT.	AS SHOWN ON PLAN
SM	4	<i>Symplocos megalantha</i> "Vacciniifolia"	DWARF KOREAN LEUC	#3	CONT.	AS SHOWN ON PLAN
PERENNIALS, GRASSES, AND GROUNDCOVERS						
CA	87	<i>Cardamine vesicaria</i> "Avalanche Valley Forest"	BL. YACHT REEF GREEN GRASS	#1	CONT.	AS SHOWN ON PLAN
BZ	347	<i>Coreopsis lanceolata</i> "Nowa Zinger"	BLUE ZINGER BEDDGE	#1	CONT.	1P" TRIANGULAR SPACING
GR	343	<i>Grass</i> "moss" "moss"	MOSS GRASS	#1	CONT.	1P" TRIANGULAR SPACING
PQ	4	<i>Parthenocissus vitacea</i>	VIRGINIA CREEPER	#1	CONT.	AS SHOWN ON PLAN

1. **SOD ALL AREAS WITHIN CONTRACT LIMITS, NOT COVERED BY PAVING, BUILDINGS, OR PLANTING BEDS, UNLESS OTHERWISE NOTED.**
2. **PLANT QUANTITIES ARE FOR INFORMATION ONLY: DRAWING SHALL PREVAIL IF CONFLICT OCCURS.**
3. **NOTIFY LANDSCAPE ARCHITECT AFTER STUDY IS COMPLETED AND BEFORE PLANT MATERIAL IS ORDERED.**
4. **CONTRACTOR SHALL PLACE SHREDED BARK MULCH AROUND ALL TREES AND IN ALL PLANTING BEDS TO A DEPTH OF 3".**
5. **KIND, SIZE, AND QUALITY OF PLANT MATERIAL SHALL COMPLY WITH AMERICAN STANDARDS FOR NURSERY STOCK, ANSI Z60-1982, OR MOST RECENT EDITION.**
6. **THE CONTRACTOR SHALL REPORT SUBSURFACE SOIL OR DRAINAGE PROBLEMS TO THE LANDSCAPE ARCHITECT.**
7. **THE CONTRACTOR SHALL SHOW PROOF OF PROCUREMENT, SOURCES, QUANTITIES AND VARIETIES FOR ALL SHRUBS, PERENNIALS, GRASSES, AND ANNUALS WITHIN 21 DAYS FOLLOWING THE AWARD OF CONTRACT, TIMELY PROCUREMENT OF ALL MATERIAL IS ESSENTIAL TO A TIMELY, SUCCESSFUL, COMPLETION AND INITIAL ACCEPTANCE OF THE PROJECT.**
8. **SUBSTITUTIONS SHALL ONLY BE ALLOWED WITH THE CONTRACTOR'S WRITTEN APPROVAL. ALL SOURCES FOR THE SPECIFIED MATERIAL SHALL BE EVALUATED. IF THE SPECIFIED MATERIAL IS NOT AVAILABLE, THE CONTRACTOR MUST PROVIDE NAME, SOURCE, QUANTITY, AND SPECIES OF EQUIVALENT SUBSTITUTION. THE LANDSCAPE ARCHITECT FOR APPROVAL, PRIOR TO TAGGING OR PLANTING. THE SUBSTITUTION SHALL BE OF AT LEAST EQUIVALENT SIZE OF VARIETY OF PLANT, SAME OR BETTER, AND ESSENTIAL CHARACTERISTICS.**
9. **ALL PLANT MATERIAL SHALL BE NURSERY GROWN, SOUND, HEALTHY, VIGOROUS AND FREE FROM INSECTS, DISEASE AND DAMAGE OF ANY KIND OR ORIGIN. MATERIAL NOT NORMAL FOR THE SPECIES, SPECIES SHALL BE SUBSTITUTED. THE CONTRACTOR SHALL PROVIDE PROTECTION ON THE PLANT LIST. THE CONTRACTOR SHALL SUPPLY PLANTS IN QUANTITY AS SPECIFIED.**
10. **STAKE OR PLACE ALL PLANTS IN FIELD AS INDICATED ON THE DRAWINGS OR AS DIRECTED BY THE LANDSCAPE ARCHITECT FOR PLANTING. PLANTING SHALL BE COMPLETED BY THE OWNER PRIOR TO PLANTING.**

**LANDSCAPE ARCHITECT
CONFLUENCE**
1300 WALNUT STREET
DES MOINES, IOWA 50309
PH: 515.288.4875 FAX: 515.288.8359

ARCHITECT
CONSULTANT
ADDRESS
ADDRESS
PH: XXXX.XXX.XXXX FAX: XXXX.XXX.XXXX
CONTACT: CONTACT

CIVIL ENGINEER
CONSULTANT
ADDRESS
ADDRESS
PH: XXXX.XXX.XXXX FAX: XXXX.XXX.XXXX
CONTACT: CONTACT

STRUCTURAL ENGINEER
CONSULTANT
ADDRESS
ADDRESS
PH: XXXX.XXX.XXXX FAX: XXXX.XXX.XXXX
CONTACT: CONTACT

AC - MARRIOTT HOTEL
HEART OF AMERICA
DES MOINES / IOWA

REVISION SCHEDULE		
ISSUE	DATE	DESCRIPTION
1	11/21/2011	LOAN SUBMITTAL SET

ISSUED FOR
UDRB SUBMITTAL

NOT FOR
CONSTRUCTION

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PLANTING PLAN

CONFLUENCE PROJECT NO: 14123

L1.1