

.....  
**Date** January 27, 2020

**APPROVAL OF AMENDED CONCEPTUAL DEVELOPMENT PLAN FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENT BY DES MOINES GRIFFIN BUILDING, LLC OF PROPERTY AT 319 7TH STREET**

**WHEREAS**, on March 20, 2000, by Roll Call Nos. 00-788 and 00-789, the City Council of the City of Des Moines approved the Urban Renewal Plan for the Metro Center Urban Renewal Project, and such Plan has been amended 24 times (the urban renewal plan as so amended is herein referred to as the “Plan”), encompassing an irregularly shaped area that includes the downtown core and the areas surrounding the downtown core; and

**WHEREAS**, on July 9, 2018, by Roll Call No. 18-1159, the City Council authorized the City Manager to negotiate an urban renewal development agreement based on preliminary terms of agreement with Des Moines Griffin Building, LLC, represented by Tim Rypma, Jeremy Cortright, Paul Cownie, Development Members, and Ron Daniels and Abe Wolf, Lead Investors (collectively “Developer”), for restoration and redevelopment of the Griffin Building, located at 319 7<sup>th</sup> Street in downtown Des Moines, with approximately 35 residential apartment units in the upper four floors and approximately 13,500 square feet of commercial space, including ground floor commercial uses and second floor office or retail uses (“Project”), which proposal was awarded federal and State historic tax credits and State workforce housing tax credits; and

**WHEREAS**, on September 10, 2018, by Roll Call No. 18-1544, the City Council approved an Urban Renewal Development Agreement (the “Development Agreement”) with the Developer, whereby the Developer agreed to construct the Project, at a total estimated project cost of \$12,400,000.00, in exchange for economic development assistance provided by the City, and further approved the Conceptual Development Plan for design of the Project which Plan included restoration of an historical ornate cornice on the existing building; and

**WHEREAS**, the Developer has incurred significant cost overruns on the Project due to water damage and structural issues of which the Developer was unaware at commencement of the Project, and the Developer has received approval from the State Historic Preservation Office to exclude restoration of the cornice from the Project due to said cost overruns; and

**WHEREAS**, Section 2.2 of the Development Agreement allows the Developer to amend the Conceptual Development Plan, when such amendment complies with the requirements of the Agreement including Secretary of Interior Building and Rehabilitation Standards, and the Developer has submitted an amendment showing the proposed design of the Project excluding the cornice restoration; and

**WHEREAS**, on January 21, 2020, the Urban Design Review Board voted 6-0 to recommend not approving the amendment to the Conceptual Development Plan as provided by the Developer, in form on file in the office of the City Clerk; and

**WHEREAS**, all other provisions and terms of the Development Agreement shall remain the same as approved by the City Council on September 10, 2018 by Roll Call No. 18-1544.

★ Roll Call Number

Agenda Item Number

Date January 27, 2020

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the amendment to the Conceptual Development Plan for the Project, as attached to and incorporated by reference in the Development Agreement approved on September 10, 2018 by Roll Call No. 18-1544, is hereby approved; and the Office of Economic Development is directed to administer said Development Agreement in accordance with said amended Conceptual Development Plan.

MOVED BY \_\_\_\_\_ to adopt.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. KAY CMELIK, 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