



25

Date February 10, 2025

RESOLUTION APPROVING PRELIMINARY TERMS OF AN URBAN RENEWAL DEVELOPMENT AGREEMENT WITH NEWBURY MANAGEMENT COMPANY AND NEWBURY COMMONS ASSOCIATES, L.P. FOR THE CONSTRUCTION OF A 49-UNIT APARTMENT BUILDING LOCATED AT 401 SE 7TH STREET TO BE KNOWN AS NEWBURY COMMONS

WHEREAS, Newbury Management Company and Newbury Commons Associates, L.P. (collectively referred to as “Developer”), represented by Frank Levy, proposes to undertake the construction of a three story, 49-unit apartment building located at 401 SE 7th Street on a .82 acre infill site (collectively “Improvements”) in the Metro Center Urban Renewal Area; and

WHEREAS, construction of the Improvements is anticipated to be completed in 2027 at an estimated total project cost of \$13,830,000.00, subject to receipt of the financial assistance identified below; and

WHEREAS, the Developer seeks economic development incentives in the form of (1) reimbursement from the taxable building valuations (exclusive of land) of 95% in years one (1) through eight (8), 60% in years nine (9) and ten (10), 40% in years eleven (11) through thirteen (13), and 30% in years fourteen (14) and fifteen (15) with a cap of \$560,000 on a net present value basis; and (2) a forgivable loan in the amount of \$376,320 for the acquisition of an adjacent City-owned 16,800 square foot remnant parcel that will be included as part of the development plan; and

WHEREAS, the Developer has provided the Office of Economic Development with a financial analysis of the project, indicating a gap between actual project costs and the project appraisal and seeks this financial assistance package to be provided from project generated tax increment as more specifically described in the accompanying Council Communication.

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

1. The City Council hereby approves the preliminary terms of agreement as set forth in the accompanying Council Communication; and,
2. The City Manager or his designee are directed to negotiate final terms of agreement for future consideration by the City Council.

(Council Communication No. 25- 061)

MOVED BY _____ TO ADOPT SECOND BY _____.

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney



Roll Call Number

Agenda Item Number

25

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	

_____ Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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