



Roll Call Number

17-0536

Agenda Item Number

60A

Date March 20, 2017

RESOLUTION RECEIVING COMPETING PROPOSAL(S) AND CONTINUING
HEARINGS ON THE SALE OF THE PROPERTY AT 422 WALNUT STREET
AND ON THE VACATION OF THE ALLEYS IN AND ADJOINING 422
WALNUT STREET, TO APRIL 3, 2017.

WHEREAS, on February 13, 2017, by Roll Call No. 17-0233, the City Council approved a competitive process and selection criteria for the sale and redevelopment of the parcel (the "Garage Parcel") containing the Fifth and Walnut Parking Garage at 422 Walnut Street, and received a proposal for the purchase and redevelopment of the Garage Parcel from 5th and Walnut Parking, LLC, represented by Justin Mandelbaum, its Manager; and,

WHEREAS, the competitive process approved by Roll Call No. 17-0233, provides that the proposal from 5th and Walnut Parking, LLC, shall be considered by the City Council for approval at a public hearing to be held on March 20, 2017, at 5:00 p.m., unless a qualified competing proposal is submitted by 1:00 p.m. on March 17th, in which case the hearing will be continued until April 4, 2017, at 5:00 p.m., and all proposals will be referred to Urban Design Review Board to apply the approved selection criteria to the judge the relative merits of the proposals, and to make a report and recommendation to the City Council; and,

WHEREAS, it was subsequently discovered the Garage Parcel contains portions of two east/west alleys that were intended to be vacated by Ordinance No. 7801 passed March 17, 1969, but such vacation ordinance incorrectly described the east/west alleys, and such ordinance also purports to dedicate the east 6.5 feet of the Garage Parcel as right-of-way for the widening of the north/south alley along the eastern line of the Garage Parcel; and,

WHEREAS, on March 6, 2017, by Roll Call Nos. 17-0381 and 17-0382, the City Council scheduled public hearings to be held on March 20, 2016, at 5:00 p.m., to consider vacation of the two East/West alleys within the Garage Parcel, and vacation of the east 6.5 feet of the Garage Parcel that was purportedly dedicated as right-of-way for the widening of the north/south alley; and,

WHEREAS, one or more competing proposals for the purchase and redevelopment of the Garage Parcel were timely submitted and have been determined by City Staff to qualify for further consideration pursuant to the competitive process approved by Roll Call No. 17-0233; and,

WHEREAS, the public hearing on the sale of the Garage Parcel should be continued as provided below to conform to the competitive process approved by Roll Call No. 17-0233; and,

WHEREAS, it would be appropriate to also continue the hearing on the alley vacations to allow the vacation of such alleys to be considered with the sale of the Garage Parcel.

(continued)



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

- 1. The competing proposals for the purchase and redevelopment of the Garage Parcel containing the Fifth and Walnut Parking Garage are hereby received, and shall be on file and available for inspection by the public in the office of the City Clerk.
2. The public hearings on the vacation of the two East/West alleys within the Garage Parcel and the vacation of the east 6.5 feet of the Garage Parcel previously dedicated as right-of-way, is hereby continued until April 4, 2017, at 5:00 p.m.
3. The public hearings on the sale of the Garage Parcel is hereby continued until April 4, 2017, at 5:00 p.m. At that hearing the City Council intends to select a developer and development proposal for the purchase and redevelopment of the Garage Parcel, and to authorize the execution of an Agreement for Sale of Land for Private Redevelopment with the selected Developer
4. The competing proposals are hereby referred to the Office of Economic Development and the Urban Design Review Board to apply the approved selection criteria to the judge the relative merits of the proposals. The Office of Economic Development and Urban Design Review Board are requested to make their report and recommendation to the City Council before the public hearing on April 4, 2017.

MOVED by Hensley to adopt.

FORM APPROVED:

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

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL (7).

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.

MOTION CARRIED APPROVED
T. M. Franklin Council Mayor

Diane Rauh City Clerk