

★ Roll Call Number  
18-0478

Agenda Item Number  
44

Date March 19, 2018

**RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AGREEMENT BASED ON PRELIMINARY TERMS WITH NELSON DEVELOPMENT, LLC FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT AT 418 E. GRAND AVENUE**

WHEREAS, Nelson Development, LLC (represented by Michael Nelson, President, 216 6<sup>th</sup> Avenue, #200, Des Moines, IA 50309) has submitted a developer-initiated proposal to construct a 399-stall parking structure and a 5-story mixed use building with approximately 36,000 square feet of commercial, retail and office space on the ground floor and second story, and 105 market rate residential apartment units on the upper three stories, on private and City-owned property located at 418 E. Grand Avenue in the City's East Village; and

WHEREAS, the City's Office of Economic Development supports the developer-initiated proposal to foster residential and commercial development and construction of a parking garage, subject to City license for 133-ground level spaces therein, in the City's East Village; and

WHEREAS, the City Manager's Office and Developer have discussed preliminary terms of agreement regarding the proposed development, all as more specifically described in the accompanying Council Communication; and

WHEREAS, the sale of the City-owned property within the project area is subject to the thirty-day notification requirements set forth in Iowa Code Section 403.8.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the accompanying Council Communication No. 18-124, setting forth the developer-initiated proposal and preliminary terms of agreement with Nelson Development, LLC, is hereby received and filed, and the City Manager is hereby directed to proceed with negotiation of a development agreement with the developer consistent with the terms set forth in said Communication.

(Council Comm. No. 18-124 )

MOVED BY Mandelbaum TO 1. Negotiate a minimum

APPROVED AS TO FORM: of 10% affordable housing units at the 80% or lower average median income. 2. Include an energy efficiency component; and refer to the City Manager Glenna K. Frank for review and recommendation regarding development of a policy for future projects.  
Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED

**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.

T. M. Franklin Mayor

Diane Rauh City Clerk