



Roll Call Number

21-0542

Agenda Item Number

19



Date April 5, 2021

RESOLUTION APPROVING TERMS FOR AN URBAN RENEWAL DEVELOPMENT AGREEMENT WITH MCKINLEY MANOR, LLC, FOR THE RENOVATION OF THE 18,904-SQ. FT. VACANT SCHOOL BUILDING LOCATED AT 1801 MCKINLEY AVENUE

WHEREAS, on November 23, 2020, in Roll Call number 20-1885, the City Council approved a resolution authorizing the City Manager to negotiate an agreement with Percy’s Landing Senior, LP (J.B. Conlin, Officer, Conlin Properties, 3721 SW 61st Street, Suite A, Des Moines, IA 50321) to renovate the currently vacant former Percy Hoak Elementary School Building located at 1801 McKinley Avenue, and to utilize the building for 20 new senior housing apartment units for a project to be known as Percy’s Landing (the “Improvements”); and,

WHEREAS, the City Manager has negotiated an Urban Renewal Development Agreement (the "Agreement") with an affiliated entity, McKinley Manor, LLC (the “Developer”) whereby the Developer has agreed to renovate the building; and,

WHEREAS, the proposed Agreement and Conceptual Development Plan are on file and available for inspection in the office of the City Clerk; and,

WHEREAS, the Developer has provided the Office of Economic Development with a financial analysis of the project and seeks a financial assistance package to be provided from the Fleur Drive Commercial Urban Renewal Area and project generated tax increment as more specifically described in the accompanying Council Communication; and,

WHEREAS, the Developer seeks an economic development grant of \$30,000 paid annually from the Fleur Drive Commercial Area for six years plus reimbursement of 100% of the project-generated tax increment for ten years on the condition of it being able to obtain low income housing tax credits from the State of Iowa.

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

1. The City Council hereby makes the following findings in support of the proposed Agreement with the Developer:
 - a) The Developer's obligations to construct the Improvements as provided by the Agreement furthers the objectives of the Urban Renewal Plan to provide additional housing, employment opportunities and tax base in the Fleur Drive Commercial Urban Renewal Project Area, and to preserve and create an environment which will protect the health, safety and general welfare of City residents.



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- b) The economic development incentives for the creation of the employment opportunities and development of the Improvements are provided by the City to Developer pursuant to the Urban Renewal Law and Chapter 15A of the Code of Iowa, and Developer's obligations under this Agreement to construct the Improvements will generate the following public gains and benefits: (i) it will advance the improvement and redevelopment of the Fleur Drive Commercial Urban Renewal Area in accordance with the Urban Renewal Plan; and (ii) it will further the City's efforts to retain and create job opportunities within the Urban Renewal Area which might otherwise be lost.
 - c) The construction of the Improvements is a speculative venture and the construction and resulting benefits would not occur without the economic incentives provided by this Agreement.
 - d) The City Council believes that the redevelopment of the Property pursuant to the Agreement, and the fulfillment generally of the Agreement, are in the vital and best interests of City and the health, safety, morals, and welfare of its residents, and in accord with the public purposes and provisions of the applicable state and local laws and requirements under which the project has been undertaken, and warrant the provision of the economic assistance set forth in the Agreement.
2. The Conceptual Development Plan for the project, which is contained in the Agreement, is hereby approved.
3. The Urban Renewal Development Agreement between the City and McKinley Manor, LLC, is hereby approved. The Mayor and City Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Des Moines.
4. The Economic Development Director or the Director's designee is directed to submit a copy of the fully executed Development Agreement to the Finance Department to enable the Finance Director to make any appropriate disclosure filings in accordance with the City's adopted revised Disclosure Policy.
5. Upon requisition by the City Manager or the City Manager's designee, the Finance Department shall advance the installments on the Economic Development Grant pursuant to Article 4 of the Agreement.



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- 6. The City Manager or his designees are hereby authorized and directed to administer the Urban Renewal Development Agreement on behalf of the City, including the filing of the Agreement, and to monitor compliance by the Developer with the terms and conditions of the Agreement. The City Manager is further directed to forward to City Council all matters and documents that require City Council review and approval in accordance with the Agreement.

MOVED by Gatto to adopt.

(Council Communication No. 21-167)

FORM APPROVED:

/s/ Thomas G. Fisher Jr.
Thomas G. Fisher Jr.

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

MOTION CARRIED

APPROVED

J. M. Franklin Cownie 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.

P. Kay Cmelik City Clerk