



Memorandum

To: Community Development Committee
From: Staff
Date: January 21, 2022
Re: **Approval of the Developers Agreement for 1024 Denton St**

Approval of the Developer's Agreement is for the sale of the property and the concept plans only. The Developer will need to go through the Multifamily Design Review Process, upon approval of the final plans the Developer can go through the rezoning process. This could be a 3 month, or longer, process.

The Design Review Committee consists of the following Department Heads or their Designee: Community Risk Management, Planning, Fire Department, Police Department, Public Works, Water and Sanitary Sewer Utility. The submittal requirement for the design review process include:

1. Architectural plans, site plan including the size and location of parking lots/spaces, bicycle parking areas, pedestrian sidewalks, outdoor recreational spaces, trash and recycling receptacles, landscaping, fences, exterior lighting, snow storage area, and accessory buildings
2. Exterior lighting fixture locations and specification sheets
3. A façade diagram that depicts materials,
4. Completion of the Design Standards Checklist and LEED Checklist, which is 5 pages and addresses the above items plus items such as building setbacks, location of HVAC Systems, energy efficiency, height and bulk of the building, Storm Water Management, etc.

The Developer desires to have ownership of the parcel through these processes as each one of these steps requires a financial and time commitment from the Developer/Owner, their Architect, Engineer, etc. Ownership of the land is security for the Developer to invest their time and financial resources in the project. This is not a concern to Staff as the Developer's Agreement outlines performance requirements for both the City and the Developer. In the event that these obligations are not met, the City may exercise its rights to Repurchase the Property.

The Developer has offered \$1.00, the list price is \$41,900, for the property due to the rising costs of construction materials plus there are added costs to meet Focus on Energy Standards. This specific project will also require two sprinkler systems and separate water & sewer lines to each unit.

ANDREA TRANE, DIRECTOR OF PLANNING, DEVELOPMENT AND ASSESSMENT
TIM ACKLIN, AICP, PLANNING ADMINISTRATOR
LEWIS KUHLMAN, AICP, ENVIRONMENTAL PLANNER
JACK ZABROWSKI, ASSOCIATE PLANNER
JULIE EMSLIE, ECONOMIC DEVELOPMENT ADMINISTRATOR
LINZI WASHTOCK, PLANNING & DEVELOPMENT ASSISTANT

DIANNE MCGINNIS, COMMUNITY DEVELOPMENT ADMINISTRATOR
DAWN REINHART, NEIGHBORHOOD HOUSING DEVELOPMENT ASSOCIATE
TARA FITZGERALD, PROGRAM COORDINATOR
KEVIN CLEMENTS, HOUSING SPECIALIST
KEVIN CONROY, HOUSING REHABILITATION SPECIALIST
BRIAN SAMPSON, HOMELESS COORDINATOR

Staff Recommendation: Approve the Developer's Agreement contingent upon selling the land to the developer for \$41,900, which will be in the form of a forgivable grant. The grant is essentially a performance deposit as it is forgiven only upon substantial construction completion and meeting the term and conditions outlined in the Developer's Agreement.