

Date January 25, 2021

RESOLUTION APPROVING SECOND AMENDMENT TO AMENDED AND RESTATED URBAN RENEWAL AGREEMENT FOR SALE OF LAND FOR PRIVATE REDEVELOPMENT, AND ASSIGNMENT AND ASSUMPTION AGREEMENT, AND AMENDED DECLARATION OF COVENANTS WITH MIESBLOCK COMMERCIAL, LLC (MICHAEL K. NELSON)

WHEREAS, on April 11, 2016, by Roll Call No. 16-0631, the City Council approved an Urban Renewal Agreement for Sale of Land For Private Redevelopment with Grand 7 Partners, LLC, represented by Mike Nelson, which was amended by the First Amendment approved by the City Council on September 12, 2016, by Roll Call No. 16-1531, and further amended by the Second Amendment approved by the City Council on October 10, 2016, by Roll Call No. 16-1748; and

WHEREAS, on August 14, 2017, by Roll Call No. 17-1406, the City Council approved an Amended and Restated Urban Renewal Agreement for Sale of Land for Private Redevelopment (“Agreement”) with Grand 7 Partners, LLC, whereby Grand 7 Partners, LLC agreed to develop the property in three phases as follows, in consideration of economic incentives to be provided by the City:

- Phase 1 to include the construction of a building (“skywalk node”) at the southwest corner of the site that provided a connection between the existing Grand Avenue skywalk bridge and the new 7th Street skywalk bridge, including the vertical connection on this block with an elevator and open air stairway connecting between the sidewalk and skywalk levels;
- Phase 2 to include the construction of a 3-story, 18,000 square-foot commercial building with ground floor restaurant and offices on the upper floors along the Grand Avenue frontage, where currently Microsoft’s local offices occupy one floor and a restaurant has recently committed to moving into the first floor with opening planned for summer 2020; and
- Phase 3 to include the construction of an apartment building with a minimum of six (6) floors and 75 market rate dwelling units at the 7th Street and High Street frontages; and

WHEREAS, Grand 7 Partners, LLC has completed Phases 1 and 2 of said project in accordance with the Agreement and the City has issued the Certificates of Completion for said project phases; and

WHEREAS, on October 14, 2019, by Roll Call No. 19-1645, the City Council approved a First Amendment to the Agreement allowing an additional year for completion of Phase 3 of the project improvements; and

WHEREAS, Grand 7 Partners, LLC has transferred a portion of the project property to Miesblock Commercial, LLC, represented by Michael K. Nelson, Manager, and has requested that the City consent to an assignment of the Agreement to Miesblock Commercial, LLC (“Developer”) for purposes of the Developer completing Phase 3 of the Improvements; and

WHEREAS, the Developer has indicated that it will not be able to achieve the required project start or completion deadlines for Phase 3 as currently set forth in the Agreement, as amended by First Amendment thereto, of November 1, 2020 and April 1, 2022, respectively, and has requested a one-year extension of each deadline; and

