



Legislation Text

File #: 37723, **Version:** 2

Fiscal Note

The 2015 Parks Division Capital Budget, Project No. 17, Garver at Olbrich Botanical Complex, has authorized \$1,825,000 as the City's contribution towards the rehabilitation and adaptive reuse of Garver Feed Mill. The acceptance of this proposal does not obligate any City funding. Costs associated with the final development agreement will be addressed in future resolutions.

Title

SUBSTITUTE Accepting the proposal of Baum Development for the redevelopment of the Garver Feed Mill.

Body

From 1906 through 1997, the Garver Feed Mill was a working industrial building and a significant feature on the east side of Madison. The building was designated as eligible for listing on the National Register in 1992 and designated a local landmark in 1994. In 1997 after a two-year fundraising campaign, the Olbrich Botanical Society (the "OBS") acquired the Garver Feed Mill (the "Building") and approximately five acres of land surrounding it (collectively the "Property") for \$700,000. The City Parks Division acquired the surrounding 17.8 acres north of the Property to Fair Oaks Avenue, commonly known as the "North Plat". OBS then transferred ownership of the Property to the City of Madison (the "City").

Wisconsin Department of Natural Resources (WDNR) Stewardship Funds were used for both purchases of the Property and the North Plat. To rehabilitate the Building and allow the non-park uses on the Property and the North Plat, the City will need to acquire additional parkland and secure WDNR's authorization to transfer the WDNR deed restrictions to this new parkland. The transferring of these deed restrictions is called the "Conversion Process".

In 2000, the Board of Park Commissioners adopted an updated Master Plan for the Olbrich Botanical Gardens (the "OBG"). The Master Plan proposed to preserve the Property as part of expanded park and botanical garden facilities north of the railroad and bike path. The Master Plan allocated space for future parking, but proposed several measures to minimize the amount of parking needed and to maximize the amount of open space.

In 2004, OBS commissioned a Historic Structure Report and adaptive reuse study. In accepting this Report from OBS in 2005, the Board of Park Commissioners recommended that the Property be declared surplus for the purpose of seeking a public/private partnership for adaptive reuse. The Board of Park Commissioners recommended that the reuse include some storage and maintenance for OBG; that it include some broadly defined public space for uses that are compatible with the mission of OBG; and that the reuse should minimize the amount of parking and maximize the amount of open space on surrounding parkland.

The Garver Building Reuse Committee (the "Committee") was established under the guidelines of the City's surplus property procedures, and its members were appointed by the Mayor and approved by the Council on September 6, 2006 (Resolution No. 06-00767, ID No. 04224). The Committee was charged with establishing criteria for reuse of the Property, with soliciting proposals and with selecting a proposal. To develop the Request for Proposals (the "RFP"), as outlined in city surplus property procedures, the Committee held 3 public information meetings and over 20 regularly scheduled meetings that were open to the public. The Schenk-Atwood-Starkweather-Yahara Neighborhood Association also held a workshop that many of the Committee members attended to gain additional input from neighborhood residents. After this meeting, the Committee drafted a RFP and recommended that the Common Council authorize its issuance. The Common Council approved the issuance of the RFP on June 5, 2007 (Resolution No. 07-00595, ID No. 06115).

In accordance with the RFP, proposals were received until September 14, 2007. Three proposals were received, and the Committee determined the proposals of Barnsdale Land Co. LLC ("Barnsdale") and Common Wealth Development, Inc. ("Common Wealth") to have been responsive to the RFP. The third proposal was determined not to be responsive to the RFP criteria and rejected. The City selected Common Wealth's proposal on March 31, 2008 (Resolution No. 08-00623, File I.D. #09785).

Common Wealth began their due diligence process, but was unable to complete its proposed project due to the economic recession in 2008-2009. On May 31, 2011, Common Wealth withdrew their proposal for the Garver Feed Mill.

Beginning in June of 2014, the Mayor reconstituted the Committee with newly appointed members. The Committee was again charged with establishing criteria for reuse of the Property, with soliciting proposals, and recommending a proposal to the Common Council. The Committee again developed a RFP while holding four (4) public meetings, including a public hearing. The RFP was recommended to the Common Council and approved on October 22, 2014 (Resolution No. 12-00752, File I.D. #35479). In accordance with the RFP, proposals were received until December 19, 2014. Four proposals were received.

The Committee reviewed the proposals, interviewed the developers who submitted the proposals, and heard public testimony. After reviewing the four proposals and all associated information, the Committee determined that Baum Development best met the criteria that was in the RFP and that its proposal was in the best interests of the City of Madison. The Committee recommended that the Alternative Continuum of Care proposal be a contingency proposal if negotiations with Baum Development are unsuccessful.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council determines that it is in the best interests of the City to sell the Building and lease the Property and portions of the North Plat required for the project to Baum Development for its adaptive rehabilitation and reuse by creating Baum Development at the Garver Feed Mill property and accepts the Committee's recommendation that the Alternative Continuum of Care proposal as a contingency proposal if negotiations with Baum Development are unsuccessful, and;

BE IT STILL FURTHER RESOLVED, that staff from the City Parks Division, the City Attorney's Office, and the Office of Real Estate Services are authorized and directed to enter into negotiations on behalf of the City of Madison to prepare a development agreement, ground lease for the Property and portions of the North Plat required for the project, and bill of sale for the Building, between the City of Madison and Baum Development, the terms of which will be subject to Common Council approval by separate resolution, and;

BE IT STILL FURTHER RESOLVED, that staff from the City Parks Division, the City Attorney's Office, the Office of Real Estate Services, and City Engineering are authorized and directed to identify and negotiate offers to purchase replacement park property subject to Common Council approval and, upon said approval to commence the Conversion Process.

BE IT FINALLY RESOLVED that staff shall provide status updates and negotiations to the Board of Estimates at appropriate times, but no later than the June 8, 2015 Board of Estimates meeting.