



**Roll Call Number**

24-0660

**Agenda Item Number**

26

**Date** May 6, 2024

**RESOLUTION SCHEDULING HEARING ON THE ADOPTION OF AN URBAN RENEWAL PLAN FOR THE SE INDUSTRIAL URBAN RENEWAL AREA**

WHEREAS, the City Manager has caused an urban renewal plan titled SE Industrial Urban Renewal Plan (the "Plan") to be prepared for the proposed SE Industrial Urban Renewal Area which consists of approximately 375 acres generally located along East Army Post Road, west of SE 45<sup>th</sup> Street and east of SE 36<sup>th</sup> Street, bounded to the north by Hart Avenue and E Pine Avenue to the south, near the southeast City of Des Moines corporate boundary and is legally described as follows:

A PART OF SECTIONS 29, 30, 31 AND 32, ALL IN TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5<sup>TH</sup> P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF EAST ARMY POST ROAD AND THE WEST RIGHT OF WAY LINE OF US HIGHWAY 65; THENCE SOUTH ALONG SAID WEST RIGHT OF WAY LINE OF US HIGHWAY 65 TO THE SOUTH RIGHT OF WAY LINE OF EAST ARMY POST ROAD; THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST ARMY POST ROAD TO THE EAST RIGHT OF WAY LINE OF SOUTHEAST 45<sup>TH</sup> STREET; THENCE SOUTH ALONG SAID SOUTHEAST 45<sup>TH</sup> STREET TO EASTERLY EXTENSION OF THE NORTH LINE OF PARCEL D, SAID PARCEL D SHOWN ON PLAT OF SURVEY AND RECORDED IN BOOK 9085 PAGE 537 AT RECORDER'S OFFICE OF POLK COUNTY, IOWA; THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND ALONG THE NORTH LINE OF SAID PARCEL D TO THE NORTHWEST CORNER OF SAID PARCEL D; THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL D AND ALONG THE SOUTHERLY EXTENSION OF SAID WEST LINE TO THE SOUTH RIGHT OF WAY LINE OF EAST PINE AVENUE; THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST PINE AVENUE TO THE WEST RIGHT OF WAY LINE OF SOUTHEAST 36<sup>TH</sup> STREET; THENCE NORTH ALONG SAID WEST RIGHT OF WAY LINE OF SOUTHEAST 36<sup>TH</sup> STREET TO SAID NORTH RIGHT OF WAY LINE OF EAST ARMY POST ROAD AND INCLUDING FUTURE ROUNDABOUT; THENCE EAST ALONG SAID NORTH RIGHT OF WAY LINE OF EAST ARMY POST ROAD TO THE WEST LINE OF THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 29, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5<sup>TH</sup> P.M.; THENCE NORTH ALONG THE WEST LINE OF SAID EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 29 TO A POINT THAT IS 240.24 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 29; THENCE S 88°33'56" E, A DISTANCE OF 221.06 FEET; THENCE N 00°04'09" W, A DISTANCE OF 646.32 FEET TO THE SOUTH RIGHT OF WAY LINE OF



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HART AVENUE, SAID TWO PREVIOUSLY DESCRIBED LINES ARE SHOWN ON RETRACEMENT SURVEY RECORDED IN BOOK 17162 PAGE 409 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA, AND SAID TWO PREVIOUSLY DESCRIBED LINES ARE A PART OF THE SOUTH AND EAST LINES OF THE AVON CEMETERY; THENCE CONTINUING NORTH ALONG NORTHERLY EXTENSION OF THE PREVIOUSLY DESCRIBED LINE TO THE NORTH RIGHT OF WAY LINE OF HART AVENUE; THENCE EAST ALONG SAID NORTH RIGHT OF WAY LINE OF HART AVENUE TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 29; THENCE SOUTH ALONG SAID EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 29 TO THE SAID NORTH RIGHT OF WAY LINE OF EAST ARMY POST ROAD; THENCE EAST ALONG SAID NORTH RIGHT OF WAY LINE OF EAST ARMY POST ROAD TO THE POINT OF BEGINNING.

; and,

WHEREAS, the purpose of the SE Industrial Urban Renewal Plan (this "Plan") is to facilitate the development of commercial, mixed-use, and light industrial uses; to create and retain jobs in the City of Des Moines; and to increase the City's overall tax base; and,

WHEREAS, the Plan is on file and available for public inspection in the office of the City Clerk; and

WHEREAS, in order for the Plan to be aligned with the City's Comprehensive Plan – PlanDSM, the current land use designations of low-density residential, high-density residential, neighborhood mixed use, agriculture, and public/semi-public must be amended to industrial.

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

1. A public hearing shall be held before the City Council to consider the proposed SE Industrial Urban Renewal Plan at 5:00 p.m., on June 17, 2024, in the Council Chambers.
2. The City Clerk is authorized and directed to publish notice of said public hearing in the accompanying form by publication in the Des Moines Register in accordance with Iowa Code Sections 362.3 and 403.5(3).
3. The Plan is hereby submitted to the City Plan and Zoning Commission for its review and recommendation as to the Plan's conformity with PlanDSM, the City's comprehensive plan as revised to date, with said written recommendation requested to be received by the City Council prior to the date of public hearing.



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4. The proposed urban renewal plan is hereby submitted to the Urban Design Review Board for its review and recommendation, with said written recommendation requested to be received by the City Council prior to the date of public hearing.
5. The City Manager or his designee is hereby designated as the City's representative to the consultation proceedings with the Des Moines Independent School District, Polk County, and the Des Moines Area Community College (DMACC). The consultation meeting shall be held prior to the date of public hearing at a time and location to be determined by the City Manager in accordance with Iowa Code Section 403.5(2). The City Manager shall cause notice of the consultation meeting, a copy of the Notice of Public Hearing, and a copy of the proposed urban renewal plan to be mailed to each such affected taxing entity.
6. The City Manager or his designee is hereby authorized to take all steps necessary to initiate an action to amend PlanDSM to change the land use classification of the proposed Urban Renewal Area from low-density residential, high-density residential, neighborhood mixed use, agriculture, and public/semi-public must be amended to industrial.
7. The Plan and Zoning Commission is requested to deliver its recommendation on the proposed Plan amendment as soon as practical following the meeting at which said plan amendment is considered.
8. That the meeting of the City Council at which the proposed amendment to the comprehensive plan future land use designation is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on June 17, 2024 in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.
9. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

(Council Communication No. 24-206)

Moved by Coleman to adopt. Second by Gatto

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.  
Gary D. Goudelock Jr.  
Assistant City Attorney



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Connie Boesen Mayor

Laura Baumgartner City Clerk