

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

02-133

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

AGENDA

MARCH 18, 2002

SUBJECT:

VOLUNTARY
ANNEXATION

SYNOPSIS -

The City has received petitions from several property owners generally located south of County Line Road and east of the City of Norwalk requesting voluntary annexation in the City of Des Moines. These property owners collectively represent approximately two square miles of land, and the proposed uses range from residential, commercial, office and industrial uses. Each of these properties all have access to the State of Iowa Highway 5 corridor just south of the existing City limits, which is also included in the annexation.

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

FISCAL IMPACT -

The City would be expected to provide typical services as development takes place.

SUBMITTED BY:

JIM GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

RECOMMENDATION --

Receive and file the annexation petitions and set a public hearing on the proposed annexation for 4:30 p.m. on March 28, 2002.

BACKGROUND --

As staff has discussed the unilateral annexation which was approved by the Council in 1998 with several landowners in the area and the continuing unpredictability as to the eventual outcome of the application with the State of Iowa City Development Board, it has become apparent to many of the property owners that they could voluntarily annex to the City since they desire to proceed with urban development now. The City assisted the property owners in preparing the petitions for the Council's consideration, with the following basic provisions:

The applications are subject to the City of Des Moines agreeing to the following conditions:

- a) The annexations would be effective March 1, 2002 or as soon thereafter as provided by law.
- b) City police, fire, road maintenance, snow removal, zoning, platting and land use control services would be provided to the properties immediately upon annexation.
- c) All other normal City services would be provided to the properties commencing upon the latter date of July 1, 2002, or the effective date of this annexation.
- d) Tax abatement for residentially assessed property in accordance with Iowa Code Chapter 404 and the City of Des Moines City-wide Urban Revitalization Plan would be provided to the properties within 90 days of completion of the annexation.
- e) Sufficient sewer capacity within the existing Wastewater Reclamation Authority (WRA) Sanitary Sewer Interceptor located south of County Line Road would be allocated promptly after annexation to permit the properties to be developed for residential use.
- f) The properties would be allowed a phase-in of City taxes. Pursuant to Iowa Code §§ 368.7, 368.11(13) and 427B.3, whereas the following percentages of the value of the property shall be exempt from the imposition of City taxes:
 - i) For the first year, 75 percent.
 - ii) For the second year, 60 percent.
 - iii) For the third year, 45 percent.
 - iv) For the fourth year, 30 percent.
 - v) For the fifth year, 15 percent.

With voluntary annexation, the City is required to hold a public hearing on the proposed annexation. In the event the City approves of the annexation, the petitions and the City Council's approval must be forwarded to the State of Iowa City Development Board for their consideration. The annexation would not be final until the City Development Board approves the application and publishes the annexation. A Special Council meeting is requested in order to meet the deadline for applications before the Development Board in April.
