

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

02-160

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

AGENDA:

SYNOPSIS -

MARCH 28, 2002

At the March 18, 2002 City Council meeting, Council received and filed 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 include residential, commercial, office, and industrial uses. A portion of the State of Iowa Highway 5 corridor, just south of the existing City limits, is also included in the annexation.

SUBJECT:

VOLUNTARY
ANNEXATION

TYPE:

FISCAL IMPACT -

RESOLUTION
ORDINANCE
RECEIVE/FILE

The City would be expected to provide a full complement of services upon annexation.

SUBMITTED BY:

RECOMMENDATION -

JIM GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

Approval.

BACKGROUND -

As staff discussed the unilateral annexation approved by the Council in 1998 with landowners in the area, it became apparent to many of the property owners that they could voluntarily annex to the City, without having to rely on the unpredictable outcome of the application with the State of Iowa City Development Board, since they desire to proceed with urban development now. The City assisted the property owners in preparing the petitions for 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 later 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 1st year, 75 percent.
- ii) For the 2nd year, 60 percent.
- iii) For the 3rd year, 45 percent.
- iv) For the 4th year, 30 percent.

v) For the 5th 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.
