

Date..... August 11, 2008

RESOLUTION CLOSING HEARING ON THE TWENTY-FIRST AMENDMENT
TO THE RESTATED URBAN REVITALIZATION PLAN FOR THE
CITY-WIDE URBAN REVITALIZATION AREA AND APPROVING SAME

WHEREAS, on June 15, 1987, by Roll Call No. 87-2630, the Des Moines City Council adopted a resolution, in accordance with the provisions of Section 404.2(1) of the Urban Revitalization Act, finding that the rehabilitation, conservation, redevelopment, or a combination thereof of the entire area then within the corporation boundaries of the City of Des Moines is necessary in the interest of the public health, safety, or welfare of the residents of the City and the area meets the criteria of Section 404.1 of the Code of Iowa; and,

WHEREAS, by Ordinance No. 11,026 passed July 6, 1987, as amended by Ordinance No. 11,065 passed September 21, 1987, the City Council designated the entire area within the corporate boundaries of the City of Des Moines as established on July 7, 1987, as the City-wide Urban Revitalization Area; and,

WHEREAS, on September 28, 1987, by Roll Call No. 87-4009, the Des Moines City Council adopted a resolution, in accordance with the provisions of Section 404.2(6) of the Act, approving the Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "original City-wide Plan"); and,

WHEREAS, on June 16, 1997, by Roll Call No. 97-2126, the City Council approved and adopted the Twenty-first Amendment to the original City-wide Plan, which adopted a restated plan (the "Restated City-wide Plan") which incorporated all prior amendments to the original City-wide Plan; and,

WHEREAS, the Restated City-wide Plan has been amended twenty times; and,

WHEREAS, the River Hills West Rehabilitation Area is a subarea within the City-wide Urban Revitalization Area wherein the taxable value added by the rehabilitation or remodeling of existing buildings may qualify for tax abatement; and,

WHEREAS, the purpose of the Twenty-First Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to amend the qualifying criteria for the River Hills West Rehabilitation Area to encourage new construction of buildings at urban densities within the Area by allowing the value added by new buildings at least 4 stories tall to qualify for tax abatement; and,

(continued)

Date..... August 11, 2008

WHEREAS, on July 28, 2008, by Roll Call No. 08- 1321, the City Council scheduled a public hearing on the proposed Twenty-First Amendment to be held on August 11, 2008, at 5:00 p.m., in the City Council Chambers; and,

WHEREAS, public notice of the hearing was published in the Des Moines Register on July 31, 2008; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said Twenty-First Amendment have been given the opportunity to be heard; NOW, THEREFORE,

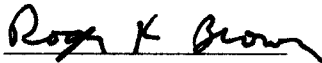
BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The public hearing on the proposed Twenty-First Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is hereby closed, and after due consideration, all objections to the proposed Twenty-First Amendment are hereby overruled.
2. The City Council hereby finds the proposed Twenty-First Amendment to be in conformance with the Des Moines 2020 Community Character Plan.
3. The Twenty-First Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area, attached hereto as Exhibit A, is hereby approved and adopted.

(Council Communication No. 08- 467)

MOVED by _____ to adopt.

FORM APPROVED:



Roger K. Brown
Assistant City Attorney

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Exhibits:

"A" – Twenty-First Amendment

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
Mayor

CERTIFICATE

I, DIANE RAUH, 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.

City Clerk

AS

Exhibit "A"

**TWENTY-FIRST AMENDMENT TO THE
RESTATED URBAN REVITALIZATION PLAN
FOR THE
CITY-WIDE URBAN REVITALIZATION AREA
CITY OF DES MOINES, IOWA**

The purpose of the Twenty-First Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to amend the qualifying criteria for the River Hills West Rehabilitation Area to encourage new construction of buildings within the Area.

Approved by City Council:

Date: _____, 2008

Roll Call No. 08-_____

HISTORY

The City Council approved the original Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "original Plan") by Roll Call No. 87-4009 on September 28, 1987. The original Citywide Urban Revitalization Area was comprised of the entire area within the boundaries of the City of Des Moines on July 7, 1987. The original Plan was amended twenty-one times as identified below. The Twenty First Amendment to the original Plan adopted a Restated Urban Revitalization Plan (the "Restated Plan"). This is the Twenty-First Amendment to the Restated Plan.

Adoption and amendment of the original Citywide Urban Revitalization Plan

<u>Action</u>	<u>Date</u>	<u>Roll Call/Ordinance No.</u>
Designation of Area	07/06/87	Ordinance No. 11,026
Amendment of Area	09/21/87	Ordinance No. 11,065
"Original" Plan Adopted	09/28/87	87-4009
First Amendment	06/05/89	89-2438
Second Amendment	07/24/89	89-3209 (expanded area)
Third Amendment	01/15/90	90-191
Fourth Amendment	06/25/90	90-2793
Fifth Amendment	08/26/91	91-3664
Sixth Amendment	09/08/92	92-3497
Seventh Amendment	03/15/93	93-973
Eighth Amendment	03/15/93	93-971
Ninth Amendment	05/17/93	93-1868
Tenth Amendment	01/03/94	94-114
Eleventh Amendment	08/01/94	94-3024
Twelfth Amendment	11/07/94	94-4273
Thirteenth Amendment	12/19/94	94-4781
Fourteenth Amendment	02/20/95	95-644 / Ord. No. 13,149
Fifteenth Amendment	03/06/95	95-869
Sixteenth Amendment	05/22/95	95-2087
Seventeenth Amendment	07/10/95	95-2659
Nineteenth Amendment	10/16/95	95-3949
Nineteenth Amendment	12-02-96	96-4031
Twentieth Amendment	06/02/97	97-1975 (expanded area)
Twenty-First Amendment	06-16-97	97-2126 (expanded area & adopted Restated Plan)

Amendments to the Restated Urban Revitalization Plan

<u>Action</u>	<u>Date</u>	<u>Roll Call/Ordinance No.</u>
First Amendment	02-23-98	98-549 (expanded area)
Second Amendment	05-18-98	98-1628
Third Amendment	10-19-98	98-3272
Fourth Amendment	03-15-99	99-747
Fifth Amendment	07-12-99	99-2221
Sixth Amendment	10-18-99	99-3258
Seventh Amendment	02-07-00	00-361
Eighth Amendment	02-07-00	00-364
Ninth Amendment	12-18-00	00-4680
Tenth Amendment	07-23-01	01-2329
Eleventh Amendment	09-24-01	01-2932

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Amendments to the Restated Urban Revitalization Plan (continued)

<u>Action</u>	<u>Date</u>	<u>Roll Call/Ordinance No.</u>
Twelfth Amendment	06-03-02	02-1447
Thirteenth Amendment	10-21-02	02-2546
Fourteenth Amendment	02-09-04	04-315
Fifteenth Amendment	02-28-05	05-476
Sixteenth Amendment	02-28-05	05-478
Seventeenth Amendment	04-24-06	06-847
Eighteenth Amendment	08-07-06	06-1599
Nineteenth Amendment	09-10-07	07-1762
Twentieth Amendment	02-11-08	08-250

PURPOSE OF THE TWENTY-FIRST AMENDMENT

The purpose of the Twenty-First Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to amend the qualifying criteria for the River Hills West Rehabilitation Area to encourage new construction of buildings at urban densities within the Area by allowing the value added by new buildings at least 4 stories tall to qualify for tax abatement. Prior to this amendment, only the value added by the rehabilitation or remodeling of existing buildings was eligible for abatement. The boundaries of the River Hills West Rehabilitation Area are shown by the map attached hereto as Exhibit "1".

TWENTY-FIRST AMENDMENT

Amend subsection H.1.c.x. of the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area as follows:

H. APPLICABILITY OF PLAN

1. ELIGIBLE IMPROVEMENTS. The following improvements are eligible for tax abatement, provided they satisfy the qualification requirements of Section I of the Plan:

.....

- x. River Hills West Rehabilitation Area – New construction of buildings that are at least 4 stories tall, and ~~R~~rehabilitation or remodeling of existing buildings located within the boundaries of the River Hills West Rehabilitation Area as shown by the map thereof in Appendix A1 and as more specifically described in appendix A2.

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Attachments:

Exhibit "1" – Map of the River Hills West Rehabilitation Area

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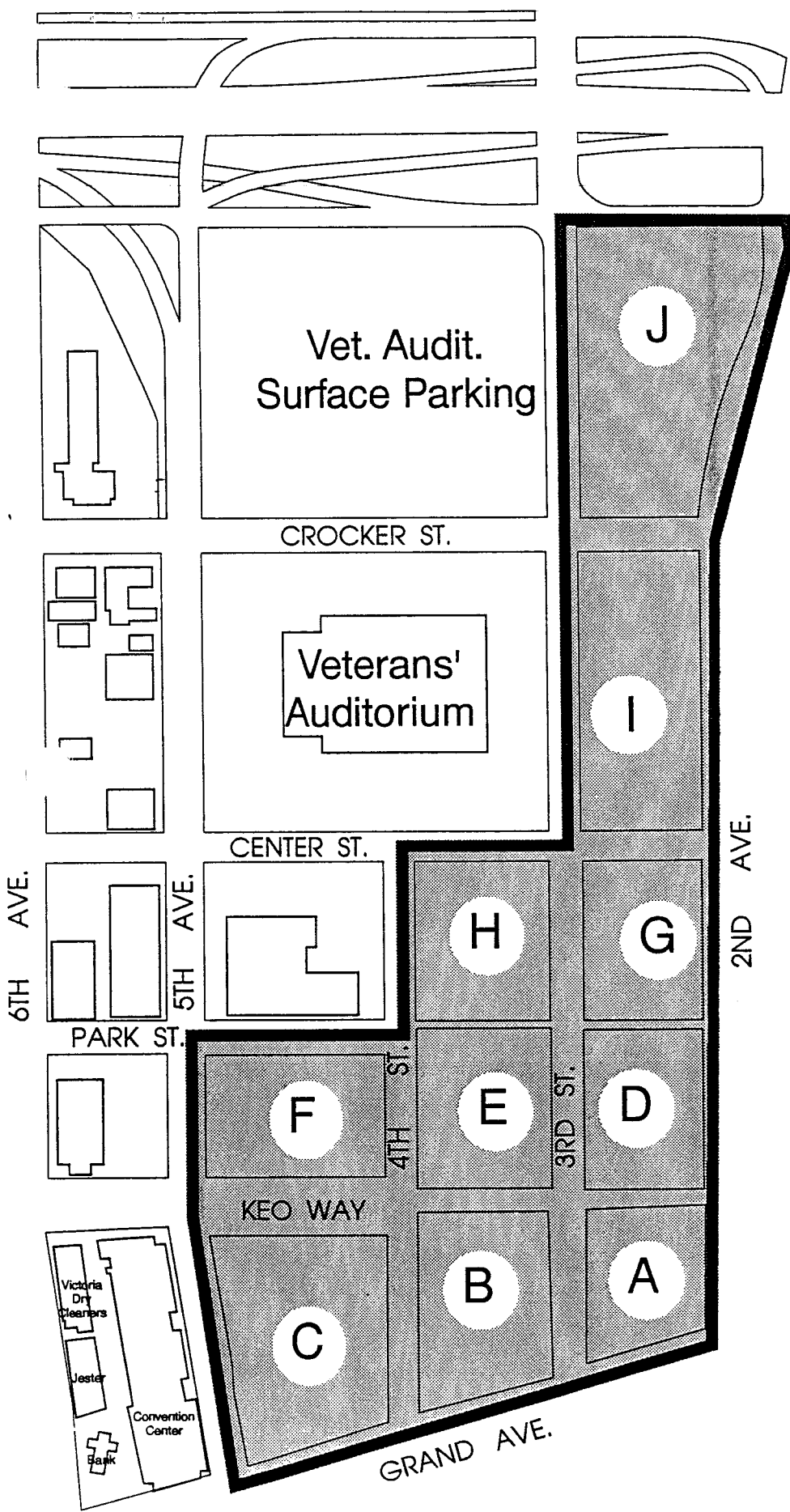


Exhibit "1"

River Hills West Rehabilitation Area

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Date _____
Agenda Item _____
Roll Call # _____

July 23, 2008

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held July 17, 2008, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows:



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1881
(515) 283-4182

ALL-AMERICA CITY
1949, 1976, 1981
2003

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
JoAnne Corigliano	X			
Shirley Daniels				X
Jacqueline Easley	X			
Dann Flaherty	X			
Bruce Heilman	X			
Ted Irvine	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz				X
Jim Martin	X			
Brian Millard				X
Mike Simonson	X			
Kent Sovern	X			
Marc Wallace	X			

APPROVAL of a motion that the 21st Amendment to the Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area is in conformance with the Des Moines' 2020 Community Character Plan.

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends that the Commission find the proposed 21st Amendment to the Restated Urban Revitalization Plan for the City-Wide Revitalization Area in conformance with the Des Moines' 2020 Community Character Plan.

STAFF REPORT

I. GENERAL INFORMATION

Included in the Commission's packet is a draft of the 21st Amendment to the Restated Urban Revitalization Plan for the City-wide Revitalization Area. The purpose of this amendment is to revise the qualifying criteria for the River Hills West Rehabilitation Area to also encourage *new construction* of buildings within the area. The current plan only encourages rehabilitation of existing buildings. If approved,

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the revised criteria would allow new structures that are at least 4 stories tall to be eligible to apply for tax abatement. Due to the proximity to the Iowa Events Center, there has been increased interest in this area by private developers to redevelop parcels in this area.

II. ADDITIONAL INFORMATION

Amendments Eight through Twenty to the Restated Urban Revitalization Plan for the City-Wide Revitalization Area have been approved since the adoption of Des Moines' 2020 Community Character Plan on August 7, 2000. Each amendment was found to be in conformance with the Des Moines' 2020 Community Character Plan.

The purpose of the 21st amendment is also consistent with the commercial land use implementation policies (page 94) of Des Moines' 2020 Community Character Plan. The use of tax abatement allows the City to leverage investment and require higher design standards, which specifically supports the following action steps from the plan:

- Incorporate design standards into the site plan review process to ensure conformance with development parameters and design guidelines.

Establish marketing strategies for the various commercial categories to attract investors, businesses and customers to the area and to maintain the healthy commercial areas.

SUMMARY OF DISCUSSION

There was no one in the audience to speak on this item, and no discussion.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak on this item.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Jacqueline Easley: Motion to find the 21st Amendment to the Restated Urban Revitalization Plan for the City-Wide Revitalization Area in conformance with the Des Moines' 2020 Community Character Plan.

Motion passed 12-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment