

.....
Date..... September 10, 2007

RESOLUTION CLOSING HEARING ON THE NINETEENTH 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, which plan (the "original City-wide Plan") has been repeatedly amended; 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 eighteen times; and,

WHEREAS, Section 404.2(6) of the Act authorizes a city to make amendments to urban revitalization plans after a public hearing; and,

WHEREAS, the purpose of the Nineteenth Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to expand the Model Cities South Urban Revitalization sub-area wherein qualifying improvements to property assessed as commercial or industrial property may receive tax abatement, to include the adjoining parcel between Center and Park Streets extending east to 7th Street, to encourage the quality commercial redevelopment of that parcel; and,

(continued)

Date..... September 10, 2007

WHEREAS, on August 20, 2007, by Roll Call No. 07-1600, the City Council scheduled a public hearing on the proposed Nineteenth Amendment to be held on September 10, 2007, 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 August 23, 2007; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said Eighteenth 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 Nineteenth 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 Nineteenth Amendment are hereby overruled.
2. The City Council hereby finds the proposed Nineteenth Amendment to be in conformance with the Des Moines 2020 Community Character Plan.
3. The Nineteenth 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. 07-)

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown
Assistant City Attorney

C:\rog\revit\19th Amend\RC Hrg.doc

Exhibits:

"A" - Nineteenth Amendment

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

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

MOTION CARRIED

APPROVED

.....
Mayor

September 10, 2007

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 September 6, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
David Cupp	X			
Shirley Daniels	X			
Dann Flaherty				X
Bruce Heilman	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Jim Martin	X			
Brian Millard	X			
Mike Simonson	X			
Kent Sovern	X			
Tim Urban				X
Marc Wallace	X			

APPROVAL of a City Initiated request to find the proposed 19th Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Areas to be in conformance with the Des Moines 2020 Community Character Land Use Plan.

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends that the Commission find the proposed 19th 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

Included in the Commission packet is a draft of the 19th Amendment to the Restated Urban Revitalization Plan for the City-Wide Revitalization Area. On August 20, 2007, the City Council referred the draft to the Plan and Zoning Commission requesting a determination as to whether it is in conformance with the Des Moines' 2020 Community Character Plan.

The purpose of the 19th Amendment is to expand the Model Cities South Urban Revitalization sub-area wherein qualifying improvements to property assessed as commercial or industrial property may receive tax abatement to encourage the



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

quality commercial redevelopment of that parcel. The proposed amendment would add a two-block area between 7th and 9th Street from Park to Center Street.

Currently, the Principal Financial Group is planning an expansion of its workforce by 1,500 net new employees over the next five years. As part of this expansion, Principal will construct a new 1,800-space employee parking ramp at 707 8th Street. Construction cost for the ramp is estimated at \$27.6 million. Construction is anticipated to start in September 2007, with the west half completed by August 2008 and the east half by March 2009.

Principal also will build a childcare center to accommodate 180 children at 801 Park Street. This facility will be the first building in downtown to be designated LEED-certified based on the U.S. Green Building Council's rating system. The total construction cost of the childcare center is about \$7-\$7.5 million. The project is expected to be complete in mid 2008.

These projects would be eligible to apply for tax abatement if the proposed amendment is approved.

II. ADDITIONAL INFORMATION

Amendments Eight through Eighteen 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 19th 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 discussion on this item.

Bruce Heilman: Moved to find the proposed 19th 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 13-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment

Date _____

Agenda Item 60

Roll Call # _____

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Exhibit "A"

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

The purpose of the Nineteenth Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to expand the Model Cities South Urban Revitalization sub-area to include the adjoining parcel between Center and Park Streets extending east to 7th Street, to encourage the quality commercial redevelopment of that parcel.

Approved by City Council:

Date: _____, 2007

Roll Call No. 07- _____

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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 Nineteenth 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

PURPOSE OF THE NINETEENTH AMENDMENT

The purpose of the Nineteenth Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to expand the Model Cities South Urban Revitalization sub-area wherein qualifying improvements to property assessed as commercial or industrial property may receive tax abatement, by amending the map and legal description of such sub-area to include the adjoining parcel between Center and Park Streets extending east to 7th Street, to encourage the quality commercial redevelopment of that parcel.

NINETEENTH AMENDMENT

Amend the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area as follows:

1. Amend Appendix A1 – MAPS SHOWING FORMERLY DESIGNATED URBAN REVITALIZATION AREAS AND DESIGNATED INDUSTRIAL AND COMMERCIAL PARK AREAS by replacing the map of the Model Cities South Urban Revitalization Area with the map attached hereto as Exhibit "1".
2. Amend Appendix A2 – LEGAL DESCRIPTIONS OF FORMERLY DESIGNATED URBAN REVITALIZATION AREAS AND DESIGNATED INDUSTRIAL AND COMMERCIAL PARK AREAS by replacing the legal description of the Model Cities South Urban Revitalization Area with the legal description attached hereto as Exhibit "2".

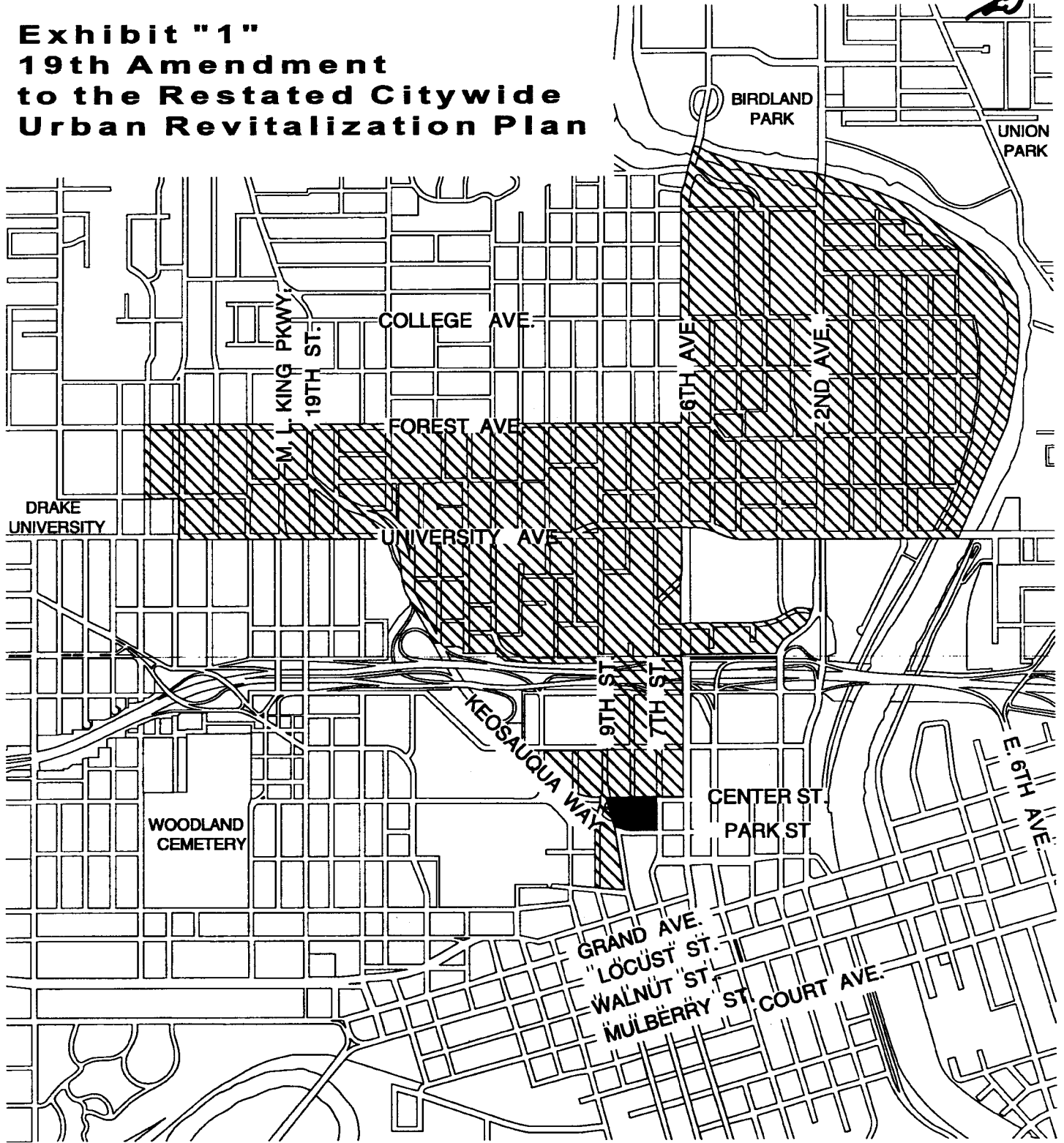
Attachments:

Exhibit "1" – Map of the Model Cities South Urban Revitalization Area

Exhibit "2" – Legal description of the Model Cities South Urban Revitalization Area

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Exhibit "1" 19th Amendment to the Restated Citywide Urban Revitalization Plan



MODEL CITIES SOUTH URBAN REVITALIZATION AREA



-  Existing Model Cities South Urban Revitalization Area
-  Area added by Nineteenth Amendment to City-Wide Urban Revitalization Restated Plan



Exhibit "2"
Legal description of the
Model Cities South Urban Revitalization Area

Beginning at a point at the Southeast corner of Lot 4, Smith's Second Addition, an Official Plat, which lies at the intersection of the North right-of-way line of Forest Avenue and the West right-of-way line of 24th Street; thence East along the North right-of-way line of Forest Avenue to its point of intersection with the West right-of-way line of 6th Avenue; thence North along the West right-of-way line of 6th Avenue to its point of intersection with the thread of the Des Moines River; thence southeasterly along the thread of the Des Moines River to its point of intersection with the South right-of-way line of the University Avenue; thence West along the South right-of-way line of University Avenue to its point of intersection with the West right-of-way line of 6th Avenue; thence South along the West right-of-way line of 6th Avenue to its point of intersection with the North right-of-way line of Laurel Avenue; thence East along the North right-of-way line of Laurel Avenue to its point of intersection with the West right-of-way line of 2nd Avenue; thence South along the West right-of-way line of 2nd Avenue and continuing on the West right-of-way line of the 2nd Avenue to 3rd Street connector to the point of intersection of the West right-of-way of 3rd Street and the North right-of-way line of the MacVicar Freeway (Interstate 235); thence West along the North right-of-way line of the MacVicar Freeway (Interstate 235) to its point of intersection with the West right-of-way line of 6th Avenue; thence South along the West right-of-way line of 6th Avenue to its point of intersection with the North right-of-way line of Center Street; thence West long the North right-of-way line of Center Street to its point of intersection with the West right-of-way line of 7th Street; thence South along the West right-of-way line of 7th Street to its point of intersection with the North right-of-way line of Park Street; thence West along the North right-of-way line of Park Street to its point of intersection with the West right-of-way line of 8th Street; thence South along the West right-of-way line of 8th Street to its point of intersection with the North right-of-way line of Pleasant Street; thence West along the North right-of-way line of Pleasant Street to its point of intersection with the West right-of-way line of 9th Street; thence North along the West right-of-way line of 9th Street to its point of intersection with the North right-of-way line of Center Street; thence West along the North right-of-way line of Center Street to its point of intersection with the East right-of-way line of Keosauqua Way; thence northwesterly along the East right-of-way line of Keosauqua Way to its point of intersection with the South right-of-way line of Crocker Street; thence East along the South right-of-way line of Crocker Street to its point of intersection with the East right-of-way line of 9th Street; thence North along the East right-of-way line of 9th Street to its point of intersection with the North right-of-way line of the MacVicar Freeway (Interstate 235); thence West along the North right-of-way line of the MacVicar Freeway (Interstate 235) to its point of intersection with the West right-of-way line of Keosauqua Way; thence northwesterly along the West right-of-way line of Keosauqua Way to its point of intersection with the South right-of-way line of University Avenue; thence West along the South right-of-way line of University Avenue to its point of intersection with the East right-of-way line of 23rd Street; thence North along the East right-of-way line of 23rd Street to its point of intersection with the South right-of-way line of Carpenter Street; thence West along the South right-of-way line of Carpenter Street to its point of intersection with the West right-of-way line of 24th Street; thence North along the West right-of-way line of 24th Street to its point of intersection with the North right-of-way line of Forest Avenue, being the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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AFFIDAVIT OF PUBLICATION

COPY OF ADVERTISEMENT
Exhibit "A"

STATE OF IOWA
SS
COUNTY OF POLK

R770 NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the proposed Nineteenth Amendment to the Restated Urban Revitalization Plan for the City-Wide Urban Revitalization Area (the "Restated Plan") shall be held before the Des Moines City Council at its regularly scheduled meeting commencing at 5:00 p.m. on September 10, 2007, in the Council Chambers at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

The City-wide Urban Revitalization Area consists of the entire area within the boundaries of the City of Des Moines, Iowa, as established on July 7, 1987, with the addition of a portion of the areas subsequently annexed into the City.

The purpose of the Nineteenth Amendment to the Restated Plan is to expand the Model Cities South Urban Revitalization sub-area, wherein qualifying improvements to property assessed as commercial or industrial property may receive tax abatement, to include the adjoining parcel between Center and Park Streets extending east to 7th Street, to encourage the quality commercial redevelopment of that parcel.

A copy of the proposed Nineteenth Amendment to the Restated Plan is on file in the Office of the City Clerk at City Hall. For more information, contact the Community Development Department at (515) 283-4182.

At the public hearing all proponents and opponents of the proposed amendments will be given an opportunity to be heard.

CITY OF DES MOINES, IOWA
By: T.M. Franklin Cownie, Mayor

Published in the Des Moines Register
on August 23, 2007.

The undersigned, being first duly sworn on oath, states that she/he is the
Accounting Specialist Kelli Marmis
of The Des Moines Register and Tribune Company, a corporation duly organized and existing under the laws of the State of Iowa, with its principal place of business in Des Moines, Iowa, the publisher of
THE DES MOINES REGISTER (Daily)
DES MOINES SUNDAY REGISTER

newspapers of general circulation printed and published in the City of Des Moines, Polk County, Iowa, and that an advertisement, a printed copy of which is attached as Exhibit "A" and made a part of this affidavit, was printed and published in The Des Moines Register (daily) on the following dates

August 23, 2007

Subscribed and sworn to before me by said affiant this 23 day of August, 2007

Susan Lopez
Notary Public in and for Polk County, Iowa

SUSAN HAZELTON
Notarial Seal - Iowa
Commission # 223923
Commission Expires 8/10/08

PO 5816; \$39.62

