

Date June 17, 2024

**RESOLUTION HOLDING PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE PLAN DSM CREATING OUR TOMORROW COMPREHENSIVE PLAN TO REVIEW THE FUTURE LAND USE DESIGNATION OF THE PROPERTY WITHIN THE PROPOSED SE INDUSTRIAL URBAN RENEWAL PLAN**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on June 6, 2024, its members voted 13-0 in support of a motion to recommend **APPROVAL** of the request to amend PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Development Reserve within a Neighborhood Node, Low Density Residential, High Density Residential, Public/Semi-Public, and Neighborhood Mixed-Use to Industrial and Industrial within a Neighborhood Node for the area generally located along East Army Post Road, west of Southeast 45<sup>th</sup> Street, and east of Southeast 36<sup>th</sup> Street, bound to the north by Hart Avenue and East Pine Avenue to the south; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on June 6, 2024, its members voted 13-0 in support of a motion to recommend **APPROVAL** that the proposed SE (Southeast) Industrial Urban Renewal Plan is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

**WHEREAS**, the Property 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



Date June 17, 2024

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 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**, on May 6, 2024, by Roll Call No. 24-0660, it was duly resolved by the City Council that the request for approval of the proposed amendment be set down for hearing on June 17, 2024, at 5:00 p.m., at the City Council Chambers; and

**WHEREAS**, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposal; and

**WHEREAS**, in accordance with said notice, those interested in said proposal, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classifications for the Property from Development Reserve within a Neighborhood Node, Low Density



**Roll Call Number**

**Agenda Item Number**

51A

**Date** June 17, 2024

Residential, High Density Residential, Public/Semi-Public, and Neighborhood Mixed-Use to Industrial and Industrial within a Neighborhood Node is hereby approved.

MOVED BY \_\_\_\_\_ TO ADOPT. SECOND BY \_\_\_\_\_.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill  
Assistant City Attorney

(COMP-2024-000013)

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

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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

June 7, 2024

Communication from the City Plan and Zoning Commission advising that at their June 6, 2024 meeting, the following action pertaining to proposed SE Industrial Urban Renewal Plan:

- A) Amendment to the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Development Reserve within a Community Node, Low Density Residential, High Density Residential, Public/Semi-Public, and Neighborhood Mixed-Use to Industrial for the area generally located along East Army Post Road, west of SE 45th Street, and east of SE 36th Street, bound to the north by Hart Avenue and East Pine Avenue to the south.
  
- B) Determination as to whether the proposed SE Industrial Urban Renewal Plan is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan

**COMMISSION RECOMMENDATION:**

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

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Abstain</u>	<u>Absent</u>
Francis Boggus	X				
Leah Rudolphi	X				
Abby Chungath	X				
Kayla Berkson	X				
Chris Draper	X				
Laura Kessel	X				
Todd Garner	X				
Johnny Alcivar	X				
Justyn Lewis					X
Carolyn Jenison					X
William Page	X				
Andrew Lorentzen	X				
Emily Webb	X				
Katie Gillette	X				
Rick Trower	X				

**Approval** of A)the request to amend PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Development Reserve within a Neighborhood Node, Low Density Residential, High Density Residential, Public/Semi-Public, and Neighborhood Mixed-Use to Industrial and Industrial within a Neighborhood Node for the area generally located along East Army Post Road, west of Southeast 45<sup>th</sup> Street, and east of Southeast 36<sup>th</sup> Street, bound to the north by Hart Avenue and East Pine Avenue to the south

B) Approval that the Commission find the proposed SE (Southeast) Industrial Urban Renewal Plan is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan.

## **STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Staff recommends approval of the requested Type 2 Design Alternatives, subject to the following conditions:

- A) Staff recommends approval of the request to amend PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Development Reserve within a Neighborhood Node, Low Density Residential, High Density Residential, Public/Semi-Public, and Neighborhood Mixed-Use to Industrial and Industrial within a Neighborhood Node for the area generally located along East Army Post Road, west of Southeast 45<sup>th</sup> Street, and east of Southeast 36<sup>th</sup> Street, bound to the north by Hart Avenue and East Pine Avenue to the south.
- B) Staff recommends that the Commission find the proposed SE (Southeast) Industrial Urban Renewal Plan is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan.

## **STAFF REPORT TO THE PLANNING COMMISSION**

### **I. GENERAL INFORMATION**

- 1. Purpose of Request:** Included in the Commission's packet is a draft version of the SE (Southeast) Industrial Urban Renewal Plan (URP).

The proposed urban renewal area consists of four (4) tax parcels containing approximately 345 acres of land that is primarily used for agricultural production. The majority of the three (3) tax parcels south of East Army Post Road also comprise the property within the Harvest Hills Planned Unit Development (PUD). This PUD will likely be amended in the future to accommodate uses as they develop.

- 2. Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend the future land use map within the City of Des Moines' Comprehensive Land Use Plan. The recommendation of the Commission will be forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Urban Renewal Plan Goals and Objectives:** The SE Industrial Urban Renewal Plan has goals and objectives that are intended to foster private sector economic investment in the form of business park/mixed-use, light industrial, and heavier commercial uses.

The goals and objectives of the SE Industrial Urban Renewal Plan are as follows:

- Guidance of the development of the Urban Renewal Area in a manner that is consistent with the land uses of the City's Comprehensive Plan, *PlanDSM: Creating Our Tomorrow*, that provides for the physical and economic enhancement of the area.
- Provide for the planned and unified development of commercial, business park/mixed-use (light industrial and heavier commercial use), and office development.
- Creation of a safe and attractive physical environment through the construction and installation of necessary infrastructure and other public improvements or actions supportive of the Urban Renewal Area.
- Creating financial incentives as necessary to encourage new and existing businesses to invest in the Urban Renewal Area.
- Retention and creation of quality permanent employment opportunities for residents.
- Expansion of the property tax base of the Urban Renewal Area and subsequently contributing to the economic betterment of the entirety of the City of Des Moines.

2. **PlanDSM Comprehensive Plan:** A prerequisite for an urban renewal plan is a comprehensive plan for the municipality. After the municipality has adopted such a plan, the municipality may prepare, adopt, and implement an urban renewal plan for the purpose of rehabilitation, conservation, redevelopment, development, or a combination thereof, of a designated urban renewal area to promote the public health, safety, or welfare of the residents of the municipality.

The City's Comprehensive Plan, *PlanDSM: Creating Our Tomorrow*, was adopted by the City Council on April 25, 2016, by Roll Call 16-0717.

The proposed SE Industrial Urban Renewal Plan area is currently designated as Low Density Residential, High Density Residential, Public/Semi-Public, Neighborhood Mixed-Use, and Development Reserve with a portion of the Development Reserve area within a Neighborhood Node that is centered at the intersection of East Army Post Road and Southeast 36<sup>th</sup> Street. Descriptions of each land use classification are provided below.

Low Density Residential: Areas developed with primarily single family and two-family residential units with up to 6 dwelling units per net acre.

High Density Residential: Areas developed with primarily higher intensity multi-family housing with a minimum density over 17 dwelling units per net acre.

Public/Semi-Public: Areas that are mostly open to public use or public access. May include government facilities, schools, hospitals, libraries, and community facilities.

Neighborhood Mixed-Use: Small-scale mixed-use development typically located at the intersection of collector and/or arterial streets and along transportation corridors. Non-residential development is designed to serve the immediate neighborhood and include small retail, office, restaurants, and service-oriented development. Low-medium density residential may be included in mixed use development.

Development Reserve: Accommodates areas within city's corporate limits that are currently underserved or not served by public infrastructure.

Neighborhood Node: These nodes are the smallest in size and offer services that provide for basic daily needs of the local population in the surrounding neighborhood. May include restaurants, shops, and smaller-scale businesses. Residential development including low-medium and medium densities may occur.

In order for the proposed Urban Renewal Plan to be found in conformance with PlanDSM, the future land use designation of the area needs to be amended from Low Density Residential, High Density Residential, Public/Semi-Public, Neighborhood Mixed-Use, and Development Reserve with a portion of the Development Reserve area within a Neighborhood Node to Industrial and Industrial within a Neighborhood Node. Staff believes that the Industrial designation is appropriate.

Industrial: Accommodates industrial development and limited supporting commercial uses. Development in this classification could have a large impact on adjoining properties and the environment which would need to be mitigated.

Neighborhood Node: These nodes are the smallest in size and offer services that provide for basic daily needs of the local population in the surrounding neighborhood. May include restaurants, shops, and smaller-scale businesses. Residential development including low-medium and medium densities may occur.

Furthermore, the proposed objectives contained within the SE Industrial Urban Renewal Plan (listed in the previous section of this Staff Report) align with several goals contained in *PlanDSM: Creating Our Tomorrow*, including the following:

Economic Development:

- Goal 1: Foster economic prosperity and stability by retaining existing businesses and recruiting new businesses.
- Goal 2: Focus economic development efforts in strategic locations for continued vitality and growth.
- Goal 4: Foster a sustainable economy.

### Land Use:

- Goal 2: Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.
  - Objective 10: Prioritize new mixed use development and redevelopment along proposed high capacity transit corridors and nodes.
  - Objective 11: Identify nodes appropriate for Transit Oriented Development (TOD). Prioritize nodes identified along high capacity transit corridors.
  - Objective 14: Focus development of new Urban Renewal Plans to areas prioritized by PlanDSM.
  - Objective 15: Prioritize development and redevelopment in areas with existing infrastructure and properties included in adopted Urban Renewal Plans.
  - Objective 16: Require new development in recently annexed areas to work with the city to evaluate the cost of providing city infrastructure and services to ensure development has a positive financial return on any city investment.
  - Objective 17: Establish requirements for the existence or provision of adequate public facilities prior to allowing new development in recently annexed areas. Consider cost-sharing agreements when development occurs in targeted areas.

### Transportation:

- Goal 6: Ensure freight facilities continue to meet the needs of the local economy while being sensitive to impacts on surrounding land uses.
- Goal 8: Plan for future changes in transportation demand, technology, and innovation.

### Public Infrastructure and Utilities:

- Goal 1: Provide safe and reliable public infrastructure and utilities for current residents as well as future development needs.
  - Objective 1: Invest in and manage public infrastructure systems to support development and redevelopment in targeted areas.
  - Objective 2: Require new development to provide adequate public infrastructure to serve the needs of the development and ensure facilities are sized and staged to provide for additional development beyond its boundaries.
  -

## **SUMMARY OF DISCUSSION**

Johnny Alcivar asked if any member of the public or commission desired to speak on the item. No one requested to speak.

### **COMMISSION ACTION:**

Emily Webb made a motion for approval of the following:

A) The request to amend PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Development Reserve within a Neighborhood

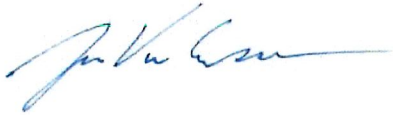


Node, Low Density Residential, High Density Residential, Public/Semi-Public, and Neighborhood Mixed-Use to Industrial and Industrial within a Neighborhood Node for the area generally located along East Army Post Road, west of Southeast 45<sup>th</sup> Street, and east of Southeast 36<sup>th</sup> Street, bound to the north by Hart Avenue and East Pine Avenue to the south.

B) Approval that the Commission find the proposed SE (Southeast) Industrial Urban Renewal Plan is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan.

**THE VOTE: 13-0**

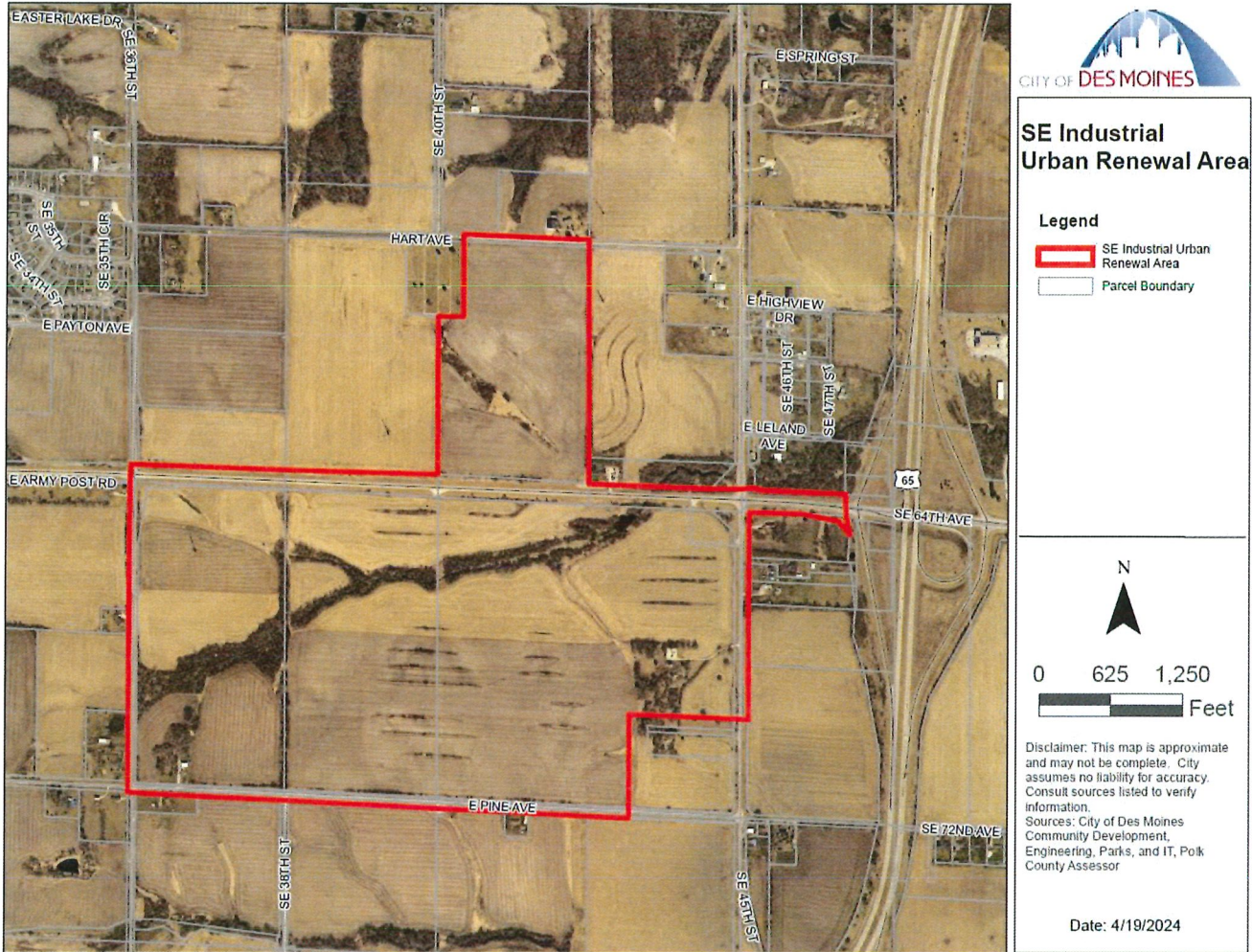
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jason Van Essen".

Jason Van Essen, AICP  
Planning & Urban Design Administrator

JMV:mrw

Boundary Map of Urban Renewal Area



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Prepared by: Whitney L. Baethke & Chandler M. Poole, 400 Robert D. Ray Drive, Des Moines, IA 50309  
Phone: 515-283-4004  
Return Address: City Clerk – City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309  
Taxpayer: No change  
Title of Document: SE Industrial Urban Renewal Plan  
Grantor/Grantee: City of Des Moines, Iowa  
Legal Description: See Appendix "A" at page 11 below

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# SE INDUSTRIAL URBAN RENEWAL PLAN

## City of Des Moines, Iowa



Urban Design Review Board Action:	05/07/2024
Taxing Entities Consultation:	05/21/2023
Plan and Zoning Commission Action:	06/06/2024
City Council Approval:	06/17/2024

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- Appendix A – Legal Description(s)
- Appendix B – Financial Condition Report
- Map 1 – Boundary Map of Urban Renewal Area
- Map 2 – Existing Land Use
- Map 3 – PlanDSM Future Land Use
- Map 4 - Existing Zoning

## **I. INTRODUCTION**

### **A. General Description of the SE Industrial Urban Renewal Area**

The general location and boundary of the SE Industrial Urban Renewal Area (the “Urban Renewal Area”) is shown on *Map 1 – Boundary Map of Urban Renewal Area and TIF District(s)*.

This Urban Renewal Area consists of approximately 375 acres and is generally located along East Army Post Road, west of SE 45<sup>th</sup> Street and east of SE 36<sup>th</sup> Street, bound to the north by Hart Avenue and E Pine Avenue to the south, near the southeast City of Des Moines corporate boundary.

The Urban Renewal Area is more specifically described in the accompanying *Appendix A - Legal Description(s)*.

### **B. Purpose of the Urban Renewal Plan**

The purpose of the SE Industrial Urban Renewal Plan (this “Plan”) is to facilitate the development of commercial, mixed-use and industrial uses; to create and retain jobs in the City of Des Moines; and to increase the overall tax base. This Plan is intended to guide the development of the Urban Renewal Area and is proximate to Iowa Highways 5/65 and thereby accessible to the interstate highway system, and provides prime opportunities for quality development that can be coordinated in a planned and unified manner. Strategic and targeted use of resources that will be realized through the creation of this Plan are critical to improving necessary public infrastructure and private economic investment in the form of commercial, mixed-use, light industrial, and heavier commercial uses.

The City of Des Moines believes that the designation of the Urban Renewal Area through the adoption of this Plan will strengthen and revitalize the local economy through the planned development and redevelopment of the Urban Renewal Area, through:

1. Guidance of the development of the Urban Renewal Area in a manner that is consistent with the land uses of the City’s Comprehensive Plan, *PlanDSM: Creating Our Tomorrow*, that provides for the physical and economic enhancement of the area.
2. Provide for the planned and unified development of commercial, business park/mixed-use (light industrial and heavier commercial use), and office development.
3. Creation of a safe and attractive physical environment through the construction and installation of necessary infrastructure and other public improvements or actions supportive of the Urban Renewal Area.
4. Creating financial incentives as necessary to encourage new and existing businesses to invest in the Urban Renewal Area.
5. Retention and creation of quality permanent employment opportunities for residents.
6. Expansion of the property tax base of the Urban Renewal Area and subsequently contributing to the economic betterment of the entirety of the City of Des Moines.

### **C. Authority to Adopt and Implement an Urban Renewal Plan**

The State of Iowa has provided Iowa cities with the power to adopt and implement urban renewal plans through Chapter 403, Urban Renewal Law, Code of Iowa. If a slum, blighted, or economic development area or combination of the three, as defined in Section 403.17, Code of Iowa, exists within the municipality, the municipality may designate such an area for urban renewal through the process provided for in Chapter 403. After a comprehensive plan for the municipality has been adopted, the municipality may prepare, adopt, and implement an urban renewal plan for the purpose of rehabilitation, conservation, development, redevelopment, or a combination thereof, of a designated urban renewal project area to promote the public health, safety, or welfare of the residents of this municipality.

A municipality may make a determination that the proposed urban renewal area is an economic development area if the area is appropriate for commercial and industrial enterprises.

For the reasons set forth below, the proposed SE Industrial Urban Renewal Area qualifies for designation as an urban renewal area on the basis that the Area is an economic development area appropriate for development or redevelopment with commercial and industrial enterprises.

## **II. BACKGROUND INFORMATION**

### **A. General Information**

The intent of this Plan is to foster private sector economic investment in the form of business park/mixed-use, light industrial, and heavier commercial uses. The rural nature of the urban renewal area has caused growth to be slow to move east of SE 14<sup>th</sup> Street which has resulted in minimal development pressure for new development along East Army Post Road.

There is limited access to infrastructure in the corridor as water capabilities exists only in the SE 36<sup>th</sup> right-of-way on the western border of the Urban Renewal Plan area. East Army Post Road is a two-lane rural width highway that needs modernization.

The lack of water and adequate transportation infrastructure will continue to hold back development in this area. But for Tax Increment Financing being available to incentivize a developer, this area will remain underdeveloped and a blight on the surrounding area.

### **B. Existing Land Use**

The SE Industrial Urban Renewal Area currently include agricultural uses. These uses are shown in *Map 2 – Existing Land Use*.

### **C. Conformance with the City’s Comprehensive Land Use Plan**

A prerequisite for an urban renewal plan is a comprehensive land use plan for the municipality. After the municipality has adopted such a plan, the municipality may prepare, adopt, and implement an urban renewal plan for the purpose of rehabilitation, conservation, redevelopment, development, or a combination thereof, of a designated urban renewal area to promote the public health, safety, or welfare of the residents of the municipality.

The City’s Comprehensive Plan, *PlanDSM: Creating our Tomorrow*, which was adopted by the City Council on April 25, 2016 by Roll Call 16-0717, designates the land within the urban renewal area as

low-density residential, high-density residential, neighborhood mixed use, agriculture, and public/semi-public. *Map 3 – PlanDSM Future Land Use* further details the proposed land uses for this general area.

Descriptions of each land use classification are provided below:

Low-Density Residential

Areas developed with primarily single family and two-family residential units with up to 6 dwelling units per net acre.

High Density Residential

Areas developed with primarily higher intensity multi-family housing with a minimum density over 17 dwelling units per net acre.

Neighborhood Mixed Use

Small scale mixed use development typically located at the intersection of collector and/or arterial streets and along transportation corridors. Non-residential development is designed to serve the immediate neighborhood and include small retail, office, restaurants, and service oriented development. Low-medium density residential may be included in mixed use development.

Development Reserve

Accommodates areas within city’s corporate limits that are currently underserved or not served by public infrastructure

Public/Semi-Public

Areas that are mostly open to public use or public access. May include government facilities, and schools, hospitals, libraries, and community facilities.

Land use goals identified in *PlanDSM: Creating our Tomorrow* that will be included in the goals of this Urban Renewal Plan are:

- Goal 1: Develop new land development regulations consistent with this Comprehensive Plan, include development standards, provide for a mixture of land uses, mandate protection of natural resources, and promote flexible approaches to implementing the Plan.
- Goal 7: Maintain the existing industrial designated areas to provide appropriate locations for industrial use.
  - LU38: Capitalize on the City’s locational strengths geographically and as a hub in the regional transportation network including, but not limited to, development of a transload facility and expansion of the Des Moines International Airport.

This Plan will also support the following goals from the various sections throughout the *PlanDSM: Creating our Tomorrow* document:

Transportation:

- Goal 2: Develop updated street design standards that allow for and balance the needs of all forms of transportation.

Economic Development:

- Goal 1: Foster economic prosperity and stability by retaining existing businesses and recruiting new businesses.
- Goal 2: Focus economic development efforts in strategic locations for continued vitality and growth.
- Goal 4: Foster a sustainable economy.

Public Infrastructure and Utilities:

- Goal 1: Provide safe and reliable public infrastructure and utilities for current residents as well as future development needs.

Land Use:

- Goal 2: Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services and public amenities; and

The goals and objectives of the SE Industrial Development Urban Renewal Plan are in conformance with the City’s Comprehensive Plan, *PlanDSM: Creating our Tomorrow*.

Future amendments to *PlanDSM: Creating our Tomorrow* may be identified through the ongoing planning process for the implementation of this Plan.

**D. Conformance with the City’s Zoning Requirements**

Existing zoning in the urban renewal area (exclusive of the street rights-of-way) is A (Agriculture) and Legacy “PUD” Planned Unit Development, all as shown on *Map 4 - Existing Zoning*.

Possible additional amendments to the Zoning Ordinance may be identified through the ongoing planning process for the implementation of this Plan.

Agriculture (A) Districts

A is intended for low density in agricultural areas.

PUD, Planned Unit Development (Legacy) District

Land classified in a Planned Unit Development (PUD) zoning district on the effective date specified in section 135-1.2 of the Municipal Code will continue to be classified in a Legacy PUD district and governed by the ordinance approving the PUD zoning designation and all applicable conditions of approval, conceptual plans, and development plans associated with the approved development until the subject PUD is rezoned to another (non-PUD) classification. If the provisions of the City’s planning and design ordinance are inconsistent with or conflict with an ordinance approving the PUD zoning designation or applicable conditions of approval, conceptual plans, or development plans associated with the approved PUD, the applicable provisions of said ordinance, conditions, or plans associated with the approved PUD govern.

**E. Recognized Neighborhood Organizations**

The SE Industrial Urban Renewal Area is not located within any “Recognized Neighborhoods” by the City Council.

**F. Appropriateness for Economic Development**



The Urban Renewal Area is approximately 375 acres in size. It is very close to the Highway 5/65 bypass, which was constructed utilizing significant public investment, in part to assist in the facilitation of new economic investment for the land proximate to the highway routes. From Highways 5 and 65, the Urban Renewal Area has ready access to Interstates 35 and 80. The construction of quality new commercial, mixed-use (light industrial and heavier commercial use), uses in the Urban Renewal Area would add substantial taxable valuation and also promote the creation and retention of jobs within the City of Des Moines.

### **III. URBAN RENEWAL PLAN ELEMENTS**

#### **A. Plan Goals and Objectives**

The Urban Renewal Area has goals and objectives that are intended to develop commercial and mixed-uses (light industrial and heavier commercial use) for the creation and retention of jobs in the City of Des Moines, the increased tax base, ability to maximize the return on past investment in transportation routes and augment public utility networks.

The goals and objectives of the Urban Renewal Area are as follows:

- Encourage and facilitate high quality mixed-use (light industrial and heavier commercial use), commercial development and the associated employment opportunities within the plan area.
- Coordinate resources to attract new quality economic development and investment.
- Promote and coordinate additional land use and roadway network study as warranted to ensure the ability to attract quality development and the ability to accommodate and manage traffic circulation.
- Encourage the use on-site stormwater management best practices in the plan area.
- Encourage the incorporation of long-term sustainability into site development and building construction, particularly the efficient use of energy in heating, ventilation, and cooling system design.
- Ensure that new development is of high quality, sustainable, and provides adequate parking and access.

#### **B. Public Purpose Activities to be Undertaken**

To meet the objectives of this Plan, the City of Des Moines will support development and redevelopment of the SE Industrial Urban Renewal Area through, among other things, the following public purpose activities:

1. Provision of technical support in furtherance of this Plan;
2. Evaluation of property's potential for development and redevelopment purposes, including but not limited to activities such as appraisals and architectural, engineering, and environmental studies;

3. Preparation of building site(s) for development and redevelopment purposes through activities that include but are not limited to grading, filling, the extension of utilities, and landscaping;
4. Improvement, installation, construction and reconstruction of streets, utilities, and other public improvements and rights-of-way;
5. Enforcement of applicable local, state, and federal laws, codes, and regulations; and
6. Use of tax increment financing, loans, grants, and other appropriate financial tools in support of eligible public and private development and redevelopment efforts.

All public purpose activities shall be conditioned upon and shall meet the restrictions and limitations placed upon the Urban Renewal Area by this Plan.

#### **C. Land and Development Requirements**

The physical development of the Urban Renewal Area will be regulated through the standards and guidelines contained within the City of Des Moines' Zoning Ordinance, the City of Des Moines' Planning and Design Ordinance, and other applicable local, state, and federal codes and ordinances. In addition, all projects requesting financial assistance through tax increment financing must conform to *Plan DSM* and undergo review by the Urban Design Review Board ("Board").

The criteria to be used by the Board for making recommendations on design shall include but are not limited to:

- The project's scale, proportion, color, articulation, massing, patterning, setbacks, and exterior materials. Permanence and quality of materials and site design, as well as details that add character and define depth are desired.
- How the project promotes an attractive and appealing physical environment.
- How the project encourages the incorporation of long-term sustainability into site development and building construction, particularly the efficient use of materials and energy in heating, ventilation, and cooling system design.
- How the project encourages the use of low impact development and on-site stormwater management best practices in the Urban Renewal Area, and how the project coordinates the evaluation and assessment of natural resources proactively.

#### **D. Financial Condition Report**

Tax Increment Financing districts will be incorporated into the Plan in the future as projects come forward and are approved for financial assistance utilizing tax increment financing revenues, wherein a portion of the taxes levied on taxable properties each year shall be allocated to, and when collected be paid into, the special fund of the City for the SE Industrial Urban Renewal Area to pay the principal of, and interest, on loans, moneys advanced, or indebtedness, whether funded, refunded, assumed, or otherwise, including bonds issued under the authority of Iowa Code §403.9, incurred by the City to finance or refinance, in whole or in part, urban renewal projects within the Urban Renewal Area.

Appendix B to this Plan, as amended from time to time, is a Financial Condition Report which contains the financial information required by Iowa Code §403.17(24).

Any future amendment to this Plan which provides for the use of tax revenues allocated to the Special Fund for the SE Industrial Urban Renewal Area pursuant to Iowa Code §403.19, shall include an amendment to Appendix B and shall incorporate an Appendix C to update the Financial Condition Report and to identify each project to be assisted with such revenues.

#### **IV. URBAN RENEWAL PLAN IMPLEMENTATION**

The City of Des Moines will take necessary action to achieve the goals and objectives of the SE Industrial Urban Renewal Plan. This will include involvement in the following activities:

##### **A. Continued Planning Efforts**

The City shall continue to evaluate the needs of the Urban Renewal Area, identifying issues and coordinating a response to these issues. A comprehensive approach will be taken to gather input from landowners, neighborhoods, businesses, and development interests.

##### **B. Technical Assistance**

The City may provide technical assistance to landowners and prospective developers where appropriate. The City will work to coordinate efforts related to development proposals, ongoing planning, coordination with other agencies and levels of government, and other activities that will assist with meeting the objectives of this Plan.

##### **C. Funding and Financing: Economic Development Assistance**

The City will pursue funding sources required to meet the objectives of this Plan. Sources may include, but are not limited to, loans, grants, general fund expenditures, tax increment financing, special assessments, bond issuance, and participation in state/federal programs.

More specifically, the use of tax increment financing and the review steps and requirements for proposed economic development assistance are specified as follows:

1. Tax Increment Financing. The City believes that the use of tax increment revenues to assist in the financing of new development or redevelopment in the SE Industrial Urban Renewal Area is necessary in the public interest to achieve the objectives of this Plan. Without the use of this special financing tool, new investment may not otherwise occur or may occur within other jurisdictions. The use of tax increment financing to spur the development of the Urban Renewal Area pursuant to this Plan is expected to provide greater future property tax revenues for the City, Polk County and Des Moines Independent Community School District, that would otherwise be unavailable if this Plan were not implemented.
2. Tax increment financing will be used where it is anticipated to provide a long-term payback in overall increased tax base for the City, County, and School District, and the creation or retention of jobs. The initial public investment required to generate new private investment is anticipated to ultimately increase the taxable value of the Area beyond its existing base value.

Tax increment reimbursement may be sought for, among other things, the following costs to the extent they are incurred by the City:

- a. Planning and administration of this Plan;
- b. Construction of public infrastructure improvements and facilities within the Urban Renewal Area;
- c. Acquisition, installation, maintenance and replacement of public investments throughout the Urban Renewal Area;
- d. Loans or grants to qualified property owners for redevelopment of property within the SE Industrial Urban Renewal Area in conformance with this Plan.

**D. Responsibility of Developer**

Developers shall work with the City to coordinate the realization of the intent and purpose of this Plan. This will include limiting tax abatement for exemption from taxes on the value added by the improvements where possible. It is recognized that when tax abatement is in place, it will reduce the amount of tax increment created by the district. Therefore, in certain cases, it may be necessary for developers to forego tax abatement to create sufficient increment. This would include cases where a developer may upfront the cost of site development when there is a negotiated agreement with the City to rebate a portion of that investment back to the developer over time through the increment created by the improvements to the property. The City reserves the ability to negotiate what will be in the best interest of the community and the furtherance of the Plan, while working with developers to facilitate new projects.

**E. Activities Under Chapter 15A**

The City may as part of its action to carry out this Plan engage in economic development activities within the SE Industrial Urban Renewal Area pursuant to Iowa Code Chapter 15A for the creation of new jobs and income, and for the retention of existing jobs and income that would otherwise be lost, when such economic development activities are found by the City Council to further the objectives of the Plan. The City may solicit and/or package such economic development activity proposals in the form of direct financial assistance through grants or loans.

**V. DURATION OF URBAN RENEWAL PLAN**

This Plan shall continue in effect until terminated by action of the City Council of the City but in no event before the City has received full reimbursement from incremental taxes of its advances and principal and interest payable on all tax increment financing or general obligations issued to carry out the objectives of the Plan; provided, however, that the collection of tax increment revenues from tax increment financing districts created in the plan area shall each be limited to twenty (20) years.

**VI. SEVERABILITY**

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, lack of authorization, or unenforceability shall not affect any other provision of this Plan and this Plan shall be construed and implemented as if such provision had never been contained herein.

## **VII. AMENDMENT OF URBAN RENEWAL PLAN**

The City of Des Moines may amend this Plan from time to time in accordance with applicable State and local law. The amendments may include additional objectives, projects, revised land use regulations, revised boundaries, and/or property to be acquired and disposed of for redevelopment.

The City Council shall request public input from, but not limited to designated neighborhood group(s) and City-appointed committees as appropriate upon any proposed amendment to this Plan.

**Appendix A**  
**Legal Description(s)**  
**SE Industrial Urban Renewal Area**  
**and TIF District(s)**

**SE Industrial Urban Renewal Area**

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 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.

**SE Industrial TIF District(s)**

(Note – no TIF districts are being proposed or created with the initial approval and implementation of this Plan. TIF district(s) are anticipated to be added to this Plan with future amendment(s) to SE Industrial Urban Renewal Area)

**Appendix B**  
**Financial Condition Report – SE Industrial**  
**Urban Renewal Area**

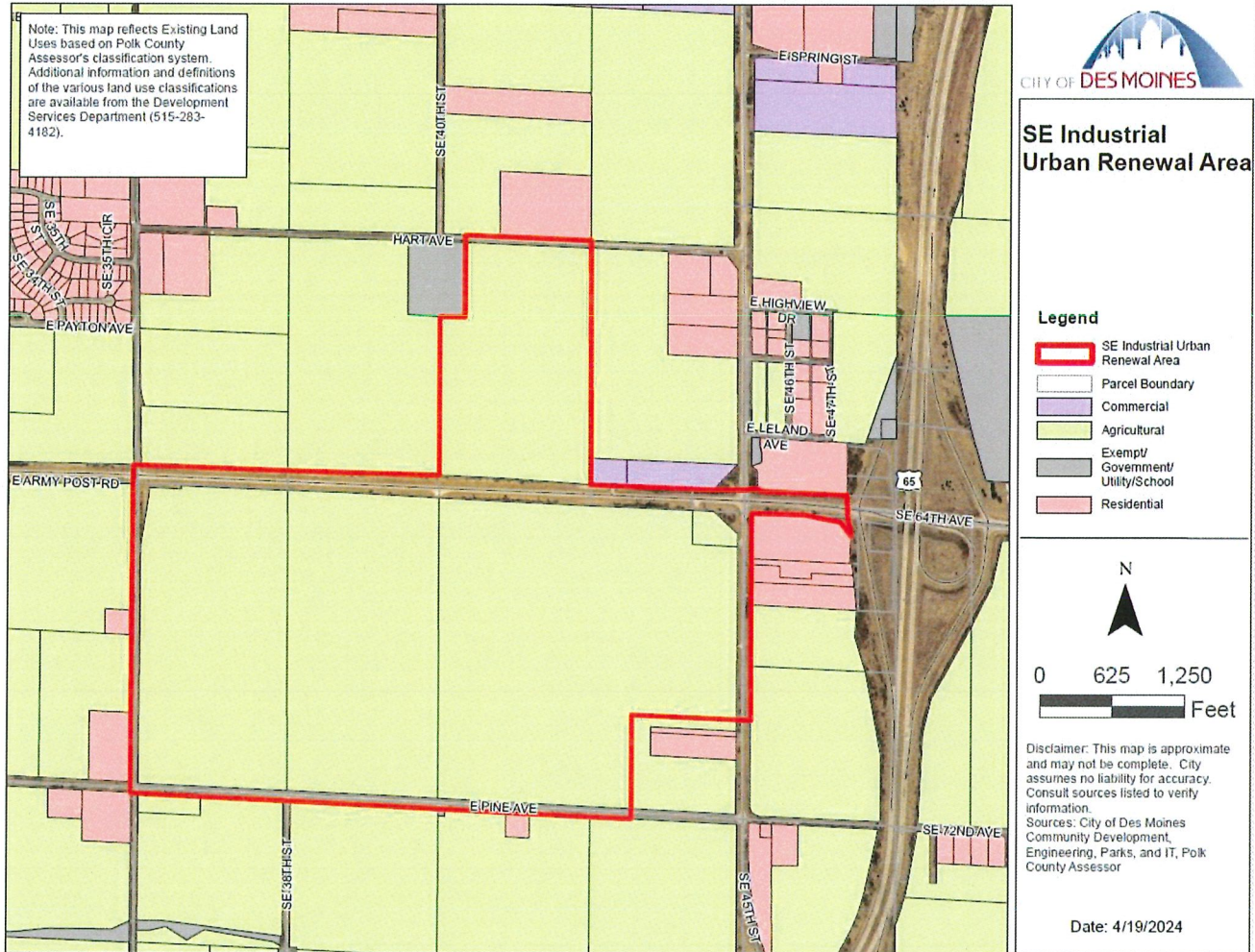
**(Note – to be added with future amendment to SE Industrial Urban Renewal Area)**



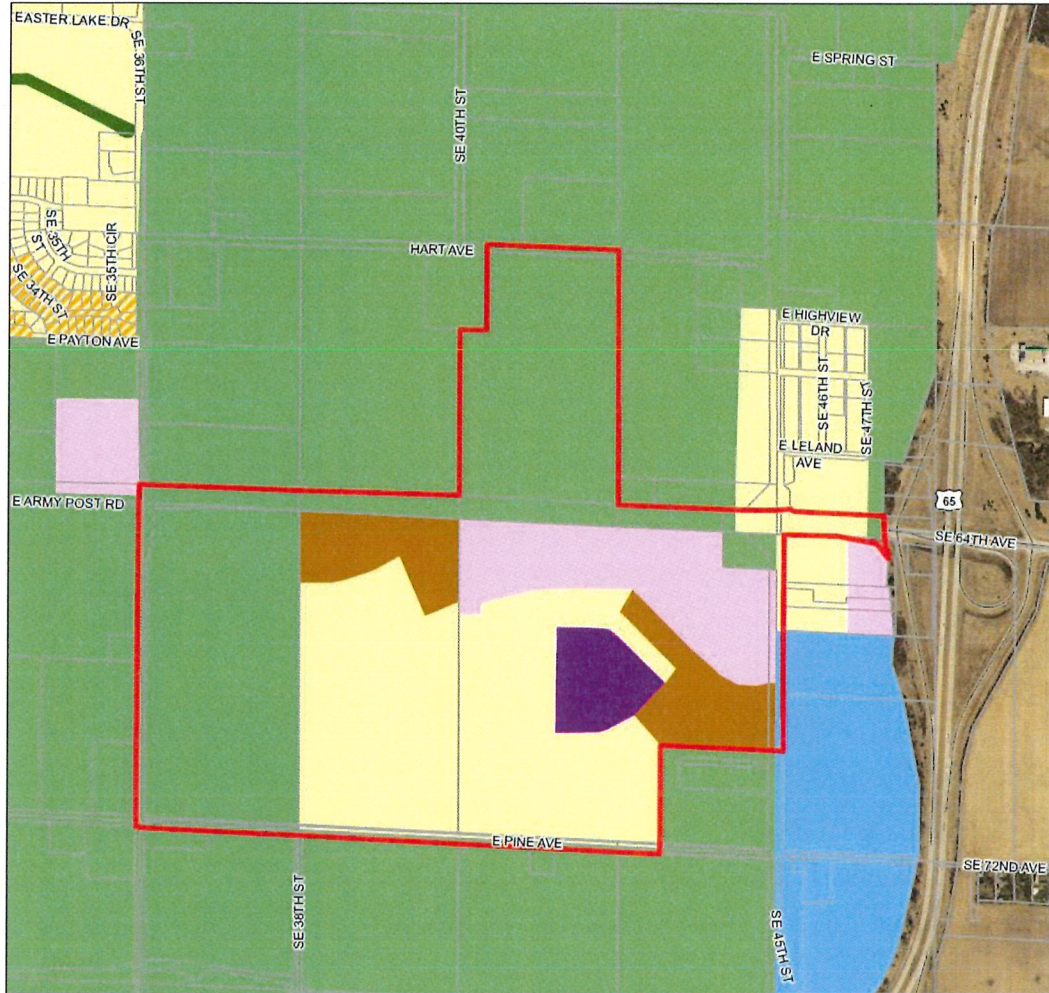


# Map 2

## Existing Land Use Map

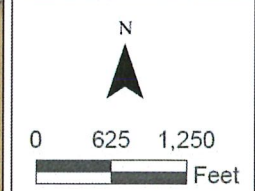


# Map 3 PlanDSM Future Land Use



## SE Industrial Urban Renewal Area Legend

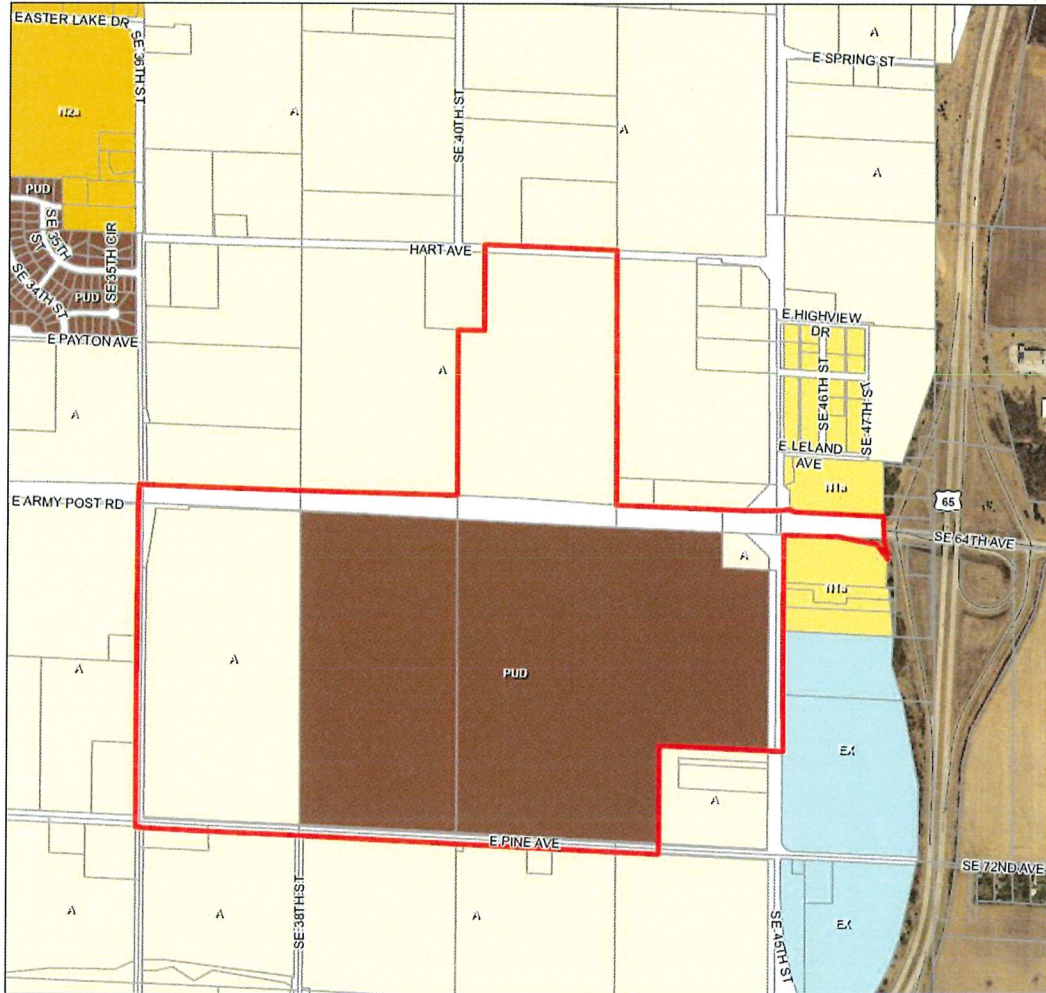
- SE Industrial Urban Renewal Area
- Parcel Boundary
- Low Density Residential
- Low-Medium Density Residential
- High Density Residential
- Neighborhood Mixed Use
- Business Park
- Public / Semi-Public
- Parks and Open Space
- Development Reserve



Disclaimer: This map is approximate and may not be complete. City assumes no liability for accuracy. Consult sources listed to verify information.  
Sources: City of Des Moines Community Development, Engineering, Parks, and IT, Polk County Assessor

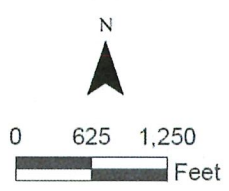
Date: 4/19/2024

# Map 4 Existing Zoning



## SE Industrial Urban Renewal Area

- Legend**
- SE Industrial Urban Renewal Area
  - Parcel Boundary
- Zoning District**
- PUD
  - A
  - N1a
  - N2a
  - EX



Disclaimer: This map is approximate and may not be complete. City assumes no liability for accuracy. Consult sources listed to verify information.  
 Sources: City of Des Moines Community Development, Engineering, Parks, and IT, Polk County Assessor

Date: 4/19/2024