

★ Roll Call Number

08-250

Agenda Item Number

45

Date February 11, 2008

RESOLUTION CLOSING HEARING ON THE 2008-1 OMNIBUS AMENDMENT TO THE CITY'S URBAN REVITALIZATION PLANS 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, at the times identified below and pursuant to the legislation identified below, the City has designated and adopted urban revitalization plans for eight additional urban revitalization areas within the territory annexed into the City subsequent to the designation of the City-wide Urban Revitalization Plan:

Ewing Park Urban Revitalization Area

Designation of Area 09/16/91 Ordinance No. 11, 719
Plan Adopted 11/18/91 Roll Call No. 91-4889

Sunrise Estates Urban Revitalization Area

Designation of Area 01/04/93 Ordinance No. 11,923
Plan Adopted 01/04/93 Roll Call No. 93-72

Creekview Estates Urban Revitalization Area

Designation of Area 08/23/93 Ordinance No. 12,033
Plan Adopted 09/07/93 Roll Call No. 93-3344

(continued)

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4247 Beaver Avenue Urban Revitalization Area

Designation of Area	06/20/94	Ordinance No. 13,064
Plan Adopted	11/21/94	Roll Call No. 94-4459

Hickory Grove Urban Revitalization Area

Designation of Area	12/05/94	Ordinance No. 13,126
Plan Adopted	12/05/94	Roll Call No. 94-4624

Airport Business Park Urban Revitalization Area

Designation of Area	01/16/95	Ordinance No. 13,142
Plan Adopted	02/20/95	Roll Call No. 95-462

Airport Commerce Park West Urban Revitalization Area

Designation of Area	08/07/95	Ordinance No. 13,222
Plan Adopted	07/24/95	Roll Call No. 95-2860

Leland Avenue Urban Revitalization Area

Designation of Area	12/18/95	Ordinance No. 13,285
Plan Adopted	12/18/95	Roll Call No. 95-4725

WHEREAS, on February 28, 2005, by Roll Call No. 05-478, the City Council adopted the 2005-1 Omnibus Amendment to the City's Urban Revitalization Plans, extending the City-wide Tax Abatement Program until December 31, 2008, with an additional year for the completion of improvements commenced in 2008; and,

WHEREAS, the purpose of the proposed 2008-1 Omnibus Amendment to the Urban Revitalization Plans for the City of Des Moines is to amend each of the plans to extend the City-wide Tax Abatement Program for an additional three years until December 31, 2011, with an additional year for the completion of improvements commenced by December 31, 2011; and,

WHEREAS, a further purpose of the proposed 2008 Omnibus Amendment is to remove the downtown area from the Targeted Residential Development Area, effective for any improvements not commenced by December 31, 2010, and completed by December 31, 2011. Thereafter, improvements to residential property in the downtown area would be limited to the 5-year 100% schedule generally available City-wide rather than the special 10-year 100% abatement schedule now available for improvements to residential properties within the downtown and former CDBG Target Areas; and,

WHEREAS, it is further anticipated that within the time allowed by this extension, the City will undertake a comprehensive review and rewrite of the commercial and industrial tax abatement components of the urban revitalization plans; and,

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WHEREAS, on January 7, 2008, by Roll Call No. 08-038, the City Council scheduled a public hearing on the proposed 2008-1 Omnibus Amendment to be held on February 11, 2008, at 5:00 p.m., in the City Council Chambers; and,

WHEREAS, due notice of the public hearing was published in the Des Moines Register on January 24, 2008, as provided by law; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said 2008-1 Omnibus 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 2008-1 Omnibus Amendment to the City's Urban Revitalization Plans is hereby closed.
2. After due consideration, all objections to the proposed 2008-1 Omnibus Amendment are hereby overruled.
3. The 2008-1 Omnibus Amendment to the City's Urban Revitalization Plans, attached hereto as Exhibit A, is hereby approved and adopted.

(Council Communication No. 08-052)

MOVED BY Hensley to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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Exhibits:

"A" - 2005-1 Omnibus Amendment

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER		✓		
VLASSIS	✓			
TOTAL	6	1		

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.

Diane Rauh City Clerk

MOTION CARRIED APPROVED

T. M. Franklin

Mayor