

★ Roll Call Number

08-1240

Agenda Item Number

6/c

Date July 14, 2008

RESOLUTION CLOSING HEARING ON THE PROPOSED  
MERLE HAY COMMERCIAL AREA URBAN RENEWAL PLAN  
AND ADOPTING SAME

WHEREAS, the proposed Merle Hay Commercial Area Urban Renewal Area contains approximately 110 acres that are used or zoned for commercial purposes along Douglas Avenue from about 54th Street westward to the municipal boundary with the City of Urbandale, and along Merle Hay Road from a point slightly north of Ovid Avenue to Aurora Avenue; and,

WHEREAS, the City Manager has prepared an urban renewal plan (the "proposed Plan") which seeks to enhance private redevelopment of this commercial urban renewal area by providing economic development assistance through the use of tax increment financing revenues to be generated in the proposed urban renewal area, which is titled *Merle Hay Commercial Area Urban Renewal Plan* and is attached hereto as Exhibit "A"; and,

WHEREAS, on May 19, 2008, by Roll Call No. 08-874, the City Council resolved that a public hearing on the proposed Plan be held on June 23, 2008, in the City Council Chambers; and,

WHEREAS, the Urban Design Renewal Board reviewed the proposed Plan at its meeting on June 17, 2008, and voted unanimously in support of a motion to recommend that the proposed Plan be approved; and,

WHEREAS, the City Plan and Zoning Commission reviewed the proposed Plan for conformity with the adopted Des Moines 2020 Community Character Plan, as revised, for the development of the City as a whole, at its meeting on June 19, 2008, and made recommendations which were received and filed under a separate resolution; and,

WHEREAS, notice of this public hearing in the form attached hereto as Exhibit "B" was published in the Des Moines Register on June 12, 2008, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

WHEREAS, notice was given by ordinary mail to the Des Moines Public School District, Des Moines Area Community College, and Polk County of a consultation meeting in the Naucalpan Conference Room, at City Hall, at 1:30 p.m. on June 4, 2008; and,

WHEREAS, the City has received no requests from the Des Moines Public School District, Des Moines Area Community College, or Polk County for any modification of the proposed division of revenue from the tax increment of the Merle Hay Commercial Area Urban Renewal Project Area; and,

( continued)

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WHEREAS, on June 23, 2008, by Roll Call No. 08-1126, the City Council continued the public hearing the proposed Plan until July 14, 2008, at 5:00 p.m., to permit the City Council and public to give a more through consideration of the matter in light of the temporary evacuation of City Hall and the relocation of the hearing on that date to temporary facilities in the Central Library Building; and,

WHEREAS, the public hearing has now been reopened and all persons or organizations desiring to be heard regarding the proposed Plan have been given the opportunity to be heard; NOW THEREFORE,

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

1. The public hearing on the proposed *Merle Hay Commercial Area Urban Renewal Plan* is hereby closed.

2. Upon consideration of the recommendation of the Plan and Zoning Commission and the recommendations and statements from all other interested parties and organizations, the City Council hereby makes the following findings:

- a) The proposed Plan conforms to the Des Moines 2020 Community Character Plan, as amended, for the development of the City as a whole.
- b) There are no dwellings within the Urban Renewal Project Area and no families will be displaced as a result of the redevelopment of such Area.
- c) The Plan does not provide for the acquisition of any land by the City.

3. The *Merle Hay Commercial Area Urban Renewal Plan* is hereby approved and adopted, and shall hereafter be in full force and effect.

4. The City Clerk is hereby authorized and directed to file a certified copy of the Plan and of this Resolution in the office of the Polk County Recorder.

( continued )

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( Council Communication No. 08- 397 )

MOVED by Vlassis to adopt.

FORM APPROVED:

Roger K. Brown  
Roger K. Brown  
Assistant City Attorney  
C:\Rog\Eco Dev\Merle Hay\Adoption\RC hrg.doc

Exhibits:  
"A" - Urban Renewal Plan  
"B" - Notice of Hearing

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Y. M. Franklin Course  
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.

Diane Fauh City Clerk