

★ **Roll Call Number**
..... 09-8916

Date..... May 18, 2009

Agenda Item Number
..... 65

RESOLUTION CLOSING HEARING ON THE TWENTY-SECOND 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-one times; and,

WHEREAS, the Downtown East New Office Construction tax abatement area is a sub-area within the City-wide Urban Revitalization Area wherein the taxable value added by the construction of office buildings may currently qualify for tax abatement; and,

WHEREAS, the purpose of the Twenty-Second Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to amend the qualifying criteria for the Downtown East New Office Construction tax abatement area to encourage new construction of additions to office buildings by allowing the value added by an addition of at least 15,000 gross square feet in a single structure to be eligible for tax abatement; and,

WHEREAS, on April 20, 2009, by Roll Call No. 09-637, the City Council scheduled a public hearing on the proposed Twenty-Second Amendment to be held on May 18, 2009, in the City Council Chambers; and,

(continued)

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WHEREAS, public notice of the hearing was published in the Des Moines Register on May 5, 2009, and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said Twenty-Second 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-Second 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-Second Amendment are hereby overruled.
2. The City Council hereby finds the proposed Twenty-Second Amendment to be in conformance with the Des Moines 2020 Community Character Plan.
3. The Twenty-Second 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. 09- 298)

MOVED by Meyer to adopt.

FORM APPROVED:

Roger K. Brown
Assistant City Attorney
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Exhibits:
"A" - Twenty-Second Amendment

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and 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.

MOTION CARRIED APPROVED
Y. M. Franklin Council
Mayor

Diane Rauh City Clerk