

★ Roll Call Number

09-1700

Agenda Item Number

66

Date September 14, 2009

RESOLUTION CLOSING PUBLIC HEARING ON THE PROPOSED
THIRD AMENDMENT TO THE URBAN RENEWAL PLAN FOR THE
GUTHRIE AVENUE BUSINESS PARK URBAN RENEWAL AREA,
AND APPROVING SAME

WHEREAS, on August 15, 1988, by Roll Call No. 88-4238, the City Council adopted the Urban Renewal Plan for the Guthrie Avenue Business Park Urban Renewal Project, and such Plan has been amended twice (the urban renewal plan as so amended is herein referred to as the "Plan"); and,

WHEREAS, the Guthrie Avenue Business Park Urban Renewal Project Area is bounded on the west by E. 17th Street, on the south by E Washington Avenue, on the east by the railroad right-of-way, and on the north by Guthrie Avenue and includes parcels north of and fronting on Guthrie Avenue; and,

WHEREAS, on August 10, 2009, by Roll Call No. 09-1444, the City Council resolved that a public hearing on the proposed Third Amendment to the Plan be held on September 14, 2009, at 5:00 p.m., in the City Council Chambers; and,

WHEREAS, the purpose of the proposed Third Amendment to the Plan, attached hereto as Exhibit "A", is to:

- a) Extend the date for termination of the Plan from September 28, 2009, to September 30, 2019.
- b) Provide a Financial Consultation Report on the use of tax increment financing generated by this urban renewal project.

WHEREAS, the Urban Design Review Board reviewed the proposed Third Amendment to the Plan at its regular meeting on August 18, 2009, and recommends approval of the proposed amendment; and,

WHEREAS, the City Plan and Zoning Commission reviewed the proposed Third Amendment to the Plan at its regular meeting on August 20, 2009, and has submitted its report and recommendation under separate resolution and roll call; and,

(continued)

★ Roll Call Number

09-1700

Agenda Item Number

660

-2-

Date September 14, 2009

WHEREAS, notice of this public hearing in the form attached hereto as Exhibit "B" was published in the Des Moines Register on August 27, 2009, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

WHEREAS, a copy of the notice was sent by ordinary mail to the Des Moines Public School District, Des Moines Area Community College, and Polk County, and they were invited to a consultation meeting held in the Naucalpan Conference Room, at City Hall, at 1:30 p.m. on August 17, 2009; 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 generated within the Guthrie Avenue Business Park Urban Renewal Area; and,

WHEREAS, the public hearing has now been opened and all persons and organizations desiring to be heard regarding the proposed Third Amendment to the 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 Third Amendment to the Urban Renewal Plan for the Guthrie Avenue Business Park Urban Renewal Area is hereby closed.
2. Upon consideration of the recommendations of the City Plan and Zoning Commission, the Urban Design Review Board, and all other recommendations and statements from all other interested parties and organizations, the City Council finds that the Third Amendment conforms to the Des Moines 2020 Community Character Land Use Plan, as amended, for the development of the City as a whole.
3. The Urban Renewal Plan for the Guthrie Avenue Business Park Urban Renewal Area is hereby amended as set forth in the Third Amendment the Plan attached hereto as Exhibit "A". The Urban Renewal Plan for the Guthrie Avenue Business Park Urban Renewal Area, as amended by the Third Amendment thereto, is hereafter in full force and effect.

(continued)

★ Roll Call Number

09-1700

Agenda Item Number

66

-3-

Date September 14, 2009

4. The City Clerk is directed to cause the Third Amendment and a certified copy of this resolution to be recorded in the land records of the Polk County Recorder.

(Council Communication No. 09- 626)

MOVED by Mahaffey to adopt.

FORM APPROVED:

Roger K. Brown
 Roger K. Brown
 Assistant City Attorney
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Exhibits:
 A - Third Amendment
 B - Notice

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

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

T. M. Franklin Cownie
 Mayor

Diane Fauh City Clerk