



Roll Call Number

10-1598

Agenda Item Number

49C

Date September 27, 2010

RESOLUTION CLOSING HEARING ON THE PROPOSED
NE ECONOMIC DEVELOPMENT DISTRICT URBAN RENEWAL PLAN,
AND ADOPTING SAME.

WHEREAS, the proposed NE Economic Development District Urban Renewal Area contains approximately 412 acres and is located along and adjoining NE Hubbell Avenue from about E. 40th Street eastward to the Des Moines corporate boundary at Iowa Highway 65, and west of Highway 65 northward from approximately NE Aurora Avenue to midway between Broadway Avenue and Interstate 80, all as shown on the map attached hereto as Exhibit "A" and more specifically described by the legal description attached hereto as Exhibit "B"; and,

WHEREAS, the City Manager has prepared an urban renewal plan which is titled *NE Economic Development District Urban Renewal Plan* and is on file and available for public inspection in the office of the City Clerk; and,

WHEREAS, the *NE Economic Development District Urban Renewal Plan* (hereinafter referred to as the "Plan") seeks to guide the development of and stimulate private economic investment activities within the NE Economic Development District through the provision of infrastructure improvements and economic development financial assistance that is provided, in part, with the tax increment revenues generated in the urban renewal area; and,

WHEREAS, on April 26, 2010, by Roll Call No. 10-607, the City Council resolved that a public hearing on the proposed Plan be held on June 14, 2010, in the City Council Chambers; and,

WHEREAS, on June 14, 2010, by Roll Call No. 10-958, and on August 9, 2010, by Roll Call No. 10-1318, the City Council continued the public hearing on the proposed Plan until September 27, 2010; and,

WHEREAS, the Urban Design Renewal Board reviewed the proposed Plan at its meeting on May 18, 2010, and recommended approval of the Plan; and,

WHEREAS, the City Plan and Zoning Commission reviewed the proposed Plan for conformity with the adopted comprehensive plan for the development of the City as a whole, being the Des Moines 2020 Community Character Plan, as revised, at its meeting on May 20, 2010, 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 "C" was published in the Des Moines Register on May 27, 2010, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

(continued)



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WHEREAS, notice was given by ordinary mail to the Des Moines Independent Community School District, Southeast Polk Community School District, Des Moines Area Community College, and Polk County of a consultation meeting in the Kofu Conference Room, at City Hall, at 4:00 p.m. on May 4, 2010; and,

WHEREAS, the City has received no requests from the Des Moines Independent Community School District, Southeast Polk Community 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 Urban Renewal Project Area; and,

WHEREAS, the owners of any agricultural land remaining in the Urban Renewal Project Area have consented to the inclusion of their land, and the Plan has been amended to remove all agricultural land from the Urban Renewal Project Area for which such a consent has not been received; and,

WHEREAS, the public hearing has now been opened and all persons and 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 *NE Economic Development District 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) The Plan does not provide for the involuntary acquisition of any land by the City, and does not identify any land planned for acquisition. However, easements may be acquired in the future by voluntary acquisition or otherwise for the extension of public utilities and infrastructure necessary to properly serve the area.
 - c) The City will assist in the relocation of any residents and businesses displaced by public actions undertaken pursuant to the urban renewal project. If the City provides relocation assistance, displaced residents and businesses will be provided with the opportunity to relocate to accommodations which are decent, safe, and sanitary, and

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within their financial means in accordance with the established City's standard relocation policy unless otherwise required by funding source regulations and any other applicable requirements.

3. The Urban Renewal Plan for the NE Economic Development District Urban Renewal Area 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.

(Council Communication No. 10- 599)

MOVED by Mahaffey to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown
Assistant City Attorney

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Exhibits:

"A" - Map

"B" - Legal Description

"C" - Notice of Hearing

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY				✓
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

T. M. Franklin Council 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 Rauh

City Clerk