



Roll Call Number

11-0716

Agenda Item Number

54

Date April 25, 2011

**RESOLUTION CLOSING HEARING ON THE TWENTY-THIRD 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, which plan (the "original City-wide Plan") was 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, the Restated City-wide Plan has been amended twenty-two times; and,

WHEREAS, the NE Hubbell Business Park is a subarea within the City-wide Urban Revitalization Area wherein the taxable value added by improvements to real estate that "are by their design and manner of construction intended for office, research, education and development facilities, light manufacturing and assembly, or warehousing use consistent with the "PBP" Planned Business Park regulations in the Zoning Ordinance" may qualify for a temporary exemption from taxation; and,

WHEREAS, the purpose of the Twenty-Third Amendment to the Restated City-wide Plan is to expand the NE Hubbell Business Park subarea to include the balance of the contiguous areas designated as Planned Business Park and General Industrial in the Des Moines 2020 Community Character Land Use Plan, including the balance of the Broadway Business Park along E. 50th Street; and,

(continued)

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WHEREAS, on March 28, 2011, by Roll Call No. 11-0517, the City Council scheduled a public hearing on the proposed Twenty-Third Amendment to the Restated City-wide Plan to be held at 5:00 p.m., on April 25, 2011, in the City Council Chambers; and,

WHEREAS, public notice of the hearing was published in the Des Moines Register on April 7, 2011; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said Twenty-Third 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-Third Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is hereby closed, and all objections to the proposed Twenty-Third Amendment are hereby overruled.

2. The proposed Twenty-Third Amendment is hereby found to be in conformance with the Des Moines 2020 Community Character Plan.

3. The Twenty-Third Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area, attached hereto as Exhibit A, is hereby approved and adopted.

MOVED by Mahaffey to adopt.

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney
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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin
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