

★ Roll Call Number

11-1866

Agenda Item Number

20-I

Date November 7, 2011

RESOLUTION SCHEDULING PUBLIC HEARING ON THE 2011-1 OMNIBUS AMENDMENT TO THE CITY-WIDE URBAN REVITALIZATION PLAN AND ALL OTHER URBAN REVITALIZATION PLANS TO CONSOLIDATE THE ENTIRE CITY OF DES MOINES UNDER THE CITY-WIDE URBAN REVITALIZATION PLAN, AND TO AMEND AND EXTEND THE DURATION OF THAT PLAN.

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") has been 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, at the times identified below and pursuant to the legislation identified below, the City has designated and adopted urban revitalization plans for eight additional urban revitalization areas within the territory annexed into the City subsequent to the designation of the City-wide Urban Revitalization Area:

Ewing Park Urban Revitalization Area

| | | |
|---------------------|----------|----------------------|
| Designation of Area | 09/16/91 | Ordinance No. 11,719 |
| Plan Adopted | 11/18/91 | 91-4889 |

Sunrise Estates Urban Revitalization Area

| | | |
|---------------------|----------|----------------------|
| Designation of Area | 01/04/93 | Ordinance No. 11,923 |
| Plan Adopted | 01/04/93 | 01/04/93 93-72 |

(continued)

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Creekview Estates Urban Revitalization Area

Designation of Area 08/23/93 Ordinance No. 12,033
Plan Adopted 09/07/93 93-3344

4247 Beaver Avenue Urban Revitalization Area

Designation of Area 06/20/94 Ordinance No. 13,064
Plan Adopted 11/21/94 94-4459

Hickory Grove Urban Revitalization Area

Designation of Area 12/05/94 Ordinance No. 13,126
Plan Adopted 12/05/94 94-4624

Airport Business Park Urban Revitalization Area

Designation of Area 01/16/95 Ordinance No. 13,142
Plan Adopted 02/20/95 95-642
2nd Amendment 12/02/96 96-4040 (expanding area)

Airport Commerce Park West Urban Revitalization Area

Designation of Area 08/70/95 Ordinance No. 13,222
Plan Adopted 07/24/95 95-2860
1st Amendment 12/02/96 96-4021 (expanding area)

Leland Avenue Urban Revitalization Area

Designation of Area 12/18/95 Ordinance No. 13,285
Plan Adopted 12/18/95 95-4725

WHEREAS, on July 28, 2011, by Roll Call No. 08-1321, the City Council adopted the 2008-1 Omnibus Amendment to the City's urban revitalization plans, extending the City-wide Tax Abatement Program until December 31, 2011, with an additional year for the completion of improvements commenced in 2011; and,

WHEREAS, the purpose of the proposed 2011 Omnibus Amendment is make the following changes to the City-wide Tax Abatement Program:

- a) To amend the Restated City-wide Plan to extend the Tax Abatement Program for an additional four years until December 31, 2015, with an additional year for the completion of improvements commenced by December 31, 2015;
- b) To amend the Restated City-wide Plan to expand the City-wide Urban Revitalization Area to encompass the entire City of Des Moines as it now exists and as hereafter expanded by future annexations;
- c) To terminate the separate urban revitalization plans created for the areas originally outside the City-wide Urban Revitalization Area;

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- d) To amend the Restated City-wide Plan to add the downtown area back into the Targeted Residential Development Area wherein the taxable value added by qualifying improvements to residential and commercial multifamily property can receive a 10-year/100% exemption from taxation, reversing the action taken under the 2008-1 Omnibus Amendment which removed the downtown area from the Targeted Residential Development Area; and,
- e) To amend the Restated City-wide Plan to change the eligibility requirements to receive tax abatement for improvements to property assessed as commercial or industrial property for tax purposes.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa that:

1. A public hearing on the proposed 2011-1 Omnibus Amendment to the City's Urban Revitalization Plans shall be held before this Council at 5:00 p.m. at its meeting on December 5, 2011.
2. The City Clerk is hereby authorized and directed to publish the notice of the public hearing, attached hereto as Exhibit "A", not less than 7 days nor more than 20 days prior to the date of hearing, in the manner provided in Section 362.3 and 404.2, Code of Iowa.
3. The proposed 2011-1 Omnibus Amendment to the City's urban revitalization plans is hereby referred to the City Plan and Zoning Commission for review and recommendation regarding its conformance with the comprehensive plan.

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 | | | |

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.

T. M. Franklin Mayor

Diane Rauh City Clerk