



Roll Call Number

11-2085

Agenda Item Number

44

Date December 5, 2011

RESOLUTION CLOSING HEARING ON THE 2011-1 OMNIBUS AMENDMENT TO THE CITY'S URBAN REVITALIZATION PLANS 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") 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 Plan:

Ewing Park Urban Revitalization Area

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

Sunrise Estates Urban Revitalization Area

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

Creekview Estates Urban Revitalization Area

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

4247 Beaver Avenue Urban Revitalization Area

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

Hickory Grove Urban Revitalization Area

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

Airport Business Park Urban Revitalization Area

Designation of Area	01/16/95	Ordinance No. 13,142
Plan Adopted	02/20/95	Roll Call No. 95-462

Airport Commerce Park West Urban Revitalization Area

Designation of Area	08/07/95	Ordinance No. 13,222
Plan Adopted	07/24/95	Roll Call No. 95-2860

Leland Avenue Urban Revitalization Area

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

WHEREAS, on July 28, 2008, 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 2011-1 Omnibus Amendment to the urban revitalization plans for the City of Des Moines is to make the following amendments to the City's Tax Abatement Program:

- a) 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 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 amend the urban revitalization plan for the City-wide Urban Revitalization Area 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;
- d) To amend the urban revitalization plan for the City-wide Urban Revitalization Area to change the eligibility requirements to receive tax abatement for improvements to property assessed as commercial or industrial property for tax purposes;
- e) To amend and restate the urban revitalization plan for the City-wide Urban Revitalization Area to be as set forth in the Second Restated Urban Revitalization Plan for the City-wide Urban

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Revitalization Area (the "Second Restated Plan") which is on file and available for inspection by the public in the office of the City Clerk; and,

- f) To discontinue the separate urban revitalization plans created for the urban revitalization areas originally outside the City-wide Urban Revitalization Area;

WHEREAS, on November 7, 2011, by Roll Call No. 11-1866, the City Council scheduled a public hearing on the proposed 2011-1 Omnibus Amendment to be held on December 5, 2011, at 5:00 p.m., in the City Council Chambers; and,

WHEREAS, due notice of the public hearing was published in the Des Moines Register on November 17, 2011, as provided by law; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said 2011-1 Omnibus 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 2011-1 Omnibus Amendment to the City's Urban Revitalization Plans is hereby closed.
2. After due consideration, all objections to the proposed 2011-1 Omnibus Amendment are hereby overruled.
3. The 2011-1 Omnibus Amendment to the City's Urban Revitalization Plans, attached hereto as Exhibit A, is hereby approved and adopted.

MOVED BY Hensley to adopt.

FORM APPROVED:

Roger K. Brown
 Roger K. Brown, Assistant City Attorney

(Council Communication No. 11- 747)

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