

★ Roll Call Number

12-1029

Agenda Item Number

51

Date June 25, 2012

RESOLUTION CLOSING PUBLIC HEARING ON THE AMENDED RESOLUTION OF NECESSITY AND FIRST AMENDMENT TO THE URBAN RENEWAL PLAN FOR THE SOUTHSIDE ECONOMIC DEVELOPMENT DISTRICT URBAN RENEWAL AREA, AND ADOPTING SAID FIRST AMENDMENT

WHEREAS, on December 6, 2010, by Roll Call No. 10-2019, the City Council approved a Resolution of Necessity which: i) made a finding that the area bounded by Army Post Road on the north, SE 14th Street on the east, County Line Road on the south, and SW 9th Street on the west, and shown on the map attached hereto as Exhibit "A", constitutes an economic development area appropriate for redevelopment for commercial use; and, ii) designated such area as the Southside Economic Development District Urban Renewal Area (the "Urban Renewal Area"); and,

WHEREAS, on December 6, 2010, by Roll Call No. 10-2020, the City Council approved the Southside Economic Development District Urban Renewal Plan (the "Urban Renewal Plan") which seeks to enhance private development of this commercial, office and retail urban renewal area through provision of economic development financial assistance that will be provided in part with tax increment financing revenues to be generated in the Urban Renewal Area; and,

WHEREAS, by Ordinance No. 14,984, passed January 10, 2011, the City Council designated the Urban Renewal Area as a tax increment district to provide financial assistance in meeting the goals and objectives of the Urban Renewal Plan; and,

WHEREAS, the City Manager recommends that the Resolution of Necessity for the Urban Renewal Area be amended to add slum and blight as a basis for the designation of such area as an urban renewal area, and that corresponding amendments be made to the Urban Renewal Plan, all as set forth in the Amended Resolution of Necessity and the First Amendment to the Southside Economic Development District Urban Renewal Plan (the "First Amendment"), which are on file and available for public inspection in the office of the City Clerk; and,

WHEREAS, on May 21, 2012, by Roll Call No. 12-0780, the City Council resolved that a public hearing be held on June 25, 2012, at 5:00 p.m., in the City Council Chambers to consider the proposed Amended Resolution of Necessity and First Amendment; and,

WHEREAS, the City Plan and Zoning Commission has reviewed the proposed First Amendment for conformance with the Des Moines 2020 Community Character Land Use Plan and has filed its report and recommendation under separate roll call; and

WHEREAS, the Urban Design Review Board has reviewed the proposed First Amendment and recommends it be adopted; and,

WHEREAS, notice of this public hearing in the form attached hereto as Exhibit "B" was published in the Des Moines Register on June 7, 2012, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

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WHEREAS, notice was given by ordinary mail to the Des Moines Public School District, Des Moines Area Community College, and Polk County of a consultation meeting held in the Kofu Conference Room, at City Hall, at 1:30 p.m. on June 6, 2012; 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 to the division of tax increment revenues proposed by the First Amendment; and,

WHEREAS, the public hearing has now been opened and all persons and organizations desiring to be heard regarding the proposed Amended Resolution of Necessity and First Amendment to the Urban Renewal 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 Amended Resolution of Necessity and First Amendment to the Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area is hereby closed.
2. Upon consideration of the recommendations of the City Plan and Zoning Commission and all other recommendations and statements from all other interested parties and organizations, the City Council finds that the First 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 Southside Economic Development District Urban Renewal Area is hereby amended as set forth in the First Amendment attached hereto as Exhibit "C". The Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area, as amended by the First Amendment thereto, is hereafter in full force and effect.
4. The City Clerk is directed to cause the First Amendment and a certified copy of this resolution to be recorded in the land records of the Polk County Recorder.

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( Council Communication No. 12- 335 )

MOVED by Meyer to adopt.

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney

Exhibits:

- "A" - Map
"B" - Notice of Hearing
"C" - First Amendment

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and 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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk