



**Roll Call Number**

14-1219

**Agenda Item Number**

19

**Date** August 11, 2014

RESOLUTION SCHEDULING PUBLIC HEARING ON THE SECOND AMENDMENT TO THE SECOND RESTATED CITY-WIDE URBAN REVITALIZATION PLAN TO AMEND THE COMMERCIAL CONSTRUCTION AND SUSTAINABILITY DESIGN STANDARDS

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 December 5, 2011, by Roll Call No. 11-2085, the City Council approved and adopted the 2011-1 Omnibus Amendment to the City's Urban Revitalization Plans which consolidated all of the City of Des Moines, as it then existed and as thereafter expanded by future annexations, into the City-wide Urban Revitalization Area and approved the Second Restated Urban Revitalization Plan as a complete and restated urban revitalization plan for the City-wide Urban Revitalization Area; and,

WHEREAS, the Second Restated Urban Revitalization Plan established new eligibility requirements for tax abatement, including the Commercial Construction and Sustainability Design Standards in Appendix A-1 of the Plan which are applicable to all improvements to property classified as commercial and industrial property for tax purposes, including commercial property containing 3 or more dwelling units; and,

WHEREAS, on June 9, 2014, by Roll Call No. 14-0908, the City Council directed the Community Development Department to prepare an amendment to the Second Restated Urban Revitalization Plan to allow multi-phase projects commenced before adoption of the Second Restated City-wide Plan, to satisfy the sustainability requirements in the Commercial Construction and Sustainability Design Standards by conforming to at least 3, instead of 4 of the listed sustainability measures; and,

WHEREAS, the purpose of the proposed Second Amendment is to the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is to amend the Commercial Construction and Sustainability Design Standards in Appendix A-1 of the Plan, by: 1) amending the sustainability requirements to separately address multi-phase multi-family residential projects commenced before the adoption of the Second Restated City-wide Plan; 2) adding an additional sustainability option; and 3) making other and further changes to the standards.

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

1. A public hearing on the proposed Second Amendment to the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area shall be held before this Council at 5:00 p.m. at its meeting on August 25, 2014.
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 Sections 362.3 and 404.2 of the Code of Iowa.

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown

Rogef K. Brown

Assistant City Attorney

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| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         | ✓    |      |      |        |
| COLEMAN        | ✓    |      |      |        |
| GATTO          | ✓    |      |      |        |
| GRAY           | ✓    |      |      |        |
| HENSLEY        | ✓    |      |      |        |
| MAHAFFEY       | ✓    |      |      |        |
| 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