

Date August 25, 2014

RESOLUTION CLOSING HEARING ON THE SECOND AMENDMENT  
TO THE SECOND RESTATED URBAN REVITALIZATION PLAN FOR THE  
CITY-WIDE URBAN REVITALIZATION AREA AND APPROVING SAME

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 which incorporated all prior amendments to the original City-wide Plan; 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 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)

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adding an additional sustainability option; and 3) making other and further changes to the standards.

WHEREAS, on August 11, 2014, by Roll Call No. 14-1219, the City Council scheduled a public hearing on the proposed Second Amendment to be held at 5:00 p.m., on August 25, 2014, in the City Council Chambers; and,

WHEREAS, public notice of the hearing was published in the Des Moines Register on August 14, 2014; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said Second 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 Second Amendment to the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is hereby closed, and all objections to the proposed Second Amendment are hereby overruled.
2. The proposed Second Amendment is hereby found to be in conformance with the Des Moines 2020 Community Character Plan.
3. The Second Amendment to the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area, attached hereto as Exhibit A, is hereby approved and adopted.

MOVED by Gatto 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	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
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