

★ Roll Call Number

16-1362

Agenda Item Number

51

Date August 8, 2016

**RESOLUTION CLOSING PUBLIC HEARING ON THE PROPOSED  
FIRST AMENDMENT TO THE URBAN RENEWAL PLAN FOR THE  
FLEUR DRIVE COMMERCIAL URBAN RENEWAL AREA AND APPROVING SAME**

WHEREAS, on June 7, 2004, by Roll Call No. 04-1233, the City Council approved the Urban Renewal Plan for the Fleur Drive Commercial Urban Renewal Area (the "Plan") which seeks to achieve the renovation and revitalization of the Fleur Drive Commercial Urban Renewal Area (the "Area") located east of Fleur Drive and north of McKinley Avenue, by preventing the continued deterioration of the existing structures in the Area and by attracting high value commercial projects through development of the vacant and underutilized properties in the Area; and,

WHEREAS, the purpose of the proposed First Amendment to the Plan, which is on file and available for inspection in the office of the City Clerk, is to amend the expiration date of the Plan; to update the Financial Condition Report to update the anticipated use of tax increment funds in the future; and, to add an Appendix C – "Approved Economic and Redevelopment Activities" which provides a summary of projects proposed to receive tax increment revenues from the Fleur Drive Commercial Urban Renewal Area; and,

WHEREAS, on July 11, 2016, by Roll Call No. 16-1120 the City Council resolved that a public hearing be held on August 8, 2016, at 5:00 p.m., at the Richard A. Clark Municipal Service Center to consider the proposed First Amendment; and,

WHEREAS, the Urban Design Review Board reviewed the proposed First Amendment at its regular meeting on July 12, 2016, and voted 7-0 to recommend approval of the Plan.

WHEREAS, notice of this public hearing was published in the Des Moines Register on July 21, 2016, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and,

WHEREAS, notice was given by ordinary mail to Polk County, Des Moines Public School District, Des Moines Area Community College and Des Moines Area Regional Transit Authority of a consultation meeting held in the Kofu Conference Room, at the City Administration Building, at 2:00 p.m. on July 20, 2016; and,

WHEREAS, the City has received no requests from Polk County, Des Moines Public School District, Des Moines Area Community College or Des Moines Area Regional Transit Authority 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 First Amendment have been given the opportunity to be heard.

( continued )

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-2-

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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 First Amendment to the Urban Renewal Plan for the Fleur Drive Commercial Urban Renewal Area is hereby closed.
2. Upon consideration of the recommendation of the Urban Design Review Board and all other recommendations and statements from all other interested parties and organizations, the City Council finds that the First Amendment to the Plan conforms to PlanDSM Creating Our Tomorrow, the comprehensive plan for the development of the City as a whole.
3. The Urban Renewal Plan for the Fleur Drive Commercial Urban Renewal Area is hereby amended as set forth in the First Amendment. The Plan, 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.

( Council Communication No. 16- 435 )

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown, Assistant City Attorney  
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Exhibits: \_\_\_\_\_

"A" - First Amendment

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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