



Roll Call Number

23-1118

Agenda Item Number

53

Date August 7, 2023

**RESOLUTION HOLDING PUBLIC HEARING ON THE PROPOSED FIRST AMENDMENT TO THE URBAN RENEWAL PLAN FOR THE EAST ARMY POST ROAD URBAN RENEWAL AREA**

WHEREAS, on July 18, 2022, by Roll Call No. 22-1194, the City Council approved a Resolution of Necessity for the East Army Post Road Urban Renewal Area finding that the Area constitutes an economic development area appropriate for redevelopment for commercial use; and

WHEREAS, on July 18, 2022, by Roll Call No. 22-1193, the City Council approved the Urban Renewal Plan for the East Army Post Road Urban Renewal Area which seeks to enhance private development within the East Army Post Road Urban Renewal Area through provision of infrastructure improvements and economic development assistance that will be provided in part with tax increment financing revenues to be generated in the urban renewal area; and

WHEREAS, the City's Office of Economic Development has prepared a proposed First Amendment to the Urban Renewal Plan for the East Army Post Road Urban Renewal Area (the "First Amendment"), and 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 and update Section I. INTRODUCTION, subsection (A) Description of the East Army Post Road Urban Renewal Area for the new expanded plan area that now includes properties fronting US Highway 69, Bloomfield Road, and the intersection of US Highway 69 and County Line Road.
- Amend and update Section II. BACKGROUND INFORMATION, subsection (B) Existing Land Use.
- Amend and update Section II. BACKGROUND INFORMATION, subsection (C) Conformance with City's Comprehensive Land Use Plan
- Amend and update Section II. BACKGROUND INFORMATION, subsection (D) Conformance with City's Zoning Requirements to describe updated zoning districts.
- Amend Section V. DURATION OF URBAN RENEWAL PLAN to say the following: This plan shall continue in effect until terminated by action of the City Council of the City, but in no event before the City has received full reimbursement from incremental taxes of its advances and principal and interest payable on all tax increment financing or general obligations issued to carry out the objectives of the Plan.



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- Amend “Appendix A – Legal Description” for expansion of urban renewal area boundary to include the parcels that front US Highway 69, Bloomfield Road, and the intersection of US Highway 69 and County Line Road.
- Update Financial Condition Report
- Amend and update Maps: 1) Boundary of Urban Renewal Plan Area, 2) Existing Land Use, 3) Plan DSM Future Land Use, and 4) Existing Zoning.

WHEREAS, on June 12, 2023, by Roll Call No. 23-0830, the City Council resolved that a public hearing on the proposed First Amendment be held at 5:00 p.m., on August 7, 2023, in the City Council Chambers; and

WHEREAS, the Urban Design Renewal Board reviewed the proposed First Amendment at its meeting on April 18, 2023, and a consensus of the members present voted in support of a motion to recommend that the proposed First Amendment be approved; and

WHEREAS, notice of this public hearing was published in the Des Moines Register on July 26, 2023, 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 the Des Moines Independent School District, Polk County, Des Moines Area Community College, and Des Moines Area Regional Transit Authority of a consultation meeting in the OED Conference Room 151, at the Armory, at 9:00 a.m. on July 6, 2023; and

WHEREAS, the City has received no requests from the Des Moines Independent School District, Polk County, Des Moines Area Community College, or Des Moines Area Regional Transit Authority for any modification of the proposed division of revenue from the tax increment from the East Army Post Road Urban Renewal Area; and

WHEREAS, the public hearing on the First Amendment has now been opened and all persons or organizations desiring to be heard regarding the proposed First 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, as follows:

1. The public hearing on the proposed First Amendment is hereby closed, and any and all comments and objections to said Amendment, if any, are hereby received and filed.



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- 2. The First Amendment to the Urban Renewal Plan for the East Army Post Road Urban Renewal Area is hereby approved and adopted, and shall hereafter be in full force and effect.
- 3. The City Clerk is hereby authorized and directed to file a certified copy of the First Amendment and of this Resolution in the office of the Polk County Recorder.

(Council Communication No. 23-358)

MOVED by Gatto to adopt. SECOND by Voss.

FORM APPROVED:

/s/ Gary D. Goudelock Jr.  
Gary D. Goudelock Jr.  
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         | ✓    |      |      |        |
| BOESEN         | ✓    |      |      |        |
| GATTO          | ✓    |      |      |        |
| MANDELBAUM     | ✓    |      |      |        |
| SHEUMAKER      |      |      |      | ✓      |
| VOSS           | ✓    |      |      |        |
| WESTERGAARD    | ✓    |      |      |        |
| TOTAL          | 6    |      |      | 1      |

MOTION CARRIED

APPROVED

J. M. Frankhu Cownie Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Laura Baumgartner City Clerk