

Date April 5, 2021

**RESOLUTION HOLDING PUBLIC HEARING ON THE PROPOSED
SECOND AMENDMENT TO THE URBAN RENEWAL PLAN FOR
THE 38TH AND GRAND URBAN RENEWAL AREA AND ADOPTING SAME**

WHEREAS, on November 4, 2019, by Roll Call No. 19-1768, the City Council approved the 38th and Grand Urban Renewal Plan (the "Urban Renewal Plan") for the 38th and Grand Urban Renewal Area, which consists of seven parcels containing approximately 36 acres and is along and includes a segment of Grand Avenue between 31st Street and 42nd Street; and

WHEREAS, the purpose of the Urban Renewal Plan is to encourage the removal and/or redevelopment of the blighted, obsolete, and underutilized properties within the urban renewal area, and to encourage and assist in the redevelopment of the urban renewal area for medium to high-density housing and, under limited circumstances, mixed-use development with medium to high-density housing; and

WHEREAS, the purpose of the proposed Second Amendment to the Urban Renewal Plan, which is on file and available for inspection in the office of the City Clerk, is to:

- Amend and update Appendix A – *Legal Description* for the addition of a second tax increment financing district boundary.
- Amend and update the Appendix C - *Financial Condition Report* to reflect the new project incorporated in Appendix D.
- Amend and update Appendix D – *Approved Projects* to approve the provision of financial assistance from tax increment revenues in the 38th and Grand Urban Renewal Area for the new construction of a four-story, 56-unit multi-family apartment building in the vicinity of 3705, 3707 and 3721 Grand Avenue by 3801 Grand Associates, LP and Newbury Management Company d/b/a Newbury Living; and

WHEREAS, on February 22, 2021, by Roll Call No. 21-0269, the City Council resolved that a public hearing be held on April 5, 2021, at 5:00 p.m., by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location; and

WHEREAS, the Urban Design Review Board reviewed the proposed Second Amendment at its regular meeting on March 23, 2021, and voted 7-0 in support of recommending approval of the Second Amendment; 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 on the proposed Second Amendment held by electronic means on March 16, 2021 at 1:00 p.m.; 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 to the division of tax increment revenues proposed by the Second Amendment; and

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WHEREAS, notice of this public hearing was published in the Des Moines Register on March 19, 2021, which notice sets forth the information required by Section 403.5(3) of the Iowa Code; and

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

1. The public hearing on the proposed Second Amendment to the Urban Renewal Plan for the 38th and Grand Urban Renewal Area is hereby closed.
2. Upon consideration of the recommendations 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 Second Amendment conforms to the PlanDSM: Creating Our Tomorrow plan, as amended, for the development of the City as a whole.
3. The Urban Renewal Plan for the 38th and Grand Urban Renewal Area is hereby amended as set forth in the Second Amendment, on file in the office of the City Clerk. The Urban Renewal Plan for the 38th and Grand Urban Renewal Area, as amended by the Second Amendment, is hereafter in full force and effect.
4. The City Clerk is directed to cause the Second Amendment and a certified copy of this resolution to be recorded in the land records of the Polk County Recorder.

(Council Communication No. 21- 147)

MOVED by _____ to adopt.

FORM APPROVED:

/s/ Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, P. Kay Cmelik, 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.

 Mayor

 City Clerk