



AGENDA
REGULAR MEETING OF THE
WINDSOR HEIGHTS
PLANNING AND ZONING COMMISSION
Wednesday, March 27, 2024 - 5:30 PM
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66th ST
ZOOM: <https://us02web.zoom.us/j/7832856334>
Meeting ID: 783 285 6334

1. **Call to Order**
2. **Approval of Agenda**
3. **Approval of the Minutes:**
 - A. Consideration of the Planning and Zoning Commission Meeting Minutes on February 28, 2024
4. **Action Items**
 - A. Consideration of Amendment to the Urban Renewal Plan for the City of Windsor Heights
5. **Adjourn**

*It is possible that members, including a quorum of members of the City Council and other committees may be present. No City business will be discussed outside of this agenda.

City of Windsor Heights Planning and Zoning Commission Meeting Minutes
Wednesday, February 28, 2024 - 5:30 PM
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66th ST

1. Call to Order

Chair Geoffrey Wood called the meeting to order at 5:35 PM. Members present: Donna Mueller, Bob Bishop, Georgie Libbie, Tyler Holtorf, and David Ferree. Members absent: Diane Foss. Staff present: Deputy City Clerk Nate Leuthold, City Administrator Adam Plagge, City Attorney Erin Clanton, Acting City Planner Trey Rouse of Bolton & Menk, Senior Traffic Engineer Jennifer McCoy of Bolton & Menk, and City Engineer Justin Ernst of Bolton & Menk.

2. Approval of Agenda

Motion by Georgie Libbie to approve. Seconded by Bob Bishop. Motion passed 6-0

3. Approval of the Minutes:

Motion from Donna Mueller to approve. Seconded by Tyler Holtorff. Motion passed 6-0

- A. Consideration of the Planning and Zoning Commission Meeting Minutes on November 1st, 2023

4. Public Hearing to Review a New Building Site Plan at 6961 University Ave

Jennifer McCoy provided a review of the traffic impact study. Trey Rouse presented the staff report. Aaron Wolfe, Site Development manager with Casey's and Brian Sheriff, President of Colby Interests presented the site plan. Bob Bishop asked for some clarification. Aaron Wolfe and Wally Pelds of Pelds Design Services responded.

Motion by David Ferree to open the Public Hearing at 7:05 PM. Seconded by Bob Bishop. Motion passed 6-0

The following people spoke in opposition to Casey's

Adam Laithrop of 1716 Plaza Circle

A Clive resident of 7675 University Avenue

Jennifer Koonitz of 7015 Jefferson Avenue

Steve Lowe of 1214 68th Street

Steve Oliver of 1226 68th Street

Motion by Donna Mueller to close the Public Hearing at 7:26 PM. Seconded by Tyler Holtorff.

Motion passed 6-0

- A. Staff Presentation

- B. Site Plan & Supporting Documents

5. Consideration of a New Building Site Plan at 6961 University Ave

David Ferree spoke requesting clarification of the Commission's scope. Erin Clanton advised that they should consider the zoning code regulations as applied to the presented site plan. David Ferree spoke regarding the monument sign sizing. Donna Mueller spoke regarding the landscaping plan. Aaron Wolfe clarified the landscape plan and answered questions. Geoffrey Wood asked about hours and lighting. Aaron Wolfe advised that the hours were 5 AM to 11 PM, and showed compliance with the lighting code. Bob Bishop spoke regarding the Commission's responsibility to residents' health, safety, and welfare. Geoffrey Wood spoke in opposition due to traffic issues, walkability, and a lack of a main-street feel. Aaron Wolf responded regarding the opposition from public comments and items brought up by the Commission. David Ferree expressed concern in regards to traffic, walkability, the lack of a main-street feel, and architectural standards. Bob Bishop spoke regarding spills and gas stations near residential properties. Tyler Holtorff spoke in

favor of approval. Donna Mueller spoke regarding the lack of a main-street feel, the surrounding zoning, and the landscape plan.

Motion by Tyler Holtorff to approve the site plan with additional landscaping requirements and staff recommendations. Seconded by Donna Mueller. Motion failed 1-5. Yea: Tyler Hotorff. Nay: Geoffrey Wood, David Ferree, Georgie Libbie, Bob Bishop, and Donna Mueller. The recommendation to Council is to not approve the site plan.

6. **Consideration of an Updated Zoning Map**

Trey Rouse presented the map and clarified the formal process of updating the map.

Motion by Donna Mueller to approve. Seconded by Georgie Libbie. Motion passed 6-0.

A. Updated Zoning Map

7. **Adjourn**

Motion to adjourn by Bob Bishop. Seconded by Tyler Holtorff. Motion passed 6-0.

STAFF REPORT

Date: March 27th, 2024

To: Windsor Heights Planning and Zoning Commission

From: Justin Ernst, PE

Trey Rouse

Subject: Amendment to the Urban Renewal Plan for the City of Windsor Heights

General Information

The Windsor Heights Urban Renewal Plan is a tool that is used and designed to address the goals of economic development and revitalization of areas within the community. This plan focuses on the included areas for redevelopment and implementing long range plans. The Urban Renewal Plan is reviewed yearly and can be amended to put in new projects or project areas that have become blighted or have opportunities for development.

Chapter 403 of the Code of Iowa

This chapter of the Code of Iowa allows municipalities to create and establish an Urban Renewal Area within their community to address issues of blight or need for economic development. The law states that a city may establish a geographic district, defined by a boundary description, which is designated as an area for urban renewal projects and fits with the city's general plan for development. The chapter recognizes that cities have blight areas in their community, which can be dangerous, unhealthy, reduce tax bases and impede growth. It goes on to say that cities need tools to improve these areas, which could require them to acquire, rehabilitate or demolish buildings. The law also states that cities may create urban renewal areas to enhance economic development efforts, to assist in retaining and attracting businesses, and to perform public improvements for residential development. Cities also have the right to acquire property through the condemnation process.

Adoption and Amendment Process

The adoption and amendment process for an Urban Renewal Plan is established by the State of Iowa through Chapter 403 and designates the following as the steps that a City or municipality must take to amend their Urban Renewal Plan. This list is a compressed one for simplicity.

1. Proposed Changes to the Urban Renewal Plan are discussed.
2. Mailing and Public Outreach to impacted taxing entities.
3. Public Hearing at Planning and Zoning Commission/Recommendation by Planning and Zoning Commission to City Council **on whether the plan conforms with the Comprehensive Plan which outlines the long-range development of the community.**



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- a. If impacted tax entities wish to meet with the City, a consultation meeting is to be set up with the tax entity.
4. Public Hearing at City Council and Final Approval or Denial of the plan by City Council.
5. Publishing of Plan Amendment and filed with Polk County Auditor.

Uses of Urban Renewal Areas

When adopting or amending an urban renewal plan and area, cities are required to identify the actions they can perform. Cities are allowed to create urban renewal areas for different uses, and it is common to mix two or more into one area. The uses are:

1. Slum Area – Means an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which: by reason of dilapidation, deterioration, age or obsolescence; by reason of inadequate provision for ventilation, light, air, sanitation, or open spaces; by reason of high density of population and overcrowding; by reason of the existence of conditions which endanger life or property by fire and other causes; or which by any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and which is detrimental to the public health, safety, morals, or welfare.
 - a. Slum area does not include real property assessed as agricultural property for the purposes of taxation.
2. Blight Area – Means an area of a municipality within which the local governing body of the municipality determines that the presence of a substantial number of slum, deteriorated, or deteriorating structures; defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; insanitary or unsafe conditions; deterioration of site or other improvements; diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land; defective or unusual conditions of title; or the existence of conditions which endanger life or property by fire and other causes; or any combination of these factors; substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.
 - a. A disaster area referred to in section 403.5, subsection 7, constitutes a blighted area.
 - b. Blighted Area does not include real property assessed as agricultural property for the purposes of property taxation.
3. Economic Development – The city wishes to enhance its economic development efforts by performing work in the following areas:
 - a. Commercial/Industrial Purposes – The city wishes to retain or attract businesses and improve the local economy by promoting development.
 - b. Low/Moderate Income Housing – The city wishes to promote development of low/moderate income housing or construct improvements for such housing.



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- c. Infrastructure for Non-Low/Moderate Income Housing – The city wishes to assist in funding public improvement projects for non-low/moderate income housing development.

Summary

The amendment proposed for the Urban Renewal Plan for the City of Windsor Heights Consolidated Urban Renewal Area includes the addition of real property to the Urban Renewal Area, updating existing identified projects already existing within the Urban Renewal Plan, and identifying/including new projects within the Urban Renewal Plan.

These projects and areas currently included and being identified within the proposed amendment are considered to be areas that are slums, blighted, or in need of economic development improvements to be utilized within the community. These proposed projects prove to be a positive impact to the community and align with goals listed within the Comprehensive Plan and other planning efforts within the City of Windsor Heights. **This is certainly not to say many of the homes in this area are not well maintained by owners. The definition of blight includes faulty parcel layouts, poor accessibility, and insufficient underground infrastructure. These elements are observable along this corridor and drive this blight designation as well as the Comprehensive Plan's desire for re-development of the corridor into a Mixed-Use District.**

Update Description of Currently Included Projects

Proposed Update Description of the 73rd Street Reconstruction Project. The City approved the 73rd Street Reconstruction Project in the April 6, 2020, Amendment to the Plan, and it is now necessary to update the description of 73rd Street Reconstruction Project as follows:

Name of Project: 73rd Street Reconstruction Project

Date of Council Approval of Project: April 6, 2020, proposed update recommended on April 15, 2024

Description of Project and Project Site: The 73rd Street Reconstruction Project (the "Project") will consist of street reconstruction and streetscaping; construction of storm water drainage system improvements; construction of sanitary sewer and water system improvements; construction of sidewalk and curb and gutter improvements; the installation of street lighting; and the incidental utility, landscaping, site clearance and cleanup work related thereto on and along 73rd Street from and including its intersection with University Avenue on the north and continuing southeast to and including its intersection with 8th Street.

It is expected that the completed Project will cause increased and improved ability of the City to provide adequate transportation infrastructure for the growth and retention of commercial enterprises in the City.



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Description of Properties to be Acquired in Connection with Project: The City will acquire such easement territory and rights-of-way as are necessary to successfully undertake the Project.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the Project with either borrowed funds and/or the proceeds of internal advances of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Project will not exceed \$28,000,000 (increased from \$10,000,000 in the April 2020 Amendment), plus any interest expense incurred by the City on the Obligations.

Comprehensive Plan Alignment: The updating of this project and continued work towards the improvements across 73rd Street greatly impacts the City of Windsor Heights community members and coincides with the established goals of the Comprehensive Plan. This project update within the Urban Renewal Plan assists in the 73rd Street Improvements progress to achieve the listed goals from the Comprehensive Plan:

1. Neighborhood Enhancement
 - a. Make improvements to streets and other infrastructure to enhance the neighborhood quality.
 - i. This all includes the reconstruction and streetscaping, stormwater drainage, sanitary sewer, and water system improvements, construction of sidewalk, curb and gutter improvements, installing street lighting, and landscaping that benefit the neighborhoods along 73rd Street.
2. Complete Streets
 - a. Provide safe and pleasant streets that allow travel by car, foot, or bicycle
 - i. This is being impacted by the reconstruction and streetscaping, construction of sidewalks along 73rd Street, and installation of streetlights. Create to make travel safer for all forms of transportation.
 - b. Create a connected sidewalk network, especially along arterial roads, schools, parks, trails, and retail.
 - i. The inclusion and construction of sidewalk establishes along a prominent road and corridor within Windsor Heights the capability for alternative travel that is not auto oriented.
3. City Works
 - a. Plan infrastructure investments that maintain, replace and update systems to keep the foundation of our community healthy.
 - i. The improvements to the infrastructure system underneath 73rd Street including stormwater, sanitary sewer, and water systems directly correlates to achieving this goal identified within the Comprehensive Plan.

University Avenue Corridor Plan Alignment: This project description and update aligns with the University Avenue Corridor Plan by updating the important intersection at 73rd Street and



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University with the previously listed improvements, construction, streetscaping, and additions. The goals and objectives of the University Corridor identified within the plan are being fulfilled at this connected intersection and support the long-term vision for the corridor.

Identification of Projects and Proposed Inclusion

Name of Project: Colby Park Improvements Project

Date of Council Approval of Project: Proposed Update Recommended on April 15, 2024

Description of the Project and Project Site: The Colby Park Improvements Project will consist of the construction of improvements to Colby Park in the Urban Renewal Area, including (1) the construction of a new splash pad; the installation of new park lighting, fencing, ADA accessibility improvements, concrete improvements, tennis courts and pickle ball courts; (2) the reconstruction of the playground; and (3) the installation of a new concrete food truck alley, including electrical banks, additional lighting, and benches (4) walkway improvements including accessibility to Walnut Creek

It is anticipated that the completed Colby Park Improvements Project will have a positive impact on commerce and economic development in the Urban Renewal Area through the provision of enhanced recreational amenities.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the Colby Park Improvements Project with either borrowed funds and/or the proceeds of internal advances of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Colby Park Improvements Project will not exceed \$3,500,000, plus any interest expense incurred by the City on the Obligations.

Comprehensive Plan Alignment: The inclusion of the Colby Park Improvement project will continue a positive community project that aligns with the Improving Amenities chapter of the Windsor Heights Comprehensive Plan. Specifically focusing on the "Update parks and facilities, expanding park land when possible" goal of the Improving Amenities chapter, the Colby Park Improvement project strives to do that with inclusions of ADA accessibility improvements, new amenities for use in the park such as a splash pad, trails, tennis courts, and pickleball courts, and playground, improved lighting and fencing. This addition will move forward in achieving the goal outlined within the Comprehensive Plan.

Colby Park Plan Alignment: The addition of the Colby Park Improvement project directly aligns with the Colby Park Plan and assistance in financing the plans proposed improvements, updates, reconstruction, and development.

Name of Project: 68th Street and School Street Blight Alleviation Project

Date of Council Approval of Project: Proposed Update Recommended on April 15, 2024



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Description of Project and Project Site: The 68th Street and School Street Blight Alleviation Project being undertaken by the City will consist of street reconstruction; the construction of sidewalk, sewer, and water system improvements; and the incidental utility, landscaping, site clearance and cleanup work related thereto on and along the following rights-of-way in the Urban Renewal Area:

68th Street beginning at its intersection with University Avenue on the north and continuing south to and including its intersection with School Street; and

School Street begins at its dead end near Wal-Mart on the west and continues east to and including its intersection with 63rd Street.

It is expected that the completed 68th Street and School Street Blight Alleviation Project will alleviate and prevent the spread of blighted conditions in the Urban Renewal Area and cause increased and improved ability of the City to provide adequate transportation infrastructure for the growth and retention of commercial and industrial enterprises in the Urban Renewal Area.

Description of Properties to be Acquired in Connection with Project: The City will acquire such easement territory and rights-of-way as are necessary to successfully undertake the 68th Street and School Street Blight Alleviation Project.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the 68th Street and School Street Blight Alleviation Project with borrowed funds and/or the proceeds of internal advances of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the 68th Street and School Street Blight Alleviation Project will not exceed \$4,500,000, plus any interest expense incurred on the Obligations.

Comprehensive Plan Alignment: The addition of this project within the Urban Renewal Plan increases the financing opportunities to benefit the completion of the project. The completion of this blight alleviation project impacts several of the goals outlined within the Windsor Heights Comprehensive Plan. Various portions of the project impact the Neighborhood Enhancement, Complete Streets, and City Works chapters.

1. Neighborhood Enhancement
 - a. Make improvements to streets and other infrastructure to enhance the neighborhood quality.
 - i. This all includes the reconstruction, sewer and water system improvements, construction of sidewalks, and landscaping that benefit the neighborhoods along both 68th and School Street.
2. Complete Streets
 - a. Provide safe and pleasant streets that allow travel by car, foot, or bicycle

- i. This is being accomplished through the construction of sidewalks along 68th Street and School Street.
 - b. Create a connected sidewalk network, especially along arterial roads, schools, parks, trails, and retail.
 - i. The inclusion and construction of sidewalk established along streets that can be utilized to travel to school through means other than auto oriented transportation.
3. City Works
 - a. Plan infrastructure investments that maintain, replace and update systems to keep the foundation of our community healthy.
 - i. The improvements to the infrastructure system underneath 68th and School Street, including sewer and water systems directly correlates to achieving this goal identified within the Comprehensive Plan.

University Corridor Plan Alignment: With the addition of this project within the Urban Renewal Plan it gains financial investment to be able to continue the improvements outlined within the University Corridor Plan with the intersection of University Avenue and 687th Street being within the project's scope. The improvements proposed would directly correlate to the goals and objectives within the University Corridor Plan for updating infrastructure, addition of sidewalks and increase in walkability, and improving streets overall.

Name of Program: Urban Renewal Administration and Professional Support Program

Date of Council Approval of Program: Proposed Update Recommended on April 15, 2024

Description of Program: The City will provide administrative and professional support to its urban renewal projects and initiatives in the City's 2025 through 2030 fiscal years (the "Admin Support Program"). The Admin Support Program will include planning, staffing, grant writing and administration, document support, record management, accounting, marketing, legal services and such other services as are necessary to carry out and effectuate the urban renewal initiatives and objectives of the City.

Description of Use of TIF for the Program: The City will fund its support contributions under the Admin Support Program from the proceeds of internal advances (the "Advances") of City funds on hand. The City's annual contributions will be determined from year to year. The City will repay the Advances from incremental property tax revenues to be derived from the Urban Renewal Area. The total amount of incremental property tax revenues to be applied to the City's Admin Support Program for the City's fiscal years 2025 through 2030 shall not exceed \$750,000.

Comprehensive Plan Alignment: The inclusion of the proposed project into the Urban Renewal Plan will impact the use, funding, and work done through the Urban Renewal Plan moving forward for the next 5 to 6 years. This addition impacts the Urban Renewal Plan in a positive way and moves the Comprehensive Plan closer to achieving the "Improve communication



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between the City and the general public” within the Communication & Transparency chapter of the Comprehensive Plan by following Chapter 403 of the Code of Iowa to place this information within a public hearing for public comment. This achieves the goal of making sure the public knows what is happening within their community.

Name of Project: Windsor Apartment Building Development Project

Date of Council Approval of Project: Proposed Update Recommended on April 15, 2024

Description of Project and Project Site: Millang Properties, L.L.C., The Windsor, L.L.C., and Jensfam, LLC (the “Developers”) have proposed to undertake the construction (the “Project”) of a 90-unit apartment building on certain real property (the “Property”) situated in Hopkins Place, an Official Plat and Hopkins-Woehler Place, an Official Plat in the Urban Renewal Area. The Project will also include the planting of approximately fifty (50) trees on the Property and throughout the City.

The property situated within the City’s Urban Renewal Area has been identified by the City Council as property that is both in need of blight alleviation and economic development initiatives. The Project will alleviate the spread of blighted conditions in the Urban Renewal Area and facilitate economic development therein.

The Developers have requested that the City provide tax increment financing assistance to the Developers to reimburse their efforts to complete the Project.

The costs incurred by the City in providing tax increment financing assistance to the Developers will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$20,000.

Description of Properties to be Acquired in Connection with Project: The City will acquire a portion of certain real property from the Developers situated in Hopkins-Woehler Place, an Official Plat and identified in Exhibit B attached hereto.

Description of Use of TIF for the Project: The City intends to enter into a development agreement (the “Development Agreement”) with the Developers with respect to the construction of the Project and to provide annual appropriation economic development payments (the “Payments”) to the Developers thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Project including the Payments and the Admin Fees will not exceed \$1,520,000.

Comprehensive Plan Alignment: The inclusion of this project within the Windsor Heights Urban Renewal Plan benefits the community and reaches points of interest and goals within the Comprehensive Plan. With the financial assistance from the City for the development of the described apartment complex, this development achieves the goal of “Broaden the mix of housing to appeal to a wide range of people at all stages of life” within the Neighborhood

Enhancement chapter. It does so by increasing the opportunities for housing and new forms of housing within the community.

Name of Project: Sherwood Forest Building Redevelopment Project

Date of Council Approval of Project: Proposed Update Recommended on April 15, 2024

Description of Project and Project Site: Sherwood Forest Company (the “Developer”) has proposed to undertake the redevelopment (the “Project”) of an existing building (the “Existing Building”) on certain real property (the “Property”) situated at in the Sherwood Forest retail complex in the Urban Renewal Area. It is intended that the Existing Building will be used in the business operations of an entertainment facility catering to pedestrian and bicycle traffic.

The property situated within the City’s Urban Renewal Area has been identified by the City Council as property that is both in need of blight alleviation and economic development initiatives. The Project will alleviate the spread of blighted conditions in the Urban Renewal Area and facilitate economic development therein.

The Developer has requested that the City provide tax increment financing assistance to the Developer to reimburse its efforts to complete the Project.

The costs incurred by the City in providing tax increment financing assistance to the Developer will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$8,000.

Recreational Trail Improvements: The City will construct a recreational trail (the “Recreational Trail Project”) to facilitate pedestrian and bicycle traffic on the Property. The City will acquire such easement territory and rights-of-way as are necessary to successfully undertake the Recreational Trail Project.

Description of Use of TIF for the Project/Recreational Trail Project: The City intends to enter into a development agreement (the “Development Agreement”) with the Developer with respect to the construction of the Project and to provide annual appropriation economic development payments (the “Payments”) to the Developer thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Project including the Payments and the Admin Fees will not exceed \$508,000.

It is anticipated that the City will pay for the Recreational Trail Project with borrowed funds and/or the proceeds of internal advances of City funds on-hand. In any case, the City’s obligations (the “Obligations”) will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City’s use of incremental property tax revenues for the Recreational Trail Project will not exceed \$200,000, plus any interest expense incurred on the Obligations.

Comprehensive Plan Alignment: The addition of the Sherwood Forest Building Redevelopment project within the Urban Renewal Area being included within the Urban Renewal Plan is important in the redevelopment of this building for future use. This redevelopment project utilizes an identified redevelopment property and brings more amenities to the area. This project achieves some of the goals that have been outlined within the Comprehensive Plan based upon economic development and the addition of the recreational trail for pedestrian and bicycle travel.

1. Economic Development
 - a. Attract new business to Windsor Heights.
 - i. This project attracts a new, pedestrian and bicycle-oriented business to diversify the business and economic climate of the community and area.
 - b. Create a supportive business climate.
 - i. Through the addition of this project, the new business supports further economic growth in the area by bringing in and focusing on a new client base. This creates further foot traffic to the area for economic development.

Name of Project: 66th Street and University Redevelopment Project

Date of Council Approval of Project: Proposed Update Recommended on April 15, 2024

Description of Project and Project Site: A private developer (the “Developer”) owns certain real property (the “Property”) situated on the northeast side of the intersection of 66th and University. The Developer has proposed to undertake certain improvements on the Property consisting of the construction of certain public infrastructure improvements including the construction of sidewalk and curb improvements (the “Public Infrastructure Project”); the construction of a patio and six (6) parking stalls (the “Private Infrastructure Project” and sometimes hereinafter together with the Public Infrastructure Project, as the “Infrastructure Project”); and the installation of a mural (the “Mural Project”)

WHEREAS, the Developer has requested that the City provide financial assistance in the form of an economic development grant (the “Grant”) to be used by the Developer in paying the costs of constructing the Infrastructure Project and the Mural Project.

The costs incurred by the City in providing the Grant to the Developer will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$5,000.

Description of Use of TIF for the Project: The City intends to enter into a development agreement (the “Agreement”) with the Developer with respect to the Infrastructure Project and the Mural Project and to provide an economic development grant (the “Grant”) to the Developer thereunder. The Grant, in an amount not to exceed \$50,000 will be funded with either borrowed funds and/or an internal advance of funds on-hand. In any case, the City’s obligations (the “Obligations”) may be repaid with incremental property tax revenues derived from the Urban



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Renewal Area. It is anticipated that the City's total commitment of incremental property tax revenues with respect to the Infrastructure Project and the Mural Project including the Grant and the Admin Fees will not exceed \$55,000, plus any interest expense incurred by the City on the Obligations.

Comprehensive Plan Alignment: Including the 66th Street and University Redevelopment project into the Urban Renewal Plan aligns with the vision set forth by the City's Comprehensive Plan. The improvements to the project area along with inclusion of a mural within the commercial district puts forth an effort to achieve the goal within the Identity and Image chapter of the Comprehensive Plan that reads, "Establish a positive, meaningful identity, unique to Windsor Heights". This project works to accomplish this goal through the creation of a mural through this project developing a creative and unique image for Windsor Heights. This mural could be a focal point or point of interest for many visitors and denote that they're in Windsor Heights.

University Corridor Plan Alignment: The improvements proposed within this project for the 66th Street and University Redevelopment project assist in improving infrastructure along the University Corridor with the construction of sidewalks and adding unique elements to the corridor through a new mural. These aspects coincide with the vision of the corridor and what the University Corridor Plan outlines.

Name of Project: University Avenue Corridor Property Acquisition, Demolition and Site Preparation Project

Date of Council Approval of Project: Proposed Update Recommended on April 15, 2024

Description of Project and Project Site: The University Avenue Corridor Property Acquisition, Demolition and Site Preparation Project (the "University Avenue Corridor Project") will consist of the acquisition by the City of certain parcels (as identified below) situated in the Urban Renewal Area. The City will undertake the demolition of existing buildings, site preparation and beautification improvements on such parcels in order to alleviate certain blighted conditions thereon and to promote future economic development in the Urban Renewal Area.

The areas identified are considered to have, on average, inadequacies and be faulty lots pertaining to their size, accessibility, or usefulness; be insanitary or have unsafe conditions; have deterioration of the site; and lack diversity of ownership. While some properties exist in a state of disrepair, as previously described, not all of them are. Some are maintained to a degree that does not constitute redevelopment or change. Other issues arise with lots that are long, deep, narrow, and improperly small next to busy intersections with poor access management and opportunity. This includes single-family residential homes that are labeled as transitional residential to be redeveloped as commercial. Currently the Comprehensive Plan has such areas labeled as "Mixed-Use" but this would be an inaccuracy and discrepancy that has risen based upon recent changes within the community and the future outlook of the community.



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Description of Properties to be Acquired in Connection with Project: The City may acquire certain real property situated in the Urban Renewal Area and bearing Polk County Geoparcels Identification Numbers 782502129095, 782502129098, 782502129096, 782502129097, 782502129093, 782502129094, 782502129099, 782502129002, 782502129003, 782502129004, 782502127034, 782502127035, 782502127036, 782502103027, 782502103024, 782502103025, 782502103026, 782502103001, 782502102005, 782502102004, 782502102003, 782502102002, 782502102014, 792536376036, 792536376035, 792536376039, 792536376038, 792536376037, 792536376027, 792536379017, 792536379018, 792536379003, 792536379004, 792536455021, 792536455020, 792536455022, 792536455023, 792536455019, 792536455024, 792536455025, 792536456020, 792536456019 and 792536381017.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the University Avenue Corridor Project with borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the University Avenue Corridor Project will not exceed \$5,000,000, plus any interest expense incurred by the City on the Obligations.

Comprehensive Plan Alignment: Through the acquiring of and demolition of existing structures on the listed properties above, the University Corridor gains an opportunity for redevelopment on a large scale. This redevelopment meets the Economic Development goal of the Windsor Heights Comprehensive Plan stated as "Support strategic redevelopment along key corridors, including University Avenue, Hickman Road, 73rd Street, and 63rd Street". Acquiring these properties and demolishing what are considered blighted areas opens up opportunity for different forms of redevelopment in focal point corridors within the community. This will spur economic growth and revenue for the community.

University Corridor Plan Alignment: For the University Corridor Plan, this acquisition and demolition of blighted properties allows for the University Corridor to develop future, beneficial uses and when being developed implement the goals and vision of the corridor. Including this within the Urban Renewal Plan allows for the implementation of the proposed development and improvements that are outlined within the University Corridor Plan.

Conclusion & Recommendation

The staff have reviewed the documentation provided including the proposed Urban Renewal Plan Amendment draft, Exhibits A and B, the City of Windsor Heights Comprehensive Plan, the University Corridor Plan, and the Colby Park Improvement Plan along with listening to the public through the Public Hearing. Taking all information into consideration and the impact of the amendment on the community and the listed plans, staff has made the following recommendation.



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The staff after review and the held Public Hearing at the Planning and Zoning Commission recommends recommendation for approval by the Planning and Zoning Commission to the City Council on whether the Urban Renewal Plan Amendment conforms with the Comprehensive Plan which outlines the long-range development of the community as it has been written.

Attachments:

1. Draft of the Urban Renewal Plan Amendment
2. Exhibit A – Legal Description of Expanded Windsor Heights Consolidated Urban Renewal Area
3. Exhibit B – Property to Be Acquired by the City
4. Future Land Use Map showing intended use of properties along University Ave

CITY OF WINDSOR HEIGHTS, IOWA
URBAN RENEWAL PLAN AMENDMENT
WINDSOR HEIGHTS CONSOLIDATED URBAN RENEWAL AREA

April, 2024

The Urban Renewal Plan (the “Plan”) for the Windsor Heights Consolidated Urban Renewal Area (the “Urban Renewal Area”) is being amended for the purposes of (1) adding certain real property to the Urban Renewal Area; (2) updating the City’s 73rd Street Reconstruction Project; and (3) identifying new urban renewal projects to be undertaken therein.

1) Addition of Property. The real property (the "Property") legally described on Exhibit A hereto includes the April, 2024 Addition to the Urban Renewal Area. With the adoption of this Amendment, the City will designate the April, 2024 Addition as an economic development area. The April, 2024 Addition will become subject to the provisions of the Plan for the Urban Renewal Area.

Blight Finding: An investigation has been conducted, the results of which indicate that conditions of blight, as described in Section 403.17(5) of the Code of Iowa, exist on some portions of the Property as a result of the deterioration of private properties, faulty land use and lot layout conditions, dilapidation and developing failure of public infrastructure and utility connections.

2) Update Description of the 73rd Street Reconstruction Project. The City approved the 73rd Street Reconstruction Project in the April 6, 2020 Amendment to the Plan, and it is now necessary to update the description of 73rd Street Reconstruction Project as follows:

Name of Project: 73rd Street Reconstruction Project

Date of Council Approval of Project: April 6, 2020, as updated on April 15, 2024

Description of Project and Project Site: The 73rd Street Reconstruction Project (the “Project”) will consist of street reconstruction and streetscaping; construction of storm water drainage system improvements; construction of sanitary sewer and water system improvements; construction of sidewalk and curb and gutter improvements; the installation of street lighting; and the incidental utility, landscaping, site clearance and cleanup work related thereto on and along 73rd Street from and including its intersection with University Avenue on the north and continuing southeast to and including its intersection with 8th Street.

It is expected that the completed Project will cause increased and improved ability of the City to provide adequate transportation infrastructure for the growth and retention of commercial enterprises in the City.

Description of Properties to be Acquired in Connection with Project: The City will acquire such easement territory and rights-of-way as are necessary to successfully undertake the Project.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the Project with either borrowed funds and/or the proceeds of internal advances of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Project will not exceed \$28,000,000 (increased from \$10,000,000 in the April, 2020 Amendment), plus any interest expense incurred by the City on the Obligations.

3) Identification of Projects. By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project descriptions:

A.

Name of Project: Colby Park Improvements Project

Date of Council Approval of Project: April 15, 2024

Description of the Project and Project Site: The Colby Park Improvements Project will consist of the construction of improvements to Colby Park in the Urban Renewal Area, including (1) the construction of a new splash pad; the installation of new park lighting, fencing, ADA accessibility improvements, concrete improvements, tennis courts and pickle ball courts; (2) the reconstruction of the playground; and (3) the installation of a new concrete food truck alley, including electrical banks, additional lighting, and benches.

It is anticipated that the completed Colby Park Improvements Project will have a positive impact on commerce and economic development in the Urban Renewal Area through the provision of enhanced recreational amenities.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the Colby Park Improvements Project with either borrowed funds and/or the proceeds of internal advances of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Colby Park Improvements Project will not exceed \$3,500,000, plus any interest expense incurred by the City on the Obligations.

B.

Name of Project: 68th Street and School Street Blight Alleviation Project

Date of Council Approval of Project: April 15, 2024

Description of Project and Project Site: The 68th Street and School Street Blight Alleviation Project being undertaken by the City will consist of street reconstruction; the construction of sidewalk, sewer and water system improvements; and the incidental utility, landscaping, site clearance and cleanup work related thereto on and along the following rights-of-way in the Urban Renewal Area:

68th Street beginning at its intersection with University Avenue on the north and continuing south to and including its intersection with School Street; and

School Street beginning at its dead end near Wal-Mart on the west and continuing east to and including its intersection with 63rd Street.

It is expected that the completed 68th Street and School Street Blight Alleviation Project will alleviate and prevent the spread of blighted conditions in the Urban Renewal Area and cause increased and improved ability of the City to provide adequate transportation infrastructure for the growth and retention of commercial and industrial enterprises in the Urban Renewal Area.

Description of Properties to be Acquired in Connection with Project: The City will acquire such easement territory and rights-of-way as are necessary to successfully undertake the 68th Street and School Street Blight Alleviation Project.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the 68th Street and School Street Blight Alleviation Project with borrowed funds and/or the proceeds of internal advances of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues to be derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the 68th Street and School Street Blight Alleviation Project will not exceed \$4,500,000, plus any interest expense incurred on the Obligations.

C.

Name of Program: Urban Renewal Administration and Professional Support Program

Date of Council Approval of Program: April 15, 2024

Description of Program: The City will provide administrative and professional support to its urban renewal projects and initiatives in the City's 2025 through 2030 fiscal years (the "Admin Support Program"). The Admin Support Program will include planning, staffing, grant writing and administration, document support, record management, accounting, marketing, legal services and such other services as are necessary to carry out and effectuate the urban renewal initiatives and objectives of the City.

Description of Use of TIF for the Program: The City will fund its support contributions under the Admin Support Program from the proceeds of internal advances (the "Advances") of City funds on hand. The City's annual contributions will be determined from year to year. The City will repay the Advances from incremental

property tax revenues to be derived from the Urban Renewal Area. The total amount of incremental property tax revenues to be applied to the City's Admin Support Program for the City's fiscal years 2025 through 2030 shall not exceed \$750,000.

D.

Name of Project: Windsor Apartment Building Development Project

Date of Council Approval of Project: April 15, 2024

Description of Project and Project Site: Millang Properties, L.L.C., The Windsor, L.L.C., and Jensfam, LLC (the "Developers") have proposed to undertake the construction (the "Project") of a 90-unit apartment building on certain real property (the "Property") situated in Hopkins Place, an Official Plat and Hopkins-Woehler Place, an Official Plat in the Urban Renewal Area. The Project will also include the planting of approximately fifty (50) trees on the Property and throughout the City.

The property situated within the City's Urban Renewal Area has been identified by the City Council as property that is both in need of blight alleviation and economic development initiatives. The Project will alleviate the spread of blighted conditions in the Urban Renewal Area and facilitate economic development therein.

The Developers have requested that the City provide tax increment financing assistance to the Developers to reimburse their efforts to complete the Project.

The costs incurred by the City in providing tax increment financing assistance to the Developers will include legal and administrative fees (the "Admin Fees") in an amount not to exceed \$20,000.

Description of Properties to be Acquired in Connection with Project: The City will acquire a portion of certain real property from the Developers situated in Hopkins-Woehler Place, an Official Plat and identified in Exhibit B attached hereto.

Description of Use of TIF for the Project: The City intends to enter into a development agreement (the "Development Agreement") with the Developers with respect to the construction of the Project and to provide annual appropriation economic development payments (the "Payments") to the Developers thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the City's total commitment of incremental property tax revenues with respect to the Project including the Payments and the Admin Fees will not exceed \$1,520,000.

E.

Name of Project: Sherwood Forest Building Redevelopment Project

Date of Council Approval of Project: April 15, 2024

Description of Project and Project Site: Sherwood Forest Company (the “Developer”) has proposed to undertake the redevelopment (the “Project”) of an existing building (the “Existing Building”) on certain real property (the “Property”) situated at in the Sherwood Forest retail complex in the Urban Renewal Area. It is intended that the Existing Building will be used in the business operations of an entertainment facility catering to pedestrian and bicycle traffic.

The property situated within the City’s Urban Renewal Area has been identified by the City Council as property that is both in need of blight alleviation and economic development initiatives. The Project will alleviate the spread of blighted conditions in the Urban Renewal Area and facilitate economic development therein.

The Developer has requested that the City provide tax increment financing assistance to the Developer to reimburse its efforts to complete the Project.

The costs incurred by the City in providing tax increment financing assistance to the Developer will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$8,000.

Recreational Trail Improvements: The City will construct a recreational trail (the “Recreational Trail Project”) to facilitate pedestrian and bicycle traffic on the Property. The City will acquire such easement territory and rights-of-way as are necessary to successfully undertake the Recreational Trail Project.

Description of Use of TIF for the Project/Recreational Trail Project: The City intends to enter into a development agreement (the “Development Agreement”) with the Developer with respect to the construction of the Project and to provide annual appropriation economic development payments (the “Payments”) to the Developer thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Project including the Payments and the Admin Fees will not exceed \$508,000.

It is anticipated that the City will pay for the Recreational Trail Project with borrowed funds and/or the proceeds of internal advances of City funds on-hand. In any case, the City’s obligations (the “Obligations”) will be repaid with incremental property tax revenues to be derived from the Urban Renewal Area. It is anticipated that the City’s use of incremental property tax revenues for the Recreational Trail Project will not exceed \$200,000, plus any interest expense incurred on the Obligations.

F.

Name of Project: 66th Street and University Redevelopment Project

Date of Council Approval of Project: April 15, 2024

Description of Project and Project Site: A private developer (the “Developer”) owns certain real property (the “Property”) situated on the northwest side of the intersection of 66th and University. The Developer has proposed to undertake certain improvements on the Property consisting of the construction of certain public infrastructure improvements including the construction of sidewalk and curb improvements (the “Public Infrastructure Project”); the construction of a patio and six (6) parking stalls (the “Private Infrastructure Project” and sometimes hereinafter together with the Public Infrastructure Project, as the “Infrastructure Project”;) and the installation of a mural (the “Mural Project”)

WHEREAS, the Developer has requested that the City provide financial assistance in the form of an economic development grant (the “Grant”) to be used by the Developer in paying the costs of constructing the Infrastructure Project and the Mural Project.

The costs incurred by the City in providing the Grant to the Developer will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$5,000.

Description of Use of TIF for the Project: The City intends to enter into a development agreement (the “Agreement”) with the Developer with respect to the Infrastructure Project and the Mural Project and to provide an economic development grant (the “Grant”) to the Developer thereunder. The Grant, in an amount not to exceed \$50,000 will be funded with either borrowed funds and/or an internal advance of funds on-hand. In any case, the City’s obligations (the “Obligations”) may be repaid with incremental property tax revenues to be derived from the Urban Renewal Area. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Infrastructure Project and the Mural Project including the Grant and the Admin Fees will not exceed \$55,000, plus any interest expense incurred by the City on the Obligations.

G.

Name of Project: University Avenue Corridor Property Acquisition, Demolition and Site Preparation Project

Date of Council Approval of Project: April 15, 2024

Description of Project and Project Site: The University Avenue Corridor Property Acquisition, Demolition and Site Preparation Project (the “University Avenue Corridor Project”) will consist of the acquisition by the City of certain parcels (as identified below) situated in the Urban Renewal Area. The City will undertake the demolition of existing buildings, site preparation and beautification improvements on such parcels in order to alleviate certain blighted conditions thereon and to promote future economic development in the Urban Renewal Area

Description of Properties to be Acquired in Connection with Project: The City may acquire certain real property situated in the Urban Renewal Area and bearing Polk County Geoparcels Identification Numbers 782502129095, 782502129098, 782502129096, 782502129097, 782502129093, 782502129094, 782502129099, 782502129002, 782502129003, 782502129004, 782502127034, 782502127035, 782502127036, 782502103027, 782502103024, 782502103025, 782502103026, 782502103001, 782502102005, 782502102004, 782502102003, 782502102002, 782502102014, 792536376036, 792536376035, 792536376039, 792536376038, 792536376037, 792536376027, 792536379017, 792536379018, 792536379003, 792536379004, 792536455021, 792536455020, 792536455022, 792536455023, 792536455019, 792536455024, 792536455025, 792536456020, 792536456019 and 792536381017.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the University Avenue Corridor Project with borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the University Avenue Corridor Project will not exceed \$5,000,000, plus any interest expense incurred by the City on the Obligations.

4) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$25,924,617</u>
Outstanding general obligation debt of the City:	<u>\$</u>
Proposed debt to be incurred under this April, 2024 Amendment*:	<u>\$44,303,000</u>

*It is anticipated that some of the debt incurred by the City hereunder will be subject to annual appropriation by the City Council.

EXHIBIT A
Legal Description
Expanded Windsor Heights Consolidated Urban Renewal Area
(April, 2024 Addition)

Certain real property situated in the City of Windsor Heights, Polk County, State of Iowa more particularly described as follows:

All of the public right-of-way of 68th Street beginning at its intersection with University Avenue on the north and continuing south to and including its intersection with School Street; and

All of the public right-of-way of School Street beginning at its dead end south of Walmart on the west and continuing east to its intersection with 63rd Street; and

Certain real property situated in the City of Windsor Heights, Polk County, Iowa bearing Polk County Geoparcels Identification Numbers 782502129095, 782502129098, 782502129096, 782502129097, 782502129093, 782502129094, 782502129099, 782502129002, 782502129003, 782502129004, 782502127034, 782502127035, 782502127036, 782502103027, 782502103024, 782502103025, 782502103026, 782502103001, 782502102005, 782502102004, 782502102003, 782502102002, 782502102014, 792536376036, 792536376035, 792536376039, 792536376038, 792536376037, 792536376027, 792536379017, 792536379018, 792536379003, 792536379004, 792536455021, 792536455020, 792536455022, 792536455023, 792536455019, 792536455024, 792536455025, 792536456020, 792536456019 and 792536381017.

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