*	Roll	Call	Number	
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Agenda	Item	Number
Ü		50

Date	May 18, 2015	
Date	May 18, 2013	

RESOLUTION HOLDING HEARING ON REQUEST FROM MACERICH SOUTHRIDGE MALL, LLC FOR REVIEW AND APPROVAL OF THE 31ST AMENDMENT TO THE "C-4" DEVELOPMENT PLAN FOR SOUTHRIDGE MALL, 1111 EAST ARMY POST ROAD

WHEREAS, on May 4, 2015, by Roll Call No. 15-0739, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on April 16, 2015, its members voted 12-0 in support of a motion to recommend APPROVAL of a request from Macerich Southridge Mall, LLC (owner), represented by Norm Forget (officer), for review and approval of the 31st Amendment to the "C-4" Development Plan for Southridge Mall on property locally known as 1111 East Army Post Road ("Property"), to allow a 52-unit four-story senior living apartment dwelling, subject to the following conditions:

- 1. Any development of a senior housing apartment building shall be reviewed by the Plan and Zoning Commission as part of a Site Plan under design guidelines for multiple-family dwellings.
- 2. Any tree removal is subject to compliance with applicable Tree Protection and Mitigation Ordinances; and

WHEREAS, on May 4, 2015, by Roll Call No. 15-0739, it was duly resolved by the City Council that the request from Macerich Southridge Mall, LLC, for approval of the 31st Amendment to the "C-4" Development Plan for Southridge Mall, for the Property as legally described below, be set down for hearing on May 18, 2015 at 5:00 P.M., in the Council Chamber at City Hall; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the "C-4" Development Plan for Southridge Mall; and

WHEREAS, in accordance with said notice and continuance, those interested in said proposed amendment to the approved "C-4" Development Plan for Southridge Mall, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts and any statements of interested persons and arguments of counsel, any and all objections to the proposed 31st Amendment to the "C-4" Development Plan for Southridge Mall and for the Property, locally known as 1111 East Army Post Road and legally described as follows, are hereby overruled, and the hearing is closed:

(Except North 250 feet) Lot 3, and all Lots 4 thru 19, Southridge Plat No. 2, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Roll C	all Nu	ımber			Agenda Item Number
Date May 1	8, 2015	; 			-2-
the Commun	nity Dev	elopme	nt Dep	artment, is	C-4" Development Plan for Southridge Mall, as on file in hereby found to be in conformance with the Des Moines and is hereby approved.
		М	OVED	BY	TO ADOPT.
FORM APP	al. 1	trank	City A	ttorney	(ZON2015-00043)
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICATE
COWNIE					I DIANE DAILH City Clork of soid City bouch
COLEMAN					I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said
GATTO					City of Des Moines, held on the above date, among
GRAY					other proceedings the above was adopted.
HENSLEY					IN WITNESS WHEREOF, I have hereunto set my
MAHAFFEY					hand and affixed my seal the day and year first
MOORE					above written.
TOTAL					
OTION CARRIED			AP	PROVED	
				Mayor	City Clerk
				Mayor	





April 27, 2015

Honorable Mayor and City Council City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held April 16, 2015, the following action was taken regarding a request from Macerich Southridge Mall, LLC (owner) represented by Norm Forget (officer) for the 31st amendment to the "C-4" Development Plan for Southridge Mall on property located at 1111 East Army Post Road.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	Χ			
JoAnne Corigliano	X	•		
Jacqueline Easley	X			
Tim Fitzgerald	X			*
Jann Freed	X			
John "Jack" Hilmes	Χ			
Greg Jones	X			
Sasha Kamper	X			
William Page				X
Jonathan Rosenbloom	Χ			
Mike Simonson				X
CJ Stephens	X			
Vicki Stogdill	X			
Greg Wattier	X			

APPROVAL of staff recommendation for approval of the submitted "C-4" Development Plan amendment subject to the following conditions: (ZON2015-00043)

 Any development of a senior housing apartment building shall be reviewed by the Plan and Zoning Commission as part of a Site Plan under design guidelines for multiplefamily dwellings. 2. Any tree removal is subject to compliance with applicable Tree Protection and Mitigation Ordinances.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the submitted "C-4" Development Plan amendment subject to the following conditions:

- 1. Any development of a senior housing apartment building shall be reviewed by the Plan and Zoning Commission as part of a Site Plan under design guidelines for multiple-family dwellings.
- 2. Any tree removal is subject to compliance with applicable Tree Protection and Mitigation Ordinances.

Written Responses

5 In Favor

1 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request: The applicant is proposing to allow development of a 52-unit four-story senior apartment dwelling on a 1.64 acre pad site of the Southridge Mall complex. This requires designation of the use of the pad site within the "C-4" Development Plan. Any specific pad site development would also be subject to a future Site Plan review by the Plan and Zoning Commission under design guidelines for multiple-family dwellings.
- 2. Size of Site: Approximately 152.6 acres (overall mall site). The proposed pad site area for the senior apartment building is 1.64 acres.
- **3. Existing Zoning (site):** "C-4" Shopping Center Commercial District and "FSO" Freestanding Sign Overlay District.
- **4. Existing Land Use (site):** The Southridge Mall regional commercial complex. Approximately 31 acres is undeveloped and available for future development.

5. Adjacent Land Use and Zoning:

North – "C-2", Uses are highway commercial businesses. Uses adjoining the affected pad site are Bankers Trust branch bank.

South – "R1-60", & "R-6", Uses are multiple family residential apartments and vacant land. Uses adjoining the affected pad site within the mall campus are the internal ring road and off-street parking lot.

East – "C-2", "C-1", "R-5", & "R1-60", Uses are highway commercial uses, mobile home park, and vacant land. Uses adjoin the affected pad site are an off-street parking lot for Hy-Vee and a 0.59 acre vacant pad site.

West – "PUD" & "A-1", Uses are Somerset mixed multiple family and single-family residential neighborhood, the Des Moines Police Academy, South Side YMCA, and Ft. Des Moines County Park. Use adjoining the affected pad site is Christ Evangelical Lutheran Church.

- 6. General Neighborhood/Area Land Uses: The subject regional commercial shopping center is located at the intersection of the East Army Post Road and Southeast 14th Street (US Highway 65/69) commercial corridors.
- 7. Applicable Recognized Neighborhood(s): The subject property is not located in a Recognized Neighborhood. It is located within 250 feet of the Easter Lake Area Neighborhood, the Somerset Neighborhood, and the South Park Neighborhood. These neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on March 27, 2015. Additionally, separate notifications of the hearing for this specific item were mailed April 6, 2015 (10 days prior to the hearing) to these neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the Southridge Mall "C-4" development plan area. A Final Agenda was mailed to the neighborhood association on April 10, 2015.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Easter Lake Area Neighborhood Association mailings were sent to Jim Bollard, 4007 SE 26th Street, Des Moines, IA 50320. The Somerset Neighborhood mailings were sent to Mel Pins, 210 East Bundy Avenue, Des Moines, IA 50315. The South Park Neighborhood mailings were sent to Jan Goode, 4501 SE 6th Street, Des Moines, IA 50315.

- **8.** Relevant Zoning History: The "C-4" development plan has been amended 30 times formally and administratively since the property was rezoned on May 22, 1972.
- **9. 2020 Community Character Land Use Plan Designation:** Commercial: Auto-Oriented, Regional Shopping Mall.
- 10. Applicable Regulations: In accordance with Section 134-1052 and inconsideration of Chapter 18B of the Iowa Code, the Commission shall review the conformity of the proposed development plan with the standards of the comprehensive plan, and with the recognized principles of civic design, land use planning, and landscape architecture. The commission may approve the plan as submitted or, before approval, may require that the applicant modify, alter, adjust, or amend the plan as the commission deems necessary to the end that it preserve the intent and purpose of this chapter to promote public health, safety, morals, and general welfare. The development plan as approved by the commission shall then be reported to the city council, whereupon the city council may approve or disapprove the plan as reported or may require such changes thereto as it deems necessary to effectuate the intent and purpose of this chapter. Section 134-1055 states that any proposed change, except minor changes as set forth in division 8 of article II of this chapter (Section 134-247), in the shopping center plan, after approval by the council, shall be resubmitted and considered in the same manner as the original proposal.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Natural Site Features: The pad site proposed for the 52 unit senior apartment project has several mature trees along the internal circulation roads that were planted as part of the overall mall landscaping. The western half of the pad site has about a 25% slope from the center of the property up to the western boundary. This slope is vegetated with smaller trees and brush. Any Site Plan for the proposed senior housing project will be required to comply with all Tree Protection and Mitigation Ordinances.
- 2. Drainage/Grading: The majority of the subject "C-4" area drains generally toward the south of the mall site. The affected pad site drains west to east. There is public storm sewer available at an intake at the southeast corner of the pad site. Because the site is over an acre, the proposed senior apartment project would be required to comply with water quality storm water management and standard storm water management requirements with any submitted Site Plan. Also Iowa DNR approval of a Storm Water Pollution Prevention Plan (SWPPP) would be required prior to final approval of any Site Plan for the proposed development.
- 3. Utilities: Public sanitary sewer access is approximately 850 feet to the east of the affected pad site within the mall site. There is public sanitary sewer within 600 feet in Southeast 5th Street and within the 250 feet through the Bankers Trust property to the north to East Army Post Road. The depth of the latter two sewer lines may not be feasible for gravity flow based on the elevation conditions of the pad site. The best alternative for sanitary sewer connection would need to be determined through design engineering at the Site Plan design phase for the project.
- 4. Landscaping & Buffering: Because the proposed amendment is not a major reconfiguration of the overall site, only the new development is required to comply with the Des Moines Landscape Standards as part of any Site Plan. In this case, the proposed 52 unit senior apartment project would be required to meet minimum open space landscaping standards as applicable to "C-2" Districts. This would be reviewed by the Plan and Zoning Commission as part of the required Site Plan.
- 5. Traffic/Street System: The subject property currently adjoins the arterial network of East Army Post Road and US Highway 65/69. There are median breaks on both streets in alignment with the locations of two drive entrances from each street. The two drive entrances to East Army Post Road and the southern drive entrance to US Highway 65/69 are signalized with left turn lanes in and out of the mall site. In addition the intersections of Southeast 5th Street and Southeast 14th Street with East Army Post Road are signalized with left turn lanes from all directions. The proposed senior housing development would not create any projected traffic demands that would cause re-evaluation of the adjoining public street facilities.
- 6. Access or Parking: The proposal does not anticipate modifying existing surrounding off-street parking areas. The expectation is that the off-street parking requirement would be met within the proposed pad site development and reviewed with a Site Plan. The minimum parking standard for senior housing is one space per two units, or 26 spaces based on the proposed 52 units. Access is proposed to be directly onto a circulation loop road within the mall complex and not directly onto any public street.

There is currently a DART transit hub located at Southridge Mall which would give residents reasonable access to transit services.

- 7. 2020 Community Character Plan: The Commercial: Auto-Oriented, Regional Shopping Mall designation provides for a future land use that includes multi-use building with over 1,000,000 square feet of retail space. Staff believes that the proposed Development Plan amendment conforms to this designation contained within the Des Moines' 2020 Community Character Plan. The nature and pattern of use expected with the proposed senior apartment project is within the mixed use character which would be exhibited by a regional shopping mall area. While the pad site itself would be close to 32 units per acre, when attributing density of units to the overall mall complex it is only 0.34 units an acre. If more housing units were to be added to the mall complex in the future, the overall density should be reviewed cumulatively.
- 8. Urban Design: The developer has provided a concept of the architectural elevations for the proposed senior housing apartment building. While a review of the "C-4" Development Plan does not include the architectural detail of the specific building, there are design guidelines for multiple-family dwellings that will consider review of the architectural design and building materials as part of a future Site Plan review by the Plan and Zoning Commission.

SUMMARY OF DISCUSSION

<u>Greg Jones</u> asked if anyone was present to speak on this item. None were present or requested to speak.

COMMISSION ACTION:

<u>Dory Briles</u> moved staff recommendation to approve the submitted "C-4" Development Plan amendment subject to the following conditions:

- 1. Any development of a senior housing apartment building shall be reviewed by the Plan and Zoning Commission as part of a Site Plan under design guidelines for multiple-family dwellings.
- 2. Any tree removal is subject to compliance with applicable Tree Protection and Mitigation Ordinances.

Motion passed 12-0.

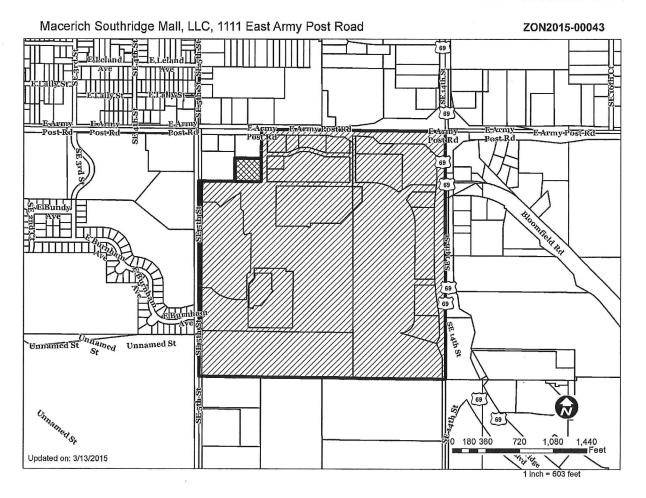
Respectfully submitted,

Michael Ludwig, AICP Planning Administrator

MGL:clw

Attachment

Macerich Southridge Mall, LLC (owner) represented by Norm Forget (officer) on						File#			
property located	at 1111	East	Army Po	Army Post Road.				ZON2015-00043	
Description of Action	Approval of the 31st amendment to the "C-4" Development Plan for Southridge Mai 52-unit four-story senior living apartment dwelling subject to conditions.				hridge Mall, to allow a				
2020 Community Character Plan				Current: Regional Shopping Mall. Proposed: N/A.					
Mobilizing Tomorrow Transportation Plan			2025-2034: Widen US 69/SE 14 th Street 4 lanes to 6 lanes.						
Current Zoning District		"C-4" Shopping Center Commercial District.							
Proposed Zoning District		rict	N/A.	N/A.					
Consent Card Responses		ses	In Favor			Not In Favor Undetermined		nined	% Opposition
Inside Area		5			1				
Outside Area									
	Plan and Zoning App		oval 12-0			Required 6/7		Yes	
Commission Action		Deni	al			the City Coun	icil	No	Х

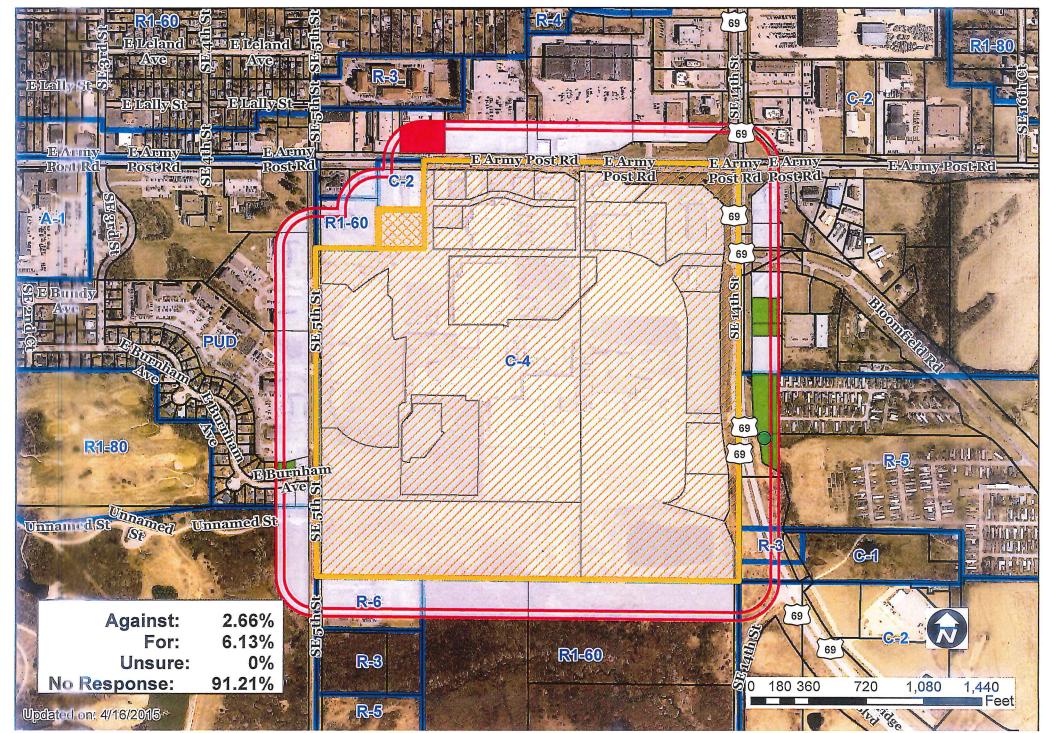


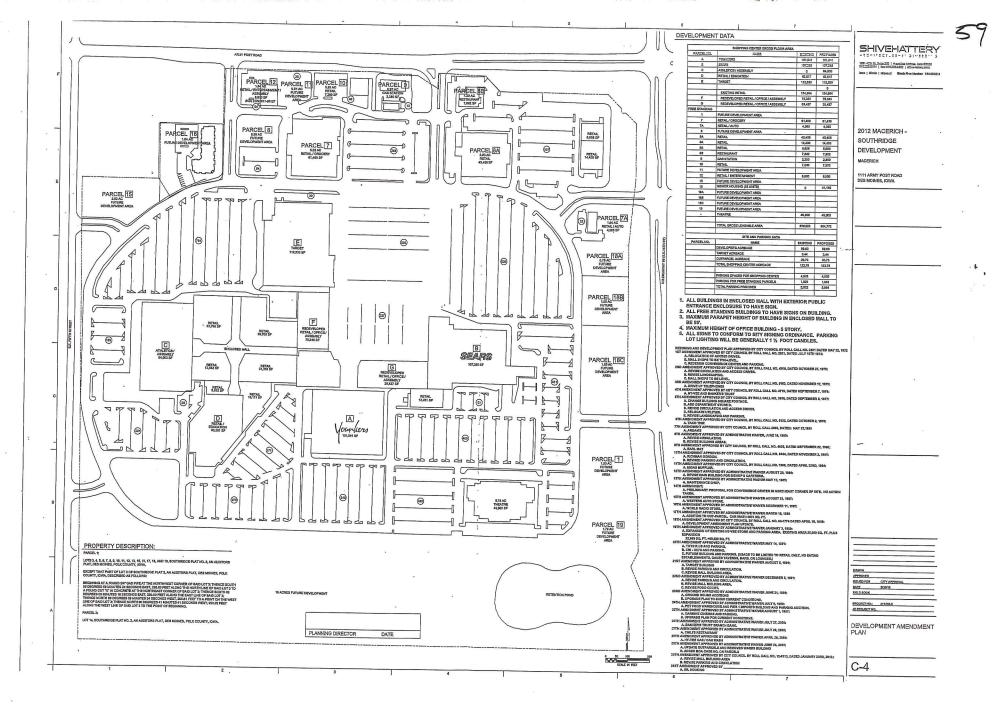
Item ZON2015-00043 Date 4/13/16 (I (am) (am not) in favor of the request. RECEPTIVE DEVELOPMENT Signature Signature Signature APR 1 5 2015 Address 4/10/19/10/10/10/10/10/10/10/10/10/10/10/10/10/	ZON2015-00043 Item (am) (ament) in favor of the request. THECEIVED COMMUNITY DEVELOPMENTPrint Name KACERTAL, ROBATCA APR 1 3 2015 Signature Collection DEPARTMENT Address 156 E. Busin Ham Hute Reason for opposing or approving this request may be listed below:	
ZON2015-00043	Date 1 MV + 11 11 11 1	

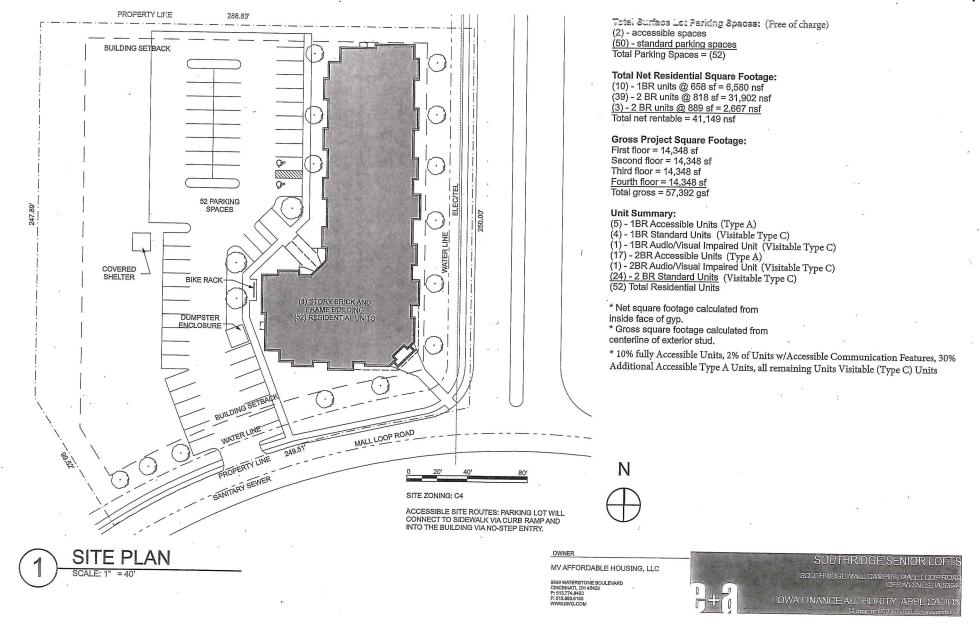
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TEP (3F) AND THE CONTRACT OF the	e request.	Git-N-	ho stores,	Iac.
COMMUNITATION OF THE PROPERTY	Print Name	De	unis Flor	<u>C</u>
APR 1 0 2015	Signature	ST.	ema plan	Sves.
DEPARTMENT	Address_	27/6	Tadiqueda	Ave. O.W.
Reason for opposing or appre	oving this re	quest may	y be listed below	<i>r</i> .
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TON2015-00043 Item









WEST ELEVATION

SCALE: 1/16" = 1'-0"



EAST ELEVATION

SCALE: 1/16" = 1'-0"

*Minimum of 60% of the gross exterior (excluding window and door areas), of brick, stone, stucco over masonry, architectural CMU block, pre-cast concrete wall panels. The remaining 40% shall be aesthetically pleasing and in harmony with the architecture of the rest of the building. Window infill panels, if present, shall be constructed of 100% fiber cement board siding or pre-finished aluminum metal AND pre-finished aluminum metal or fiber cement board fascia and vented soffit systems.

*10% fully Accessible Units, 2% of Units w/Accessible Communication Features, 30% Additional Accessible Type A Units, all remaining Units Visitable (Type C) Units OWNER

MV AFFORDABLE HOUSING, LLC

9349 WATERSTONE BOULEVARD CINCINNATI, OH 45429 P: 513.774.8400 F: 513.683.6165 WWW.MVG.COM





NORTH ELEVATION

SCALE: 1/16" = 1'-0"



SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

Minimum of 60% of the gross exterior (excluding window and door areas), of brick, stone, stucco over masonry, architectural CMU block, pre-cast concrete wall panels. The remaining 40% shall be aesthetically pleasing and in harmony with the architecture of the rest of the building. Window infill panels, if present, shall be constructed of 100% fiber cement board siding or pre-finished aluminum metal AND pre-finished aluminum metal or fiber cement board fascia and vented soffit systems.

* 10% fully Accessible Units, 2% of Units w/Accessible Communication Features, 30% Additional Accessible Type A Units, all remaining Units Visitable (Type C) Units

OWNER

MV AFFORDABLE HOUSING, LLC

9349 WATERSTONE BOULEVARD CINCINNATI, OH 45429 P: 513.774.8400 F: 513.683.8185 WWW.MyG.COM

