★ Ro	oll Call	Number
------	----------	--------

Agenda Item Number
2 2
\bigcirc

Date	June	26,	2017	

RESOLUTION SETTING HEARING ON REQUEST FROM MACERICH SOUTHRIDGE MALL, LLC FOR APPROVAL OF THE 32ND AMENDMENT TO THE SOUTHRIDGE MALL C-4 DEVELOPMENT PLAN FOR PROPERTY IN THE VICINITY OF 1111 EAST ARMY POST ROAD

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 15, 2017, its members voted 13-0 in support of a motion to recommend APPROVAL of a request from Macerich Southridge Mall, LLC (owner), represented by Douglas Morrow (officer), for review and approval of the 32nd Amendment to the Southridge Mall C-4 Development Plan for property in the vicinity of 1111 East Army Post Road ("Property"), to allow a 15.78-acre parcel therein to be used for multiple-family residential dwellings and office use, and to allow a 19,111-square foot expansion of the existing retail/education use for Des Moines Area Community College within the main mall building, subject to the following revisions to the Plan amendment:

- 1. Any development of multiple-family residential units 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 the City's Tree Removal and Mitigation Ordinance.
- 3. Any Site Plan for development is subject to compliance with the recommendations of the approved traffic study including improvements for internal pedestrian circulation; and

WHEREAS, the Property is legally described as follows:

(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.

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

- 1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
- 2. That the meeting of the City Council at which the proposed amendment to the C-4 Development Plan Plan is to be considered shall be held at the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa, at 5:00 p.m. on July 10, 2017, at which time the City Council will hear both those who oppose and those who favor the proposals.
- 3. That the City Clerk is hereby authorized and directed to cause notice of said proposals in the accompanying form to be given by publication once, not less than seven (7) days and not more

Roll Call	Numl	oer			Agenda Item Number
ate June 26, 2	017				
than twen				ne date of h	nearing, all as specified in Section 362.3 and Section
		МО	VED B	Y	TO ADOPT.
FORM APPI	ROVEI).			
Glenna K. Fr	al.	tro	nk City A	ttorney	(ZON2017-00086)
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICATE
COWNIE					TO DIAME BANK CHARLES A STATE OF THE
COLEMAN					I, DIANE RAUH, City Clerk of said City hereb certify that at a meeting of the City Council of sai
GATTO		1			City of Des Moines, held on the above date, amon
GRAY					other proceedings the above was adopted.
	1	1	1	1	

APPROVED

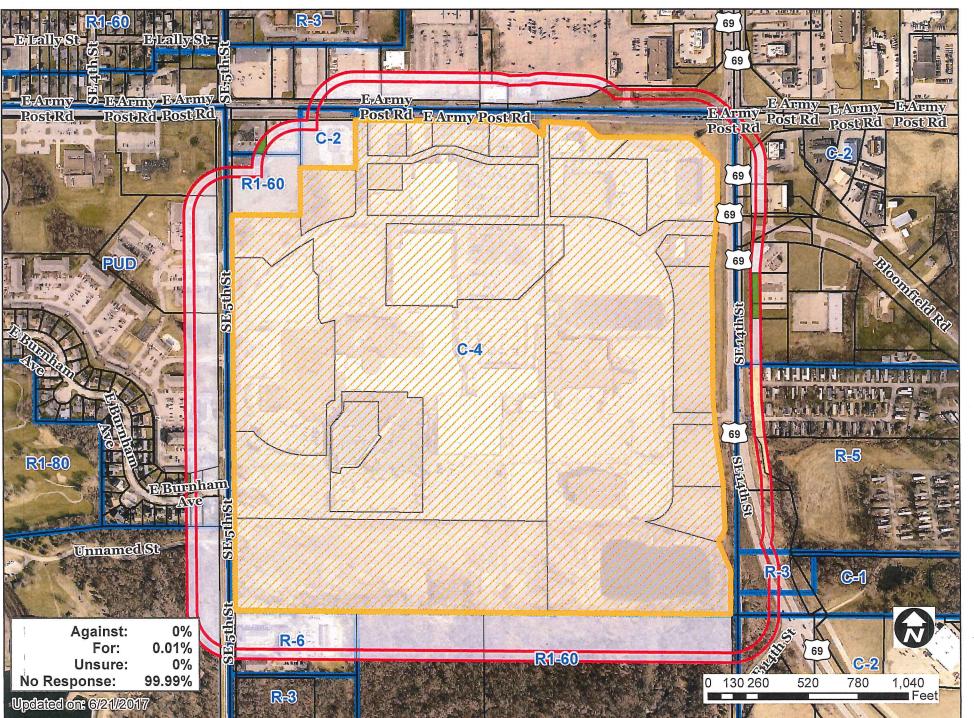
Mayor

MOORE
WESTERGAARD
TOTAL

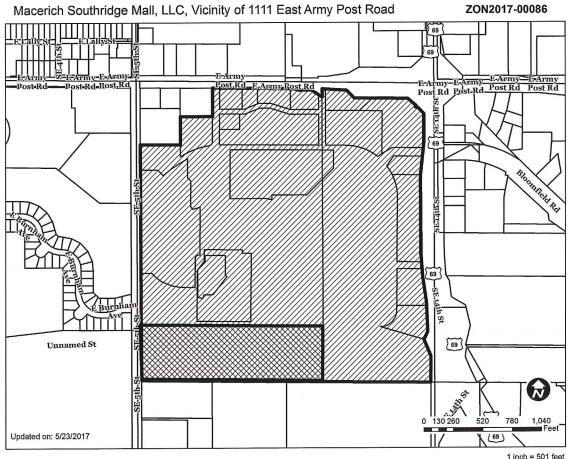
MOTION CARRIED

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____City Clerk



Macerich South for property in	erich Southridge Mall, LLC (owner) represented by Douglas Morrow (officer) roperty in the vicinity of 1111 East Army Post Road.						ZC	File # 0N2017-00086		
Description of Action	and the contract of the contra									
PlanDSM Futur	e Land	nd Use Current: Regional Mixed Use within a Regional Node. Proposed: N/A.								
Mobilizing Tom Transportation	and the second s									
Current Zoning				"C-4" Shopping Center Commercial District, and "FSO" Freestanding Signs Overlay District.						
Proposed Zoni	ng Distr	rict	N/A.							
Consent Card I Subject Proper Outside Area (2	ty		In Favor N			t In Favor	Undetermined		% O	pposition
Plan and Zonin Commission A		Appr Deni				Required 6/7 the City Coun		Yes No		х



1 inch = 501 feet



Roll Call #

June 20, 2017

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 June 15, 2017, the following action was taken regarding a request from Macerich Southridge Mall, LLC (owner) represented by Douglas Morrow (officer) for review and approval of the 32nd Amendment to the Southridge Mall C-4 Development Plan for property in the vicinity of 1111 East Army Post Road, to allow the 15.78-Acre property at 7001 Southeast 5th Street to be used for multiple-family residential dwellings and office use and to allow a 19, 111-square foot expansion of the existing retail/education use for Des Moines Area Community College within the main mall building.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	Χ			
Dory Briles	X			
JoAnne Corigliano	X			
David Courard-Hauri	Χ			
Jacqueline Easley	X			
Jann Freed				Χ
John "Jack" Hilmes	X			
Lisa Howard	Χ			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Mike Simonson	X			
Rocky Sposato				X
Steve Wallace	X			
Greg Wattier	Χ			

APPROVAL of the submitted "C-4" Development Plan amendment subject to the following conditions: (ZON2017-00086)

- 1. Any development of multiple-family residential units 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 the City's Tree Removal and Mitigation Ordinance.
- 3. Any Site Plan for development is subject to compliance with the recommendations of the approved traffic study including improvements for internal pedestrian circulation.

Written Responses

4 in Favor

0 in Opposition

STAFF RECOMMENDATION

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

- 1. Any development of multiple-family residential units 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 the City's Tree Removal and Mitigation Ordinance.
- 3. Any Site Plan for development is subject to compliance with the recommendations of the approved traffic study including improvements for internal pedestrian circulation.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. Purpose of Request: The applicant is proposing to allow development of multiple-family apartments, townhomes, and office uses on a 15.78-Acre pad site of the Southridge Mall complex. This requires designation of the use of the property within the "C-4" Development Plan. Any specific site development would be subject to a future Site Plan review by the Plan and Zoning Commission under design guidelines for multiple-family dwellings.

Simultaneously, the applicant is seeking to allow expansion of the DMACC campus for higher educational use within the main mall complex. This would involve occupancy of an additional 19,111-square feet within the former JCPenny's store area.

- 2. Size of Site: Approximately 152.6 acres (overall mall site). The proposed pad site area for the multiple-family and office development is 15.78-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 within the mall campus are the internal ring road and off-street parking lot.

South – "R1-60", & "R-6", Uses are multiple-family residential apartments and vacant land.

East – "C-2", "C-1", "R-5", & "R1-60", Uses are highway commercial uses, a mobile home park, and vacant land. Uses adjoining the affected pad site are a large storm water basis.

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.

- **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 May 26, 2017. Additionally, separate notifications of the hearing for this specific item were mailed June 5, 2017 (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 associations on June 9, 2017.

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 31 times formally and administratively since the property was rezoned on May 22, 1972. The most recent amendment was for senior multiple-family apartments on the northwest part of the mall property on May 18, 2015, by Roll Call No. 15-0858.
- 9. PlanDSM Future Land Use Designation: Regional Mixed Use with Regional Node.

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 multiple-family apartments, townhomes, and office uses has a significant mature tree canopy. The property slopes downward towards the east then southeasterly. Any Site Plan for the redevelopment of this property would be required to comply with the City's Tree Removal and Mitigation Ordinance.
- 2. Drainage/Grading: The majority of the subject "C-4" area drains toward the southeast portion of the mall site into a large drainage basin. The affected pad site drains west to east and then southeasterly into a drainage way. There is public storm sewer available on the north edge of the pad site. Because the site is over an acre, the proposed 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 on the north edge of the affected pad site within the mall site. A Des Moines Water Works public main is available in Southwest 5th Street.
- 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 redevelopment projects would be required to meet minimum open space landscaping standards as applicable to "C-1" Districts.
- 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 developer of the

proposed pad site has had a completed traffic study based on the proposed development. Traffic and Transportation Staff have made the following recommendations for any Site Plan for the area based on the approved study:

- 1. Ensure Phase II includes required pedestrian facilities along SE 5th St.
- 2. Show existing public street lighting and indicate any impacts.
- 3. Show any proposed changes to public transit agencies stops.
- 4. Show any proposed public roadway geometry modifications and/or traffic control modifications on site plan.

The Urban Design Review Board, as part of a development agreement with the City, has also made preliminary recommendations that pedestrian connections be made to the primary mall complex as part of any Site Plan for redevelopment.

- 6. Access or Parking: The proposed pad site redevelopment would be responsible for providing the required off-street parking commensurate with the number of residential units and office area. The C-4 Plan Amendment indicates providing space interior to the site parallel off-street parking spaces that would access directly from the mall internal ring road.
- 7. PlanDSM: The Regional Mixed Use designation provides for "Large-scale mixed use development, located on or at crossroads of major transportation corridors, emphasizing commercial, retail, and parking. Medium to high density residential may be incorporated within a development or along edges as transition to adjacent to lower density residential. Mixed use may be horizontal as well as vertical, so there is no requirement that every building be mixed. May emphasize active uses (i.e. retail) on the ground floor, particularly at key intersections." The nature and pattern of use expected with the proposed project is within the mixed use character which would be exhibited by a Regional Mixed Use area.
- 8. Urban Design: Review of the "C-4" Development Plan does not include the architectural detail of specific buildings. However, there are design guidelines for multiple-family dwellings that would be considered for review of the architectural design and building materials as part of a future Site Plan review by the Plan and Zoning Commission. Additionally, based on a development agreement, the Urban Design Review Board would also review architectural design.

SUMMARY OF DISCUSSION

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

COMMISSION ACTION:

<u>JoAnne Corigliano</u> moved staff recommendation for approval of the submitted "C-4" Development Plan amendment subject to the following conditions:

1. Any development of multiple-family residential units 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 the City's Tree Removal and Mitigation Ordinance.
- 3. Any Site Plan for development is subject to compliance with the recommendations of the approved traffic study including improvements for internal pedestrian circulation.

Motion carried 13-0 (Rocky Sposato was not present)

Respectfully submitted,

Michael Ludwig, AICP

Senior Planner

MGL:clw Attachment

ZON2017-00086 Date 6-6-20/7	
COMMUNITY DEVELOPMENT Name ROBERT PROPRISCO Signature Dob Declara JUN 12 2017 Address 456 E. Buenham Ave. Reason for opposing or approving this request may be listed below. WE Reviewed the Propose of Plans Ender His year atour Neighbor head Ascu Mezrina, WE Approve of This Devlopment.	ZON2017-00086 Date 6.747 (am not) in favor of the request. CREEDENTED JUN 12 2017 Signature 22017 LAN Address 6901 CE 14M Address
ZON2017-00086 Date 6/9/17	CON2017-00086 (am not) in favor of the range of for opposing or approved the range of the range
I (am) (am not) in favor of the request. NEIGHBOR HODD ASSOCIATION	or op
(Circle One) RECEIVED Print Name Somenset Neighborhood ASSOC. COMMUNITY DEVELOPMENTATURE The Print President	Ifem ZO Ifem (ar I (am) (ar COMMUN (ar Reason f
JUN 1 3 2017 Address 210 E BUNNY, DSM, SO515	
Reason for opposing or approving this request may be listed below.	
Residential office/ PMAC.	
Residential OFFICE/ PMAC.	

Item ZON2017-00086 Date //2/17 (am) (am not) in favor of the request. (Circle One) Print Name Jane White President	Zowa Zowa
COMMUNITY DEVELOPMENT Address Address JUN 16 2017 Reason for opposing or approving this request may be listed below.	Date 6/6/17 Berry Thur Thur Thur The Pres. The listed below.
Itam ZON2017-00086 Date 6/6/17 Tam) (am not) in favor of the request.	ZON2017-00086 Date CLITY Tem (am not) in favor of the request. Signature
COMMUNITY DEVELOPMENT Signature JUN 12 2017 Address 27/6 Indicate Ave p.m Iowa Reason for opposing or approving this request may be listed below.	Item ZON Item (am, n JUN JUN Reason for o

