

★ Roll Call Number

12-0113

Agenda Item Number

39

Date January 23, 2012

WHEREAS, on January 9, 2012, by Roll Call No. 12-0034, it was duly resolved by the City Council, that a public hearing to be held on January 23, 2012, at 5:00 p.m., in the Council Chambers at City Hall, to consider a proposal from SDG Macerich Properties, LP to amend the approved C-4 Preliminary Development Plan for Southridge Mall on property located at 1111 East Army Post Road, to redevelop a portion of the mall in the vicinity of the food court as a 133,777 square foot area for retail/office/assembly uses accessed from an outdoor plaza on the north side of the mall and a 94,000 square foot area for athletic/fitness/assembly uses on the west side of the mall; and,

WHEREAS, due notice of the hearing was published in the Des Moines Register on January 12, 2012, as provided by law, setting forth the time and place for hearing on said proposed amendment to the approved C-4 Preliminary Development Plan for Southridge Mall; and,

WHEREAS, at a public hearing held on December 15, 2011, the Plan and Zoning Commission voted 12-0 that the proposed amendment to the approved C-4 Preliminary Development Plan be approved, subject to the preliminary development plan being first amended as set forth in the attached letter from the Planning Administrator; and,

WHEREAS, in accordance with the published notice those interested in the proposed amendment to the approved C-4 Preliminary Development Plan, 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, statements of interested persons and arguments of counsel, the objections to said proposed amendments to the approved C-4 Southridge Mall Preliminary Development Plan for the property in the vicinity of 111 East Army Post Road, and more specifically described below, 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.

2. The proposed amended C-4 Southridge Mall Preliminary Development Plan is hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan, subject to the conditions identified below.

a. Any Site Plan for reconfigured off-street parking areas shall conform to interior lot landscaping requirements.

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b. Any Site Plan shall coordinate with DART for incorporation of appropriate transit stations where necessary as part of the design.

3. The amended C-4 Southridge Mall Preliminary Development Plan for the Property described above, which is on file in the Community Development Department, is hereby approved, subject to the plan being first amended to satisfy the conditions recommended by the Plan and Zoning Commission as set forth in the attached letter from the Planning Administrator, and subject to approval of such amendments by the Community Development Director.

MOVED by Meyer to adopt, and to amend the C-4 Southridge Mall Preliminary Development Plan.

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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



City Clerk