



Roll Call Number

17-1192

Agenda Item Number

42

Date July 10, 2017

RESOLUTION HOLDING 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, on June 26, 2017, by Roll Call No. 17-1052, the City Council received a communication from the City Plan and Zoning Commission advising 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, on June 26, 2017, by Roll Call No. 17-1052, it was duly resolved by the City Council that the application of Macerich Southridge Mall, LLC for review and approval of the proposed 32nd Amendment to the Southridge Mall C-4 Development Plan for the Property, as legally described below, be set down for hearing on July 10, 2017, at 5:00 p.m. in the City Council Chambers 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 approved C-4 Development Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment to the approved C-4 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 and any statements of interested persons and arguments of counsel, any and all objections to the proposed 32nd Amendment to the Southridge Mall C-4



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Development Plan for the Property, in the vicinity of 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.

2. The proposed 32nd Amendment to the Southridge Mall C-4 Development Plan, as on file in the Community Development Department, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is hereby approved, subject to the revisions identified above and to the Community Development Director finding that such revisions have been satisfied by amendments to the Plan.

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2017-00086)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

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.

Diane Rauh

City Clerk

T. M. Franklin Council Mayor