

★ Roll Call Number

17-1507

Agenda Item Number

55

Date August 28, 2017

**RESOLUTION HOLDING HEARING ON REQUEST FROM MACERICH
SOUTHRIDGE MALL, LLC REGARDING THE 33RD AMENDMENT TO THE
SOUTHRIDGE MALL C-4 DEVELOPMENT PLAN
(VICINITY OF 1111 EAST ARMY POST ROAD)**

WHEREAS, on August 14, 2017, by Roll Call No. 17-1365, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on August 3, 2017, its members voted 8-1-2 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 33rd Amendment to the Southridge Mall C-4 Development Plan for property in the vicinity of 1111 East Army Post Road ("Property"), to allow the 1.75-acre property on the southern portion of 6825 Southeast 14th Street to be used for office use, specifically an Unity Point Urgent Care facility, subject to the following conditions:

1. Any Site Plan for development of the site shall provide a pedestrian connection from the west entrance of any office/medical clinic to a pedestrian walkway on the entire western edge of the site.
2. Any Site Plan for development shall be subject to compliance with the recommendations of the Urban Design Review Board and recommendations of the Traffic Study; and

WHEREAS, on August 14, 2017, by Roll Call No. 17-1365, it was duly resolved by the City Council that the application of Macerich Southridge Mall, LLC for review and approval of the proposed 33rd Amendment to the Southridge Mall C-4 Development Plan for the Property, as legally described below, be set down for hearing on August 28, 2017, at 5:00 p.m. in the City Council Chambers at the Municipal Service Center; 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 Southridge Mall C-4 Development Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment to the approved Southridge Mall 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 33rd Amendment to the Southridge Mall C-4 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:

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Overall C-4 Development Plan Area:

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

Amendment Area:

Lot 18, SOUTHRIDGE PLAT NO. 2, an Auditors Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. The proposed 33rd 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 Plan, and is hereby approved.

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(ZON2017-00119)

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

MOTION CARRIED

APPROVED

T. M. Franklin Cownie
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.

Diane Rauh
City Clerk