



**Roll Call Number**

25-0582

**Agenda Item Number**

39

**Date** April 21, 2025

**RESOLUTION SETTING HEARING REGARDING REQUEST FROM WC MRP DES MOINES CENTER, LLC (OWNER), REPRESENTED BY MICHAELA SCOTT (OFFICER), FOR REVIEW AND APPROVAL OF A 3RD AMENDMENT TO THE SOUTHDALE PUD CONCEPTUAL PLAN, ON PROPERTY LOCATED AT 5000 SOUTHEAST 14<sup>TH</sup> STREET, TO ALLOW USE OF THE TENANT BAY, KNOWN AS 5116 SOUTHEAST 14<sup>TH</sup> STREET, FOR A "LIQUOR STORE" USE SELLING ALCOHOLIC LIQUOR, WINE, AND/OR BEER FOR OFF-PREMISE CONSUMPTION**

**WHEREAS**, on April 3, 2025, the City Plan and Zoning Commission considered a request from WC MRP Des Moines Center, LLC (Owner), represented by Michaela Scott (Officer), for review and approval of a 3<sup>rd</sup> amendment to the Southdale PUD Conceptual Plan, on property located at 5000 Southeast 14<sup>th</sup> Street, to allow use of the tenant bay known as 5116 Southeast 14<sup>th</sup> Street for a "Liquor Store" use selling alcoholic liquor, wine, and/or beer for off-premise consumption; and

**WHEREAS**, the City Plan and Zoning Commission voted 6-4 to **DENY** the 3rd amendment to the Southdale PUD Conceptual Plan, on property located at 5000 Southeast 14<sup>th</sup> Street, to allow use of the tenant bay known as 5116 Southeast 14<sup>th</sup> Street for a "Liquor Store" use selling alcoholic liquor, wine, and/or beer for off-premise consumption.

**WHEREAS**, the Property is legally described as follows:

**LOTS 2, 3, 6 AND OUTLET "XN OF SOUTHDALE, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA EXCEPT THAT PART OF OUTLOT "X" DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF OUTLOT "X", SOUTHDALE, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 5 IN SAID SOUTHDALE; THENCE NORTH 00 DEGREES 04 MINUTES 20 SECONDS EAST ALONG THE WEST LINE OF SAID OUTLET "X" A DISTANCE OF 121.89 FEET; THENCE NORTH 88 DEGREES 14 MINUTES 00 SECONDS EAST A DISTANCE OF 374.80 FEET; THENCE NORTH 68 DEGREES 06 MINUTES 14 SECONDS EAST A DISTANCE OF 242.49 FEET; THENCE SOUTH 79 DEGREES 24 MINUTES 07 SECONDS EAST A DISTANCE OF 265.45 FEET; THENCE SOUTH 01 DEGREE 46 MINUTES 05 SECONDS WEST A DISTANCE OF 175.13 FEET TO A POINT ON THE SOUTH LINE OF SAID OUTLOT "X", SAID LINE ALSO BEING THE NORTH LINE OF SAID LOT 5; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID OUTLET "X" A DISTANCE OF 855.29 FEET TO THE POINT OF BEGINNING.**

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



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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 3rd amendment to the Southdale PUD Conceptual Plan is to be considered, shall be held at 5:00 p.m. on May 5, 2025, in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, 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 proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Sections 362.3 and 414.4 of the Iowa Code.

MOVED BY Gatto TO ADOPT. SECOND BY Voss

FORM APPROVED:

/s/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney

(ZONG-2025-000007)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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.

Connie Boesen Mayor

Laura Baumgartner City Clerk