



**Roll Call Number**

21-0373

**Agenda Item Number**

22

**Date** March 8, 2021

**RESOLUTION SETTING HEARING ON REQUEST FROM HILLTOP HOUSING, LLC (OWNER) TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND APPROVE A 1<sup>ST</sup> AMENDMENT TO THE “HILLTOP APARTMENTS” LEGACY PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED AT 3722 & 3726 HUBBELL AVENUE AND 3680 & 3688 KENNEDY DRIVE**

**WHEREAS**, on February 18, 2021, the City Plan and Zoning Commission voted 14-0 to **APPROVE** a request from Hilltop Housing, LLC (owner), represented by J.B. Conlin (officer), to review and approve amendment of the PlanDSM Creating our Tomorrow comprehensive plan future land use classification from Medium Density Residential within a Community Node to High Density Residential within a Community Node, and to review and approve a 1<sup>st</sup> Amendment to the “Hilltop Apartments” Legacy PUD Conceptual Plan on the property located at 3722 and 3726 Hubbell Avenue and 3680 and 3688 Kennedy Drive (“Property”), to allow construction of two 42-unit household dwellings in place of the approved dwelling units within a 30-unit household dwelling, a 36-unit household dwelling, and several two-household dwellings. The amendment would not alter the total number of dwelling units (254) allowed within the development. Additional property owners include Hilltop Senior, LP; Hilltop I, LP; and Hilltop II, LP, subject to the following conditions:

1. Provision of a note to state that any “thru-wall air condition unit” shall be designed and colored to blend with the building; and
2. Sheets 2 and 3 of the PUD Conceptual Plan shall be revised to demonstrate the existing sidewalks along Hubbell Avenue, as well as the existing shelter for the transit stop; and
3. The proposed north/south sidewalk extending through the eastern portion of the site be extended southerly to the east/west sidewalk that provides a connection the public sidewalk along Hubbell Avenue; and
4. The notes on Sheet 2 pertaining to the landscape buffer shall be clarified to state that the proposed 6-foot tall fence shall be 100 % opaque; and
5. The note on Sheet 1 pertaining to landscaping shall be revised to state that the site will be landscaped in accordance with the landscaping regulations applicable in the ‘NX3’ District; and
6. The note on Sheet 1 pertaining to signage shall be revised to state that any signage shall be in accordance with signage regulations applicable in the ‘NX3’ District; and

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

THE EAST 15 ACRES OF THE WEST 30 ACRES OF THE SOUTHEAST 1/3 OF THE SOUTHEAST ¼ OF SECTION 20; LYING NORTH OF AVENUE FREDERICK HUBBELL; IN TOWNSHIP 70 NORTH, RANGE 23 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, EXCEPT LEGALLY ESTABLISHED HIGHWAYS. CONTAINING 14.62 ACRES.



Roll Call Number

21-0373

Agenda Item Number

22

Date March 8, 2021

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 PlanDSM Comprehensive Land Use Plan and proposed 1st Amendment to the 'Hilltop Apartments' Legacy PUD Conceptual Plan are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on March 22, 2021, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location.
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 Section 362.3 and Section 414.4 of the Iowa Code. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY Voss TO ADOPT.

FORM APPROVED: Judy Parks-Kruse
Judy K. Parks-Kruse
Assistant City Attorney

(21-2021-4.04)
(ZON2020-00011)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL. Includes MOTION CARRIED and APPROVED status.

CERTIFICATE

I, P. Kay Cmelik, 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.

J. M. Franko Cownie Mayor

P. Kay Cmelik City Clerk