



# Council Communication

Office of the City Manager

<b>Date</b>	February 22, 2010
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<b>Agenda Item No.</b>	17
<b>Roll Call No.</b>	<del>10-</del>
<b>Communication No.</b>	<u>10-076</u>
<b>Submitted by:</b>	Larry Hulse, Community Development Director

## AGENDA HEADING:

Reduction of a Planned Unit Development (PUD) Restoration Bond for The Woods at Copper Creek development.

## SYNOPSIS:

Recommend the reduction of the restoration bond in the amount of \$248,782 for The Woods of Copper Creek PUD since partial completion of grading and site restoration has been performed. A bond rider to the original PUD restoration bond in the amount of \$20,000 has been provided for the remaining amount of grading and site restoration work that has not yet been satisfactorily completed.

## FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

## ADDITIONAL INFORMATION:

When a property is zoned PUD, Planned Unit Development, a PUD restoration bond must be approved by the City Council before the grading permit can be issued. This is done to ensure that the required grading and ground surface restoration are completed timely. The Engineering Department has determined that a restoration bond in the amount of \$248,782 is required for this project for grading, filter socks / silt fence, seeding, mulching, silt basin outlets and Engineering Department administrative and inspection costs. This bond shall be released once the grading and ground surface restoration is completed.

Upon inspection of the site in the Fall of 2009 by Engineering staff, it was determined that the Restoration Bond could be reduced to an amount of \$20,000, which will allow for the continued surety of the remaining ground cover establishment still needed on the graded portion of this site. Eco-Tech Construction, L.L.C., 500 Enterprise Drive, Grimes, IA 50111, Dustin Jones, Officer, has submitted a bond rider to the original PUD restoration bond in the amount of \$20,000 from Merchant's Bonding Company.

This project is located in the vicinity of 4680 NE 23<sup>rd</sup> Avenue (also known as Easton Boulevard), and allowed for the subdivision of 111 acres for single-family and medium-density multiple-family residential development. There is no indication at this time that the project will be constructed, and the

preliminary plat has now expired, in accordance with the timelines stated in the City of Des Moines Subdivision Ordinance.

**PREVIOUS COUNCIL ACTION(S):**

Date: May 19, 2008

Roll Call Number: 08-862

Action: Approving and accepting PUD Restoration Bond for the issuance of a grading permit for the Woods of Copper Creek Subdivision in vicinity of 4680 NE 23<sup>rd</sup> Avenue. (Council Communication No. 08-287) Moved by Vlassis to adopt. Motion Carried 7-0.

Date: September 10, 2007

Roll Call Number: 07-1767 thru 07-1769

Action: Final Approval of rezoning of the property from “A-1” (Agricultural) to “PUD” (Planned Unit Development) to develop approx. 71 acres for 60’ wide lot single-family residential, approx. 22 acres of 70’ wide lot single-family development and approx. 18 acres for medium-density multiple-family residential. Moved by Mahaffey to adopt and approve the rezoning and conceptual plan, subject to final passage of the rezoning ordinance. Motion Carried 7-0.

Date: September 10, 2007

Roll Call Number: 07-1766

Action: To amend the Des Moines 2020 Community Character Land Use Plan future land use designation for the southern portion of the site (18.88 acres) from Low Density Residential to Low/Medium-Density Residential, which allows for a maximum density of 12 dwelling units per acre. Moved by Mahaffey to adopt, and approve the proposed amendment. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S):**

Date: December 20, 2007

Roll Call Number: 08-032

Action: Plan and Zoning Commission recommend approval of the submitted preliminary subdivision plat subject to conditions.

Date: August 2, 2007

Roll Call Number: N/A

Action: Plan and Zoning Commission recommend approval of rezoning property from “A-1” Agricultural district to “PUD” Planned Unit Development.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Release of the remaining PUD Restoration Bond subject to site restoration being satisfactorily completed.

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