

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> July 26, 2010
	<b>Agenda Item No.</b> 36 <b>Roll Call No.</b> <u>10-1227</u> <b>Communication No.</b> <u>10-449</u> <b>Submitted by:</b> Phil Delafield, Community Development Director

**AGENDA HEADING:**

Resolution accepting Stormwater Management Facilities Agreement required for City approval of a site plan for 3325 and 3355 E. Douglas Avenue.

**SYNOPSIS:**

Mainstream Living, Inc., represented by Reinhold Berg, Chief Executive Officer, and Brady Real Estate, L.L.C., represented by Kent Brady, Manager, seek City approval of a site plan for the redevelopment of property at 3325 and 3355 E. Douglas Avenue. The Community Development Director has conditionally approved the Site Plan pursuant to Section 82-208 of the City Site Plan Regulations, subject to the property owners executing a Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreement to provide for the construction and future maintenance of the required stormwater management facilities at the sole expense of the property owners.

Mainstream Living, Inc., and Brady Real Estate, L.L.C., have executed a Stormwater Management Facilities Agreement prepared by the City Legal Department. By this action the City Council accepts the Agreement.

**FISCAL IMPACT: NONE**

Amount: N/A

Funding Source: N/A

**ADDITIONAL INFORMATION:**

Per Code 106-136, developments and significant redevelopments one acre or larger in size shall reduce projected storm runoff from a project by controlling rain events that total 1.25” or less in a 24-hour period, with the resulting volume being released at a rate that allows for a detention time of 24 hours, through incorporation of stormwater management facilities. These stormwater management facilities may consist of many infiltration-type best management practices (BMPs) including bioretention cells, bioswales, rain gardens, infiltration trenches, and porous pavements. Each project must include a stormwater management facilities maintenance agreement that is binding on all benefited property. This agreement must include proper maintenance guidelines for all facilities located within the project. These two development projects have a shared stormwater management facility.

**PREVIOUS COUNCIL ACTION(S):**

Date: October 12, 2009

Roll Call Number: 09-1858

Action: [Melbourne](#) Condominiums Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreement. ([Council Communication No. 09-707](#)) Moved by Mahaffey to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Similar agreements to follow for proposed developments one acre or larger in size involving multiple ownerships.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).