

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: January 24, 2011
	Agenda Item No. 14 Roll Call No. [_____] Communication No. <u>11-051</u> Submitted by: Phil Delafield Community Development Director

AGENDA HEADING:

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

SYNOPSIS:

Recommend the release of the remaining PUD restoration bond in the amount of \$20,000 for The Woods of Copper Creek development since completion of grading and site restoration has been performed.

FISCAL IMPACT: NONE

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 had determined that a restoration bond in the amount of \$248,782 was 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 by Engineering staff, it was determined that the Restoration Bond could be reduced to an amount of \$20,000, which allowed 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, provided a Bond Rider to the original PUD restoration bond in the amount of \$20,000 from Merchant’s Bonding Company. A fall 2010 inspection of the site was conducted by Engineering Department staff where it was decided that the ground cover on the site had been fully established and that the remaining PUD restoration bond may now be released.

This project was located in the vicinity of 4680 NE 23rd 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 approval has now lapsed, in accordance with the timelines provided in the City of Des Moines Subdivision Ordinance. Any future proposed development in this PUD will require another restoration bond to be accepted.

PREVIOUS COUNCIL ACTION(S):

Date: February 22, 2010

Roll Call Number: 10-260

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 23rd Avenue. ([Council Communication No. 08-287](#)) Moved by Vlassis to adopt. Motion Carried 7-0.

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 23rd 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.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: December 20, 2007

Resolution Number: 08-032

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

Board: Plan and Zoning Commission

Date: August 2, 2007

Resolution 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: NONE

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