

 <div style="text-align: center;"> <h1 style="margin: 0;">Council</h1> <h1 style="margin: 0;">Communication</h1> <p style="margin: 0;">Office of the City Manager</p> </div>	Date:	February 28, 2011
	Agenda Item No. 15 Roll Call No. <u>11-0299</u> Communication No. <u>11-122</u> Submitted by: Phil Delafield, Community Development Director	

AGENDA HEADING:

Subdivision improvement bond reduction and release of the Planned Unit Development (PUD) restoration bond for the Summersfield development.

SYNOPSIS:

Recommend Council approve the reduction of the surety for subdivision improvements in the amount of \$46,148 for the Summersfield Plat 1 subdivision, since partial completion of the required improvements have been completed. Recommend the release of the PUD restoration bond in the amount of \$130,486 for the Summersfield development, since completion of grading and site restoration has been performed to the satisfaction of the Engineering Department.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

On June 19, 2006, the City Council approved and accepted a subdivision improvement bond required for infrastructure improvements in the total amount of \$75,913 for the Summersfield Plat 1 subdivision. The developer has requested a reduction in the required surety since much of the subdivision improvement work has been completed. The installation of 2,340 lineal ft. of 4 ft. public sidewalk is still remaining and will still require surety in the amount of \$29,765 to make certain that the remaining improvements will be in place when the development of the plat is completed.

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 work is completed in a timely manner. The Engineering Department had determined that a restoration bond in the amount of \$130,486 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 in the winter of 2011, it was determined that the ground cover on the site had been fully established and that the PUD restoration bond may now be released.

Any proposed development in this PUD, including the build out of future phases, will require additional restoration bonds to be accepted by City Council prior to the Grading Permit being issued.

The Summersfield Planned Unit Development is located in the vicinity of the 4400 Block of E. 46th Street and consists of 129 single family residential lots and 1 commercial lot on 44.65 acres. The developer of the property is Summersfield, LLC, 6900 Westown Parkway, West Des Moines, IA 50266, Steve Niebuhr, Senior Vice President.

PREVIOUS COUNCIL ACTION(S):

Date: June 4, 2007

Roll Call Number: 07-1397

Action: [Agreement](#) with Summersfield, LLC, regarding the future improvement of NE 46th Street. ([Council Communication No. 07-342](#)) Moved by Vlassis to adopt. Motion Carried 7-0.

Date: December 4, 2006

Roll Call Number: 06-2363

Action: [Conditionally](#) approving final subdivision plat for Summersfield Plat 1. ([Council Communication No. 06-748](#)) Moved by Vlassis adopt. Motion Carried 6-0.

Date: June 19, 2006

Roll Call Number: 06-1199

Action: [Approving](#) PUD restoration subdivision bond IAC 62706 for Summersfield Plat 1 in the amount of \$130,486 from Hubbell Realty Company and Merchants Bonding Company providing surety for satisfactory completion of the required grading and site restoration. ([Council Communication No. 06-353](#)) Moved by Vlassis to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: January 19, 2006

Resolution Number: 06-253

Action: Communication from the City Plan and Zoning Commission advising that at a public hearing held January 19, 2006, the members voted 11-0 in support of a motion to APPROVE the request from Hubbell Realty Company represented by Joe Pietruszynski (Officer) for approval of a preliminary subdivision plat for property in the vicinity of 4615 Hubbell Avenue titled "Summersfield Plat 1" to allow 129 lots for single-family residential and 2.88 acres for commercial development, subject to conditions.

Board: Plan and Zoning Commission

Date: September 12, 2005

Resolution Number: 05-2202

Action: On request from Hubbell Properties II, LC to rezone property in the vicinity of 4615 Hubbell Avenue from “A-1” (Agricultural) to “PUD” (Planned Unit Development), allow 38.89 acres of land identified for single-family residential development, with minimum lot width of 55 feet and lot area of 6,875 square feet; 2.6 acres designated open space, and 3.12 acres along Hubbell Avenue identified for Highway-Oriented Commercial Use, and approval of the Summersfield Concept Plan subject to conditions, 26-05). Moved by Hensley to adopt. Motion Carried 7-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Additional reduction or release of subdivision improvement bond and acceptance of new PUD restoration bond for future phases of the project.

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