

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: March 28, 2011
	Agenda Item No. 16A Roll Call No. <u>11-0511</u> Communication No. <u>11-200</u> Submitted by: Phil Delafield, Community Development Director

AGENDA HEADING:

Approving and accepting Planned Unit Development (PUD) Restoration Bonds for issuance of Grading Permits for Airport Business Park Plat 3, located in the vicinity of 7425 SW 34th Street.

SYNOPSIS:

Recommend Council acceptance of two PUD Restoration Bonds in the amount of \$130,380 and \$169,123 for the Airport Business Park subdivision, located in the vicinity of 7425 SW 34th Street. The restoration bond must be provided and approved by the City Council, pursuant to Section 134-706 of the City Code, before the grading permit can be issued. The purpose of the restoration bond is to assure that the required grading and ground surface restoration in the project area is completed in a timely manner.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

When a property is zoned PUD, 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 in a timely manner. The Engineering Department has determined that restoration bonds in the amount of \$130,380 and \$169,123 are required for this project for grading, filter socks/silt fence, seeding, mulching, silt basin outlets and Engineering Department administrative and inspection costs. The bonds will be released once the grading and ground surface restoration of the project is completed.

The Airport Business Park development consists of five commercial lots on 69.1 acres, and the construction of a 300,000 square foot logistics facility on behalf of their tenant, Hewlett-Packard. The property is to be developed by ABC Partners/Army Post Development, LC, Richard B. Margulies, President, 2100 Westown Parkway, Suite 220, West Des Moines, IA 50265 and Opus Development Corporation, 1200 35th Street, Suite 206-211, West Des Moines, IA 50265.

Future development projects within the Airport Business Park subdivision will require additional restoration bonds to be provided, accepted and approved by the City Council.

PREVIOUS COUNCIL ACTION(S):

Date: February 28, 2011

Roll Call Number: 11-0347 thru 11-0349

Action: [Approving](#) vacation and conveyance of necessary rights-of-way, to Opus Development Corporation, for the relocation of Gannett Avenue. ([Council Communication No. 11-104](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[First](#) consideration of vacation ordinance. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[Final](#) consideration of vacation ordinance (wavier requested by Opus Development Corporation), requires 6 votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,994. Motion Carried 7-0.**

Date: February 28, 2011

Roll Call Number: 11-0345 and 11-0346

Action: [Recommendation](#) from Plan and Zoning Commission. **Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

[Approving](#) amendments to the Airport Business Park Phase II PUD Conceptual Plan. **Moved by Hensley to adopt. Motion Carried 7-0.**

Date: August 19, 2002

Roll Call Number: 02-456

Action: Approval of final subdivision plat entitled Airport Business Park Plat 2, located in vicinity of Register Drive and Gannett Avenue. ([Council Communication No. 02-456](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: January 11, 2011

Resolution Number: N/A

Action: Plan and Zoning Commission voted 11-0 in support of a motion to approve the requested vacation of a segment of Gannett Avenue running east of Southwest 34th Street and a segment of

Southwest 34th Street running north of Gannett Avenue, subject to reservation of easements for any public utilities in place to remain until such time as the adjoining property owner either assumes private ownership of the facilities or relocates the utilities with creation of new public easements and to approve the amendment to the "PUD" Concept Plan, subject to conditions.

Board: Plan and Zoning Commission

Date: January 11, 2011

Resolution Number: 11-0204

Action: Communication from City Plan and Zoning Commission regarding amendment to Preliminary Plat for Airport Business Park Plat 3, subject to conditions. Moved by Hensley to receive and file. Motion Carried 7-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Reduction or release of required PUD Restoration Bonds.

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