

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> April 23, 2012
	<b>Agenda Item No.</b> 12 <b>Roll Call No.</b> <u>12-599</u> <b>Communication No.</b> <u>12-195</u> <b>Submitted by:</b> Phillip Delafield, Community Development Director

**AGENDA HEADING:**

Acceptance of Planned Unit Development (PUD) Restoration Irrevocable Letter of Credit for The Woods of Copper Creek residential subdivision.

**SYNOPSIS:**

Recommend acceptance and approval of a restoration Irrevocable Letter of Credit No. VB 120413 from Valley Bank, in the amount of \$87,132 for phase I of The Woods of Copper Creek PUD. The restoration security must be provided and accepted 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 security is to assure that the required grading and ground surface restoration within the project is completed in a timely fashion.

**FISCAL IMPACT: NONE**

**ADDITIONAL INFORMATION:**

When a property is zoned PUD, a PUD restoration security 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 a restoration security in the amount of \$87,132 is 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 Woods of Copper Creek is a proposed residential subdivision on approximately 48 acres, containing 149 single family home lots. The project is located in the vicinity of the 4700 Block of NE 23rd Avenue (Easton Boulevard), and is to be developed by HDR Land Development, LLC, 213 N. Ankeny Boulevard, Ankeny, IA 50023, Larry Handley, President.

The owner/developer indicates that the development of Phase I will include the platting of 14 single family home lots, including all necessary utility and street work to serve the project. Subsequent PUD Restoration securities will need to be accepted by City Council prior to grading work commencing on future phases.

**PREVIOUS COUNCIL ACTION(S):**

Date: June 27, 2011

Roll Call Number: 11-1151

Action: [On](#) request from HDR Land Development, LLC to amend The Woods of Copper Creek PUD Conceptual Plan (4600 block of Easton Blvd.) revising the southeastern five acres removing it from Area “C” for multiple-family and adding to Area “A” for single-family development, subject to conditions. ([Council Communication No. 11-431](#)) **Moved by Mahaffey to adopt; refer to the City Manager to amend the Plan to use 1” caliper over story trees for street right-of-way, and request that the new Municipal Arborist and City staff review the existing landscape standards and forward amendments to Council for consideration. Motion Carried 7-0.**

Date: January 24, 2011

Roll Call Number: 11-0091

Action: [Releasing](#) PUD Restoration Bond for the Woods of Copper Creek Development. ([Council Communication No. 11-051](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

Date: May 19, 2008

Roll Call Number: 08-0862

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.**

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

Board: Plan and Zoning Commission

Date: June 2, 2011

Resolution Number: 11-0990

Action: Plan and Zoning Commission recommend approval of request from HDR Land Development, LLC to amend The Woods of Copper Creek PUD Conceptual Plan (4600 block of Easton Blvd.) revising the southeastern five acres removing it from Area “C” for multiple-family and adding to Area “A” for single-family development, subject to conditions. Motion Passed 11-0.

Board: Plan and Zoning Commission

Date: December 20, 2007

Resolution Number: N/A

Action: On request from HDR Land Development, LLC, Plan and Zoning Commission recommend approval of a preliminary subdivision plat for “Woods of Copper Creek Plat 1” located at 4680 NE 23rd Street, subject to conditions.

Board: Plan and Zoning Commission

Date: August 2, 2007

Resolution Number: N/A

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Reduction or release of required PUD Restoration Bond.

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