

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: December 17, 2012
	Agenda Item No. 12 Roll Call No. <u>12-1923</u> Communication No. <u>12-609</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Release of a Planned Unit Development (PUD) Restoration Bond for Airport Business Park Plat 3.

SYNOPSIS:

Recommend the release of the original PUD restoration bond No. 929524783 in the amount of \$169,123 for the Airport Business Park Plat 3 subdivision, located in the vicinity of 7425 SW 34th Street, since completion of grading and site restoration has been satisfactorily performed.

FISCAL IMPACT: NONE

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 had determined that a restoration bond in the amount of \$169,123 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 Fall of 2012, it was determined that the restoration bond could be released since all grading and ground surface restoration work has been completed.

The Airport Business Park development consists of five (5) 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 has been developed by ABC Partners/Army Post Development, LC, Richard B. Margulies, President, 2100 Westown Parkway, Suite 220, West Des Moines, Iowa 50265 and Opus Development Corporation, 1200 35th Street, Suite 206-211, West Des Moines, Iowa 50265.

PREVIOUS COUNCIL ACTION(S):

Date: July 23, 2012

Roll Call Number: [12-1154](#) and [12-1155](#)

Action: [Approving](#) release of Subdivision Bond in the amount of \$34,412 for a portion of the Airport Business Park Plat 3 for satisfactory completion of the required public improvements. ([Council Communication No. 12-389](#)). Moved by Hensley to adopt. Motion Carried 7-0.

[Approving](#) release of PUD Restoration Bond in the amount of \$130,380 for the expansion of the Hewlett-Packard Facility at 3600 Army Post Road in Airport Business Park Plat 3 for satisfactory completion of the required grading and site restoration ([Council Communication No. 12-388](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: March 28, 2011

Roll Call Number: [11-0511](#), [11-0512](#) thru [11-0513](#)

Action: (A) [Approving](#) PUD Restoration Bond. ([Council Communication No. 11-200](#)). Moved by Hensley to adopt. Motion Carried 7-0.

(B) [Conditional approval](#) of private construction contract between Opus Design Build, LLC and ODC Gannett Ave., LLC for paving, sanitary and storm sewer improvements. Moved by Hensley to adopt. Motion Carried 7-0.

(C) [Conditional approval](#) of Final Subdivision Plat. ([Council Communication No. 11- 179](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: February 28, 2011

Roll Call Number: [11-0347](#), [11-348](#) 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.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: January 20, 2011

Resolution Number: 11-0345

Action: The City Plan and Zoning Commission has advised that at a public hearing held on January 20, 2011, its members voted 11-0 in support of a motion to recommend APPROVAL of request from Army Post Development, LC (owner) to vacate and convey 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 the adjoining property owner either assumes private ownership of the facilities or relocates the utilities with creation of new public easements.

Board: Plan and Zoning Commission

Date: January 11, 2011

Resolution Number: 11-0204

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

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Release of additional subdivision improvement bonds for Airport Business Park Plat 3.

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