

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: September 9, 2013
	<p>Agenda Item No. 17</p> <p>Roll Call No. <u>13-1390</u></p> <p>Communication No. <u>13-450</u></p> <p>Submitted by: Phillip Delafield, Community Development Director</p>

AGENDA HEADING:

Acceptance of Planned Unit Development (PUD) Restoration Bond for phase II of The Woods of Copper Creek residential subdivision.

SYNOPSIS:

Recommend acceptance and approval of PUD Restoration Bond number NIA1054 from Merchant’s Bonding Company, in the amount of \$122,149 for phase II 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 ensure 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 \$122,149 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 II will include the platting of 24 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: September 10, 2012

Roll Call Number: [12-1410](#)

Action: [Conditional](#) approval of final subdivision plat, The Woods of Copper Creek Plat 1, located in the vicinity of the 4700 block of NE 23rd Avenue (Easton Boulevard). ([Council Communication No. 12-495](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: April 23, 2012

Roll Call Number: [12-0599](#)

Action: [Acceptance](#) of Planned Unit Development (PUD) Restoration Irrevocable Letter of Credit for The Woods of Copper Creek residential subdivision, vicinity of 4700 Block of NE 23rd Avenue (Easton Boulevard). ([Council Communication No. 12-195](#)) Moved by Hensley to adopt. Motion Carried 7-0.

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.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: June 2, 2011

Resolution Number: N/A

Action: The Plan and Zoning Commission recommended approval of the amendment to "The Woods of Copper Creek" PUD Conceptual Plan subject to the following revisions:

1. Each single-family residential lot shall provide one 1.5-inch caliper street tree, one ornamental or overstory tree in each front yard, and one 1.5-inch caliper overstory tree in the rear yard.
2. Demonstration of the sanitary sewer that would serve the additional single-family lots as provided on the preliminary plat.
3. Provision of a note to state the development will comply with the International Fire Code Section D107.1, which requires a secondary separate and approved fire apparatus access road where the number of single-family dwelling units exceeds 30;

And

The Plan and Zoning Commission recommended approval of the amendment to "The Woods of Copper Creek" Preliminary Plat subject to the following revisions:

1. Compliance with all administrative review comments by the Permit and Development Center.
2. Each single-family residential lot shall provide one 1.5-inch caliper street tree, one ornamental or overstory tree in each front yard, and one 1.5-inch caliper overstory tree in the rear yard
3. Provision of low-level shrubs within all landscape islands within cul-de-sacs and traffic circles planted by the developer and owned and maintained by a homeowners association.
4. Any cul-de-sac over 150 feet in length must have a minimum diameter of 96 feet.
5. Provision of a note to state the development will comply with the International Fire Code Section D107.1, which requires a secondary separate and approved fire apparatus access road where the number of single-family dwelling units exceeds 30.
6. Demonstration of how Outlots Y & Z will be owned and maintained to the satisfaction of both Polk County and the City of Des Moines. (Motion approved 11-0).

Board: Plan and Zoning Commission

Date: December 20, 2007

Resolution Number: N/A

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

1. Compliance with all administrative review comments by the Permit and Development Center.
2. Provision of one 1-½” caliper street tree, one ornamental tree in each front yard, and one minimum 1-½“-caliper overstory tree in the rear yard per lot.
3. Lots 11, 12, 32, and 38 shall be reconfigured to reduce the narrow points. (Motion approved 11-1).

Board: Plan and Zoning Commission

Date: August 2, 2007

Resolution Number: N/A

Action: Plan and Zoning Commission recommended approval to amend the Des Moines’ 2020 Community Character Plan future land use designation for the southern portion of the site (18.88 acres) from Low Density Residential to Low/Medium-Density Residential, which allows for a maximum density of 12 dwelling units per acre subject to a future PUD Concept Plan amendment; to rezone the property from "A-1" Agricultural District to "PUD" Planned Unit Development, and approve “The Woods of Copper Creek” PUD Conceptual Plan subject to the addition of the following:

1. The roof on any home constructed shall be of architectural-type shingles or cedar shakes.
2. Provision of a traffic circle in the north 4-way intersection of the eastern collector street, with low-level shrubs and/or flower landscaping elements within the traffic circle that would be planted by the developer and owned and maintained by a homeowners association.
3. PUD Conceptual Plan must allocate half of the 80’ ROW needed for NE 23rd Avenue.
4. PUD Conceptual Plan must provide a 37’ width pavement on the streets at NE 23rd to allow a 150’ left-turn lane and taper back to 31’ width. (Motion approved 10-0).

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Reduction or release of required PUD Restoration Bond.

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