

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	November 18, 2013
	Agenda Item No.	16
	Roll Call No.	<u>13-1787</u>
	Communication No.	<u>13-549</u>
	Submitted by:	Phillip Delafield, Community Development Director

AGENDA HEADING:

Acceptance of Planned Unit Development (PUD) Restoration Bond for the CVS Pharmacy project, located at 2303 Merle Hay Road.

SYNOPSIS:

Recommend acceptance and approval of restoration bond from The Cincinnati Insurance Company, in the amount of \$18,815 for the CVS Pharmacy project, located within the CVS Pharmacy Store No. 10329 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 \$18,815 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 CVS Pharmacy project is a proposed development that will consist of 12,900 square foot pharmacy and general retail store, on approximately 1.89 acres of the 2.38 acre zoned property. The project is located at 2303 Merle Hay Road, and is to be developed by First Equity Group, LLC, 180 North Wacker Drive, Suite 1717, Chicago, IL, Anne Kuta, Officer.

Date: March 25, 2013

Roll Call Number: [13-0461](#)

Action: [On](#) First Equity Property Holdings-Acquisitions Fund II, LLC (purchaser) represented by Anne Walters (officer) to rezone property in vicinity of 2303 Merle Hay Road from “R1-60” (One-Family Low-Density Residential) and “C-1” (Neighborhood Retail Commercial) to “PUD” (Planned Unit Development), for a pharmacy store, subject to conditions, (4-8-13). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: August 1, 2013

Resolution Number: N/A

Action: Plan and Zoning Commission recommend approval of request from First Equity Group, LLC for review and approval of a PUD Development Plan for “CVS Pharmacy Store No. 10,239” on the property of 2303 Merle Hay Road to allow a 12,900-square foot pharmacy and general retail store. Motion Passed 6-5.

Board: Plan and Zoning Commission

Date: March 7, 2013

Resolution Number: N/A

Action: Plan and Zoning Commission recommend approval of request from First Equity Group, LLC to rezone property in the vicinity of 2303 Merle Hay Road to Planned Unit Development and amend Des Moines’ 2020 Community Character Plan Future Land Use Map from Low Density Residential to Commercial, Auto-Oriented, Small-Scale Strip Development to allow a 12,900-square foot pharmacy and general retail store. Motion Passed 13-1 and 11-3.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Release of required PUD Restoration Bond.

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