

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b>	May 18, 2015
	<b>Agenda Item No.</b>	<b>15</b>
	<b>Roll Call No.</b>	<b><u>15-799</u></b>
	<b>Communication No.</b>	<b><u>15-249</u></b>
	<b>Submitted by:</b>	<b>Phillip Delafield, Community Development Director</b>

**AGENDA HEADING:**

Acceptance of Planned Unit Development (PUD) Restoration Bond for the Carman Estates Apartments project, located at 2314 E. Porter Avenue.

**SYNOPSIS:**

Recommend acceptance and approval of restoration bond number IAC584912 from Merchants Bonding Company in the amount of \$51,304 for the Carman Estates Apartments project, located at 2314 E. Porter Avenue and within the Carman Estates 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, Planned Unit Development, 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 \$51,304 is required for this project for grading, filter socks/silt fence, seeding, mulching, silt basin outlets and Engineering Department administrative and inspection costs. The bond will be released once the grading and ground surface restoration of the project is completed.

The Carman Estates Apartment project is a proposed development that will consist of four (4) 3-story 24-unit multiple-family dwellings (96 units total), including accessory garage structures and clubhouse building, with drive access from E. Porter Avenue, comprising approximately 16.73 acres. The project is located at 2314 E. Porter Avenue and is to be developed by Silver Oak Enterprises, LLC, Chip Classon (officer), 10430 New York Avenue, Suite C, Urbandale, IA 50322.

**PREVIOUS COUNCIL ACTION(S):**

Date: February 23, 2015

Roll Call Number: [15-0342](#)

Action: [On](#) request from Silver Oak Enterprises, LLC for review and approval of the 5th Amendment to the Carman Estates PUD Conceptual Plan, 2320 E. Porter Avenue, to allow development of four 3-story, 24-unit multiple-family dwellings, 96 units total, continued from February 9, 2015. Moved by Gatto to adopt and approve the 5th Amendment to the Carman Estates PUD Conceptual Plan for the property as described above, which 5th Amendment is on file in the Community Development Department, is hereby approved, subject to the Amendment and Plan being first amended to satisfy the alternative conditions requested by Silver Oak Enterprises, LLC as set forth above and in the attached communication, and subject to approval of such amendments by the Community Development Director. Motion Carried 6-1. Pass: Cownie.

Date: February 9, 2015

Roll Call Number: [15-0248](#)

Action: [On](#) request from Silver Oak Enterprises, LLC for review and approval of the 5th Amendment to the Carman Estates PUD Conceptual Plan, 2320 E. Porter Avenue, to allow development of four 3-story, 24 unit multiple-family dwellings, 96 units total, and to continue to February 23, 2015 at 5:00 PM. Moved by Gatto to adopt. Motion Carried 7-0.

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

Board: Plan and Zoning Commission

Date: December 22, 2014

Resolution Number: N/A

Action: Plan and Zoning Commission voted 9-1 in support of a motion to recommend APPROVAL of a request from Silver Oak Enterprises, LLC, represented by Chip Classon (officer), review and approval of the 5th Amendment to the Carman Estates PUD Conceptual Plan and Preliminary Plat for property locally known as 2314 East Porter Avenue (“Property”), to more specifically define the development of land previously identified in the Plan for medium density residential (up to 17 units per acre), to allow development of four (4) 3-story, 24-unit multiple family dwellings (96 units total) with drive access from East Porter Avenue, subject to conditions.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Release of required PUD Restoration Bond upon project completion.

For more information on this and other agenda items, please call the City Clerk’s Office at 515-283-4209 or visit the Clerk’s Office on the first floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk’s Office on Thursday afternoon preceding Monday’s Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk’s Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).