

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	March 7, 2016
	Agenda Item No.	16
	Roll Call No.	16-0376
	Communication No.	<u>16-109</u>
	Submitted by:	Phil Delafield, Community Development Director

AGENDA HEADING:

Release of the Planned Unit Development (PUD) Restoration Bond for the Kum & Go Store #536 project, located at 1300 Keosauqua Way.

SYNOPSIS:

Recommend release of PUD Restoration Bond in the amount of \$24,168 for the Kum & Go Store #536 project since completion of grading, erosion control, and site restoration has been 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 determined that a restoration bond in the amount of \$24,168 was required for this project for grading, filter socks, silt fence, seeding, mulching, silt basin outlets and Engineering Department administrative and inspection costs. Upon completion of requirements the restoration bond is released.

Upon inspection of the site by Engineering staff in fall 2015, it was determined that the Restoration Bond No. IAC 583567 from Merchants Bonding Company, in the amount of \$24,168, could be released based upon satisfactory completion of grading, erosion control, and site restoration.

The Kum & Go Store #536 project consisted of a 4,992-square-foot convenience store building and canopy with six (6) fuel pumps (12 fueling stations), with associated parking, green space and site improvements. The development site encompasses a total of 2-acres of property located at 1300 Keosauqua Way. The property was developed by Kum & Go L.C., Nikki DePhillips (officer), 6400 Westown Parkway, West Des Moines, IA 50266 and Henning Construction Company LLC, Jeff Charlson (officer), P.O. Box 394, Johnston, IA 50131.



PREVIOUS COUNCIL ACTION(S):

Date: July 14, 2014

Roll Call Number: [14-1046](#)

Action: [Acceptance](#) of Planned Unit Development (PUD) Restoration Bond for the Kum & Go Store #536 project, located at 1300 Keosauqua Way. ([Council Communication No. 14-329](#)) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: August 15, 2013

Resolution Number: N/A

Action: Communication from the City Plan and Zoning Commission advising that at a public hearing held August 15, 2013, the members voted in regards to the request from Kum & Go, LC represented by Nick Halfhill (officer) for approval of a the following actions related to rezoning the property at 1300, 1310, and 1330 Keosauqua Way:

- A) Vacate an irregular segment of Keosauqua Way adjoining the northeasterly and east portions of the subject property comprising approximately 1,301 square feet (0.03 acres). (11-2013-1.11) THE VOTE: Motion passed 7-3.
- B) Determination as to whether the proposed rezoning is in conformance with the Des Moines' 2020 Community Character Plan. THE VOTE: Motion passed 10-0.
- C) Rezone property from "C-2" General Retail and Highway Oriented Commercial District to "PUD" Planned Unit Development. (ZON2013-00110) THE VOTE: Motion passed 10-0.
- D) Approval of a PUD Conceptual Plan "Kum & Go Store #536" for development of a 4,992-square-foot gas station/convenience store with 16 fueling locations. The convenience store proposes to sell packaged wine and beer. Approval subject to modifications & conditions. THE VOTE: Motion passed 6-3-1.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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