



**Roll Call Number**

21-1899

**Agenda Item Number**

16

**Date** December 20, 2021

**CONDITIONALLY APPROVING WOODS ON THE RIVER PLAT 11 FINAL PLAT,  
AND ACCEPTANCE OF A PUD RESTORATION BOND AND A SUBDIVISION BOND**

WHEREAS, the final subdivision plat entitled Woods on the River Plat 11, for property in the vicinity of Riverwoods Avenue, Grand River Drive, and River Ridge Road, to be developed by Hubbell Realty Company, 6900 Westown Parkway, West Des Moines, IA, 50266, Steve Moseley, Authorized Agent, was submitted to the Development Services Department on November 12, 2021; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on August 5, 2021; and,

WHEREAS, the Planning and Urban Design Division has recommended conditional approval of the final subdivision plat, subject to acceptance of final legal documents by the City Legal Department; and,

WHEREAS, subject to the conditions identified below, the said subdivision plat conforms to Iowa Code Sections 355.8, 354.6, and 354.11, and said subdivision plat conforms to the standards and conditions set forth in Chapter 106 of the Municipal Code of the City of Des Moines, Iowa; and,

WHEREAS, the City Engineer has approved the amounts of the securities for subdivision improvements and PUD restoration.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. It is hereby determined that the subdivision plat identified above conforms to the PlanDSM: Creating Our Tomorrow Plan and the subdivision, with the required installation of public improvements, will not unduly burden public improvements in the area and will provide an appropriate balance of interests between current proprietors, future purchasers and the public interest.
2. Subdivision bond number IAC 592061 from Merchants Bonding Company, in the amount of \$59,757.50 is hereby accepted and approved as adequate security for the completion of the required public improvements including public sidewalk and trail installation within the plat.
3. PUD restoration bond number IAC 592060 from Merchants Bonding Company, in the amount of \$82,680.00 is hereby accepted and approved as adequate security for the restoration of the site to be developed in the vicinity of Riverwoods Avenue, Grand River Drive, and River Ridge Road.



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- 4. The City Clerk is hereby directed to hold these bonds as security for the required public improvements and restoration of the project site until otherwise directed.
- 5. Upon satisfaction of the conditions set forth above, the Mayor and City Clerk are hereby authorized and directed to execute approval on all copies of said subdivision plat as appropriate.
- 6. The City Clerk is hereby directed to provide the approved subdivision plat, a certified copy of this resolution, the attorney's title opinion and the attachments to the plat to the Developer for delivery to the County Recorder for recording by the plat proprietors. The City Clerk is hereby further directed to send a copy of the subdivision plat to the Board of Education, Century Link Communications, Mid-American Energy, Mediacom, Des Moines Water Works, U.S. Post Office – Post Master, U.S. Post Office – Technical Sales and Services, City Engineer, City Land Records, Public Works – Street Department, Public Works – Forestry Division, Fire Department, Police Department – Research and Development Section, City Traffic and Transportation Division, Information Technology Department, and Development Services Department.
- 7. The Permanent Easements for public multiuse trail, public utility, storm sewer, stormwater detention, and surface water flowage have been provided incident to the said subdivision plat, are hereby approved and accepted, and the City Clerk is hereby authorized and directed to certify to the City's acceptance on such easements.

MOVED by Boesen to adopt.

(Council Communication No. 21- 548 )

FORM APPROVED:

  
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 Judy K. Parks-Kruse  
 Assistant City Attorney



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

*J. M. Frankhu Cownie*  
 Mayor

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City, hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

*P. Kay Cmelik*

City Clerk