

COUNCIL COMMUNICATION

	Number:	20-380	Meeting:	September 14, 2020
	Agenda Item:	23	Roll Call:	20-1428
	Submitted by:	Chris Johansen, Community Development Director		

AGENDA HEADING:

Acceptance of Planned Unit Development (PUD) Restoration Bond for 3801 Grand Avenue Final Development Plan.

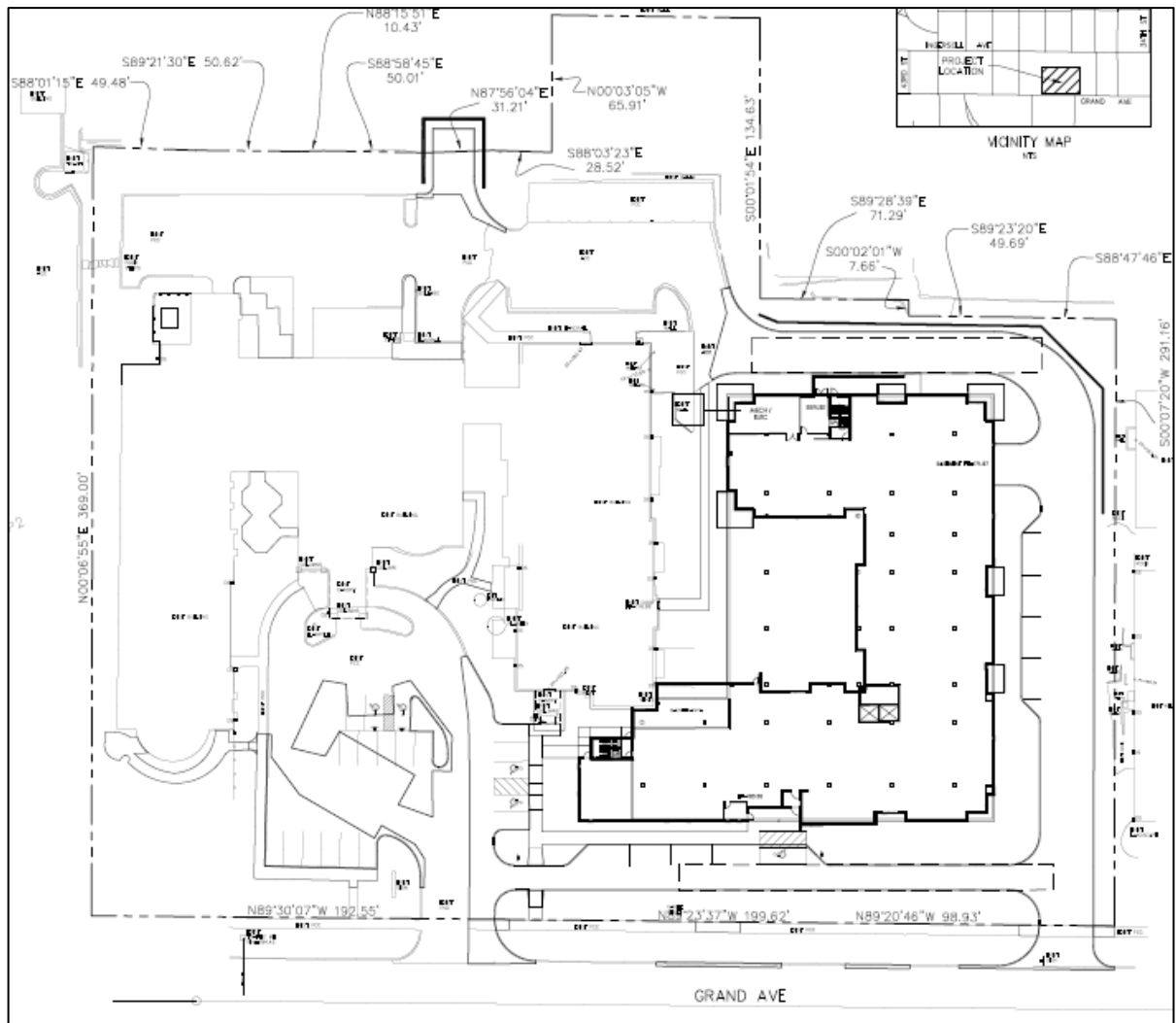
SYNOPSIS:

Recommend acceptance and approval of PUD Restoration Bond No. IA5307495 from Merchants Bonding Company, in the amount of \$14,575 for 3801 Grand Avenue Final Development Plan. The restoration security must be provided and accepted by the City Council, pursuant to Section 134-2.2.9 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 \$14,575 is required for this project for grading, silt fence, inlet/outlet protection, seeding and mulching, and Engineering Department administrative and inspection costs. The bonds will be released once the grading and ground surface restoration of the project is completed.
- 3801 Grand Avenue Final Development Plan is for the development of a 4-story, 57-unit independent senior living apartment building, in addition to an existing 4-story, 35-unit independent senior living apartment building, an existing 3-story, 56-unit assisted living apartment building, and an existing 2-story, 5,720-square-foot office building located at 3801 Grand Avenue. The project is to be developed by 3801 Grand Associates, LP, 3408 Woodland Avenue, Suite 504, West Des Moines, IA 50266, Frank Levy, Authorized Agent.

**PREVIOUS COUNCIL ACTION(S):**

Date: March 9, 2020

Roll Call Number: [20-0471](#)

Action: [On](#) request from Newbury Living (Frank Levy, President) to rezone 3801, 3721, 3707 and 3705 Grand Avenue and 3810 Ingersoll Avenue from “R-4” Multiple Family Residential and “NPC” Neighborhood Pedestrian Commercial to “PUD” Planned Unit Development and approve the PUD Conceptual Plan to allow for the development of a 4-story, 57-unit multi-household independent senior living apartment building, in addition to an existing 4-story, 35-unit independent senior living apartment building, an existing 3-story, 56-unit assisted living apartment building, and an existing 2-story, 5,720 square foot office building. Moved by Mandelbaum to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: August 20, 2020

Resolution Number: N/A

Action: Review and approval of a “PUD” Final Development Site Plan “3801 Grand Avenue” for property located at 3801 and 3721 Grand Avenue, to allow development of a 4-story independent senior living apartment building in accordance with the 3801 Grand Avenue “PUD” Conceptual Plan requirements. Staff recommended approval of the proposed “PUD” Final Development Site Plan, subject to compliance with all administrative review requirements and review and approval of the finalized building design and materials by the City’s Planning Administrator. Emily Webb made a motion for approval of the proposed “PUD” Final Development Site Plan, subject to the staff recommended conditions. THE VOTE: 12-0.

Board: Plan and Zoning Commission

Date: February 6, 2020

Resolution Number: N/A

Action: Request from Newbury Living (applicant) represented by Frank Levy (officer) for the following for property located at 3801, 3721, 3707 and 3705 Grand Avenue and 3810 Ingersoll Avenue. The subject property is owned by 3801 Grand Associates, LP; Arbor Cooperative Housing Association; and Eureka Group, LLC.

- A) Determination as to whether the requested rezoning is in conformance with PlanDSM Creating Our Tomorrow.
- B) Rezone property from “R-4” Multiple-Family Residential District and “NPC” Neighborhood Pedestrian Commercial District to “PUD” Planned Unit Development District.
- C) Approval of a PUD Conceptual Plan “3801 Grand Avenue”, to allow development of a 4-story 57-unit independent senior living apartment building, in addition to an existing 4-story 35-unit independent senior living apartment building, an existing 3-story 56 unit assisted living apartment building, and an existing 2-story 5,720-square foot office building.

Jann Freed made a motion for approval of Part A) the Commission find the proposed rezoning in conformance with the PlanDSM Creating Our Tomorrow future land use map, Part B) APPROVAL of rezoning the subject property from “R-4” Multiple-Family Residential District and “NPC” Neighborhood Pedestrian Commercial District to “PUD” Planned Unit Development District and Part C) APPROVAL of the proposed PUD Conceptual Plan subject to conditions. THE VOTE: 11-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Reduction or release of required PUD Restoration Bond.

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