

## Planning & Zoning Commission Staff Report

**Meeting Date:** June 7<sup>th</sup>, 2023  
**Applicant:** City of Sunset Hills  
**Description:** A request for escrow releases relating to improvements guaranteed for the Maret Drive residential project

---

### **SUMMARY:**

Vanderbilt Homes is requesting escrow releases relating to improvements guaranteed for the Maret Drive residential project, more specifically guarantees for storm sewer and street improvements.

Section 6 (Subdivisions) of the City's Unified Development Ordinance (UDO) provides regulation on the release of escrows relating to guaranteed improvements of a subdivision.

Specifically, per Section 6.2.5 4) of the City's UDO: The bond shall remain in effect or the escrowed sum shall be held in the escrow account by the escrow agent, as the case may be, until such time as the Planning and Zoning Commission shall, by written authorization to the surety or escrow agent, release the surety from the obligation of the bond or the escrow agent from his obligation to retain the escrowed sum in the escrow account, which release may be partial and may occur from time to time, as improvements are completed and approved; provided, however:

- a) The Planning and Zoning Commission, upon recommendation of the City Engineer and the City Attorney, shall release the surety or escrow agent from all or any part of its obligation only upon receipt of the requisite written notification from the inspecting agency; and
- b) In no case shall the Planning and Zoning Commission authorize the release of more than ninety percent (90%) of the amount held as the bond or escrow sum until said

improvements have been completed in a satisfactory manner, approved by the Planning and Zoning Commission, and accepted or approved by the appropriate authority.

### **REQUEST AND RECCOMENDATION**

The City is in receipt of a request for escrow release by Vanderbilt Homes for improvements guaranteed as they relate to street and storm sewers. The City is holding \$11,994.00 in escrow for storm sewers improvement and \$59,177.25 in escrow for street improvements. Vanderbilt homes is requesting a full release for both street and storm sewers escrows.

The City has received approval from the Metropolitan St. Louis Sewer District (MSD) for the completion of all related items guaranteed for storm sewers and is included in the Planning and Zoning Commission packet. City staff inspected Maret Drive street improvements. Upon inspection all required items associated with the construction activity of Maret Drive have not been completed.

**Staff recommends approval of the request to release escrows held solely associated with the guarantee for storm sewers in the sum of \$11,994.00. The Planning and Zoning Commission may vote on this request at the June 7<sup>th</sup>, meeting.**

### **EXHIBITS:**

1. Engineers Cost Estimate
2. MSD Approval