

06-28-2021 Town Council Meeting Responses to Council Questions

ITEM #4: Second Reading to Consider an Application for Conditional Zoning - Aura Development, 1000 Martin Luther King, Jr. Blvd.

Council Question:

I have talked to some folks who still have concerns about the downstream impacts of Aura and who will pay for any improvements found to be needed at a later date. The idea of a performance bond was suggested - I don't know how those work or if that is appropriate for this situation. Could staff comment on that?

Staff Response:

The Town will require a security bond for the \$50,000 in damages prior to issuance of a Zoning Compliance Permit. We can work with the developer / landowner for an agreed upon amount and for how long the security will need to remain active. The applicant already agreed to a stipulation that they would commit to \$50,000 for any improvement to the stream 100 yards downstream from the outlet to ensure stabilization of the stream for up to 5 years after completion of the project initiated after the acceptance of the stormwater control measures on site. If damages occur, the developer would need to secure access permission from private property owners.

The Town's Code and LUMO require performance bonds from developers for construction in public streets and existing utility easements, land disturbing activity greater than 1 acre, and construction of stormwater control measures. These bonds are kept to ensure the completion of the work entailed on the approved plans. Upon completion of the work and an acceptance by the Town after final site inspection, the bonds are released to the applicant. For stormwater control measures only, a maintenance bond is required prior to the issuance of the certificate of occupancy. An applicant may request release of the maintenance bond one year after the recording of the stormwater control measure and a performance review by the Town staff. The performance bonds are based on physical improvements required for the project to ensure that it is continuously functioning as the design intended within its property or for public improvements agreed upon in the zoning approval.

Council Question:

I know this has been answered before, so apologies for asking again but I couldn't find this info - how many storage basins are planned under the development and what is its/their capacity?

Staff Response:

The stormwater impact analysis plan reviewed by Town staff in December 2020 identified two underground detention systems and two sand filters. The two underground detention systems have a capacity of 1.610 ac-feet and 1.884 ac-feet. The applicant has since provided a revised

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conceptual stormwater management plan, but the design calculations have not been formally submitted to the Town for review. There is nothing to suspect that this revised design would not be able to meet the Town's stormwater regulations.

Council Question:

I understood from discussion several years ago that there was a plan for some traffic slowing measures on N Lakeshore/Honeysuckle, including at a minimum, placing a speed monitor on Honeysuckle, give the large downhill and wide streets, and the fact that that route is already a frequent cut-through to Erwin/15-501. Can you please share the status of those plans?

Staff Response:

There are speed display signs on North Lakeshore Drive in both directions. A few years ago, Town staff attended a meeting with neighbors to discuss traffic calming and provided a petition to circulate, which was never submitted. For Honeysuckle Drive, staff discussed having an in-road sidewalk, which was tested earlier this year with temporary materials. Staff is working on making that less temporary and eventually permanent but have a few issues to work out. Finally, there is a speed display sign currently set up on Curtis Rd. that doesn't get enough sun to function properly; that sign could move to Honeysuckle Road near Red Bud Ln. if there is interest.

Council Question:

Given the speed of change due to climate change, should we be concerned about planning for 500- or 1,000-year flooding?

Staff Response:

This will exceed our current Flood regulations that require studying the 100-year storm event.