



Board Meeting Agenda Abstract

Tuesday, August 16, 2022

Location: 134 N. Main Street, Fuquay-Varina, NC 27526

Agenda Item

Roadway Fee In-Lieu - Atwater Station - (Poling/Mitchell/Seymour)

Item Explanation

The purpose of this agenda item is to consider approval of the Fee in Lieu for certain roadway improvements related to the Atwater Station Subdivision project in the amount of \$1,035,288.25.

Staff Comments

The Atwater Station Subdivision project, located on James Slaughter Road and Hilltop Needmore Road, was presented to the Town Board on April 21, 2020. The Town Board approved the zoning map amendment for a total of 126.33 acres, located at 3232 and 3121 James Slaughter Road and 1800 Bass Lake Road.

As a condition of rezoning and in addition to the roadway improvements required by the Town's Community Transportation Plan (CTP), the Atwater Station Subdivision project was required to realign Bass Lake Road and provide additional improvements to the Sunset Lake Road & Bass Lake Road Intersection. However, due to existing traffic demands and patterns, NCDOT will not approve the realignment of the Bass Lake Road required improvements. Since NCDOT will not approve the realignment, Town Staff recommends accepting a \$192,425.00 fee-in-lieu in place of making these improvements.

In addition, a road internal to the proposed subdivision, Loggerhead Road, requires a road stub to be built. Due to its location being in environmentally sensitive areas, the U.S. Army Corps of Engineers will not permit this road extension. Additionally, since this internal roadway is not proposed to extend across the wetlands and connect to an existing or proposed subdivision or commercial property, the U.S. Army Corps of

Engineers contends that the roadway does not meet the criteria for a "Purpose and Need" and will not permit the improvements. Therefore Town Staff is recommending accepting a \$698,354.50 fee-in-lieu in place of making these improvements.

As part of the project, the property located along Bass Lake Road is included in the approved master plan and is designated as a commercial property. Eventually, this property will be re-developed and provide the necessary roadway improvements according to the Town's adopted Community Transportation Plan. Therefore, the Town Staff recommends accepting a \$144,508.75 fee-in-lieu in place of making these improvements in front of this property.

Town Staff recommends that the Town Board accept the proposed fees-in-lieu totaling \$1,035,288.25 instead of the developer constructing these roadway improvements at this time. Section 9-1466 of the Land Development Ordinance (LDO) allows for a fee-in-lieu for improvements that cannot be feasibly completed at the time of development. The design of the Fee-In-Lieu improvements and the corresponding cost estimate was completed in compliance with the LDO by the developer's Engineer and included the required 25% contingency for fee-in-lieu payments. In addition, this cost estimate has been certified by the developer's Engineer and reviewed by the Town's Engineering Director to ensure completeness and appropriate costs. Management and staff recommend accepting the fee-in-lieu for \$1,035,288.25 and allocating funds to the Northwest Roadway Fee-In-Lieu District account.

Fiscal Note

Yes

The Fee-In-Lieu amount of \$1,035,288.25 represents the Engineer's cost estimate for roadway improvements associated with the Atwater Station subdivision project. This estimate includes a 25% contingency, which is consistent with the Town's Fee-in-Lieu policy. The \$1,035,288.25 fee-in-lieu will be placed into the Town's Northwest Roadway Fee-In-Lieu District.

Recommendation:

MOTION TO: Approve a total of \$1,035,288.25 as payment in lieu for roadway improvements associated with the Atwater Station subdivision project.

ATTACHMENTS

[Site Plan - Atwater Station Subdivision - FIL Projects.pdf](#)

[Roadway Fee in Lieu 2022-01-31.pdf](#)

FUQUAY-VARINA, NORTH CAROLINA
ROADWAY FEE IN-LIEU - ATWATER STATION - (POLING/MITCHELL/SEYMOUR)
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[REZ-2019-19 Master Plan - Written Document.pdf](#)

[FIL Estimates.pdf](#)