

Workshop Meeting



To: Town Council

From: Travis Morgan

Date: 1/23/2023

Re: **Mission Properties: Townhomes at McCullough Road Acceptance** (*Informational Item*)

Background:

The McCullough neighborhood originally came in under John Wieland ownership. That was taken over by Pulte *except* the Northwest corner at Miller Road and Highway 51. The remaining roads in the Northwest corner were completed under Mission properties as “Townes at McCullough 1 & 2” roadway bonds.

Request:

Jason McArthur on behalf of Mission Properties requests the Town of Pineville to accept the public roads as shown on the final plat map for the area in question (see the proposed three public roads below with lengths). The Mission Properties development was broken into two bonded areas (see attachments). Bond one is in the amount of \$519,400 and Bond two is in the amount of \$742,300. If roads are accepted these construction bonds would be converted to a 1-year maintenance bond in the amount of \$247,800 before final inspections and possible maintenance bond release.

Roadways:

Iveybrook Lane – 487 linear feet (to be public road)

McIntyre Ridge Road – 707 linear feet (to be public road)

Founders Park Lane – 355 linear feet (to be public road)

Polk Terrace Lane – 669 linear feet (private not to be accepted by the Town)

Fetzer Lane – 320 linear feet (private not to be accepted by the Town)

Subdivision Ordinance Section:

“Upon written notice of 100% subdivision plat build out by the developer, LUESA will arrange for an inspection of the required minimum improvements and may require such further inspections at the developer’s sole costs and expense to demonstrate that all improvements, including those improvements previously completed, are satisfactory for acceptance and maintenance by the Town of Pineville or State. Should all required minimum improvements be found satisfactory, developer shall install the final 1 inch overlay of asphalt and LUESA, with approval from the Town of Pineville, shall authorize in writing the release or reduction of the remaining performance guarantee and the 80% maintenance guarantee upon receipt of a maintenance guarantee in the amount of 25% of the cost of all required minimum improvements plus estimated costs to inspect storm drainage improvements for a period of one (1) year. All guarantees shall be in a form satisfactory to LUESA and the Town of Pineville.”

Staff Comment:

In recent years there have been changes to state law regarding municipalities, roads, and developer bonds. There are limits to bond dollar amounts and allowances for bond reductions for inspected and approved infrastructure. Roadway and infrastructure have been inspected and approved by Mecklenburg County and Pineville Public Works minus some possible dead street trees.

A complicating factor is the commercial or front parcel is under a separate third ownership (MPV properties). The commercial parcel does not have any public road associated with it. The adjacent public roads (McIntyre and Ivybrook) are with Mission Properties. There is one remaining commercial building on the front MPV property parcel yet to be completed. Construction is complete within the Mission Properties townhomes but not for the commercial parcel nor larger Pulte development.

Concern is always for damage to newly completed roads from large and heavy construction equipment and activities. We ask for construction to be complete within a project before road acceptance to minimize damage to Town adopted roadways. I am less concerned with remaining Pulte work through the Mission property area and green highlighted "Bond 2" area but have some concern with the remaining commercial building construction traffic across red highlighted "Bond 1" area. MPV has stated they will only use the Miller Road entrance and concrete barriers can also be used. The concrete barriers could be used if Fire/Medic services could still be achieved but there could also be negative citizen reaction to barriers as well. If the proposal is approved as shown, the Town would have at least one year and \$247,800 bond guarantee for any failures or damages. This would include the bonded improvements such as asphalt, concrete, and street trees.

Procedure:

This a workshop meeting to familiarize you with the request and discuss as an informational item. For the request to proceed, a public hearing and council vote would be needed at a future meeting.