



## Legislation Details (With Text)

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Date	Ver.	Action By	Action	Result
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Retreat Follow-up - 112th Avenue Paving

### Summary and Background Information :

The improvement of 112<sup>th</sup> Avenue between Hwy 2 and Chambers Road was originally planned in order to serve the new recreation center to be located in the proposed Second Creek Park. As design of the recreation center progressed it became more evident that locating the recreation center in the park was going to be challenging due to eagle nesting, logistical, and wetland issues.

Therefore Council approved moving the recreation center to the current site of the Bison Ridge Recreation Center. By improving Potomac Street, the west portion of 112<sup>th</sup> Avenue from Hwy 2 to Blackhawk Street, and Hwy 2 it was no longer necessary to immediately improve the remaining part of 112<sup>th</sup> Avenue from Blackhawk Street to Chambers Road. As a result, the project was split into two parts, with the recreation center and its associated infrastructure becoming Package A and the remaining part of 112<sup>th</sup> Avenue becoming Package B.

Design work continued on Package B until the estimated costs of meeting all the challenges of dealing with the O'Brian Canal, right-of-way acquisition, Second Creek crossing of the O'Brian Canal, wetlands, and all the permitting required by those issues made the project daunting. In early 2017, staff recommended and Council approved putting Package B on hold until we knew the developer of the land to the south (Shea Homes) was ready to proceed with development. Some months after the Council's decision, Shea Homes sold the development to Oakwood Homes.

Oakwood Homes does want to proceed with development of the land to the south of 112<sup>th</sup> Avenue by 2019. Staff members have been meeting with Oakwood Homes to discuss the project. Recently the Reunion Metro District (owner of the storm water retention pond located on the south side of 112<sup>th</sup> Avenue) sent a letter to FRICO stating that they wanted to proceed with construction of a Second Creek crossing under the O'Brian Canal. This triggers the need for the City to build a structure to convey the Second Creek under the Burlington Ditch, which cuts through the Second Creek Park, north of the O'Brian Canal.

The City does have a Natural Resource Damages Settlement (NRDS) grant that requires work to be under way by 2019. The purpose of the NRDS grant is to restore the Second Creek channel through the Second Creek Park, restore and enhance the riparian habitat, provide buffers and habitat for plants and animals, enhance the quality of surface and groundwater, etc. In addition, due to development in the Second Creek drainage basin the City needs to build a regional storm water detention pond south of 112<sup>th</sup> Avenue, where the Reunion Metro District's retention pond is located.

This is a complicated project. Currently, 112<sup>th</sup> Avenue is closed (blocked off with Jersey barriers) due to its condition. It floods whenever there is high water and a large bog hole has developed in the middle of the road at its lowest point. Even the City's road grader got stuck in the hole.

Recently, the City Council directed staff to bring information and options for re-opening the road and possibly paving it. Maria D'Andrea and Roger Tinklenberg met with FRICO staff on Monday, April 2 to discuss different options for opening the road. FRICO will not require a permit for the City to do simple maintenance work, including filling the bog hole, adding gravel, and grading the road.

FRICO does object to paving the road in its current alignment and elevation due to the concern that flood waters could wash the pavement into the canal to the detriment of the canal's functioning. Raising the road surface by one or two feet does not remove this concern. Such changes to the elevation of the road surface would cause the work to go through permit review by FRICO and the Army Corp of Engineers and it would likely require it to go through the Conditional Letter of Map Revision and Letter of Map Revision (CLOMR/LOMR) process with Urban Drainage and EMA.

The options regarding 112<sup>th</sup> Avenue are attached as a pdf.

It appears that staff can assemble the funds needed to accomplish any one of the above identified options.

**Staff Responsible (Department Head ):** Roger Tinklenberg

**Staff Member Presenting :** Roger Tinklenberg

**Financial Impact :** Varies by method chosen

**Funding Source :** Varies

**Staff Recommendation :** Provide direction to staff regarding the re-opening of 112<sup>th</sup> Avenue between Blackhawk Street and Chambers Road.