Mayor and Council Communication
Memo Number: 36
Wednesday, May 19, 2010

CHARLOTTE.

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AGENDA NOTES:

Agenda Item #64Y,Z,AA,AB – Condemnations: East Forest Neighborhood Improvement Project

Staff Resources: Charles Anzalone, E&PM, 704-336-3107, canzalone@charlottenc.gov
Kristie Kennedy, E&PM, 704-336-6194, kkennedy@charlottenc.gov

On May 24, 2010, City Council will be asked to approve four condemnations for the East Forest Neighborhood Improvement Project (NIP). These are Property Transaction Items Y, Z, AA and AB. The East Forest NIP is funded with 2008 NIP bonds.

These condemnations are in preparation for installation of sidewalk along McLaughlin Dr., Eaglewood Ave., Bainbridge Rd., Knickerbocker Dr., Melba Dr., Lumarka Dr., Old Post Rd., Forest Way Dr. and small portions of Vista Dr., Beechdale Dr. and Peebleridge Dr. The proposed sidewalk will provide connectivity to other proposed and existing sidewalks in the neighborhood. Construction is scheduled to begin in September and the project is anticipated to be complete in February 2011.

These four condemnations will complete acquisition for Phase I of the NIP, with 57 of the 61 property owners having already signed easements (94% success rate). The following table details the explanation for each condemnation:

Property Transaction	Property Address	Explanation
Y	809 McLaughlin Drive	Owner concerned about tree protection and noise. Tree protection was offered, but owner would not respond.
Z	1049 McLaughlin Drive	Owner concerned about restoration of yard, relocation of satellite dish, & replacement of tree, all of which the City offered to do. Owner stopped responding.
AA	1018 Eaglewood Avenue	Condemnation to clear title.
AB	1030 Eaglewood Avenue	Owner did not respond to efforts to contact him to initiate discussion or negotiations.

Phase II of this project will involve additional storm water engineering and will begin as soon as those added plans are complete and all parcels are identified. To date, Phase II appears to impact 11 parcels.

INFORMATION:

May 25 - Small Business Networking Breakfast
Staff Resource: Nancy Rosado, Neighborhood & Business Services, 704-336-2116, nrosado@ci.charlotte.nc.us

In honor of National Small Business Week (May 24-28) the Small Business Opportunity Program is hosting a Small Business Networking Breakfast for City certified Small Business Enterprises to network with City Small Business Liaisons and purchasing staff. The event will take place on Tuesday, May 25 from 8:00-9:30 a.m. in the Charlotte-Mecklenburg Government Center Lobby Atrium. The Mayor, Council members, and Small Business Resource Partners (i.e. Charlotte Chamber, CPCC, etc.) are invited to attend. The event flyer is attached. ***(attached at the end of this document, scroll down or view the left-side table of contents)***

CSX Railroad Corridor Rail Speed Limit Increase in Charlotte
Staff Resource: Tim Gibbs, CDOT, 704-336-3917, tgibbs@ci.charlotte.nc.us

CSX Railroad is in the process of increasing train speed limits from 25 mph to 40 mph along its tracks through Charlotte. Beginning Monday, May 24 the speed limit will increase from 25 mph to 35 mph. On May 31, the speed limit will increase from 35 mph to 40 mph. Signal upgrades at all crossings have been completed to provide additional advance warning to compensate for trains moving at higher speeds. There are approximately 25 at-grade crossings along the CSX Railroad within the city limits. The CSX mainline crosses the city generally southeast to northwest paralleling Monroe Road, Brookshire Freeway and Rozzelles Ferry Road.

Two rail segments will maintain 25 mph speed restrictions. Those are from the Norfolk Southern Railroad crossing (under I-277—Brookshire Freeway) to the Urban Ministry Center (near the N. Tryon/College Street Connector) and adjacent to the Pinoca Yard (located between Hoskins and Hovis roads near Rozzelles Ferry Road). The City can request CSX to lower train speeds in other areas of the city for special events.

Rail speed limits in the United States are regulated by the Federal Railroad Administration (FRA). Municipalities have no jurisdiction over rail speeds within their boundaries.

Johnston and Mecklenburg Mills Update
Staff Resource: Stan Wilson, Neighborhood & Business Services, 704-336-3337, swilson@charlottenc.gov

Neighborhood & Business Services provided an update of the former Johnston and Mecklenburg Mills sites at City Council's February 22, 2010 dinner meeting. At that time, staff reported no redevelopment had occurred and that the City was no longer contractually obligated to NoDa Mills, LLC, the original respondent to our request for proposal.

INFORMATION (continued):

It has been City Council's direction, as well as the NoDa Neighborhood Association's request, to

preserve the buildings, if at all possible, due to their historical significance. Staff received the attached letter dated May 11, 2010, from the Charlotte-Mecklenburg Historic Landmarks Commission (CMHLC) asking the City to enter into discussion regarding the conveyance of the former Johnston and Mecklenburg Mills to the CMHLC.

The proposal includes the transfer of land and buildings at a nominal cost to CMHLC for the purpose of sale and redevelopment with the expectation of:

- Legal restrictions on the building to assure their preservation in perpetuity;
- No further City investment;
- Willingness to work with the neighborhood association on potential future uses;
- An even split of any sale proceeds between CMHLC and the City; and
- CMHLC assumption of all liability and responsibility associated with ownership of the property.

Staff shared the CMHLC proposal with the Housing & Neighborhood Development Committee as information at their meeting on Wednesday, May 19.

The committee discussion included questions about who assumes liability for the property, how much money the City had invested, the current condition of the buildings and the value of the land if the buildings were demolished.

This proposal will be discussed in more detail at the June 2, 2010 Housing & Neighborhood Development Meeting. ***(attached at the end of this document, scroll down or view the left-side table of contents)***

ATTACHMENTS:

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