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## INFORMATION:

### **NCDOT I-77/I-277 High Occupancy Toll (HOT) Lane Project: Noise Walls Meeting**

*Staff Resource: Bridget Dixon, Planning, 704-432-4493, [bdixon@charlottenc.gov](mailto:bdixon@charlottenc.gov)*

#### **Background**

The Charlotte Mecklenburg Planning Department and Charlotte Department of Transportation (CDOT) have been working with the North Carolina Department of Transportation (NCDOT) to increase public awareness and facilitate decision making on the design and impact of the HOT Lane project's proposed noise walls along I-77 and I-277. Public meetings were held on December 11<sup>th</sup> and December 17<sup>th</sup> 2013 in order to identify issues, respond to questions, share additional visual information on the location and design of the walls, and gain input from the community on preferred color and texture.

#### **Noise Wall Wrap-Up Meeting**

A Noise Wall Wrap-Up meeting is scheduled for Thursday, February 6<sup>th</sup> from 6-7:00 pm in Room 267 at the Government Center. At this meeting city staff will bring forward draft recommendations for wall color and texture, update residents on upcoming ballots for specific residents and neighborhoods and provide status on other on-going coordination efforts regarding maintenance, access, security and storm water.

#### **Next Steps**

Following the February 6<sup>th</sup> Meeting, city staff will be updating Council regarding staff recommendations for the City's choice on wall color and texture leading to final Council action that will be formally transmitted to NCDOT for incorporation into the project's final design and bid process.

Upcoming Council briefings will include:

- Transportation & Planning Committee Action (February 10<sup>th</sup> - Committee Meeting, 3:30pm, Room 280)
- City Council Update, (February 17<sup>th</sup>- Zoning Dinner Meeting, 5:00pm, CH-14 )
- City Council Action (February 24<sup>th</sup>- Business Meeting, 7:00pm, CMGC Chamber)

#### **February 13 – Code for Charlotte Kickoff**

*Twyla McDermott, OCIO, 704-336-8066, [tmcdermott@charlottenc.gov](mailto:tmcdermott@charlottenc.gov)*

*Tom Warshauer, N&BS, 704-336-4522, [jwarshauer@charlottenc.gov](mailto:jwarshauer@charlottenc.gov)*

*Keith Richardson, Corporate Communications & Marketing, 704-336-5865, [kmrichardson@charlottenc.gov](mailto:kmrichardson@charlottenc.gov)*

Mayor and City Council are invited to attend the kickoff for Code for Charlotte. This endeavor is part of the Code for America fellowship program. Code for America seeks to enable open government via evolving technology. The City, in partnership with the Knight Foundation, was a

recent recipient of a Code for America fellowship. More information on the Code for America and the fellowship program can be found at this link: <http://www.codeforamerica.org/>

The fellowship program places talented software developers, designers, and researchers with local governments to develop innovative solutions ranging from business friendly applications that assist business startups to virtual town hall tools to engage residents. This effort also includes a local volunteer group of developers, known as a brigade. These volunteers also will work on new applications that can be used to improve municipal services or make government more transparent.

The Code for Charlotte kickoff is 4-6 p.m. on Thursday, February 13 at Packard Place located at 222 S. Church St. Packard Place is a hub for like-minded entrepreneurs sharing skills and business opportunities in Charlotte. It provides access to technology, education, and hands-on assistance to help business partners and start-ups design, build, and market their businesses.

### **Response to WSOC Story on Historic District Commission Approved Project in Dilworth**

*Staff Resource: John G. Howard, Planning, 704-336-5994, [jghoward@charlottenc.gov](mailto:jghoward@charlottenc.gov)*

WSOC aired a story on January 31 about a renovation project at 1915 Lyndhurst Avenue located in the Dilworth Historic District. Mr. John Phares, a representative of Preserve Historic Dilworth, was also featured in the story. The story highlighted concerns by Mr. Phares and other Dilworth residents about the potential impact that demolitions and major renovations, such as the renovation at 1915 Lyndhurst Avenue, have on the integrity of the Dilworth Historic District.

Historic District staff first received calls on January 6 from Dilworth residents who believed that the construction work at 1915 Lyndhurst Avenue was in violation of the Historic District Commission approval and the subsequent Certificate of Appropriateness. In response to these concerns, staff researched the issue and determined the following:

- The project was initially presented to the Commission on August 14, 2013. After deliberation by the Commission and after receiving comments from interested parties, including members from Preserve Historic Dilworth, the Commission deferred the application. The owner submitted revised plans for the September Commission meeting based on comments from the August Historic District Commission meeting. After additional deliberation and comments from the public, the Commission approved the revised application.
- A Certificate of Appropriateness was issued to the owner of 1915 Lyndhurst Avenue on September 20, 2013 by the Historic District Commission allowing the following: removal and reconstruction of the existing front porch, replacement of all siding, the addition of a second floor, a new roof, and replacement of all windows. The approval also included the extension of a gable over the porch.
- Per standard practice, staff contacted the zoning inspector and requested that the

inspector visit the site to determine if a stop work order was necessary due to non-compliance with the Certificate of Appropriateness. The inspector determined the project was in compliance with the scope of work outlined in the Certificate of Appropriateness and that the owner had already begun reconstructing the home.

- The procedural issue in question was whether the project should have been considered a demolition project. In the case of a demolition, the Commission may delay the issuance of a Certificate of Appropriateness for no more than 365 days. Or, the Commission may waive the delay and approve a demolition immediately. During the two hearings on the project, neither the Commission nor the interested parties consider the project a demolition.

In the WSOC story, John Phares of Preserve Historic Dilworth also raised concerns about the impact that multiple demolitions might have on the neighborhood's ability to retain State preservation tax credits. To understand the condition of the city's historic districts, a consultant was hired in October of 2013 to survey the local and National Register historic districts. The results of the survey will be available in the fall of 2014 and will help staff determine whether recent demolitions will impact State preservation tax credits. To date, the State Historic Preservation Office has not expressed any concerns to Historic District staff about recent demolitions.

The Commission, Planning and Legal staff that support the Commission, and our zoning inspectors are committed to implementing policies and regulations that will help retain the unique character of Charlotte's historic neighborhoods. The Historic District Commission staff have developed a one-year work program designed to respond to identified issues related to Historic District procedures and guidelines. Staff is working diligently to complete needed enhancements to the Historic District program.

### **January 22 - Metropolitan Transit Commission Meeting Summary**

*Staff Resource: Carolyn Flowers, CATS, 704-336-3855, [cflowers@charlottenc.gov](mailto:cflowers@charlottenc.gov)*

At its meeting on Wednesday, January 22, 2014, MTC considered one action item and heard three information items:

#### *Select Vice Chair for MTC*

MTC members unanimously voted to reappoint Davidson Mayor John Woods to the position of Vice Chair.

#### *Transit Funding Working Group (TFWG) Update*

The TFWG is bringing the East Coast Public Private Partnership conference to Charlotte on March 5-6, 2014. The conference will include presentations by experts on Public Private Partnerships (P3s), which can provide innovative funding structures to complete public

infrastructure projects. TFWG subcommittees are working on developing funding and legislative advocacy ideas to develop ways to complete the vision of the 2030 Transit System Plan.

#### *FY2015 Operating Program and Five-year Community Investment Program (CIP)*

In compliance with the Transit Governance Interlocal Agreement, CATS presented the CEO's recommended FY2015 Operating Budget and Five-year Community Investment Program (CIP) to the Metropolitan Transit Commission on January 22, 2014. The CEO's recommendation continued the focus on:

- Advancing the 2030 Transit Corridor System Plan within constrained financial resources
- Providing mass transportation services which enhance mobility options and service equity for the community
- A structurally balanced financial plan

Significant budget drivers include:

- A 20 cent base fare increase effective July 1, 2014. This recommendation is in compliance with the MTC approved CATS Financial and Fare Policies
- Construction of the LYNX Blue Line Extension (BLE) project
- Implementation of Phase I of the CityLYNX Gold Line streetcar service
- Complete management of the Charlotte Transportation Center
- Compliance with CATS long term financial plan (i.e. 3.6% increase in cost of operations)

The MTC will review details of the Transit Fund and Transit Capital Fund programs in February and March, prior to adoption of the budgets in April 2014.

A public hearing on the proposed fare increase is scheduled for March 26, 2014, in Room 267 of the Charlotte Mecklenburg Government Center.

#### *Title VI Policy Update*

Title VI is part of the Civil Rights Act of 1964, which protects people from discrimination based on race, color or national origin in programs or activities that receive federal financial assistance. FTA Circular 4702.1B ensures Title VI compliance for transit agencies. A recent Circular Update has changed transit agency requirements. Previously, no Board notification or approval was required of transit agencies on Title VI program, policy or equity analyses. That will now be required and agencies will submit meeting minutes demonstrating Board consideration, awareness and approval. CATS' Title VI program update is due in July 2014. CATS staff ensure Title VI consideration whenever a major service or fare change could impact low income or minority communities. A major service change is a change to an existing bus or light rail route affecting more than 25% of revenue miles, elimination of an existing route without replacement, or when a new service route is started. Staff considers alternatives, choosing the least adverse option to accomplish the purpose of the service or fare change, provides justification on why the change must occur and implements a mitigation plan. At the last fare

increase, staff increased efforts to educate low income individuals about passes, which provide a discount over the single-route fare. Staff solicit public input through public meetings and website comments. Workable comments received during the public input process are incorporated into the final version of analysis as alternatives or mitigation efforts. CATS Transit Title VI Policy will be distributed to MTC members for their review and action at the February meeting.

### *2030 Transit Corridor System Plan Update*

MTC adopted the 2030 Transit System Plan in 2006 as a 30-year guide for growth of the area's mobility options. Since the plan's adoption, there have been changes in the economy and in funding award by funding partners Federal Transit Administration (FTA) and the North Carolina Department of Transportation (NCDOT). Other changes include Norfolk Sothern's (NS) recent release of requirements for potential passenger rail on NS lines, which may impact the Red Line. The Silver Line on Independence Boulevard may be revisited as a bus way with a rail line elsewhere in the corridor. Charlotte Gateway Station, a multimodal facility, may be developed as a P3 project.

The LYNX Blue Line opened in 2007 to heavy ridership. Over \$1.45 billion in actual and proposed corridor development has occurred along the Blue Line through 2015. Development along the line slowed in the economic downturn, but has recovered along with the economy. Work to expand the Blue Line to accommodate three-car trains will begin soon, as the line is pushing capacity limits with the present two-car configuration. The BLE is designed for three-car operation, so the upgrade will allow a seamless transition from the present line to the Extension.

The BLE will transform North Tryon Street with new bike lanes and planting strips where the BLE runs in the center of the street. BLE design is 95-100% complete and most of the real estate has been purchased. Utility relocations are underway and the three largest construction contracts will be awarded in the next several months. Civil construction will begin in March with work on roadways, bridges, retaining walls and traffic signals, with an opening date in the spring of 2017. Construction will impact traffic, parking, access and visibility, so CATS has developed a Community Relations Plan to notify people of what to expect and how to adjust. CATS opened a field office in the area and has business liaisons dedicated to keeping area businesses informed. CATS has installed temporary business signs as business signs are removed due to project work.

A multidisciplinary team from several City departments keeps the BLE moving forward. Project contracts include incentive payments for early completion of significant milestone activities, providing an incentive for contractors to complete their contracts early. The contracts also include liquidated damages for cases where poor contractor performance leads to project delays. The project budget includes contingency amounts for unforeseen expenses.

BLE risk factors include continued private utility relocation coordination and coordination with NCDOT projects in the area. Additionally, railroad coordination with NS freight and flagging are factors, as is the bid environment for contracts. To manage the project's risk, CATS has built a strong project controls plan with a project controls system and two oversight boards to review and implement project decisions. There is also a healthy unallocated contingency balance, a robust construction management team and continuous coordination with partners. Public Meetings for the BLE will be held in February and March.

Phase I of the CityLYNX Gold Line is currently under construction and is scheduled to open in 2015. Phase 1 has 6 stops. Phase 2 will extend the line by 2.5 miles and add 11 stops. Recent changes in federal funding have made Streetcar more competitive in the Small Starts program than in the past, but more up-front local investment will be required. Streetcar design needs to be advanced at least to the 65% level to obtain a federal funding commitment. Vehicle assessments also need to be made, comparing on-wire versus off-wire capability. Streetcar's Land Use and Economic Development Report, required by FTA with the project's Small Starts submission, needs to be updated. The Phase 2 Streetcar schedule is aggressive; the Small Starts rating needs to be submitted to FTA by September 2014.

#### *CATS CEO Report*

Under the CEO's report, Carolyn Flowers discussed:

**a. February MTC Meeting:**

MTC members unanimously approved a motion to begin the February 26, 2014 MTC meeting at 6:00 p.m. rather than the usual 5:30 p.m. start time, due to room schedule conflicts.

**b. Funding Update:**

Congress has appropriated FY2014 funding. Funding was allocated to CATS in the FY2014 program. Staff feels confident that CATS will receive the \$100 million appropriation.

**c. P3 Conference:**

MTC members are encouraged to consider attending the East Coast P3 conference. More details will be given at the February MTC meeting.

The next MTC meeting will be February 26, 2014 at **6:00** p.m.

## ATTACHMENTS:

### Council Follow-Up Report

- Boy Scouts of America
- Water Fluoridation Program in Charlotte
- Funding request for program in Hoskins Community