

MEMORANDUM

**TO: Transportation Advisory Committee (TAC)
DCHC MPO**

FROM: DCHC MPO Lead Planning Agency

DATE: August 10, 2005

SUBJECT: Southwest Durham Transit Corridor Realignment Recommendation

Executive Summary

This memo presents the Southwest Durham Transit Corridor realignment recommendation. At the June 8 TAC meeting, the evaluation report which summarizes the SW Durham transit corridor alignment alternatives was presented and discussed. The TAC received public comments and referred the matter to staff to develop a recommendation. After review and evaluation of technical analysis and consideration of public comments, the TCC recommends adoption of Alignment C3 as shown and described in Attachment 9A. The basis for the recommendation is two-fold:

- Alignment C3 would provide the best match with the land use plan in the area, allowing the greatest ridership potential if land use development proposals in the area take advantage of the higher density, mixed-use and transit-supportive design opportunities allowed in Suburban Transit Areas of the Durham Comprehensive Plan when the proposed Unified Development Ordinance (UDO) is adopted.
- Alignment C3 would be somewhat less disruptive to the community than the B alignments or the C1 or C2 alignments.

The TCC notes that due primarily to its longer length, C3 could be costlier than other alignments, but has concluded that the potential land use benefits and less disruption to the community are worth the potentially higher cost.

The TCC also notes that the exact location of the C3 alignment, especially near its crossing of Farrington Road, may be adjusted slightly based on continued discussion with property owners and as development proposals are submitted. The TCC further notes that final alignment will be determined through the required environmental impact process.

The TCC recommendations are summarized as follows:

1. Endorse a preferred transit corridor alignment in SW Durham County illustrated as Alignment C3 in Attachment 9A and forward recommendation to the City of Durham, Durham County, Town of Chapel Hill, and TTA for their adoption consideration.
2. Request that Durham City, Durham County, Chapel Hill, TTA and the MPO officially amend the US 15-501 Transit Corridor Major Investment Study (MIS) to reflect the revised alignment in SW Durham County.
3. Request that Durham City, Durham County, and Chapel Hill protect the full transit corridor.

4. Request that local governments, to the extent possible, seek right-of-way (ROW) dedication, rather than reservation for this transit corridor, through the development review process.
5. Request that local governments use the provisions of their development ordinances to maximize the certainty that high densities, mixed uses and transit supportive design will occur in proximity to planned station locations.
6. Request that Durham City, Durham County, Chapel Hill, TTA and the MPO sign a Memorandum of Agreement establishing procedures for considering any future changes to the approved corridor alignment. A draft Memorandum of Agreement is presented as Attachment 9B.
7. Request that TTA facilitate the development of a strategy for improved transit service between Durham and Chapel Hill consistent with the memorandum of agreement between the TTA and DCHC on transit planning.

Background

Phase II of the US 15-501 Major Investment Study (MIS) was completed in 2001, focusing on development of a fixed guideway transit system connecting Duke University and the University of North Carolina at Chapel Hill.

In 2003, the TAC, based on its concern that rights-of-way preservation and land uses occurring in the corridor might be detrimental to future transit development, requested the Triangle Transit Authority (TTA) to undertake a corridor mapping and alignment analysis to determine how best to preserve the corridor. TTA, in February 2004, contracted with the Triangle J Council of Governments (TJCOG) to map the Phase II corridor alignment and examine the status of the corridor alignment as proposed in the Phase II MIS. Subsequently, the TCC proposed a two-phase approach for conducting the corridor alignment mapping and analysis: Phase 1 focused on mapping the alignment centerline and right-of-way (ROW) as well as parcel level development approval; and, Phase 2 would analyze the existing and approved developments and compare them to the MPO socio-economic forecasts and also establish a framework for tracking new developments in the corridor.

At its August 2004 meeting, the TAC received the report entitled "Chapel Hill-Durham Transit Corridor – US 15-501 Corridor Alignment Analysis" and referred this report to the Durham-Chapel Hill-Orange County Work Group. At the September 8, 2004 Work Group meeting, this item was presented and discussed. The Work Group directed affected local jurisdictions to pursue the "next steps" for the corridor.

The US 15-501 Technical Committee met and discussed possible alignments and staff presented the information to the TAC on January 12, 2005. Also, at that meeting, comments were reviewed from the public/homeowners and additional alignments were suggested. The TAC directed staff to evaluate the additional alignments, schedule a workshop to discuss the alternative alignment possibilities requested by homeowners and bring back a recommendation after conducting another public meeting on this issue. A workshop was held on February 8, 2005 at Creekside Elementary School from 4:00 – 8:00 pm.

At the February 9, 2005 TAC meeting members of the public presented comments on the possible realignment to the committee. Two additional alignments were identified and staff was instructed to conduct a second public meeting to discuss these two alignments as well as the specific alignment that emerged from the community charette in Southwest Durham. The Technical Committee analyzed these additional options and forwarded the analysis report (brochure containing information on the proposed alignments evaluation) to the property owners and affected citizen in the study area prior to the second public meeting.

The second public meeting was held on May 23, 2005 at Creekside Elementary School from 5:00 to 8:00 pm. At that time, comments were received from the public relative to the alignments presented.

On June 8, 2005, the TAC received the evaluation report as well as comments from land owners. Subsequently, the TAC referred this item to staff to develop a recommendation.

The following attachments are enclosed relative to this item.

Attachment 9 – Transmittal memorandum providing background information on the project

Attachment 9A – June 29, 2005 report on SW Durham Alignment Evaluation which summarizes alignment evaluation of eight (8) alternatives (A, B1, B2, B3, C1, C2, C3 and C4) and results of technical analysis.

Attachment 9B – Draft Memorandum of Agreement.

Attachment 9C – December 10, 2004 report on the US 15-501 Corridor Alignment Analysis which presents Phase I summary and recommendation

Attachment 9D – Map showing the revised Durham Comprehensive Plan

Requested TAC Action:

1. Endorse a preferred transit corridor alignment in SW Durham County illustrated as Alignment C3 in Attachment 9A and forward recommendation to the City of Durham, Durham County, Town of Chapel Hill and TTA for their adoption consideration.
2. Request that Durham City, Durham County, Chapel Hill, TTA and the MPO officially amend the US 15-501 Transit Corridor Major Investment Study (MIS) to reflect the revised alignment in SW Durham County.
3. Request that Durham City, Durham County, and Chapel Hill protect the full transit corridor.
4. Request that local governments, to the extent possible, seek right-of-way (ROW) dedication, rather than reservation for this transit corridor, through the development review process.

5. Request that local governments use the provisions of their development ordinances to maximize the certainty that high densities, mixed uses and transit supportive design will occur in proximity to planned station locations.
6. Request that Durham City, Durham County, Chapel Hill, TTA and the MPO sign a Memorandum of Agreement establishing procedures for considering any future changes to the approved corridor alignment. A draft Memorandum of Agreement is presented as Attachment 9B.
7. Request that TTA facilitate the development of a strategy for improved transit service between Durham and Chapel Hill consistent with the memorandum of agreement between the TTA and the DCHC MPO on transit planning.

MEMORANDUM OF AGREEMENT

NORTH CAROLINA

**DURHAM-CHAPEL HILL-CARRBORO
METROPOLITAN PLANNING ORGANIZATION**

Regarding

THE US 15-501 TRANSIT CORRIDOR

Between

**TOWN OF CHAPEL HILL, CITY OF DURHAM, COUNTY OF DURHAM,
TRIANGLE TRANSIT AUTHORITY, AND THE DURHAM-CHAPEL HILL-
CARRBORO METROPOLITAN PLANNING ORGANIZATION**

August 10, 2005

WHEREAS, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is actively involved in, and responsible for, the transportation planning process in the Planning Area defined by the Metropolitan Area Boundary (MAB) of the Durham-Chapel Hill-Carrboro Urban Area Metropolitan Planning Organization and the North Carolina Department of Transportation (NCDOT); which includes all of Durham County and portions of Orange County and Chatham County; and

WHEREAS, the Transportation Advisory Committee is the duly recognized transportation decision making body of the DCHC MPO, as required by 23 CFR Part 134; and

WHEREAS, the Transportation Advisory Committee consists of elected officials of member governments in the DCHC Planning Area and a representative of the North Carolina Board of Transportation; and

WHEREAS, the Memorandum of Understanding (dated September 10, 1993), which established the DCHC MPO and is signed by the participating local governments, states that:

- “Transportation policy decisions within the Planning Area are the shared responsibility of the Transportation Advisory Committee... and participating governments.”
- “The continuing transportation planning process will be a cooperative one, and all planning discussions will be reflective and responsive to... the

comprehensive plans for growth and development of the Municipalities of Durham, Chapel Hill, Carrboro, and Hillsborough; and the Counties of Durham, Orange, and Chatham.”

- “The subscribing local governments shall coordinate zoning and subdivision approvals within its jurisdiction in accordance with the adopted Comprehensive Transportation Plan and mutually adopted Thoroughfare Plan.”

and

WHEREAS, the US 15-501 Transit Corridor Plan is part of the adopted Long Range Transportation Plan (LRTP) of the DCHC MPO, or Comprehensive Transportation Plan, and

WHEREAS, the following studies have established and directly addressed the status of the US 15-501 Transit Corridor:

1. The “US 15-501 Major Investment Study, Phase I Report (Draft),” prepared by HNTB North Carolina, P.C., was completed on August 6, 1998;
2. The “US 15-501 Major Investment Study, Phase II Report,” prepared by HNTB North Carolina, P.C., was completed in December 2001;
3. In 2003, concerned that the right-of-way preservation and land use occurring in the US 15-501 transit corridor might be detrimental to future transit development, the DCHC MPO requested that the Triangle Transit Authority (TTA) conduct a follow-on study of the status of the corridor and make recommendations, as appropriate;
4. This follow-on study made the following recommendations to the DCHC MPO for preserving right-of-way and land use in the US 15-501 transit corridor:
 - Evaluate alternatives and choose a preferred alignment through Southwest Durham;
 - Local and regional authorities adopt the alignment;
 - Analyze land use in and near the transit corridor;
 - Require cost, community/environmental, ridership and operational analysis of any future alignment changes; and,
 - Request that the Triangle Transit Authority (TTA) facilitate a strategy for transit service implementation in the corridor consistent with the memorandum of agreement between the TTA and DCHC MPO;

WHEREAS, the "US 15-501 Major Investment Study (MIS)" established an alignment for the transit corridor, and since that time, three modifications have been made to, or recommended for, the alignment, including the following modifications that are depicted on the attached map:

1. The modified alignment near the former South Square Mall;
2. The modified alignment near Glenwood Elementary School in Chapel Hill; and,
3. The preferred alignment through Southwest Durham, as recommended by the US 15-501 Corridor Alignment Analysis, and adopted by the DCHC MPO.

NOW THEREFORE, in consideration of the above premises and the common objective of planning for and implementing a high quality transit corridor between the City of Durham and Town of Chapel Hill, the parties hereto desire to cooperate and mutually agree to the following terms:

A. Modify Corridor Alignment

The parties to this Agreement, including the DCHC MPO, Triangle Transit Authority (TTA) and participating local governments, will modify the transit corridor alignment in the "US 15-501 Major Investment Study (MIS)" to include the three modifications identified above.

B. Include Modified Alignment in Transportation Plans

The parties to this Agreement, including the DCHC MPO, Triangle Transit Authority (TTA) and participating local governments, will include the modified alignment identified above, and future alignment modifications to the "US 15-501 Major Investment Study (MIS)", into local and regional transportation plans by reference, and the DCHC MPO will consider the alignment modifications in the following update to the Long Range Transportation Plan (LRTP).

C. Adopt Supportive Land Uses

The parties to this Agreement will encourage development in proximity to the US 15-501 Transit Corridor and stations, through local zoning and development ordinances, consistent with the guidelines set forth in the document "Station Area Development Guidelines for the Regional Transit Stations" (Triangle Transit Authority, December 1997). It should be noted that the Guidelines state:

"As individual local governments prepare plans for their regional transit station areas, they will select and refine the elements most appropriate for each station area and they will determine the extent to which these elements may be encouraged, discouraged, avoided or required."

(19)

D. Require Analysis of Proposed Changes to Alignment

The parties to this Agreement agree to require that any development application proposing a shift in the adopted US 15-501 Transit Corridor alignment or designated station locations include an analysis that meets or exceeds the technical level of corridor analysis in the current, or subsequently amended, "Chapel Hill-Durham Transit Corridor: Southwest Durham Alignment Evaluation." The parties to this Agreement further agree that DCHC MPO technical staff will be consulted for current guidelines prior to the preparation of any such analysis, and that the completed analysis will be supplied promptly to DCHC MPO staff for technical review. The analysis will include impacts on the following characteristics:

1. Cost – capital costs for building alignment and stations, and vehicle operations costs (developed in consultation with TTA); and,
2. Environmental and Community – residential and business relocations, wetlands, stream crossings, and street crossings; and,
3. Land Use Plans – consistency of existing and future land use and development with comprehensive plans, and,
4. Transportation Plans – consistency with local and regional transportation plans, including the Long Range Transportation Plan of the DCHC MPO; and,
5. Ridership – potential ridership estimates from TTA, based on housing and employment projections within one-quarter and one-half mile of proposed stations; and
6. Operations – feasibility of operations, and service quality impacts (developed in consultation with TTA).

E. Defer Development Decisions for DCHC MPO Board Action

The parties to this Agreement agree to defer approval of zoning, site plan and other development cases in which analysis is required under Paragraph D of this Agreement, until the Transportation Advisory Committee (TAC) of the DCHC MPO has had adequate time to review and comment on the analysis. The TAC will agree to complete its review in an expeditious and timely fashion.

Conditions of Agreement:

This Memorandum of Agreement:

1. Shall become effective when signed by all the parties and shall continue in force until terminated by any party;
2. May be terminated thirty (30) days after written notification by any party;

- 3. May be amended by mutual consent of the parties, which consent shall not be unreasonably withheld;
- 4. Shall be in addition to any specific agreements between the parties presently in place establishing specific practices for planning and implementing the US 15-501 Transit Corridor;
- 5. Shall not require any party to implement a practice or policy that is not in compliance with local ordinances or State statutes.

NOW, THEREFORE, BE IT RESOLVED that this Agreement is hereby formally approved by the City/Town Council of the City of Durham and Town of Chapel Hill, the Board of County Commissioners of Durham County, the Board of Directors of the Triangle Transit Authority, and the Mayor/Board Chairs and Clerk of these municipalities and county are hereby empowered to sign and execute the Agreement among these parties.

DURHAM-CHAPEL HILL-CARRBORO METROPOLITAN PLANNING ORGANIZATION (DCHC MPO)

By _____
CLERK

By _____
CHAIR

CITY OF DURHAM

By _____
CLERK

By _____
MAYOR

TOWN OF CHAPEL HILL

By _____
CLERK

By _____
MAYOR

DURHAM COUNTY

By _____
CLERK

By _____
BOARD CHAIR

TRIANGLE TRANSIT AUTHORITY

By _____
CLERK

By _____
BOARD CHAIR

