

Transportation Staff Meeting

May 18, 2011

2:00 PM

Room 601

AGENDA

1. McCoy Road Bridge, B-4200 Memorandum of Agreement (Cook)

Description: TIP project B-4200 will result in the replacement of an existing bridge over Gar Creek in Huntersville. The FHWA has determined that the project will have an adverse impact on the Albert McCoy Farm (listed on the National Register of Historic Places) and has required that the project be undertaken in accord with certain stipulations. The stipulations are found in a Memorandum of Agreement to be signed by various parties, including MUMPO.

The purpose of this discussion is to review the draft MOA (attached) and begin the process to obtain the necessary approval from the MPO to execute it.

2. Transportation, Community, and System Preservation Program (TCSP) Application from Matthews/NCDOT (Messera)

Description: TCSP project-possible roundabout at Matthews Mint Hill Road and Township Parkway.

3. Transportation, Community, and System Preservation Program (TCSP) Application from Monroe/NCDOT (Loyd)

Description: TCSP project-turn lane improvements along Charlotte Avenue including the realignment of Concord Avenue.

4. I-485 Clark's Creek Greenway Crossing

Description: Charlotte, Mecklenburg County and NCDOT agreed to share the costs of constructing accommodations for the Clark's Creek Greenway where it crosses I-485. NCDOT committed Loop funds for its portion, but now proposes to use Equity funds. Feedback on the proposed change has been requested by NCDOT.

5. Complete Streets (Newsome)

Description: Follow-up to previous discussions with the TCC and staff about complete streets and the upcoming review of NCDOT Complete Streets Guidelines Framework.

Access number: 704-432-5484

DRAFT

**MEMORANDUM OF AGREEMENT
BETWEEN THE
FEDERAL HIGHWAY ADMINISTRATION
AND THE
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICE
FOR
REPLACEMENT OF BRIDGE NO. 100 ON
SR 2120 (McCOY ROAD) OVER GAR CREEK
MECKLENBURG COUNTY, NORTH CAROLINA
T.I.P. PROJECT NO. B-4200
FEDERAL AID PROJECT NO. BRSTP-2120(2)
WBS No. 33547.1.1**

WHEREAS, the Federal Highway Administration (FHWA) has determined that the replacement of Bridge No. 100 on SR 2120 (McCoy Road) over Gar Creek in Mecklenburg County (the Undertaking) will have an adverse effect upon the Albert McCoy Farm, a property listed on the National Register of Historic Places (NRHP) and designated a historic landmark by the Charlotte-Mecklenburg Historic Landmarks Commission; and

WHEREAS, the Undertaking will compromise the historic integrity of the Albert McCoy Farm by 1) intruding into the viewshed and introducing materials that do not harmonize with the rural landscape, 2) necessitating the removal of mature tree lines and other landscape features, such as fencing, and 3) generating physical obstacles to the active and historical use of the property; and

WHEREAS, the FHWA has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, the North Carolina Department of Transportation (NCDOT), **Dr. and Mrs. Thomas McCoy, and representatives of the Catawba Lands Conservancy, Charlotte-Mecklenburg Planning Department, Mecklenburg-Union Metropolitan Planning Organization, Charlotte-Mecklenburg Historic Landmarks Commission, and the Town of Huntersville** have participated in the consultation and been invited by FHWA and the SHPO to concur with this Memorandum of Agreement (MOA); and

WHEREAS, the FHWA has notified the Advisory Council on Historic Preservation (the Council) of the adverse effect and the Council has declined to comment or participate in the consultation;

NOW, THEREFORE, the FHWA and the SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the Undertaking on the historic property.

STIPULATIONS

The FHWA shall ensure that the following measures are carried out:

I. Photodocumentation of the Albert McCoy Farm

Prior to the initiation of construction, NCDOT shall record the Albert McCoy Farm and its surroundings in accordance with the attached "Historic Structures and Landscape Recordation Plan" (Appendix A). NCDOT shall deposit copies of the documentation with the SHPO, NCDOT Historic Architecture Group, Dr. and Mrs. Thomas McCoy, and the Charlotte-Mecklenburg Historic Landmarks Commission prior to the letting of the contract or no later than one (1) year after the execution of this MOA.

II. Preservation and Restoration of Plant Materials

- A. The NCDOT Roadside Environmental Unit shall inventory the existing features and coordinate with Dr. and Mrs. Thomas McCoy and the Catawba Lands Conservancy.
- B. NCDOT, in consultation with the SHPO, Dr. and Mrs. Thomas McCoy, and the Catawba Lands Conservancy, shall develop and implement a landscape mitigation plan for those parts of the Albert McCoy Farm directly impacted by the undertaking. The NCDOT Historic Architecture Group and SHPO shall review and comment on the resultant plan. The landscape mitigation plan will be incorporated into the final design plan.
- C. Cedar trees affected or removed will be replaced in kind with eight-foot Eastern Red Cedars or what is locally available and practical to plant. Other affected vegetation will be similarly replaced utilizing materials from native plant communities. NCDOT shall guarantee all new plantings for two years and provide replacements within that time period. All planting shall comply with all NCDOT standards as outlined in "Guidelines for Planting within Highway Right-of-Way."

III. Fencing

NCDOT shall replace existing fencing as necessary and maintain or restore existing access points. NCDOT, in consultation with the property owners, shall provide temporary fencing to accommodate cattle crossing on SR 2120 (McCoy Road) during construction and employ temporary barrier and erosion control fencing to protect the historic resource also during construction.

IV. Signage

NCDOT shall install signs to announce the closure of SR 2120 (McCoy Road) during construction. Signs will be prominently placed at the northern and southern boundaries of the historic property and at additional locations both within and beyond the boundary as needed to prevent incursion and damage by vehicles.

V. Bridge- and Guard-rail Design

The NCDOT Roadway Design Unit shall reduce the dimensions of the proposed new bridge and maintain the existing alignment and curvature through use of NCDOT's *Sub Regional Tier Guidelines*. The extent and application of rip-rap will be minimized. Paved shoulders for bicycles and a cattle path (beneath the bridge) will be included. All construction easements will be temporary.

The superstructure of the new bridge will incorporate a 2'-10" concrete parapet with a two-bar rail, as dictated by safety standards. The metal rail will be anodized to a dark brown color and the guardrail similarly painted to insure that the bridge relates sympathetically to its surrounds.

VI. Utilities

During construction NCDOT shall relocate utilities to the temporary construction easements, then return them to their original location on the right-of-way upon completion of construction.

VII. Drainage

NCDOT shall obtain the property owners' permission for access to the lateral ditches east of the bridge and outside the right-of-way whenever maintenance and repair are needed.

VIII. Unanticipated Discovery

In accordance with 36 CFR 800.11(a), if NCDOT identifies any additional cultural resource(s) during construction and determines it (them) to be eligible for the NRHP, all work will be halted within the limits of the NRHP-eligible resource(s) and the FHWA and SHPO contacted. If after consultation with the Signatory and Concurring Party(ies) additional mitigation is determined necessary, the NCDOT, in consultation with the Signatory and Concurring Party(ies), will develop and implement appropriate protection/mitigation measures for the resource(s). Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

IX. Dispute Resolution

Should any of the Signatory or Concurring Party(ies) object within thirty (30) days to any plans or documentation provided for review pursuant to this MOA, the FHWA shall consult with the objecting party(ies) to resolve the objection. If the FHWA or objecting party(ies) determines that the objection cannot be resolved, the FHWA will forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

- 1) Provide the FHWA with recommendations which the FHWA will take into account in reaching a final decision regarding the dispute, or
- 2) Notify the FHWA that it will comment pursuant to 36 CFR Section 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the FHWA, in accordance with 36 CFR Section 800.7(c)(4) with reference to the subject of the dispute.

Any recommendations or comment provided by the Council will be understood to pertain only to the subject of the dispute; the FHWA's responsibility to carry out all of the actions under this agreement that are not the subject of the dispute will remain unchanged.

X. Amendments

If any Signatory to this MOA believes that its terms cannot be carried out or that an amendment to the terms must be made, that

(those) party(ies) shall immediately consult with the other party(ies) to develop amendments in accordance with 36 CFR 800.6(c)(7). If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation IX will be followed.

XI. Termination

Any Signatory to this MOA may terminate the agreement by providing notice to the other parties, provided that the Signatory and Concurring party(ies) will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Termination of this MOA will require compliance with 36 CFR 800. This MOA may be terminated by the execution of a subsequent MOA that explicitly terminates or supersedes its terms.

XII. Duration

Unless terminated pursuant to Stipulation XI above, this MOA will be in effect until the FHWA, in consultation with the other Signatory and Concurring Party(ies), determines that all of its terms have satisfactorily been fulfilled or if NCDOT is unable or decides not to construct the Undertaking.



CHARLOTTE_{SM}

February 14, 2011

RECEIVED

FEB 22 2011

DIVISION ENGINEER TENTH DIVISION

Const. _____ Maint. _____

Oper. _____ Plan. _____

Mr. Barry Moose, P.E., Division Engineer
North Carolina Department of Transportation
Division 10 Office
716 W. Main St.
Albemarle, NC 28001

Subject: I-485 Crossing of Clark's Creek (State TIP Project # R-2248EA)

Dear Barry:

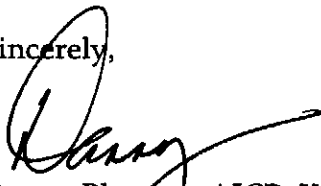
In order to better facilitate pedestrian and bicyclist activity in Mecklenburg County, the County has identified Clark's Creek as a future greenway in its 2008 Greenway Master Plan Update. In addition, this greenway is also designated as a key link in the Carolina Thread Trail- a growing system of over 500 miles of interconnected multi-use trails that will serve a 15-county region in two states. The construction of I-485 would create a significant barrier for pedestrians and bicyclists in the area who need the connection for non-motorized access to the University of North Carolina at Charlotte (UNCC) and the existing nine-mile long greenway corridor along Clark's, Mallard and Toby creeks. As such, Mecklenburg County has identified crossing of I-485 at Clark's Creek Greenway as a critical element in the highway's construction to support this regional greenway system.

In addition to regional needs, The City of Charlotte believes that the greenway will provide a beneficial and critical connection between residents and nearby shops (existing and future) on Prosperity Church Road as well as major destinations such as UNCC and large shopping centers in the University area. Charlotte's City Council adopted its Transportation Action Plan in 2006 which includes numerous policies that support connectivity for all modes of transportation (Policies 2.1.2, 2.6.5, and 2.9.4). Through these policies, the City fully supports the County's efforts to establish a greenway connection on Clarks Creek at I-485.

The plans for I-485 currently accommodate the greenway via a box culvert. However, it will be a long, dark culvert that, even if lighted, will not likely feel comfortable to users. To achieve the aforementioned policy goals and provide better aesthetics and perceptions of safety to greenway users, the City of Charlotte and Mecklenburg County jointly commit to pursuing approval for up to \$1.2 million for the natural stream design channel that will eliminate the culverts proposed for Clark's Creek under I-485. The dual bridges combined with the proposed stream restoration/ relocation will allow light, space and a more natural substrate for the creek and greenway trail, both an environmental and a safety benefit.

Please advise if further documentation is required to convey this commitment. If you have questions or comments about this correspondence, please contact Tim Gibbs of my staff via telephone at 704.336.3917 or e-mail at tgibbs@charlottenc.gov.

Sincerely,



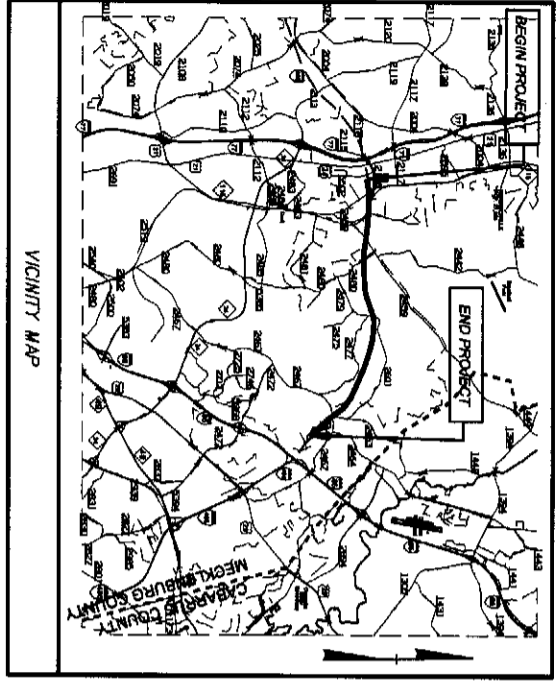
Danny Pleasant, AICP, Key Business Executive
Department of Transportation

- c: Jim Garges, Director, Mecklenburg County Park & Recreation Dept.
Teresa Bruton, PE, Design Build Project Engineer, NCDOT
John Conforti, REM, Project Development Group Supervisor, NCDOT
Lee Jones, AIA, Division Director Capital Planning Services, Mecklenburg County Park & Recreation Dept.
Gwen Cook, RLA, ASLA, Planner, Mecklenburg County Park & Recreation Dept.
Ken Tippet, Bicycle Program Manager, CDOT
Scott Correll, AICP, Interim Pedestrian Program Manager, CDOT
Tim Gibbs, AICP, Transportation Planner III, CDOT
Matt Magnasco, PE, Connectivity Program Manager, CDOT
Stuart Basham, Mecklenburg-Union Metropolitan Planning Organization

CONTRACT: C202521

TIP PROJECT: R-2248E

See Sheet 1-A For Index of Sheets

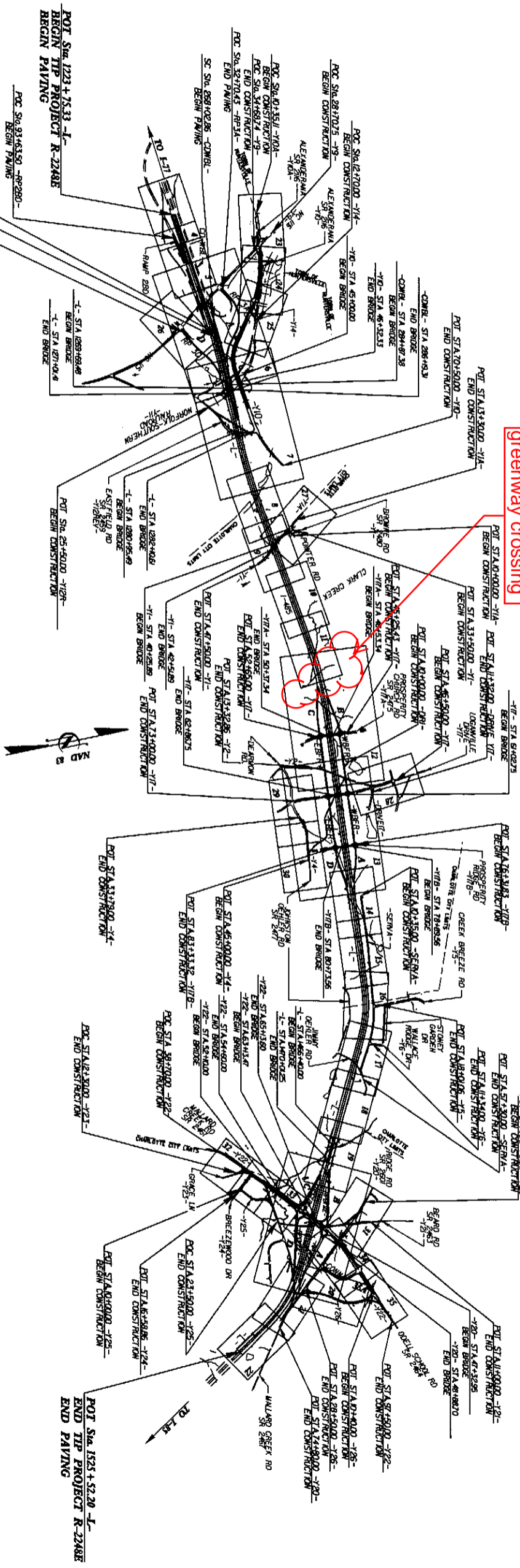


STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS MECKLENBURG COUNTY

LOCATION: I-485 (CHARLOTTE OUTER LOOP) FROM
EAST OF I-77 TO WEST I-85

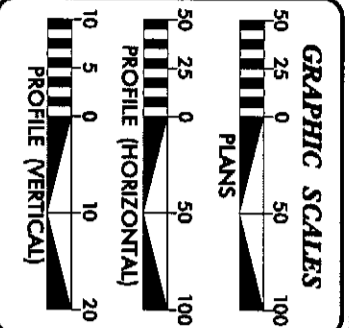
TYPE OF WORK: GRADING, DRAINAGE, PAVING, STRUCTURES, CULVERTS,
NOISE WALLS, RETAINING WALLS, SIGNING AND SIGNALS

Location of
greenway crossing



A PORTION OF THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF CHARLOTTE AND THE TOWN OF HUNTERSVILLE

CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III THIS IS A CONTROLLED ACCESS PROJECT WITH ACCESS BEING LIMITED TO INTERCHANGES.



DESIGN DATA

ADT 2006 =	62,000
ADT 2035 =	161,600
DHV =	10 %
D =	55 %
T =	15 %
V =	70 mph
TST	10%
DUAL	5%

FUNCTIONAL CLASSIFICATION
FREEWAY

PROJECT LENGTH

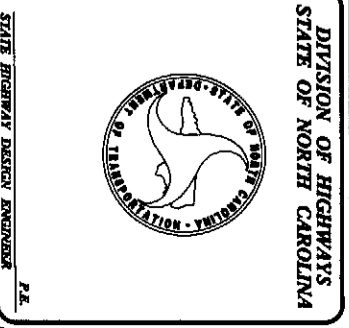
LENGTH ROADWAY TIP PROJECT R-2248E =	5.594 miles
LENGTH STRUCTURES TIP PROJECT R-2248E =	0.121 miles
TOTAL LENGTH OF TIP PROJECT R-2248E =	5.715 miles

Prepared in the Office of:
WILBUR SMITH ASSOCIATES
421 Fayetteville Street, Suite 1203, Raleigh, NC 27601 Phone (919) 755-8389
2906 STANFORD SPECIFICATIONS

RIGHT OF WAY DATE: _____
LETTING DATE: _____

PROJECT DESIGN ENGINEER: DAVID L. WILVER, P.E.

HYDRAULICS ENGINEER
SIGNATURE: _____
ROADWAY DESIGN ENGINEER: _____

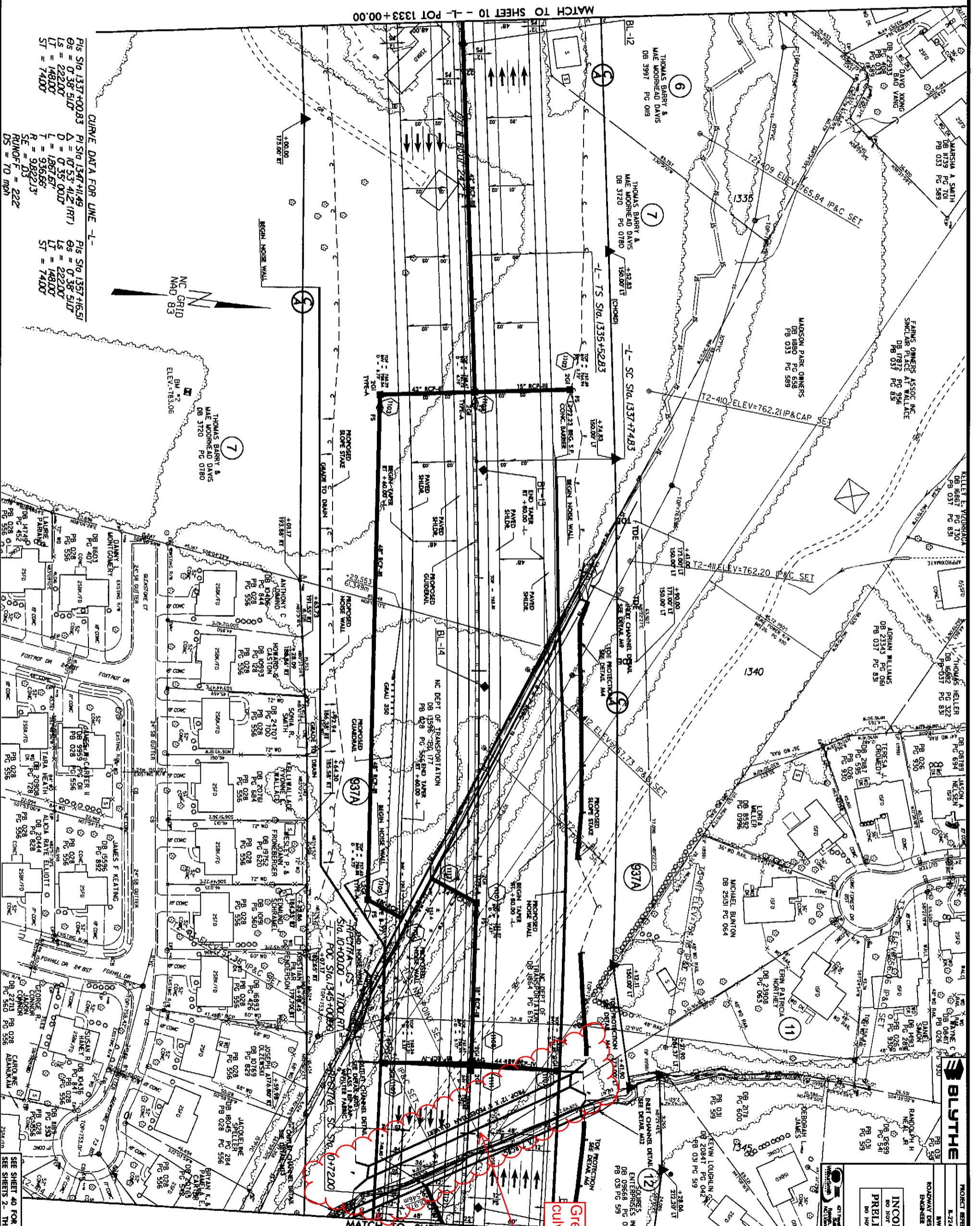


BLUTHÉ
INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION
PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

STATE	STATE PROJECT ABBREVIATION NO.	SHEET NO.	TOTAL SHEETS
N.C.	R-2248E	1	
DATE PLOTTED	DATE PLOTTED	DATE PLOTTED	DATE PLOTTED
34410.3.GV2	NHE-04GS(27)	PE	

REVISIONS

FILE: R:\projects\222482\Roadway\Plan\222482_RDY_PSM_11.DGN
DATE: 2/22/2011 1:00:28 PM



CURVE DATA FOR LINE -L-

<p> Pts Sta 1337+00.83 Pts Sta 1347+41.49 Δs = 0.38 SLD Δ = 10°53'41.2" (RT) LS = 222.00' D = 0.35' 0.00' LT = 148.00' L = 1967.67' ST = 74.00' T = 936.66' R = 9822.3' SE = .03 RUNOFF = 222 DS = 70 mph </p>	<p> Pts Sta 1357+16.51 Pts Sta 1347+41.49 Δs = 0.38 SLD Δ = 10°53'41.2" (RT) LS = 222.00' D = 0.35' 0.00' LT = 148.00' L = 1967.67' ST = 74.00' T = 936.66' R = 9822.3' SE = .03 RUNOFF = 222 DS = 70 mph </p>
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SEE SHEET 40 FOR -L- PROFILE
SEE SHEETS 2, THRU 2, FOR DRAINAGE DETAILS

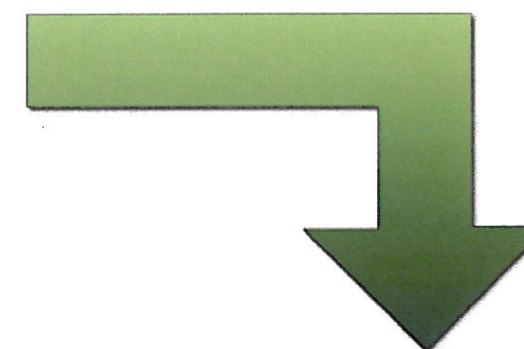
PROJECT REFERENCE NO.	11
SHEET NO.	11
DATE	2/22/2011
ROW SHEET NO.	
ENGINEER	BLUTHE
HYDRAULICS ENGINEER	
INCOMPLETE PLANS	
PRELIMINARY PLANS	
DO NOT USE FOR CONSTRUCTION	

Greenway passage
culvert

INNOVATION



ORIGINAL DESIGN



ENHANCED DESIGN



- Context Sensitive Solution
- Improved Aesthetics for Pedestrians
- Improved Safety for Pedestrians
- Enhanced Environmental Features for Wildlife and Ecological Advantages
 - Provide Natural Stream North of I-485 Including Root Wads and Cross Vanes
 - Provide Natural Stream Crossing Under I-485 Eliminate All Culverts
 - Improved Channel Stability
- Provides Consolidated Utility Corridor
- Maintain Soundwall Over Structure