

End of the line for light-rail yard opponents. 'I hate it for you,' says council member

The Herald-Sun By Dawn Baumgartner Vaughan December 4, 2018

DURHAM – After more than three hours of public comments, the Durham City Council voted unanimously Monday night to rezone a suburban area of southwest Durham for the Durham-Orange Light Rail Transit project's rail yard.

The light-rail operations and maintenance facility will be built on 25 acres off Farrington Road near Interstate 40, several neighborhoods and Creekside Elementary School.

The planned 17.7-mile light-rail line will connect UNC Hospitals in Chapel Hill to Duke and N.C. Central universities in Durham, with stops in between.

Council member Mark-Anthony Middleton called the vote "right for the city."

He also questioned, however, whether GoTriangle was listening to southwest Durham residents as much as Duke University, the Durham Performing Arts Center and the Durham Bulls Athletic Park. Leaders at Duke, DPAC and Capitol Broadcasting Co., which owns the DBAP and American Tobacco Campus, have all spoken against parts of GoTriangle's light-rail plan.

And the latest city move on Monday may mean some streets downtown will become one-way, two-way or closed entirely to cars.

The rail yard would be open all the time and house administration offices, rail car maintenance and storage space. The Farrington Road site was one of five considered, and was chosen by GoTriangle after public meetings in 2015 for having the least environmental impact.

But residents of the Culp Arbor neighborhood, Creekside parents and others spent weeks lobbying council members to deny the rezoning. The Durham Planning Commission split 4-4, and did not recommend the rezoning.

"This is the best location, even with its problems," Mayor Pro Tem Jillian Johnson said before voting Monday night for the rezoning. "I think this project is really important for our community."

Rail-yard opponents

Almost three times as many rail-yard opponents as supporters spoke at the public hearing — 52 people. They are worried about noise, and don't think plans to mitigate the sound like tree and berm buffers, are enough. Many speakers said they supported light-rail transit, but not the rail-yard plan..

Dave Charters, GoTriangle manager of design and engineering, said the noise level related to "wheel squeal" will be below Federal Transit Administration guidelines and that GoTriangle is working on a policy to mitigate noise all along the 17.7-mile route. He said one of the reasons the Farrington Road site was chosen is because it is on a straight area of track.

B.R. Hoffman, a resident of Culp Arbor, which is across the street from the site, said she visited Charlotte with council members to see the Charlotte light-rail yard and building.

"We were hoping we'd like the ROMF [rail operations and maintenance facility], but instead we left Charlotte more concerned than when we went," Hoffman said.

Jeff Prather, a retired Air Force engineer living in Culp Arbor, said GoTriangle's environmental assessment isn't clear about the noise level.

Another Culp Arbor neighbor, Linda Spallone, said noises will seem even louder at night.

Some speakers said GoTriangle is placing the rail yard near a school serving many low-income students and also taking land through eminent domain from African-American property owners.

Creekside Elementary School is a Title I school, meaning that at least 40 percent of the students are from low-income households.

Cheza Hinds, parent of two Creekside students, said fourth and fifth graders in trailers at the school won't be as protected from the noise.

A Change.org petition against the ROMF had 1,181 signatures as of Monday afternoon.

Isaac Woods, who is descended from a formerly enslaved man, told the council that GoTriangle acquired land from his family through eminent domain.

John Tallmadge, interim director of the light-rail project, acknowledged that African-American landowners did lose their property through eminent domain for the rail yard.

"Did any white people get their property taken?" Middleton asked. Tallmadge said yes, they did, too.

Culp Arbor resident Ruth Ann McKinney said she wanted a neutral noise study about the impact on residents and the school.

Charters, of GoTriangle, said the noise "is going to dissipate significantly" before reaching Creekside Elementary.

"We would suggest the noise from the school buses there are as loud or louder than the noise from the maintenance facility," he said.

Before voting in favor of the rezoning, Mayor Steve Schewel said he visited the rail yard in Charlotte several times and did not think light-rail noise would be significant for Creekside Elementary.

Rail yard supporters

Community groups and former elected officials spoke in favor of the rail yard. Durham CAN (Congregations, Associations and Neighborhoods), the People's Alliance and the Coalition for Affordable Housing and Transit were all in favor.

Former City Council member Diane Catotti, who lives in southwest Durham, said the Farrington Road location was the most appropriate of the options. Former Mayor Wib Gulley said groups in favor of the rezoning like the Coalition for Affordable Housing and Transit "have a voice not just for themselves but for hundreds and hundreds of folks across Durham."

Council member DeDreana Freeman told rail-yard opponents who moved into southwest Durham in the past few years that they were outmatched by supporters from Durham CAN, the People's Alliance and Coalition for Affordable Housing and Transit.

"These folks have been organizing for 20 years. You are kind of at the end of this conversation, and I hate it for you," Freeman said.

If the light-rail project stays on schedule, light rail construction is set to start in 2020, with estimated completion in 2028.

Downtown streets could change with light rail

In other light-rail developments, the city is looking at closing and reconfiguring some downtown streets for light rail.

City Attorney Patrick Baker sent council members a memo Monday that adjusted language in the city's proposed agreement with GoTriangle to reflect that the downtown light rail plan is not final. The city will advise GoTriangle about the plan, which will need final approval by the GoTriangle Board of Trustees.

Also Monday, DPAC General Manager Bob Klaus wrote a letter to the mayor and city manager opposing GoTriangle's plan to close Blackwell Street to cars.

Baker wrote that the city agreement with GoTriangle could authorize these road reconfigurations if needed for light-rail construction:

- One-way West Pettigrew Street eastbound from East Chapel Hill Street to South Dillard Street;
- Two-way Ramseur Street from South Dillard Street to East Chapel Hill Street;
- Raising West Pettigrew Street's profile as required to provide safe rail crossings;
- Closing Blackwell Street at the North Carolina Railroad rail crossing;
- One-way South Dillard Street southbound at the North Carolina Railroad rail crossing;
- Alter intersections including Gregson Street, Duke Street, Blackwell Street, South Mangum Street, Vivian Street, South Dillard Street, and Grant Street, as required to allow for safe rail crossings.

Johnson told a resident in an email Monday that the council had not received a formal request to close Blackwell Street, and called it a subject of "ongoing negotiation."

The council has not yet approved the cooperation agreement with GoTriangle.

More opposition to Durham-Orange Light Rail street closing. See who's unhappy now

The Herald-Sun By Dawn Baumgartner Vaughan December 3, 2018

DURHAM – The head of the Durham Performing Arts Center, a city-owned building that brings in millions of dollars, is calling on city leaders to reject a light-rail plan that would close Blackwell Street to traffic, calling it "a mistake."

DPAC General Manager Bob Klaus said the closing would negatively affect the 500,000 people who visit DPAC and nearby restaurants downtown every year.

The Durham-Orange Light Rail Transit project is a proposed 17.7-mile light-rail line connecting UNC Hospitals in Chapel Hill to Duke University to N.C. Central University, with stops in between, including downtown Durham.

The \$2.47 billion project is in the engineering phase, with GoTriangle scheduled to apply for federal funding in the spring. Construction would begin in 2020, with light-trail operations starting in 2028, according to GoTriangle's plan.

GoTriangle's plan calls for closing the Blackwell Street railroad crossing to vehicular and pedestrian traffic. The street connects DPAC and the Durham Bulls Athletic Park with the rest of downtown.

Last week, Capitol Broadcasting executive Michael Goodman quit the light-rail fundraising board over the street-closing plan. Capitol Broadcasting owns the Durham Bulls and the American Tobacco Campus.

On Monday afternoon, Klaus emailed Durham Mayor Steve Schewel and City Manager Tom Bonfield a letter calling GoTriangle's plan "a mistake" and saying "problems that this plan will create for the general public, the DPAC, the DBAP, and downtown Durham businesses far outweigh any benefits the GoTriangle Plan might provide."

Klaus wrote that neither DPAC nor Bulls management thinks visitors will use a park and ride and then take light rail the rest of the way to their venues. "Either they will continue to downtown Durham in their own vehicle or they will stop coming," Klaus said.

GoTriangle has offered to work with downtown stakeholders on a "signature civic space" with an alternate pedestrian connection on Blackwell Street. John Tallmadge, GoTriangle's interim project director, said the agency has \$20 million, plus \$2 million for design and engineering, budgeted for the final design.

Duke University President Vincent Price also doesn't want the Blackwell Street crossing closed. Duke has its own concerns about the light-rail plan along Erwin Road.

The DPAC letter comes as the City Council takes a key vote Monday night on the light-rail project's operations and maintenance facility planned for southwest Durham. Nearby homeowners and parents of Creekside Elementary School want the council to reject the rezoning that would allow the rail yard.

However, the People's Alliance political group, whose PAC endorsed most of council, and Durham CAN (Congregations, Associations and Neighborhoods) want the council to vote yes on the rezoning to move the project forward.

These Southwest Durham parents don't want a light-rail yard by their school, homes

The Herald-Sun By Dawn Baumgartner Vaughan November 28, 2018

DURHAM —A group of Durham elementary school parents are "greatly troubled" about GoTriangle's plans for a light-rail yard near their homes and school in southwest Durham.

They plan to ask the Durham City Council to deny a rezoning of 25 acres Monday night that would let the light-rail operations and maintenance facility be built along Farrington Road near Interstate 40.

When the planned 17.7-mile light rail project is built in Durham and Chapel Hill, it will need a place where train cars can be worked on and parked. The planned location is in the city of Durham, just across the line from Chapel Hill and near Interstate 40, neighborhoods and Creekside Elementary School. The council is scheduled to vote on the rezoning at its meeting at 7 p.m. Monday (Dec. 3) at City Hall.

"I'm greatly troubled, as are many Creekside folks," said Andrew Johnson, a father of three. Two of his children are Creekside students and a third will start kindergarten there next year.

"I understand it's right in between Durham and Orange, but putting an industrial rail yard within a quarter-mile of a school is just unacceptable," he said. "Durham has plenty of industrial zones — this is not one of them for a reason."

Mayor Steve Schewel has said opponents of the rail operations and maintenance facility location will have at least 30 minutes to tell council members what they think about it.

The Durham Planning Commission, an advisory board appointed by the council and county commissioners, did not recommend the rezoning, splitting 4-4.

The facility would be open all the time and have light-rail administration offices, rail car maintenance and storage space.

The rail-yard opposition comes as Federal Transit Administration officials were in Durham this week, and as Duke University has raised renewed concern about the project's route along Erwin Road, in front of Duke University Hospital..

For Johnson, who lives in Prescott Place off Farrington Road, the issue is more than just the planned rail yard's location near a school.

He doesn't want to hear the noises coming from a facility that operates 24 hours a day, seven days a week. And he wonders about potential hazardous materials at the site. He thinks property values will drop, too.

What Creekside Elementary parents are saying

Kelly Reilly said she can't think of a benefit to living near a maintenance facility.

"I think it's fair to say that a ROMF [rail operations and maintenance facility] does not work for any residential community," Reilly said.

"We are one of the families who will get hit by a double-whammy if the ROMF is built on Farrington Road. Our children attend Creekside Elementary, and our home backs up to Farrington Road. My husband and I are concerned that [we] would never get a return on the investment in our house, which is our only real asset," she said.

Opponents started a Change.org petition against the ROMF. More than 160 people had signed it as of noon Wednesday.

Chip Sudderth, spokesman for Durham Public Schools, said the school system was not deeply involved in the site selection process for light rail or the railyard.

"Transit planners have been in touch with us with technical questions since the decision was made and we are confident that if concerns arise we will have open lines of communication with them," Sudderth said.

What GoTriangle says

GoTriangle released an 8-page question and answer list about the ROMF rezoning this month.

It said because the facility would be open 24/7, staff would arrive and leave at various times preventing heavy traffic at peak times.

The project would add a turning lane on Farrington Road into the facility and two exit lanes. The main entrance would be on Farrington Road at Ephesus Church Road. Farrington Road will also be widened to add a five-foot bike lane.

The facility's schedule would bring many light-rail cars to the site around 7:30 p.m. to be cleaned and repaired if needed, with repairs inside the building, according to GoTriangle. Light-rail cars would begin to leave the facility around 4 a.m., according to GoTriangle.

Farrington Road was chosen from five potential ROMF sites in February 2016 as having the least environmental impact. Others were at Leigh Village, Patterson Place, Cornwallis Road and Alston Avenue.

Rhonda Woodell lives in Prescott Place, one of the neighborhoods, along with Culp Arbor and Trenton, close to the rail yard site. Woodell's daughter, who has sensory integration disorder, goes to Creekside Elementary, "so she would never get a break from the noise," she said.

"The thought of Durham allowing the ROMF to be built on Farrington Road makes me sick," Woodell said. "When we moved into this house, we had planned on staying here until we needed to downsize. I am so concerned about the

effects of the ROMF on the value of my largest asset. My husband and I have discussed the fact that we would have to move, but we are so concerned about how much we would lose,” she said.

Woodell said the rail yard does not support Durham Public Schools’ strategic plan goal to “provide a safe school environment that supports the whole child.”

Another Creekside parent, Nikki Lowe, said she wants City Council members to think about how they would feel if it were near their homes.

“While I appreciate leadership supporting the light rail, I think they have been neglectful in realizing the impact that putting the maintenance facility near Creekside would be,” Lowe said.

Lowe said when they moved into their house four years ago, it was everything she wanted — on a cul-de-sac with lots of kids and easy access to all their favorite spots. She worries the council will approve the rezoning.

Capitol Broadcasting exec quits light-rail fundraising board over downtown Durham concern

The Herald-Sun By Tammy Grubb November 30, 2018

DURHAM –The chairman and a member of the Durham-Orange light-rail project fundraising board have resigned over the project’s possible impact on a key downtown Durham corridor.

Michael Goodmon, senior vice president of Capitol Broadcasting Co., resigned from the GoTransit Partners Board of Directors on Tuesday, after meeting with Durham Mayor Steve Schewel, GoTriangle leaders and others about a plan to close the downtown railroad crossing at Blackwell, Corcoran and Pettigrew streets to pedestrian and vehicle traffic.

Brad Brinegar, chairman of the advertising agency McKinney, resigned from his seat on the seven-member board in a Nov. 5 letter.

The plan was proposed in October, alarming downtown stakeholders, including American Tobacco, Durham Bulls and DPAC, who fear it will split the city’s core from their properties to the south and harm years of work to create a thriving downtown. In a letter, they asked the Durham City Council to delay light-rail construction until there’s a better solution.

Goodmon, the board’s chairman, said in an email Wednesday there has been “no substantive movement” to avoid closing the crossing and that public transparency about the issue is inadequate.

Capitol Broadcasting will “oppose any project, either now or in the future, that results in the closing of this vital artery,” he said, while noting the support that downtown partners have given to transit planning.

Capitol Broadcasting owns the American Tobacco Campus, WRAL and the Durham Bulls. In 2016 it paid nearly \$29 million for additional property west of the American Tobacco Campus, according to Durham County property records.

‘Tremendous advocate’

John Tallmadge, GoTriangle’s interim project manager, said in an email that GoTriangle respects the decisions and appreciates the time and work both men have put into the project.

“Michael especially has been a tremendous advocate for the light rail, understanding what an opportunity it will provide to our communities,” Tallmadge said. “Without him, the progress we have achieved so far would not have

been possible. We cannot thank Michael enough for his outstanding leadership and his commitment to our community.”

The resignations come as the Federal Transit Administration is completing a final light-rail project risk assessment. GoTriangle must submit a project application to the FTA by April for \$1.24 billion in federal funding — half of the project’s \$2.47 billion construction cost.

It also comes as GoTriangle and Durham leaders are working with Duke University and its medical center to resolve concerns about the downtown crossing and a planned elevated section of the light-rail line on Erwin Road, and at a crucial time for the GoTransit Partners.

GoTriangle formed the nonprofit GoTransit Partners last year to raise roughly \$102.5 million in land and financial donations toward construction. Only \$14.5 million worth of land has been committed — by UNC-Chapel Hill and N.C. Central University.

American Tobacco could rethink any anticipated cash or land donations if the corridor is closed, Goodmon said.

Raising Pettigrew Street

The current light-rail route runs 17.7 miles from UNC Hospitals in Chapel Hill to Duke and N.C. Central universities in Durham. It would parallel an existing freight line from roughly Brightleaf Square in downtown Durham to Alston Avenue.

Engineers finalizing the plan, however, found Pettigrew Street would have to be raised by several feet at Blackwell Street. The change would create an awkward height difference between the downtown core and properties to the south, particularly affecting a historic building at the corner, GoTriangle officials said.

While the existing railroad crossing long has been identified as a barrier between the city core and the American Tobacco Campus, plans for downtown Durham have advocated improving the corridor.

GoTriangle has offered to work with downtown stakeholders on a “signature civic space” with an alternate pedestrian connection. Goodmon said they have been asked to serve on an advisory panel to look at design options, but that panel has not met, and they are concerned the objections aren’t being taken seriously.

A bigger barrier blocking the view of downtown, created by elevating the tracks, still would be better than losing the connection altogether, he said.

“The dismemberment of downtown Durham is a significant issue that has dire long-term implications and simply cannot be settled in the amount of time provided, regardless of the intent of the parties,” Goodmon said.

He also noted that conversations with GoTriangle’s engineers revealed a pedestrian bridge could span several hundred feet and be almost 50 feet tall at its peak to meet the topographical changes on either side of the tracks.

Tallmadge acknowledged the “civic space” has not been designed, but GoTriangle has \$20 million, plus \$2 million for design and engineering, budgeted for the final design.

He noted that work on crossing alternatives is ongoing, including meetings with NCDOT Rail Division, NC Railroad and Durham city staff. Other partners will be included in those discussions, he said.

DDI, Chamber of Commerce weigh in

Downtown Durham Inc. officials offered a way forward in an Oct. 22 letter to Tallmadge.

The letter, from DDI Chief Executive Officer Nicole Thompson and board Chairwoman Jessica Brock, outlines multiple concerns with how the project could affect at-grade crossings, traffic, parking and downtown connections. Chief among them, they said, is the Blackwell Street rail crossing, which also is part of the Maine-to-Florida East Coast Greenway, the American Tobacco Trail and the future Durham Beltline Trail.

"It is also part of Durham's smART corridor, the outgrowth of a community process to create a walkable, art-filled corridor linking neighborhoods south of downtown with neighborhoods to the north of downtown," the women said.

If the crossing must be closed, DDI's board and staff "strongly believe" the signature civic space that replaces it must provide a high-quality, high-capacity pedestrian and bike crossing, they added. The letter proposes a schedule for drafting a design that meets the April deadline for submitting the project to the FTA.

The Greater Durham Chamber of Commerce also has weighed in, sending a memo Tuesday to its members about the proposed Blackwell Street closing. The memo reiterates the chamber's commitment to the value of transit but encourages members to say "whether it's time to re-envision the whole project."

A grassroots conversation among restaurants and businesses in the corridor also is growing, Goodmon said.

Duke, GoTriangle having 'constructive' talks about light-rail concerns, official says

The Herald-Sun By Tammy Grubb November 27, 2018

DURHAM –Durham Mayor Steve Schewel said Tuesday local leaders are confident that Duke University and GoTriangle will resolve concerns about the \$2.47 billion Durham-Orange Light Rail Transit Project.

GoTriangle's interim project manager, John Tallmadge, met Monday with Tallman Trask, Duke's executive vice president, and staff to talk about issues Duke President Vincent Price raised in two letters last week, Schewel said.

The meeting came as Federal Transit Administration officials arrived Tuesday for a final assessment of the 17.7-mile light-rail project's budget, risks and details. The rail system would link UNC Hospitals in Chapel Hill with Duke and N.C. Central universities in Durham, and points in between.

A final federal funding application could be submitted early next year.

No issues are insurmountable, Schewel said, and Duke officials know the project's importance to the community and the region.

They "had a very successful meeting dealing with a lot of very specific issues," he said. "It went extremely well, and we're very encouraged. Duke has really come to the table in a very, very constructive way."

Durham County Commissioners Chairwoman Wendy Jacobs called the talks "encouraging" and praised Duke for appointing Trask as the main liaison for the project. She noted Trask also serves on the board of the nonprofit GoTransit Partners, which is raising donations for the light-rail project.

Duke can't support Durham-Orange light rail without changes, president says in letter

U.S. Reps. David Price and G.K. Butterfield also wrote to Duke's president last week, urging him and the Board of Trustees to donate land needed for the project. Duke's Board of Trustees could consider its options Friday.

Tallmadge and Trask declined to comment for this story.

GoTriangle needs Duke to commit to right-of-way land donations by Dec. 31, but several concerns remain, including the light-rail route across Cameron Boulevard and up Erwin Road, past its medical and research facilities, Duke President Price said.

While the Board of Trustees meeting Friday will be Duke's last official trustees meeting this year, Schewel said the board could vote during a special meeting at a later date.

What are Duke's concerns?

- Preserving safe, emergency access to Duke's Level 1 trauma center
- Potentially negative effects of light-rail noise and vibration on sensitive medical and research operations
- Preserving a required, 100-foot buffer around the Global Health Research Building at Research Drive and Erwin Road
- Maintaining a safe pedestrian entrance to the Duke Eye Center during and after construction
- Closing Trent Drive for weeks over years of construction, which Price said could cost Duke patients, revenues and potentially jobs
- Guarantees that a critical electricity line won't be affected
- A safer light-rail crossing that won't affect heavy traffic at Erwin Road and Cameron Boulevard
- How closing the Blackwell/Corcoran Street railroad crossing could negatively affect downtown revitalization and growth, and create a disconnect between the city's core and American Tobacco and other destinations to the south

Why does Duke matter?

The light-rail project cannot advance without Duke's partnership. GoTriangle documents note seven of the 19 proposed stations will serve Duke's campus and medical facilities, generating about 37 percent of the train's riders — nearly 9,000 daily boardings.

The Duke/VA station on Erwin Road is expected to be the second-most popular stop, according to GoTriangle documents, with about 2,500 boardings a day. The most popular stop is expected to be UNC Hospitals in Chapel Hill.

Why is this an issue now?

Most of the concerns are not new. Duke, GoTriangle and local officials have been working to resolve them for a few years, leading to the addition to the plan last summer of a \$90 million elevated track on Erwin Road. Duke previously expressed concerns about a street-level track.

Other concerns, such as noise and vibrations, were examined as part of the project development studies, which wrapped up last year.

FTA officials said it is not uncommon for transportation projects to encounter challenges during the planning process.

Q. What is GoTriangle's response?

GoTriangle officials addressed each concern in a Nov. 20 memo to President Price, noting that:

- The elevated track will be built in phases, leaving two travel lanes and additional room in each direction for ambulances. GPS-based Emergency Vehicle Pre-emption technology also will be installed, giving ambulances priority access at traffic signals. Durham County EMS has been involved in those conversations.
- Previous analysis has found that the soil in that corridor suppresses vibrations and the noise is primarily from traffic. The light-rail train is expected to be quieter than existing traffic, GoTriangle officials said.
- Electrical guarantees must be worked out with Duke Energy, which has approved the elevated track's location.
- GoTriangle officials offered to work closely with Duke on issues of construction and patient and emergency access. They did not address Duke's concerns about the downtown railroad crossing. Those talks are continuing with several downtown stakeholders.

Q. How are we paying for light rail?

A final application for \$1.24 billion in federal funding — half of the project's \$2.47 billion construction cost — is due to the Federal Transit Administration by April. The state could pay another \$190 million.

Duke's donation would be part of \$102.5 million in public and private donations, including over \$15 million in land donated by UNC-Chapel Hill, N.C. Central University and the Durham VA Medical Center.

That leaves the counties to pay roughly \$945 million, plus another \$847 million to \$908 million in anticipated interest on short- and long-term loans. The local money is being raised through a half-cent sales tax and car rental and registration fees.

General Manager Jeff Mann has said GoTriangle is spending roughly \$4.8 million a month on project engineering. That adds up to roughly \$121 million by the end of November, including \$33 million for a required environmental impact study. The FTA could reimburse half of the money if the project gets a federal grant.

Q. What happens next?

Federal Transit Administration officials will review the project's readiness how much local, state, public and private money is committed.

The project only needs a "medium" overall rating to seek federal money, but many previous projects have scored higher. FTA officials gave the project a "medium" overall rating last year, with lower ratings for GoTriangle's financial estimates and the money committed at that point.

What happens after the project is submitted to FTA?

GoTriangle expects to get an answer about federal funding by September 2019, which would meet a state deadline of November 2019 to have all non-state funding in place. The money would be paid in \$100 million installments over the next 12 years, starting with the 2019-2020 federal budget.

The light-rail system could transport its first passengers in 2028.