

Beatties Ford Road Widening Project

Staff meetings and contact with Mr. Paul Holmes, 3840 Beatties Ford Road

May 2012 to November 2013

- 5/21/12 Real Estate Agent (Agent) sent introductory letter to Mr. Holmes.
- 5/25/12 Agent received phone call from Mr. Holmes.
- 6/1/12 Agent met with Mr. Holmes. Agent discussed overall project. His expressed concerns were the median, the loss of some of his buffer trees, and lack of symmetry of his fence when his fence was replaced after construction. Agent left agreements for him to review.
- 9/10/12 Agent called to touch base with Mr. Holmes.
- 10/4/12 Agent left Mr. Holmes a voicemail to make appt. to meet regarding appraisal.
- 10/5/12 Mr. Holmes returned call and left a voice mail. Agent returned call also.
- 10/8/12 Agent spoke and made an appt. for 10/9/12.
- 10/9/12 Agent met with Mr. Holmes. When agent arrived, Mr. Holmes was coming back from a neighbor's house who had called Action 9 about the project. He was still very upset about the median. Agent presented the appraisal and the Special Provisions agreement to him. He seemed in agreement with the Special Provisions agreement. Agent later that evening emailed the information from the public meetings that had taken place in 2010 and the median information provided to us by CDOT per his request.
- 10/17/12 City staff and Councilman Mitchell met at Mr. Holmes' home to address the median concern. Agent was not requested to attend meeting.
- 10/19/12 Agent received email from Mr. Holmes expressing his concern and disagreement with the median.
- 1/14/13 A meeting took place at Mr. Holmes residence with Councilman Mitchell and the project team members to further discuss the median issue. Councilman Mitchell was to have the project team do some more research and present him with some information and he will render a decision on 1/29/13. .

- 2/1/13 Agent called Mr. Holmes and explained that Councilman Mitchell had been given the information he had requested be analyzed and it had been determined that the median would remain and a painted median will not be done as requested due to his safety , the safety of the community and the travelling community's safety. He told the agent he planned to speak to Councilman Mitchell first.
- 3/1/13 Agent called Mr. Holmes and left voicemail explaining that per the agent's project manager, a decision had been made regarding the median. It would remain. Agent asked to meet again with Mr. Holmes.
- 3/4/13 Agent mailed Notice of Condemnation letter per the project deadline as instructed.
- 3/6/13 Agent received email from Mr. Holmes disputing the offer amount, the median and upset about receiving the letter.
- 3/7/13 Agent emailed Mr. Holmes responding her willingness to continue to negotiate with him and receive his counteroffer which he has not submitted. A formal offer letter was attached for his records.
- 3/8/13 Agent received phone call from Mr. Holmes and appt. was set up for 3/11/13.
- 3/11/13 Agent met onsite with Mr. Holmes to review the appraisal information again and discuss the easements. Agent emailed the appraisal summary information for Mr. Holmes again.
- 3/18/13 Agent spoke with Mr. Holmes who requested that the agent come back out and measure the easements with a measuring tape. The agent suggested getting the easements staked for easier identification.
- **3/25/13 Mr. Holmes speaks to City Council regarding Agenda Item 52-V: 3840 Beatties Ford Road.**
- 3/30/13 Agent called Mr. Holmes to make appt. to meet onsite to review staked easements.
- 4/3/13 Agent met with Mr. Holmes, reviewed staked easements, and discussed the median, his landscaping loss and his counter offer.
- **4/8/13 Mr. Holmes speaks to City Council regarding Agenda Item 34-O: 3840 Beatties Ford Road.** Staff met with Mr. Holmes in the lobby of the Government Center, prior to the Condemnation action by Council. This followed an earlier phone conversation with Staff and Mr. Holmes.

- 4/10/13 Agent called Mr. Holmes to set up meeting to get agreements signed.
- 4/11/13 Agent and Laura Rushing (City Real Estate Manager) met onsite with Mr. Holmes to once again review the overall request for property the City had made for the Beattie's Ford Rd. Widening Project. City Staff reviewed the project, the field staking, the plans, and answered questions again for Mr. Holmes. Staff discusses his request for the City to add back additional plantings after construction and again discussed the median. Agent and Laura Rushing to revise Special Provision agreement.
- 4/17/13 Agent emailed Mr. Holmes to request a time to meet to sign agreements with revised Special Provisions agreement.
- 4/18/13 Agent called Mr. Holmes twice to request a time to meet to sign agreements with revised Special Provisions agreement. Mr. Holmes returned the agent's call requesting that she send the revised agreement for him to review first. The agent emailed the agreement to him.
- 4/22/13 Mr. Holmes speaks to City Council.
- 4/29/13 Mr. Holmes signed all Real Estate Agreements. Compensation was \$7,525 for fee simple right of way, storm drainage easement, temporary construction easement, and utility easement.
- 6/17/13 CM Mitchell requested Kim Oliver of the City Manager's Office to send a status update and his stance on the project to his Council colleagues.
- 6/20/13 Kim Oliver sent an email to her staff as a heads up referencing the 6/24/13 meeting where Ruffin requested Willie Ratchford) of the Community Relations Committee/CRC) be present as a 3rd party and impartial witness to the meeting.
- 6/24/13 Meeting held between Paul Holmes and CM Mitchell with Willie Ratchford present.
- 6/24/13 Mr. Holmes speaks to City Council.
- 7/23/13 Jeb, Danny, and Mayor Pro Tem had a field meeting with Mr. Holmes at the site in question. (At the time, per Danny Pleasant, Mr. Holmes seemed most concerned about the timing of future Council actions with the desire for items to be on the Council agenda after late September.)
- 7/31/13 Meeting held on the 15th floor between various Engineering and CDOT staff members and Kim Oliver to brief Ruffin Hall about the project.

- 8/23/13 The agent received an email from Laura Rushing detailing her recent onsite visit with City staff and Mr. Holmes to discuss additional requests and concerns of Mr. Holmes.
- 9/20/13 The agent received an email from Julie Millea (City Real Estate Staff) discussing further developments in resolving issues with Mr. Holmes including what terms were originally agreed upon between Laura/City and Mr. Holmes. The agent called Laura and discussed in detail the status of negotiations with Mr. Holmes. The agent prepared the Right of Entry Agreement and the Receipt and Release document.
- **9/23/13 Mr. Holmes speaks to City Council regarding Agenda Item 36: Beatties Ford Road Widening Advance Grading Project.**
- 11/6/13 Mr. Holmes signed additional Real Estate Agreements. Additional compensation was \$4,700 to implement a landscaping plan after road construction is complete to include placement and replacement of trees and shrubbery; remove, replace, and relocate fencing; additional utility easement; and construction of a new driveway to align with Capps Hill Mine Road.

September 23, 2013
Business Meeting
Minute Book 135, Page 498

Mr. Gus Keetschmer, 206 Enwood Drive said I represent the Coolwood Hills Community Council. I am a board member and also a long time resident. All I can say is ditto to what Mr. Swicegood said. This is the first time I've ever seen City and the State representatives work together to the good of the community and come to a quick solution to a very serious problem of safety and traffic in the area around Highway 16 and the Mount Holly-Huntersville Highway. The consent for this would be great. We just need to move forward as quickly as we can. Hopefully to save a life because if we don't do it, there will be a life taken.

Mr. Dulin said when things go wrong nobody has any trouble finding us so it's nice to hear that we actually got something right. So I appreciate y'all coming and thank you.

Mr. Mitchell said just add ditto to my councilmember. I thank the citizens for your patience and really for engaging with Senator Ford and I to bring relief and Senator, I know it's tough up there, but thank you for working on behalf of your constituents.

Motion was made by Councilmember Mitchell, seconded by Councilmember Cannon voted unanimous to authorize the City Manager to execute a Municipal Agreement with the North Carolina Department of Transportation for improvements at the intersection of Brookshire Boulevard (NC 16) and Mt. Holly-Huntersville Road.

The resolution is recorded in full in Resolution Book #44, page 743.

Item No. 36: Beatties Ford Road Widening – Advance Grading Project

Paul Holmes, 3840 Beatties Ford Road said I just want to take a couple of minutes. I have had some issues with one of your specifically, but in spite of that, I am here to say thank you. This issue is about 90% resolved now. There's a lot of people who signed petitions, who made phone calls, who sent you emails—all those things we had to go through because some of you would not budge or just would not get into it. But I am here to say thank you and I specifically want to thank Claire Fallon, Beth Pickering, Mayor Pro Tem Cannon, and Councilmember Barnes. That Certificate of Thank You for looking out for us, especially Ms. Fallon. Two people from your staff, Ruffin Hall, he has been tremendous and another has been Laura Rushing. They helped pull this together so I want to thank you for them. We still have a few items to work out, but it's being done now the way it's supposed to be done.

Mr. Cannon said are you in support of this action?

Mr. Holmes said as for the grading and all that you can start that now. It's going to be a mess for a while but we have no problems. We didn't want that thing going down the middle.

Motion was made by Councilmember Cannon and seconded by Councilmember Barnes and carried unanimous to award the low-bid contract of \$378,331.80 to Country Boy Landscaping, Inc. for the Beatties Ford Road Widening – Advance Grading project.

Councilmember Fallon said Paul, thank and I hope it is solved. And I want to thank Manager Carlee who I went to and Ruffin who worked it out.

Summary of Bids:

Country Boy Landscaping, Inc.	\$378,331.80
Blythe Development Company	\$398,183.50
Red Clay Industries, Inc.	\$399,319.25
Showalter Construction Company, Inc.	\$575,026.10

Video
City Council
Meeting
2013
#13-
September
23 at
19:20
Mark,

Beatties Ford Road Widening Project

Report of Median Design

November 9, 2012

Council Member Mitchell,

Below is additional information regarding the Oct. 17 meeting with several property owners along Beatties Ford Road.

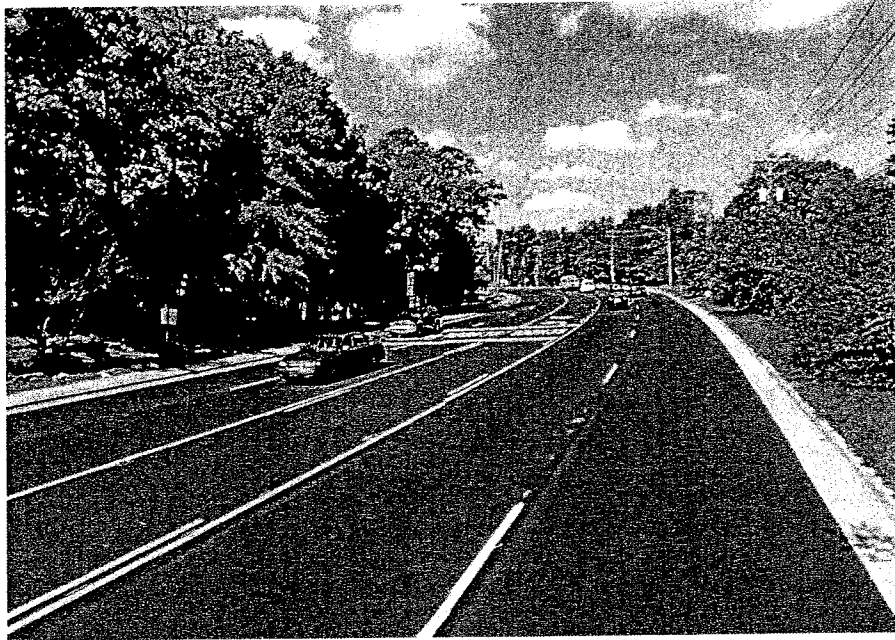
Several residents south of Slater Road expressed concerns about having a median separating north- and south-bound travel lanes, stating they thought it unsafe to travel north to Slater Road, and then make a U-turn to travel south.

As you know, the Beatties Ford Road Widening Project was approved for construction in the 2010 Transportation Bond Referendum from Capps Hill Mine Road to Sunset Road. Beatties Ford Road is proposed to be four lanes with bicycle lanes, planting strips, sidewalk and planted medians. As noted in the Council Approved Urban Street Design Guidelines (USDG), the purpose and benefit of medians is to separate opposing traffic flow, thereby reducing conflicts with other vehicles and pedestrians. The project is proposed to be constructed consistent with the "boulevard" typology, as described in the USDG, and reviewed in an extensive public involvement process.

A good description of why medians are needed for Beatties Ford Road is also found in the American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets:

"Medians are highly desirable on arterials carrying four or more lanes"...."The principle functions of a median are to separate opposing traffic, provide a recovery area for out-of-control vehicles, provide a stopping area in case of emergencies, allow space for speed changes and for storage of left-turning and u-turning vehicles, diminish head light glare, and provide width for future lanes. Other potential benefits of a median in an urban area (Charlotte) are that it may offer an open green space, may provide refuge area for pedestrians crossing the street, and may control the location of intersection traffic conflicts."

While staff understands the sacrifice of convenience that the median presents, it presents many other added benefits to the users of the street, namely the enhanced safety, opportunity for landscaping, and pedestrian refuge. The photos below illustrate the difference in aesthetic appeal of a 5-lane street with a two way left turn lane and a landscaped median divided street.



5-lane street with two way center turn lane (Mallard Creek Road)



4-Lane Median Divided Street (Central Avenue)

Due to the nature of the land use by the King Funeral Home, staff is available to discuss a modified median opening for use by funeral processions. Staff will make arrangements to meet with the owner and present options for review.

Below is crash data collected by CDOT for the sections of Beatties Ford Road from Sunset Road to B Avenue, comparing median and no median:

Sunset to Capps Hill Mine Rd (within project limits – currently two lanes, no median)

- 24 crashes (6 crashes might have been prevented by a median.)

Capps Hill Mine Rd to "B" Avenue (for portions that have four lanes with a median)

- 6 crashes (1 crash impacted the median as the driver went northbound.)

Capps Hill Mine Road to "B" Avenue (for portions that have five lanes but no median)

- 11 crashes (5 crashes might have been prevented by a median)

Beatties Ford Road from Capps Hill Mine to approximately "B" Avenue was completed in 1992 under different design standards, well before the use of Urban Street Design Guidelines, and has no planting strips or bike lanes. Part of the purpose in constructing a five-lane cross section with a two-way center turn lane had to do with the commercial use of the area. If designing under current design standards, the cross section would be in accordance with the Urban Street Design Guidelines.

At your request, staff has prepared an estimate of the cost to install a planted median and a five-lane cross section with a two-way center turn lane for the stretch of Beatties Ford Road from Capps Hill Mine Road to Slater Road.

- Planted Median - \$93,000
- 5th Lane (center 2-way left turn lane) - \$42,000

The reason for the cost difference is the design for a two-way center turn lane uses existing pavement structure of Beatties Ford Road and resurfaces and restripes the area. The planted median means removing the pavement structure and installing storm drainage systems, monolithic concrete islands, curb, and landscape features.

A traffic signal at the intersection of Slater Road and Beatties Ford was suggested. CDOT has reviewed this suggestion. Based on the review of anticipated traffic volumes, a traffic signal is not justified at this location. This location does not meet the typical requirements for a traffic signal. This was also the case for other intersections throughout the corridor, such as Capps Hill Mine Road and the Martin Marietta Rock Quarry driveway.

Please contact us if have questions or need additional information.

Tim Greene, PE

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