

GoTriangle
Planning & Legislative Committee
June 28, 2017 2:30 pm-3:45 pm

I. Call to Order and Adoption of Agenda

ACTION REQUESTED: Adopt agenda.

(1 minute Will Allen III)

II. Approval of Minutes: May 24, 2017

ACTION REQUESTED: Approve Minutes

(1 minute Michelle Dawson)

III. D-O LRT Project Design Change Approval Policy

ACTION REQUESTED: Recommend approval of the draft D-O LRT Project Design Change Approval Policy.

(15 minutes Danny Rogers)

Design Change Process

IV. Update on Wake Transit Major Investment Study (MIS)

(15 minutes Patrick McDonough)

V. Transit-Oriented Development Policy

(30 minutes Patrick McDonough)

TOD Policy Framework

Joint Development Process

VI. Adjournment

(Will Allen III)

**GoTriangle Board of Trustees
Planning & Legislative Committee Meeting Minutes
May 24, 2017**

Board Room, The Plaza, 4600 Emperor Blvd., Suite 100
Durham, NC

Committee Members Present:

Will Allen III, Committee Chair
Mary-Ann Baldwin
Wendy Jacobs

Vivian Jones
Jennifer Robinson

Committee Chair Will Allen III called the meeting to order at 2:23 p.m.

I. Adoption of Agenda

Action: On motion by Robinson and second by Jones the agenda was adopted. The motion was carried unanimously.

II. Approval of Minutes

Action: On motion by Robinson and second by Jones the minutes of the April 26, 2017, meeting were approved. The motion was carried unanimously.

III. Wake Transit Plan Operating and Capital Funding Agreements

General Counsel Blake distributed three documents related to this item, which are attached and hereby made a part of these minutes. The General Operating Agreement for Bus Operations is a sample of the template proposed for the Wake County Transit Plan. All projects to be funded in the Plan would require an agreement. Special agreements would deviate in some way from the template. General agreements would follow the template. The chart provided lists the capital and operations projects included in the FY18 Wake Transit Work Plan which would have agreements. Exhibit A would attach to the agreement and provides details on the project: budget, scope, implementation date and deliverables.

Blake requested that the Committee recommend that the Board authorize the General Manager to enter into contracts for projects approved on the annual Wake Transit Work Plan. She stated that the attorneys from the other involved parties are continuing to review and comment on the language in the agreement, so changes are possible.

Action: On motion by Baldwin and second by Robinson the Committee voted to recommend that the Board authorize the General Manager to enter into Operating and Capital agreements for the Wake County Transit Plan. The motion was carried unanimously.

IV. Update on Wake County Transit Plan - Multi-Year Service Implementation Plan (Wake Bus Plan)

Jennifer Green discussed the upcoming studies as part of the Wake Bus Plan that will translate the vision of the Wake Transit Plan for bus service and facilities into a detailed plan. Nelson\Nygaard is the consultant selected for work on the Wake Bus Plan, which includes the following elements:

- Project prioritization policy;
- 10-year implementation plan for operating and capital projects;
- Short range transit plan for each transit agency (GoTriangle, GoRaleigh, GoCary, and Wake TRACS) for next 5 years;
- Community Funding Areas market analysis; and
- Locally coordinated transportation plan.

This work will occur over the next 18 months and will include updates to elected officials and robust stakeholder and public input throughout the development of the plan. It will include studies on bus services and facilities, Bus Rapid Transit (BRT) and Commuter Rail Transit (CRT) projects as well as the development of service standards for all services funded through the Wake County Transit Plan. As the 10-year operations plan is developed, along with short range plans for each of the transit agencies, GoTriangle will be conducting its own study for services in the Durham and Orange Transit Plans in order to present a coordinated short range plan for all GoTriangle services.

Allen asked what assurance is there that this work will be consistent to the plan that the public passed related to BRT, high frequency bus service and other bus routes. Mann stated that the goal is build what was outlined in the Wake Transit Plan with 10 years; however, this study will determine the timing and sequencing of projects. Jennifer Green added that one of the initial steps before project prioritization will be to discuss guiding principles for the entire process.

Allen then commented about keeping the plan to a 10-year time frame. Tallmadge responded that the plan was developed without any of the conceptual engineering work, so changes should be expected as projects are developed to the timeline, financial plan and the sequencing. He acknowledged that the target is to get everything done in 10 years.

V. Presentation on Transit-Oriented Development and Joint Development Policies

Patrick McDonough introduced GB Arrington, of GB Place Making, whose presentation, *Transit Agency TOD State of the Practice*, is attached and hereby made a part of these minutes.

McDonough stated that staff would bring back to this Committee for discussion draft principles for a TOD policy.

VI. Adjournment

Action: Chair Allen adjourned the meeting at 3:35 p.m.

Will Allen III, Committee Chair

Attest:

Michelle C. Dawson, CMC
Clerk to the Board of Trustees

Draft

MEMORANDUM

TO: GoTriangle Planning & Legislative Committee
FROM: Danny Rogers, D-O LRT Project Director
DATE: June 19, 2017
SUBJECT: D-O LRT Project Design Change Approval Policy

Action Requested

Staff requests that the committee recommend approval of the draft Durham-Orange Light Rail Transit (D-O LRT) Project Design Change Approval Policy.

Background and Purpose

The baseline scope of the D-O LRT Project is defined by the Record of Decision (ROD) and Amended Record of Decision (Amended ROD) issued by the Federal Transit Administration (FTA) in February 2016 and December 2016, respectively. During the New Starts Engineering Phase, Project design will be advanced from 30 percent to 100 percent. Through this process, the scope will be refined and Project elements may be modified, added, or removed. Some changes will be minor and technical in nature (e.g., adjustment to the location of a traction power substation), while others may be significant (e.g., addition of a station).

The purpose of the D-O LRT Project Design Change Approval Policy is to define the process for recommending approval of a proposed change, based on the significance of the change. For example, as set forth in the Durham and Orange County Transit Plans, the addition or deletion of a station shall be subject to approval by the Durham and Orange Boards of County Commissioners, the DCHC-MPO Policy Board, and the GoTriangle Board of Trustees.

The draft policy is attached for Committee review.

For additional context, design changes will be evaluated and implemented according to the three-step process summarized below:

Step A: Evaluation

As potential changes are identified during the design process, GoTriangle staff, including the D-O LRT Project Director and Project Team will oversee the General Engineering Consultant's evaluation of each potential change for engineering feasibility, environmental impacts, and other considerations. The evaluation process will include public and stakeholder involvement, led by GoTriangle staff.

The change evaluation process is managed and conducted by the D-O LRT Project Director and members of the Project Team. The Project Management Plan for the D-O LRT Project also defines an executive oversight process for change evaluation. On a biweekly basis, the D-O LRT Project Director and members of the Project Team meet with the D-O LRT Project Executive Oversight Team (EOT), which includes the General Manager, General Counsel, Chief Financial Officer, Director of Regional Services, and Director of Communications. The EOT provides guidance to the D-O LRT Project at biweekly briefings with the D-O LRT Project Director and members of the Project Team. As part of the briefings, the Project Team appraises the EOT of potential changes that have been identified and the progress of change evaluation, and the EOT advises and provides guidance to the Project Team.

Step B: Local Approval

After evaluation, the change will be recommended for approval or rejection by the applicable local approval authority as defined by the D-O LRT Project Design Change Approval Policy.

The draft D-O LRT Project Design Change Approval Policy proposes the following three categories of local approval authority for changes:

- **Category 1: Four Boards**

The Durham and Orange County Transit Plans adopted in April 2017 define the types of changes that are subject to approval by each signatory board of the transit plans, which include the Durham Board of County Commissioners, the Orange Board of County Commissioners, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) Policy Board, and the GoTriangle Board of Trustees. The following design changes shall be subject to approval by each of the four boards:

- Addition of station(s)
- Deletion of station(s)

- **Category 2: GoTriangle Board of Trustees**

The following design changes shall be subject to approval by only the GoTriangle Board of Trustees:

- Changes to station locations that would require additional relocations/displacements beyond those required by the D-O LRT Project Physical Scope Baseline¹
- Changes that are expected to jeopardize the date of receipt of the Full Funding Grant Agreement as defined by the D-O LRT Project Milestone Schedule

¹ The initial D-O LRT Project Physical Scope Baseline is the physical scope (design) of the D-O LRT Project as defined in the ROD and Amended ROD issued in February 2016 and December 2016, respectively. As design changes are approved during the New Starts Engineering Phase, the Physical Scope Baseline will be updated to include those changes.



- Changes that would negatively affect revenue operations as defined by the D-O LRT Project Functional Scope Baseline² (i.e., decrease service reliability or frequency)
- Other changes as recommended by the Executive Oversight Team (see Category 3 below)

For changes in this category, GoTriangle staff will provide the Durham Board of County Commissioners, the Orange Board of County Commissioners, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) Policy Board the opportunity to review and provide input on the change prior to bringing the change to the GoTriangle Board of Trustees for approval.

▪ **Category 3: D-O LRT Project Director**

In general, the D-O LRT Project Director will have approval authority for all other proposed design changes.

However, the D-O LRT Project Director and/or Executive Oversight Team (EOT) may choose to recommend changes for elevation to the GoTriangle Board of Trustees. As defined in the Project Management Plan, the EOT includes the General Manager, General Counsel, Chief Financial Officer, Director of Regional Services, and Director of Communications. The EOT provides guidance to the D-O LRT Project at biweekly briefings with the D-O LRT Project Director and members of the Project Team.

Step C: FTA Concurrence

Before incorporating any approved change into the final design of the project, GoTriangle will coordinate with FTA to re-evaluate the environmental effects to determine whether the proposed refinement would result in a change in the effects previously disclosed and whether the existing mitigation in the Amended ROD would sufficiently mitigate the effects. If FTA determines that a change requires additional mitigation, GoTriangle would be required to prepare supplemental environmental documentation for public review, which may result in an Amended ROD.

While each design refinement will be comprehensively evaluated for environmental effects, not all design changes will result in the preparation and publication of supplemental environmental documentation or an Amended ROD. FTA makes this determination and will provide appropriate direction to GoTriangle after reviewing the re-evaluation submittal.

Attachments

- D-O LRT Project Design Change Approval Policy (DRAFT)

² The initial D-O LRT Project Functional Scope Baseline is defined in the Transit Operating Plan dated July 2015, the Addendum to Transit Operating Plan and Operating & Maintenance Cost Results Report dated December 2016, and the Rail Fleet Management Plan

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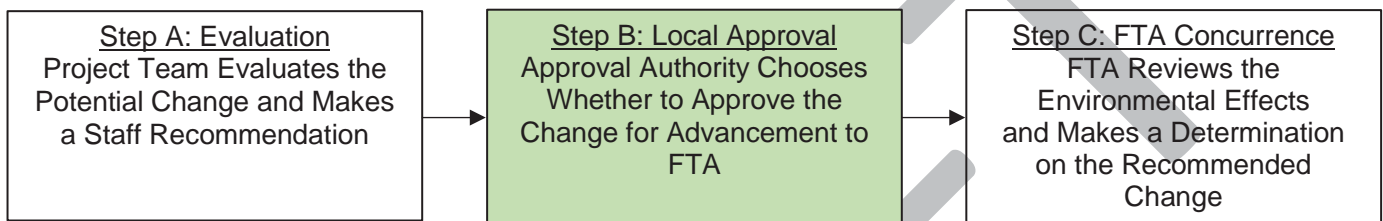


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Durham-Orange Light Rail Transit Project Design Change Approval Policy (June 2017 DRAFT)

The baseline scope Durham-Orange Light Rail Transit (D-O LRT) Project is defined by the Record of Decision and Amended Record of Decision issued by the Federal Transit Administration (FTA) in February 2016 and December 2016, respectively. During the New Starts Engineering Phase, Project design will be advanced from 30 percent to 100 percent. Through this process, the scope will be refined and Project elements may be modified, added, or removed. Design changes will be evaluated and implemented according to the three-step process summarized in the following diagram.



This policy establishes three categories of local approval authority in Step B, based on the type of change. This policy is intended for use during the New Starts Engineering Phase and will be reviewed and updated prior to the Project entering the Construction Phase.

Category 1: Four Boards

The Durham and Orange County Transit Plans adopted in April 2017 define the types of changes that are subject to approval by each signatory board of the transit plans, which include the Durham Board of County Commissioners, the Orange Board of County Commissioners, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) Policy Board, and the GoTriangle Board of Trustees. The following design changes shall be subject to approval by each of the four boards:

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Connecting all points of the Triangle

- Changes that would negatively affect revenue operations as defined by the D-O LRT Project Functional Scope Baseline² (i.e., decrease service reliability or frequency)
- Other changes as recommended by the Executive Oversight Team (see Category 3 below)

For changes in this category, GoTriangle staff will provide the Durham Board of County Commissioners, the Orange Board of County Commissioners, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) Policy Board the opportunity to review and provide input on the change prior to bringing the change to the GoTriangle Board of Trustees for approval.

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However, the D-O LRT Project Director and/or Executive Oversight Team (EOT) may choose to recommend changes for elevation to the GoTriangle Board of Trustees. As defined in the Project Management Plan, the EOT includes the General Manager, General Counsel, Chief Financial Officer, Director of Regional Services, and Director of Communications. The EOT provides guidance to the D-O LRT Project at biweekly briefings with the D-O LRT Project Director and members of the Project Team.

SIGNATURES

Jeffrey G. Mann
General Manager

Date

Jennifer Robinson
Chair, Board of Trustees

Date

² The initial D-O LRT Project Functional Scope Baseline is defined in the Transit Operating Plan dated July 2015, the Addendum to Transit Operating Plan and Operating & Maintenance Cost Results Report dated December 2016, and the Rail Fleet Management Plan.



MEMORANDUM

TO: GoTriangle Planning & Legislative Committee
FROM: Capital Development
DATE: June 14, 2017
SUBJECT: GoTriangle Transit-Oriented Development Policy: First Draft

Action Requested

Receive information and provide feedback to staff to refine agency TOD policy and Joint Development process and procedures.

Background and Purpose

At the May 2017 P&L Committee meeting, GB Arrington from GB Placemaking shared framed key strategic issues regarding how to develop a Transit-Oriented Development (TOD) policy for a transit agency like GoTriangle.

During the committee meeting, members of the Board shared their perspective on potential goals for a TOD policy for the agency and asked questions of GB and GoTriangle staff. After completing a separate meeting with multiple functions across GoTriangle that may participate in TOD work in the future, the staff is recommending the development of two deliverables:

- An overarching TOD policy for the agency, informed by Board policy direction
- A set of Joint Development procedures to clarify how GoTriangle will participate in and execute TOD projects where public land or public funding, or both- is involved.

Attached is a first draft of a TOD Policy for GoTriangle and a potential Joint Development process. Staff seeks feedback from the Board on both to inform more refined versions to be brought forward in July, potentially for full Board approval.

Financial Impact

None

Attachments

- GoTriangle TOD Policy Draft v1
- GoTriangle Joint Development Process Draft

Staff Contact

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GoTriangle TOD Policy Framework

There are lots of ways to slice an onion when developing a TOD policy. Borrowing from other transit agencies is a typical starting point. BART in the San Francisco Bay Area and DART in Dallas have a similar framework for organizing their policy even though their policy aspirations are very different. For that reason the following GoTriangle framework draws on both DART and BART.

Vision / Purpose – (one paragraph – something along these lines):

GoTriangle is a steward of a large-scale public investment. ...Transit-Oriented Development (TOD) can be utilized to further the agencies purpose & goals. ...TOD is a means to grow ridership; foster sustainable equitable livable communities focused on transit; to help to implement the regions economic development and growth strategy in partnership with the communities we serve; ... Leveraging transit's ability to shape the growth of the Triangle enhances the value of GoTriangle as a regional resource.

Definitions –

Transit Oriented Development (TOD). A report issued by the California Department of Transportation (Caltrans) in 2002 adopted the following definition:

“Transit-Oriented Development (TOD) is moderate to higher density development, located within and easy walk of a major transit stop, generally with a mix of residential, employment and shopping opportunities designed for pedestrians without excluding the auto. TOD can be new construction or redevelopment of one or more buildings whose design and orientation facilitate transit.”

In the interest of promoting common usage and understanding of terms, this policy adopts the Caltrans definition. (FYI BART and TriMet use this definition and attribution)

Joint Development (JD). Joint development is TOD that happens to be on publically owned land. The Federal Transit Administration (FTA) uses the following definition:

- Partnerships between transit agencies and the public or private sector in the development of land either owned by a transit agency or related to a transit system improvement
- Integrated development of transit and non-transit projects. Or, transit improvements physically related to, and often co-located with, commercial, residential, or mixed-use development
- Mutual benefit and shared cost among all of the partners involved

The FTA has issued detailed guidance for conducting joint development on land where there is a federal interest; their guidance applies to GoTriangle land acquired in part with federal funds.¹

Goals – (5 or 6 goals – covers the breadth of what you are trying to achieve (ridership / community building / sustainable & equitable communities / capture value / multi-modal access. The following goals are adapted from BART’s 2016 TOD Policy)

- A. Complete Communities.** Partner to ensure GoTriangle contributes to neighborhood/district vitality, creating places offering a mix of uses and incomes.
- B. Sustainable Communities Strategy.** Lead in the delivery of the region’s land use and transportation vision to achieve quality of life, economic, and greenhouse gas reduction goals.
- C. Ridership.** Increase GoTriangle ridership through the implementation of transit supportive growth patterns.

¹ <https://www.transit.dot.gov/JointDevelopment>

- D. Value Creation and Value Capture.** Enhance the stability of GoTriangle's financial base by capturing the value of transit, and reinvesting in the program to maximize TOD goals.
- E. Transportation Choice.** Leverage land use and urban design to encourage non-auto transportation choices both on and off GoTriangle property, through enhanced walkability and bikeability, and seamless transit connectivity.
- F. Affordability.** Serve households of all income levels by linking housing affordability with access to opportunity.

GoTriangle Joint Development Process

STAGE	Pre-Solicitation	Developer Solicitation / Selection	Project Refinement / Developer Agreement / Ground Lease Neg.	Permitting & Construction
ACTIONS	<p>Station Planning + Prioritization</p> <ul style="list-style-type: none"> – Work with cities to adopt TOD plans – Priority stations selected 	<p>Issue RFQ</p> <ul style="list-style-type: none"> – Evaluate based on relevant experience – Select short list of developers 	<p>Developer progresses design</p> <ul style="list-style-type: none"> – TOD architecture and program – Access plan 	<p>Construction documents</p>
	<p>Prepare Short Term Priority Stations</p> <ul style="list-style-type: none"> – Establish station access objectives – Refine desired development program 	<p>Qualified developers submit development proposals</p> <ul style="list-style-type: none"> – Evaluation by staff 	<p>Community outreach & engagement</p>	<p>City building permits</p>
	<p>For stations ready for solicitation</p> <ul style="list-style-type: none"> – Specify priorities – Establish developer evaluation criteria 	<p>Update Community</p>	<p>Internal Staff team review</p>	<p>On-site construction</p>
RESULT	<p>Board concurrence on priorities for site and development program</p>	<p>Board authorizes Exclusive Negotiation Agreement with recommended developer(s)</p>	<p>Board approves Development Agreement and Ground Lease</p>	<p>Completed project</p>