



Date: March 3, 2011

To: Thomas J. Bonfield, City Manager
Through: Theodore L. Voorhees, Deputy City Manager
Mark D. Ahrendsen, Transportation Director
From: Ellen Beckmann, Transportation Planner
Subject: Agenda Item – U-3308 Alston Avenue Widening

Executive Summary

The North Carolina Department of Transportation’s proposed project, U-3308, will widen NC 55/Alston Avenue to a four-lane median-divided roadway with curb and gutter between NC 147 and NC 98/Holloway Street. The project will include sidewalks on both sides of the roadway and wide outside lanes to accommodate bicycles. The estimated cost of the project is \$23,520,000.00. Due to an environmental justice concern regarding the Los Primos grocery store at Main Street and Alston Avenue, NCDOT shifted the project east to avoid removing the store. This shift impacts the Durham Rescue Mission’s property. A public meeting was held on October 19, 2010 to present the revised design to the public. After reviewing public input, NCDOT has decided to proceed with the revised design and has requested a response from the City of Durham regarding this decision.

Recommendation

The City Department of Transportation recommends that the City Council support NCDOT’s proposal to proceed with construction of U-3308, Alston Avenue Widening, using the revised alignment, preserving the Los Primos grocery store and widening more on the east-side of the roadway; additionally it is recommended that the City Council request of the NCDOT that the project be initially striped with one through lane in each direction, bicycle lanes, and parking on both sides of the street until additional roadway capacity is necessary.

Background

The widening of Alston Avenue has been included in Durham’s long range transportation plans for over twenty years. The purpose of the project is to reduce congestion and improve safety along Alston Avenue between the Durham Freeway and Holloway Street. Year 2005 traffic volumes along Alston Avenue range from 17,000 to 20,000 vehicles per day and exceed the capacity of the roadway. The accident rate along Alston Avenue in the project area is over six times the statewide average for similar facilities.

Alston Avenue between the Durham Freeway and Holloway Street is a three lane facility (one lane in each direction and center turn lane) for most of its length with sidewalks on both sides. The existing right of way varies between 46 and 80 feet.

The proposed project will widen Alston Avenue to a four lane median divided roadway for most of its length with wide outside lanes for bicycles and sidewalks on both sides. It is expected that the median will be landscaped. The bridge carrying Pettigrew Street over Alston Avenue and the four railroad bridges over Alston Avenue will be replaced as part of the project. A total right of way width of between 100 and 120 feet will be required to accommodate the proposed improvements.

Several side streets along the project will be converted from two-way to one-way traffic as part of the project. Worth, Franklin, and Wall Streets on the west side of Alston will be narrowed to 20 feet wide with curb and gutter on both sides and converted to one-way traffic. A sidewalk will be provided along both sides of these streets. Wall Street east of Alston will remain two-way, but the intersection of this portion of Wall Street with Alston Avenue is proposed to be removed and replaced with a cul-de-sac. The intersection of Eva Street west of Alston Avenue will also be removed and replaced with a cul-de-sac.

The proposed project passes through the HOPE VI Revitalization Area and is anticipated to result in the relocation of 19 homes, 4 businesses, 1 non-profit, and 2 apartment buildings. The project is adjacent to the historic Branson Methodist Church and Pure Oil Filling Station and runs through the Golden Belt Historic District.

The environmental study for the project was initiated over eight years ago. Citizens' Informational Workshops were held on March 6, 2003 and May 17, 2004. The City has submitted comments on the project by letters dated August 7, 2003, November 18, 2003, and August 4, 2004 during the preparation of the Environmental Assessment. The Environmental Assessment and Draft Section 4(f) (historic sites and public parks) Evaluation for this project was approved in November 2005. The City provided initial comments on the Environmental Assessment on June 30, 2006. A combined public hearing for the project was held on November 2, 2006. The City submitted comments subsequent to this public hearing on November 21, 2006 and May 11, 2007. The Finding of No Significant Impact (FONSI) was signed in June 2007. Since then, the City has met with NCDOT several times to discuss project elements and sent a letter requesting certain project features on January 7, 2009.

One of the issues that the City raised in its letters to NCDOT, the environmental justice impact to the Los Primos grocery store, has necessitated further review. NCDOT commissioned a study that found that the impact to the store was an environmental justice issue and proposed addressing this issue through a shift in the alignment of the roadway to the east. NCDOT presented this information to City Council on January 21, 2010 and held a public meeting on October 19, 2010 to present this to the public. After reviewing public input and the results of recent community investigations, NCDOT has decided to proceed with the eastern alignment. NCDOT has requested a response from the City regarding their decision.

The project is scheduled for right-of-way acquisition in FY 2012 and construction in FY 2015. The current cost is \$23,520,000.00, which includes \$18,500,000.00 for construction and \$5,020,000.00 for right-of-way acquisition. For the project to proceed NCDOT must issue a Right-of-Way Consultation Report that must be signed by the Federal Highway Administration.

Issues and Analysis

The City has provided several comments on the project throughout the development and design process. Project features that have been requested by the City are listed below. NCDOT has made

many changes to the design to accommodate the City's requests, but not all issues have been satisfactorily resolved.

- The elimination of exclusive right-turn lanes due to the negative impact on right-of-way acquisition and pedestrian safety. *(Many right-turn lanes removed. Right-turn lanes remain at northbound Alston at Angier, southbound Alston at Main, eastbound Main at Alston, and southbound Alston at Morning Glory.)*
- The provision of striped bicycle lanes on Alston Avenue. *(Wide-outside-lanes to be striped.)*
- The expansion of the length of landscaped medians and the planting of vegetation and trees in the medians. *(Landscaping details to be determined in future municipal agreement.)*
- Assurance of adequate width of the berms on either side of the roadway to allow space for sidewalks, streetlights, etc. *(Sidewalks included. Streetlight details to be determined in future municipal agreement.)*
- Increase in the width of sidewalks on both sides of the street and the provision of a landscaped or brick border between the sidewalk and the curb. *(Six-foot sidewalks with three-foot planting strip to be included except in historic district, near Asbury Temple Church, and near Pure Oil Filling Station where five-foot sidewalks with a brick border will be included.)*
- The striping and/or aesthetic treatment of crosswalks at intersections. *(Brick or stamped concrete to be used.)*
- The provision of roadway and pedestrian level streetlights. *(Streetlight details to be determined in future municipal agreement.)*
- Maintaining two-way traffic on streets that intersect with Alston Avenue. *(Worth and Franklin, east of Alston, will remain two-way. Worth, Franklin, and Wall, west of Alston, will be one-way.)*
- Maintaining the connectivity of streets that intersect with Alston Avenue. *(Worth, Franklin, and Wall, west of Alston, will remain connected. Wall, east of Alston, and Eva, west of Alston, will not connect to Alston.)*
- The provision of aesthetically pleasing and bicycle-safe railings on the railroad and Pettigrew Street overpasses. *(Decorative railings to be included.)*
- Reduction in the lowering of the existing grade of Alston Avenue under the railroad and Pettigrew Street overpasses. *(Grade of Alston must be lowered to accommodate overpasses.)*
- Re-design of the free-flow exit ramp from northbound Alston Avenue to northbound NC 147 to improve pedestrian safety. *(Free-flow exit ramp remains.)*
- Reduction in the curb radii at intersecting streets to reduce pedestrian crossing distances. *(Curb radii were reduced to 20 to 35 feet.)*
- The provision of convenient pedestrian access to the future TTA rail station. *(Accessible from existing sidewalks on Gann and Chatham streets and sidewalk from Alston to R. Kelly Bryant pedestrian bridge.)*
- The fair and reasonable compensation of all affected property owners. *(Standard NCDOT right-of-way procedures to be followed.)*
- The relocation of the Los Primos grocery store on the corner of Main and Alston Avenue due to concerns over the environmental justice impact of taking the store. *(See following detailed description.)*

In response to the concern the City raised about the environmental justice impact to the Los Primos grocery store, NCDOT produced an addendum to the Community Impact Assessment that provides additional information about the store and its customers and initiated further outreach to the Latino community. The addendum to the Community Impact Assessment reported that:

“NCDOT surveys conducted in the Los Primos Supermarket in 2008 found that 66% of the store’s regular customers lived within a mile of the store. The survey found that about 1/3 (33%) of the customers walk to the store on a regular or even daily basis. The Survey results also noted that 69% of the respondents felt that closure of the grocery store would affect them. Respondents indicated they would have to travel further for groceries, would need transportation to other stores, that the price and selection is better at Los Primos, and that they feel comfortable shopping at Los Primos.”

NCDOT and the Federal Highway Administration determined that the impact to the store was an environmental justice issue because it would have a disproportionately high adverse effect on minority and low-income populations.

As required by federal law, the Federal Highway Administration must avoid, minimize, or mitigate disproportionately high and adverse effects on minority and low-income populations. As the construction agency for the Federal Highway Administration, NCDOT has a policy on environmental justice that mirrors the federal requirements. In order to meet the federal requirements, NCDOT has proposed shifting the alignment of Alston Avenue east in order to avoid taking the grocery store building. The revised design would impact properties on the east-side of Alston Avenue, including several properties owned by the Durham Rescue Mission. NCDOT believes that the impact to the Durham Rescue Mission is a mitigable impact because it only affects a portion of the property that they own.

If the original alignment were used, NCDOT would be required to document why the new alignment (widening more on the east-side) has impacts more severe than the original alignment (widening more on the west-side) and would have to mitigate for the impact to the Los Primos grocery store due to the environmental justice issue. Mitigation could include relocating the store to another location in the project area. The difference between the public hearing alignment (west-side) and the proposed shift (east-side) is summarized in the table below:

	Public Hearing Alignment (west-side)	Proposed New Alignment (east-side)
Right-of-Way Cost (Angier to Liberty only)	\$2,715,000	\$2,570,000
Construction Cost	\$25,800,000	\$25,800,000
Business Impacts (Angier to Liberty only)	Leo’s Seafood Los Primos	Leo’s Seafood Tacqueria El Chilango (parking lot) Family Food Mart (parking lot)
Estimated Cost to Relocate Los Primos	\$1,300,000	n/a

	Public Hearing Alignment (west-side)	Proposed New Alignment (east-side)
Impact to Los Primos	Building is completely taken.	The roadway is immediately adjacent to the east wall of the building with a retaining wall between the building and sidewalk. Requires the elimination of some parking spaces and redesign of the parking lot. Requires relocating the entrance from the east side of the building to the south side.
Impact to Durham Rescue Mission	None, road is shifted to the west away from the Durham Rescue Mission	Requires the taking of two buildings currently used for storage on the Durham Rescue Mission property. The roadway is moved closer to the west wall of the sanctuary building with a retaining wall and stairs between the building and sidewalk.

As a result of the proposed shift in the alignment and change to the project impacts, NCDOT was required to communicate the change to the public and provide opportunity for public input. A public meeting was held on October 19, 2010.

In addition to these two alignment options for widening the roadway, NCDOT has also preliminarily investigated changing the project to a three-lane cross section at the request of the Division 5 NC Board of Transportation member. This would reduce the width of the typical section from 90 feet to 69 feet (additional right-of-way would be needed for slopes) as shown in the following diagrams. There would still be an impact to the Los Primos and Durham Rescue Mission properties with a three-lane cross section, but it would be less than with the four-lane cross section. NCDOT estimates that the cost of a three-lane facility would be \$17,500,000 for construction and \$800,000 for right-of-way.

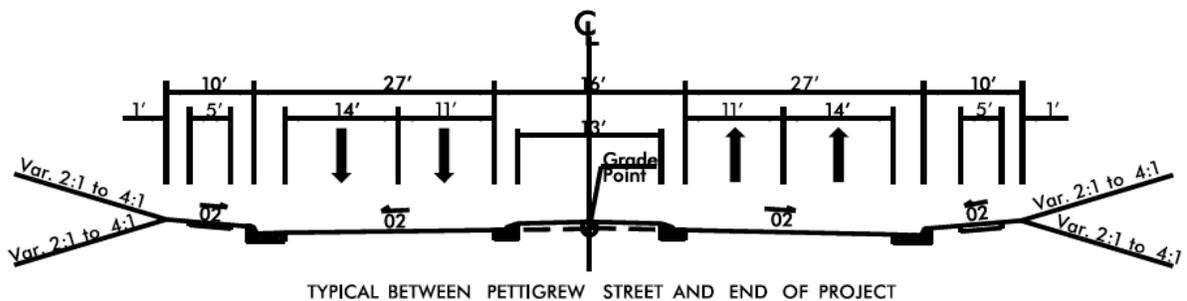


Figure 1. Four-lane Typical Section, 90 feet wide not including slopes

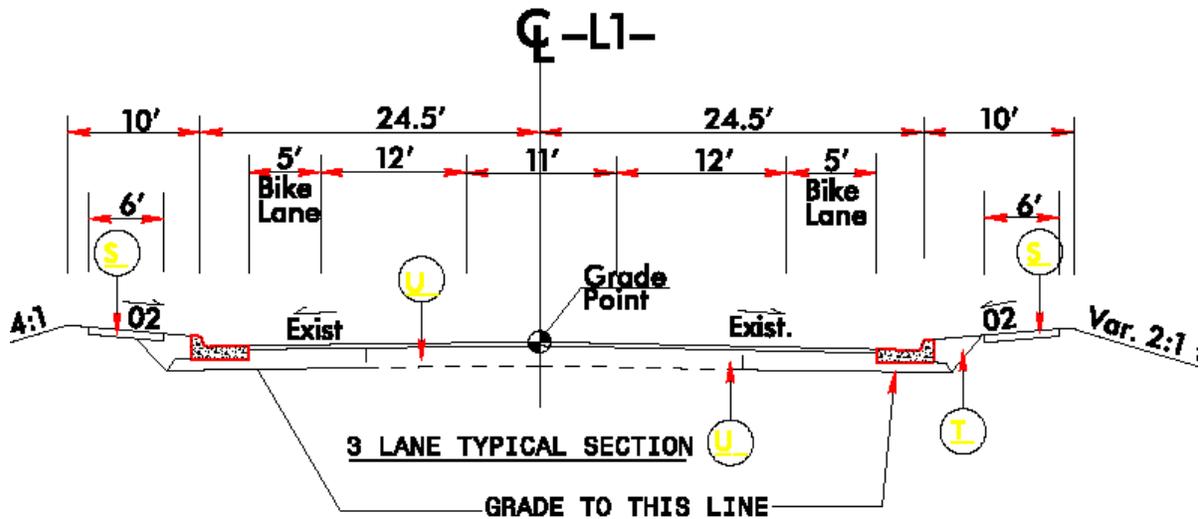


Figure 2. Three-lane Typical Section, 69 feet wide not including slopes

Changing the scope of the project to a three-lane widening would require an amendment to the DCHC MPO 2035 Long Range Transportation Plan. In addition, NCDOT staff has stated that the project's funding in the Transportation Improvement Program would be eliminated and that the project would need to go through the State's TIP prioritization process and compete against other projects in the State for funding. A new environmental document would need to be prepared reflecting the change in scope and additional public involvement would be required. NCDOT would need time to change the design documents to reflect the change.

A fourth option is to construct the project as proposed by NCDOT with adequate pavement width to accommodate four lanes, but stripe the roadway for one through lane in each direction, bicycle lanes, and on-street parking on both sides of the street. This option could occur with either the west-side or east-side alignment option. While this would not reduce the right-of-way impacts, this could help address some citizens' concerns that a four-lane roadway would encourage speeding and be inhospitable to pedestrians and bicyclists. When future roadway capacity is needed, the road could be restriped for four through lanes.

A fifth option is for NCDOT to cancel the project and do nothing in the corridor. The railroad bridges over Alston Avenue would still need to be replaced due to their age and condition.

Alternatives

The City Council could take the position that:

1. NCDOT should proceed with construction of the project as proposed, preserving the Los Primos grocery store and widening more on the east-side of the roadway. The project should be striped with one through lane in each direction, bicycle lanes, and parking on both sides of the street until additional roadway capacity is needed (recommended).
2. NCDOT should proceed with construction of the project as proposed, preserving the Los Primos grocery store and widening more on the east-side of the roadway.
3. NCDOT should pursue constructing the project as originally proposed, widening more on the west-side of the roadway, removing the Los Primos grocery store and mitigating for the

environmental justice impact. Mitigation would require that a grocery store that offers similar services as Los Primos be located within walking distance of the corridor.

4. NCDOT should pursue constructing the project as originally proposed, widening more on the west-side of the roadway, removing the Los Primos grocery store and mitigating for the environmental justice impact. Mitigation would require that a grocery store that offers similar services as Los Primos be located within walking distance of the corridor. The project should be striped with one through lane in each direction, bicycle lanes, and parking on both sides of the street.
5. NCDOT should redesign the project with a three-lane cross section to avoid impacting Los Primos and minimize impacting the Durham Rescue Mission. NCDOT should maintain the project's funding in the Transportation Improvement Program and not subject it to reprioritization. The DCHC MPO will be asked to amend the 2035 Long Range Transportation Plan.
6. NCDOT should cancel the project and do nothing in the corridor except replace the railroad bridges over Alston Avenue.

Financial Impacts

The project will be funded by NCDOT (Federal and State funds). The City will be responsible for 50% of the cost of any new sidewalks and the cost of other enhancements to the project, the on-going maintenance of any project landscaping and for streetlights.

SDBE

This item does not require review by the Equal Opportunity Equity Assurance Department.