



September 19, 2023

The Honorable  
Elaine M. O’Neal  
Mayor of Durham  
101 City Hall Plaza  
Durham, NC 27701

John E. Sandor, PE  
District Engineer, District 2,  
North Carolina Department of Transportation  
815 Stadium Drive  
Durham, NC 27704

Sean Egan  
Director of Transportation  
City of Durham  
101 City Hall Plaza  
Durham, NC 27701

Dear Mayor O’Neal, Mr. Sandor, and Mr. Egan,

**NCDOT’s reversal on bicycle and pedestrian infrastructure on Fayetteville Street is unacceptable.**

The Fayetteville Street Bike Lane Project has been under development since 2018, with funding secured through a Congestion Mitigation and Air Quality Improvement (CMAQ) Program Grant by the North Carolina Department of Transportation (NCDOT). The project would add bicycle lanes in the portion of Fayetteville Street that crosses the Durham Freeway stretching from East Umstead Street to Main Street. With the designs for this project having long been approved by NCDOT, and work expected to begin this fall, as of August 2023, NCDOT has halted this project due to traffic congestion concerns projected for 20 years from now.

BPAC demands the original and already approved plan for the Fayetteville Street Bike Lane Project be reinstated, that work resume on this project immediately, and that this last-minute reversal be reprimanded by NCDOT.

**The high cost of a last-minute cancellation**

NCDOT's decision to reverse this prior-approved plan was a surprise that immediately halted the project, the work for which has already been contracted. Canceling this project will pass costs on directly to Durham taxpayers. Besides the potential lost design work on the bicycle lanes that would not be implemented, canceling this project will require using City funds instead of Federal grant funds to update previous designs for improved pedestrian crossings at the intersection of Fayetteville Street & East Lakewood Avenue and the intersection of Fayetteville Street & East Umstead Street. These intersections were to be incorporated into the Project and if Fayetteville Street is removed from the list of CMAQ funded improvements, the City will have to implement any updated designs separately. These pedestrian improvements are critical for safety: one need only sit for a few minutes at the bus stop at Fayetteville Street and East Piedmont Avenue to see how often pedestrians are crossing Fayetteville Street all along this corridor.

Because NCDOT has not provided any new evidence or findings regarding existing or future conditions, it is difficult to predict how any new or reopened concerns may be addressed to a satisfactory resolution. The lack of transparency in NCDOT's decision making process has negated years of successful collaboration between stakeholders, the City, and NCDOT to make Fayetteville Street safer for pedestrians and bicyclists.

### **Concerns of congestion are not well-founded**

Concerns about a projection of future level-of-service is not, by itself, sufficient evidence to cancel multi-modal improvement projects. The Federal Highway Administration itself states that "the existence of a LOS F condition does not, by itself, indicate that action must be taken to correct the condition".<sup>1</sup> There needs to be some justification given for why this street needs to be prioritized for car traffic over pedestrian and cyclist traffic. If we assume 1.5% growth every year with no consideration to other factors, then no street would ever qualify for a road diet or support bicycle lanes.

The assumption of 1.5% yearly growth in average annual daily traffic (AADT) is fundamentally flawed. The AADT counts along this portion of Fayetteville Street show that this growth projection cannot be universally applied. Over the last 20 years, while Durham's population has grown 50%, AADT on this corridor has remained the same.<sup>2</sup>

BPAC believes that transportation demand is induced by supply, and if there are more safe bike lanes built, and better transit service provided, that will impact the level-of-service and the real experienced congestion of roadway users more than the number of lanes given to cars.

### **What happened to Vision Zero?**

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<sup>1</sup> 'Traffic Analysis and Intersection Considerations to Inform Bikeway Selection', Federal Highway Administration.

[https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/FHWA-SA-21-010\\_Traffic\\_Analysis\\_Intersection\\_Considerations.pdf](https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/FHWA-SA-21-010_Traffic_Analysis_Intersection_Considerations.pdf) (P. 10)

<sup>2</sup> AADT on Fayetteville St between E Lakewood Ave and Morehead Ave was 17,000 when recorded in 2003 and 2021.

<https://ncdot.maps.arcgis.com/apps/webappviewer/index.html?id=964881960f0549de8c3583bf46ef5ed4>

In 2015, NCDOT declared North Carolina a Vision Zero state.<sup>3</sup> Given an opportunity to take another step towards this goal, with no cost to the state due to funding being acquired through the CMAQ Program Grant, NCDOT has chosen to halt this project. Eight years after this commitment, BPAC would expect NCDOT to provide a better justification for why it has decided to go back on its prior approval and postpone real action towards Vision Zero.

Does NCDOT project the number of expected deaths and their correlation with level-of-service on roadways that interface with pedestrians and cyclists? The only reason to prioritize level-of-service over the implementation of multi-modal accessibility would be the cost incurred by the implementation. BPAC believes the expected cost of life for different build options should be included in this calculation and provided with any cost estimates.

### **Repeated disinvestment in the neighborhood**

The Hayti neighborhood is the epicenter of the devastation caused by urban renewal projects and the construction of the Durham Freeway in the 1960s and 70s. This portion of Fayetteville Street crosses Durham Freeway, and is the part of the Hayti District that was most devastated.<sup>4</sup> We cannot ignore this history, and any hesitation to invest in mobility options for the Hayti neighborhood in service of others who drive through this community resembles far too closely the same mistakes made decades ago.

The City of Durham is adding thousands of new residents to the immediate area where this project takes place in Fayette Place, Southside Phase 3, and future development related to the City's Fayetteville Street Corridor investment. This massive community revitalization is meant to right the wrongs created by the construction of the Durham Freeway and create a thriving urban environment where equitable transportation connects neighborhoods previously isolated by high-speed car-dominated development. NCDOT's last minute change to the previously agreed upon multimodal improvements is the latest injustice inflicted on a community that cannot continue to wait for justice.

The areas neighboring this corridor have a high proportion of low-income families and university students, with consequently some of the lowest rates of car-ownership in the entire city. Roughly 10%-25% of the brightening population, depending on the census tract, live further than a half-mile from a grocery store and don't have access to a personal vehicle. Protected bicycle lanes along this corridor would serve as a crucial lifeline for members of the community accessing basic amenities both in Hayti and the downtown area.<sup>5</sup>

Conversely, a lack of protected bicycle lanes along the Fayetteville Street corridor only blocks residents from accessing an otherwise pedestrian- and cyclist-friendly downtown Durham. As our community grows rapidly

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<sup>3</sup> 'Vision Zero in NC,' NC Vision Zero, Accessed September 18, 2023.

<https://ncvisionzero.org/about-us/vision-zero-in-nc/>

<sup>4</sup> 'Dismantling Hayti,' Bull City 150. Accessed September 19, 2023.

[https://www.bullcity150.org/uneven\\_ground/dismantling\\_hayti/](https://www.bullcity150.org/uneven_ground/dismantling_hayti/)

<sup>5</sup> 'Food Access Research Atlas,' USDA Economic Research Service. Accessed September 8, 2023.

<https://www.ers.usda.gov/data-products/food-access-research-atlas/>

and requires new infrastructure to accommodate alternative methods of travel into and within the downtown area, the City must ensure that all neighborhoods have equitable access to these developments, particularly those that have been historically neglected from Durham's economic successes.

For the reasons stated above, BPAC demands that the original and already approved plan for the Fayetteville Street Bike Lanes Project be reinstated, that work resume on the project immediately, and that this last-minute reversal be reprimanded by NCDOT. Furthermore, NCDOT needs to take steps to ensure that this type of unjustified reversal cannot happen in the future.

Sincerely,

Deniz Aydemir

Brian Hawkins

Hannah Preston

Jeffrey Bakalchuck

Marissa Hartzler

Ed Rizzuto

Landon Baucom

Nathan Lee

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Michael Shepherd

Mary Rose Fontana

Andrés Otero

on behalf of the **Durham Bicycle and Pedestrian Advisory Commission.**

cc:

J. Eric Boyette, Transportation Secretary, NCDOT

Alex Rotenberry, Senior Regional Planner, NCDOT Integrated Mobility Division

Natalie Murdock, Senator District 20, NC General Assembly

Mike Woodard, Senator District 22, NC General Assembly

Zach Hawkins, House District 31, NC General Assembly

Marcia Morey, House District 30, NC General Assembly