



## Removal of Los Primos Supermarket – Analyzing Impacts and Identifying Alternatives

ALSTON AVENUE PROJECT, DURHAM, NORTH CAROLINA

### Case Highlights

**Description:** Alston Avenue in Durham, North Carolina, runs through a historically Black/African American community with a growing Hispanic/Latino population. When the North Carolina Department of Transportation (NCDOT) proposed to widen an approximately 1-mile stretch of the corridor, an initial community impact assessment (CIA) was conducted. At that time, input received through public outreach did not lead the NCDOT to determine that the removal of Los Primos Supermarket would be an adverse impact to the community. As the study continued and the agency received additional input from the City of Durham and community groups; NCDOT determined that a closer look at potential implications of the project on Los Primos Supermarket was needed. The NCDOT conducted a series of supplemental studies and outreach to further describe the services provided by Los Primos, determine whether a new grocery store at a nearby location could provide the same services, and characterize the potential impacts of removing or relocating Los Primos to the surrounding low-income, minority community, with high numbers of carless households.

**Key Concepts:** Effective practices in addressing environmental justice include: interviews with community leaders; surveys given in multiple languages on location at community resources where impacts are expected; a detailed site comparison analysis considering factors such as visibility, accessibility, crime, and proximity to low-income and minority populations; extensive coordination with multiple agencies and departments; and flexibility in roadway design.



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## Introduction

Alston Avenue in Durham, North Carolina, runs through a historically Black/African American community with a growing Hispanic/Latino population. When the North Carolina Department of Transportation (NCDOT) proposed to widen an approximately 1-mile stretch of the corridor, an initial community impact assessment (CIA) was conducted. The CIA identified three potential environmental justice issues associated with the project: (1) removal of structures along neighborhood edges, (2) creation of a large physical barrier between community areas, and (3) removal of an important community service (Los Primos Supermarket). Initially, NCDOT worked with the City of Durham to focus on design modifications and enhancements that could avoid or minimize the removal of structures and barrier effects. At that time, input received through public outreach did not lead the NCDOT to determine that the removal of Los Primos Supermarket would be an adverse impact to the community.

As the study continued and the agency received additional input from the City of Durham and community groups, NCDOT determined that a closer look at potential implications of the project on Los Primos Supermarket was needed. The NCDOT conducted a series of supplemental studies and outreach to further describe the services provided by Los Primos, determine whether a new grocery store at a nearby location

could provide the same services, and characterize the potential impacts of removing or relocating Los Primos to the surrounding low-income, minority community, with high numbers of car-less households.

The approach used to develop the CIA and supplemental studies included a series of interviews with community leaders, surveys given on location at Los Primos, and a detailed site comparison analysis. Through extensive design alterations and traffic analyses, an alternative alignment and traffic calming (road-diet) approach was developed to avoid disproportionately high and adverse impacts to the environmental justice community.

## Project Context

The NC 55 (Alston Avenue) improvement project proposed to widen an approximately 1-mile stretch of Alston Avenue from the NC 147 (I. L. “Buck” Dean Freeway) interchange to US 70 BUS/NC98 (Holloway Street) in Durham, North Carolina, (project limits are shown in Figure 1). The existing facility is two-lanes with an additional turn lane at most intersections. As initially proposed, the improvement would create a four-lane, divided facility. The purpose of the project is to reduce congestion and improve safety along Alston Avenue between NC 147 and US 70 Business/NC 98 (Holloway Street).

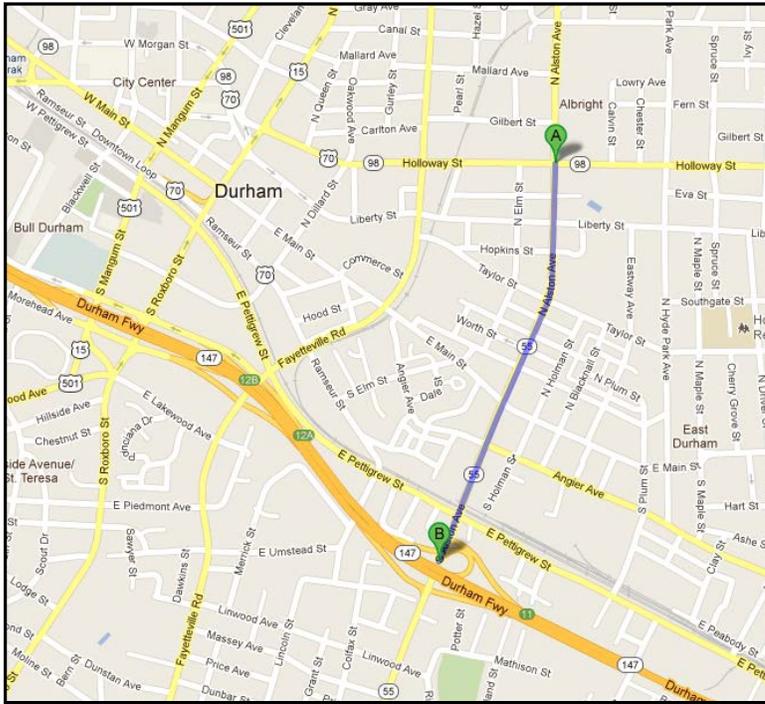


Figure 1: The Durham, NC Alston Avenue Project limits.

**The Region and the Community**

*Dominant Land Uses*

The single most dominant land use within the study area is residential. Photos representative of the housing conditions near the project corridor are shown in Figure 2 and Figure 3. Northeast Central Durham, where the project corridor is located, is on the eastern edge of Downtown Durham. Though not a dominant land use; commercial activity exists within the project area. The business activity along the project corridor is dominated by automobile-related commercial ventures and small food retailers.

The area is further characterized by underdevelopment, vacant lots/buildings, dilapidated buildings, and abandoned industrial space. Two historic structures and one historic district front the project corridor.

The railway lines used by Norfolk Southern (NS) and Amtrak run parallel, and in close proximity to, NC 147 through the study area. The tracks also traverse the industrial area parallel to NC 147. The industrial area, whether presently or formerly used for industrial activity, plays two roles. First, the land acts as a barrier along the southern edge of the community in

conjunction with the railway lines and NC 147. This contributes to the separation of the community from the surrounding neighborhoods. Second, a sense of wasteland has been created as little other use can be facilitated in the midst of industrial activity where pockets of land are no longer used for industrial activity.

Durham’s “broken” street grid contributes to the isolation of many of its neighborhoods. The southern end of the project area abutting NC 147 is dominated by cul-de-sacs to reduce access points to the freeway. The cul-de-sacs have separated what was once a larger community. Though not all the streets are closed, there appears to be little physical and social connection between residents to the south and north of the freeway.



Figure 2: Representative housing conditions near the project corridor.



Figure 3: Representative housing – HOPE VI revitalization area.

*Notable Features and Plans*

**The Durham Rescue Mission.** The Durham Rescue Mission—a Christian-based facility for the homeless, the substance abuser, and the otherwise disenfranchised within Durham County—has been in operation at its current site fronting Alston Avenue since 1974. It is located at the intersection of Alston Avenue and East Main Street. The mission provides: food, shelter, drug and alcohol rehabilitation, vocational and professional training, and employment opportunities for men and women. Populations served vary seasonally, but there have been up to 200 men served at this facility. The largest demographic is White, followed by Black/African American, with a much smaller number of Hispanic/Latinos. The mission also hosts several community-oriented events, such as school supply giveaways and Thanksgiving, Christmas, and Easter dinners.

The mission presently owns several parcels of land along Alston Avenue, including the entire east block of Alston Avenue between East Main Street and Morning Glory Avenue. It also owns the majority of parcels on the two blocks north of this block. The mission’s intent is to acquire

the remaining parcels and form a three-block campus. The founder, the Reverend Ernie Mills, would like to have a totally enclosed campus serving primarily men. He intends to request the closing of Morning Glory Avenue and Worth Street on the block east of Alston Avenue. The mission recently acquired the former Durham Inn located in Northern Durham. The Inn is to be used as an on-campus facility serving women. No substantial traffic is expected between the two campuses.

**Few Gardens Public Housing.** In August 2000, the City of Durham received a HOPE VI grant from the US Department of Housing and Urban Development to be used to revitalize the Few Gardens public-housing development. The grant is being administered through the City's Housing Authority.

HOPE VI housing and related development plans call for 600 plus housing units in the Northeast Central Durham area, centered on the Alston Avenue/Main Street intersection. Many of these units are still under development. This revitalized community is located immediately east of the Durham Rescue Mission property.

The revitalization of the Few Gardens complex through this initiative has already had positive effects for Alston Avenue corridor businesses. Replacing 240 public-housing residential units with 410 market rate and publicly-assisted units generates more revenue for the surrounding area.

**Los Primos Supermarket.** Los Primos Supermarket, shown in Figure 4, offers desired grocery services within the community as well as non-grocery services that are above and beyond what a typical grocery store would provide. Some of those services include: free money orders and money-grams transfers at set

rates; free transportation if the customer agrees to spend \$45 or more; Duke Energy payments free of service charge; free translation assistance for documents such as court notices, moving violations, or similar items; and free help filling out associated forms. These services are particularly important to the surrounding Hispanic/Latino population and are not provided to the same extent elsewhere in the community.



Figure 4: Los Primos Supermarket.

#### *Demographic Characteristics*

**Minority Populations.** The neighborhoods surrounding the project corridor are predominantly minority and low-income. Initially, U.S. Census data from 2000 was used to compare the number of minority individuals living in the study area, Durham County, and the State of North Carolina. The total minority population in the study area was 90.2 percent. The total Black/African American population was 68.7 percent and the Hispanic/Latino population was 20.4 percent. A comparison of Census data for the years 1990 and 2000 confirmed anecdotal accounts that the Hispanic/Latino population in the study area is

increasing. Overall, the Non-White population is increasing in the study area and the White population is decreasing. As the environmental study progressed, additional data sources characterizing the presence and location of minority populations were consulted, including enrollment data at local elementary schools, information from the Salvation Army, and limited-English-proficiency (LEP) data from the Census.

**Low-Income Populations.** A similar comparison of Census data was made to characterize the low-income population near the project. Median household income data, per capita income data, and poverty data was compared across the study area, county, and State. The 2000 US Census figures indicate that median household income for the study area is 70 percent of that of North Carolina and 64 percent of Durham County. Per capita income shows similar ranging distributions, 65 percent and 57 percent, respectively. The standard of living conclusions are substantiated further by the number of persons living below the poverty level. In the study area, the rate of people living below the poverty level is approximately 2.5 times greater than that of the State and county. A comparison of 1990 and 2000 U.S. Census data was made and revealed that the standard of living in Durham County and the State overall are increasing faster than the study area, widening the disparity in the standard of living. As the environmental study progressed, additional data sources characterizing the presence and location of low-income populations were consulted, including free and reduced-lunch data for the local schools.

## What Happened

Early in the environmental study for the Alston Avenue project, steps were taken to understand and avoid negative impacts to the low-income and minority populations in the project area.

The first CIA, conducted in 2003, recognized that populations meeting the definitions outlined in the Council on Environmental Quality's (CEQ's) environmental justice guidance are present in the project area.

The 2003 CIA identified three ways that the project could have adverse impacts on the environmental justice populations in the area: (1) the removal of structures/houses along the edges of neighborhoods, (2) the creation of a large physical barrier between one side of the community and the other, and (3) the removal of an important community service, Los Primos Supermarket. The environmental justice concerns were consistent with the over-all community concerns. Recommendations in the CIA included prioritizing pedestrian and bicycle facilities due to lower-than-average car ownership and the use of "context-sensitive designs...of the highest standards" to aid in the redevelopment efforts concurrently being undertaken. Further recommendations were for the development of a public-involvement plan. Judgments about whether the impacts would be disproportionately high and adverse were not made in the CIA.

### Removal of Structures along the Neighborhood Edges

The 2003 CIA noted that the purchase of the new project right-of-way was likely to require the removal of a number of houses along Alston Avenue, particularly in the East-End Neighborhood, the Albright Community, and the Durham Housing Authority property. It was

noted that the neighborhoods and structures in these areas are older and already struggling with

## Alston Avenue Project Chronology

### 2003

Initial Community Impact Assessment is conducted. Low-income and minority populations are identified.

### March 2003

Citizens' informational workshop. Approximately 30 attendees, including one member of the Hispanic/Latino community. Interpretation support was available.

### January 2004

Joint informational workshop.

### August 2004

The City of Durham submitted a comment letter noting that potential impacts to "a grocery store at the northwest corner of Main and Alston" could be an environmental justice issue.

### November 2005

The Draft Environmental Assessment and Section 4(f) Evaluation is issued. It is noted that "Portions of the project area have a higher percentage of minorities and/or low-income persons than the county average." It was also noted that no issues related to EJ were discovered through the public-involvement process.

### October 2006

Meeting to brief the Durham City Council.

### November 2006

Formal public hearing.

### June 2007

FONSI and Final Section 4(f) Evaluation. There is no mention of potential environmental justice issues.

### November 2008

An Environmental Justice Addendum to the first CIA is issued, summarizing modifications made to the public-hearing design concept to avoid or reduce impacts to the community, and to document the NCDOT's official position on the environmental justice aspects of the project. Outreach to Hispanic/Latino populations in the project area, and further research conducted on the potential effects of the relocation of Los Primos Supermarket are summarized.

### 2008-2009

New post-hearing concept developed, shifting the footprint of the proposed roadway, preserving the Los Primos building, and encroaching further onto the properties of the Durham Rescue Mission and two minority-owned business properties.

### October 2009

Another addendum to the CIA is issued summarizing the analysis of avoidance and relocation concepts to address the remaining potential environmental justice issues. Findings were that the post public-hearing design alternative that avoided impacts to the Los Primos structure would not be an environmental justice impact to the Durham Rescue Mission property. Potential sites for relocating Los Primos are identified.

### October 2010

Community feedback meeting.

### February 2011

Community Impact Assessment - Supplemental Environmental justice/ Limited-English-Proficiency Documentation completed to document the site comparison analysis conducted for Los Primos Supermarket; the extensive outreach efforts to the Limited-English-Proficiency (LEP) community, including bilingual outreach, translated documents, and availability of interpreters; and to document environmental justice impacts, avoidance, and minimization for each alternative.

### September 2011

Field visit to the project area.

### December 2011

Follow-up field visit to assess parking conditions at both the Los Primos and former Winn-Dixie sites, confirm non-grocery services offered at competitive supermarkets, and identify land uses along Holloway Street, Morning Glory Avenue, and Holman Street.

### September 2012

Projected right-of-way acquisition

### 2014

Projected construction

insolvency due to disinvestment.

Since the initial CIA, the issue of physical structure impacts to the Durham Housing Authority property was eliminated when Durham received a redevelopment grant (HOPE VI). The new structures constructed took the expected edge of pavement for the widened Alston Avenue into account.

NCDOT, in coordination with the City of Durham and other agencies, closely examined a number of roadway-design attributes to address and avoid potential structure impacts in the other areas. Modifications included: reduced inside travel lane widths in each direction, reduced shoulder width, and the construction of retaining walls in the East-End and Albright areas. NCDOT also eliminated the dedicated right-turn lanes on all but three intersections in the project area and reduced the curb radii proposed at the intersections. Trade-offs also included reducing the planting strip between the sidewalk and curb in order to maintain dedicated bike lanes. Each of these modifications reduced the footprint of the new roadway and allowed existing structures to be retained. After these mitigation measures, an addendum to the CIA conducted in 2008 concluded that no disproportionately high and adverse impacts are expected, related to this issue. Following the addendum, the NCDOT and City of Durham continued to work closely on additional design changes and enhancements that further avoid and minimize the removal of structures.

#### **Creation of a Large Physical Barrier between Community Areas**

In the 2003 CIA, it was noted that the widening of Alston Avenue could create a barrier. NCDOT recognized that the width of a roadway

and the speed of the vehicles are primary indicators of how a roadway barrier will be perceived. The barrier is perceived psychologically as well as when non-vehicle users attempt to cross a roadway. In general, low-income populations rely on walking more than other groups, to access goods and services or bus routes.

NCDOT, in coordination with the City of Durham, modified the project in a number of ways to address non-personal vehicle connectivity. Modifications included: marked crosswalks at the signalized intersections, an extended center median that allows for a “pedestrian haven” (a protected space where pedestrians can stop in between the travel lanes) at each intersection, and the construction of sidewalks on both sides of the roadway along the entire project, addressing some gaps that currently exist on either side. The design speed and the expected speed limit on the roadway are 35 miles per hour. The amount of distance pedestrians have to cross at the intersections has also been reduced by the elimination of dedicated right-hand turn lanes and the reduction in the required curb radii. Each of these modifications improved the access of non-personal vehicle users in the project area and reduced the barrier effect created by the project. With these mitigation measures, the 2008 CIA Addendum concludes that no disproportionately high and adverse impacts are expected on this issue. Following the addendum, the NCDOT and City of Durham continued to work closely on additional design changes and enhancements that further avoid and minimize the creation of a barrier.

**Removal of an Important Community Service**

While the growing Hispanic/Latino population was described in the 2003 CIA, and potential impacts to "...a grocery store at the northwest corner of Main and Alston" were noted as a potential environmental justice issue in a 2004 comment letter from the City of Durham, through the public-involvement activities following the 2003 CIA, impacts to the grocery store did not rise to the top as an important issue to the community. NCDOT did not consider the potential impact disproportionately high and adverse at the time.

The demographic assessment in the 2003 CIA was based on 1990 Census numbers, as the 2000 numbers were not released at the time the report was produced. The full 2000 Census numbers in

the study area were examined in 2006. This examination also identified potential environmental justice communities based on racial make-up and income status, and documented a large increase in the residents (3,000 new residents) who identified themselves as Hispanic or Latino ethnically. In the summer of 2008, observations during work in the project area revealed a notable number of residents who identify themselves as racially Black or African-American, ethnically Hispanic or Latino, and a notable number who have low income. The Census data was further substantiated by the growth in the enrollment of Hispanic/Latino students at the local elementary school. The concentrations of Hispanic/Latino individuals in the study area are shown in Figure 5. Each of these observations indicated that there was still concern about potential environmental justice



Figure 5: Concentrations of Hispanic/Latino individuals in the study area.

impacts associated with the project.

In 2008, NCDOT, at the request of FHWA and suggestion of the City of Durham, decided to conduct supplemental analyses to further investigate how potential impacts of the project on Los Primos grocery store could affect the Hispanic/Latino, low-income community with high numbers of car-less households.

#### *Community Survey*

As part of the supplemental assessment, a survey was developed to focus on how community members utilize Los Primos Supermarket and obtain input from the community regarding the potential impacts of its relocation and the Alston Avenue widening overall. The survey was designed to be administered briefly as shoppers were entering or leaving the grocery store. The survey was translated into Spanish and was administered verbally in both Spanish and English. The survey was administered at Los Primos Supermarket for 1.5 hours. Additional surveys were administered to women attending local community classes at El Centro Hispano as well as to community members attending a festival at a local church. A total of 36 surveys were completed. Fifty-three percent of survey respondents were Hispanic/Latino. The survey results were summarized in the 2008 CIA Addendum:

- Most shoppers live close to Los Primos (more than 50 percent within ½ mile or less). Additionally, although the majority of the store's shoppers drive (55 percent), a substantial proportion (33 percent) walk or bike to reach the store.
- The majority of shoppers (56 percent) frequent the store three or more times per week. About half of shoppers shop for all of their grocery needs at Los Primos. The

leading grocery categories purchased are meat, followed by fresh produce. The nearest alternate grocery stores (approximately 1.5 miles) are Lowes Foods and Tienda Mi Pueblo. Although these stores are connected to the project area by sidewalks, shoppers generally do not walk, but drive, take a taxi, or ride with someone to other shopping locations.

- The majority of survey respondents (72 percent), including nearly all Hispanic/Latino respondents (89 percent) had not heard of plans to widen Alston Avenue prior to the survey.
- About 44 percent of respondents said that closing Los Primos would have a major effect on their grocery shopping (25 percent said it would affect them somewhat). Respondents indicated they would have to travel further for groceries, would need transportation to other stores, that the price and selection are better at Los Primos, and that they feel comfortable shopping at Los Primos.

#### *Community Leader Interviews*

Interviews of key community leaders were conducted to gain additional information concerning the Hispanic/Latino population in the area of the project; how community members utilize Los Primos Supermarket; and the potential impacts to the community of the grocery's relocation as well as the Alston Avenue widening overall. The interview was designed to consist primarily of open-ended questions and included some adaptations of multiple-choice questions from the survey regarding the community's use of Los Primos Supermarket. Numerous organizations and individuals were contacted in the process of identifying key Hispanic/Latino community

leaders in the area. Interviewees included the owner/operator of Los Primos Supermarket, and representatives from: Uplift East Durham, El Centro Hispano, the North Carolina Latino Coalition, Salvation Army Boys and Girls Club, Eastway Elementary, and Bethel Tabernacle. Interviews were also conducted in several departments of the City of Durham.

The interviews generally confirmed the survey findings. Survey respondents and community leaders commented that they would like to see Los Primos relocated within walking distance of the current location within the project area. Extensive outreach during the right-of-way and relocation process with bilingual and cultural support was recommended by community leaders.

#### *Post-Hearing Design Concept*

The analysis conducted in 2008 and reported in an environmental justice addendum noted that the removal of Los Primos Supermarket, identified as an important community service, would be expected to adversely affect the community and disproportionately impact the low-income residents of the area. Because of that conclusion, a post-hearing design concept was developed that would shift the right-of-way, proposed road surface, and infrastructure features to the southeast of the public hearing concept. As a result, the right-of-way in the post-hearing concept would still remove a portion of the parking area and relocate a bus stop, but would not physically affect the Los Primos Supermarket building. However, the shifted road and right-of-way would encroach further onto the properties of the Durham Rescue Mission, including impacts to two buildings, and also onto two minority-owned business properties on the east side of Alston

Avenue. The design modifications and enhancements developed to address the removal of edge structures in the neighborhood and the creation of a barrier effect would be incorporated in both alternatives.

In 2009, NCDOT studied the potential effects of the post-hearing design to community facilities and services, in particular to the Durham Rescue Mission. The location of community features with the right-of-way for the public-hearing concept and post-hearing concept are shown in Figure 6. A second depiction of community features is shown in Figure 7. Potential Los Primos Supermarket relocation sites in the area of the project were also assessed, data characterizing the composition of the community were updated, and follow-up interviews with community leaders were conducted. The data and interviews confirmed an ongoing trend of an increasing Hispanic/Latino population surrounding the project corridor.

Based on the analysis, which included an interview with Reverend Ernie Mills, the Director for the Mission, a site visit during a public event at the facility, and the review of conceptual plans for expansion of the main building at the mission; it was determined that potential impacts to the Durham Rescue Mission would not affect the core programs and services of the Mission to the low-income and minority populations in the area of the project. The conceptual site plan for the new facility would likely be affected by the shift of the post-hearing concept but future site redevelopment should not be notably limited. Right-of-way impacts to the Mission's main block may potentially be partially offset with unused remnants from commercial properties in the block to the north.



Figure 6: Local community features with public-hearing (in yellow) and post-hearing (in green) concepts.

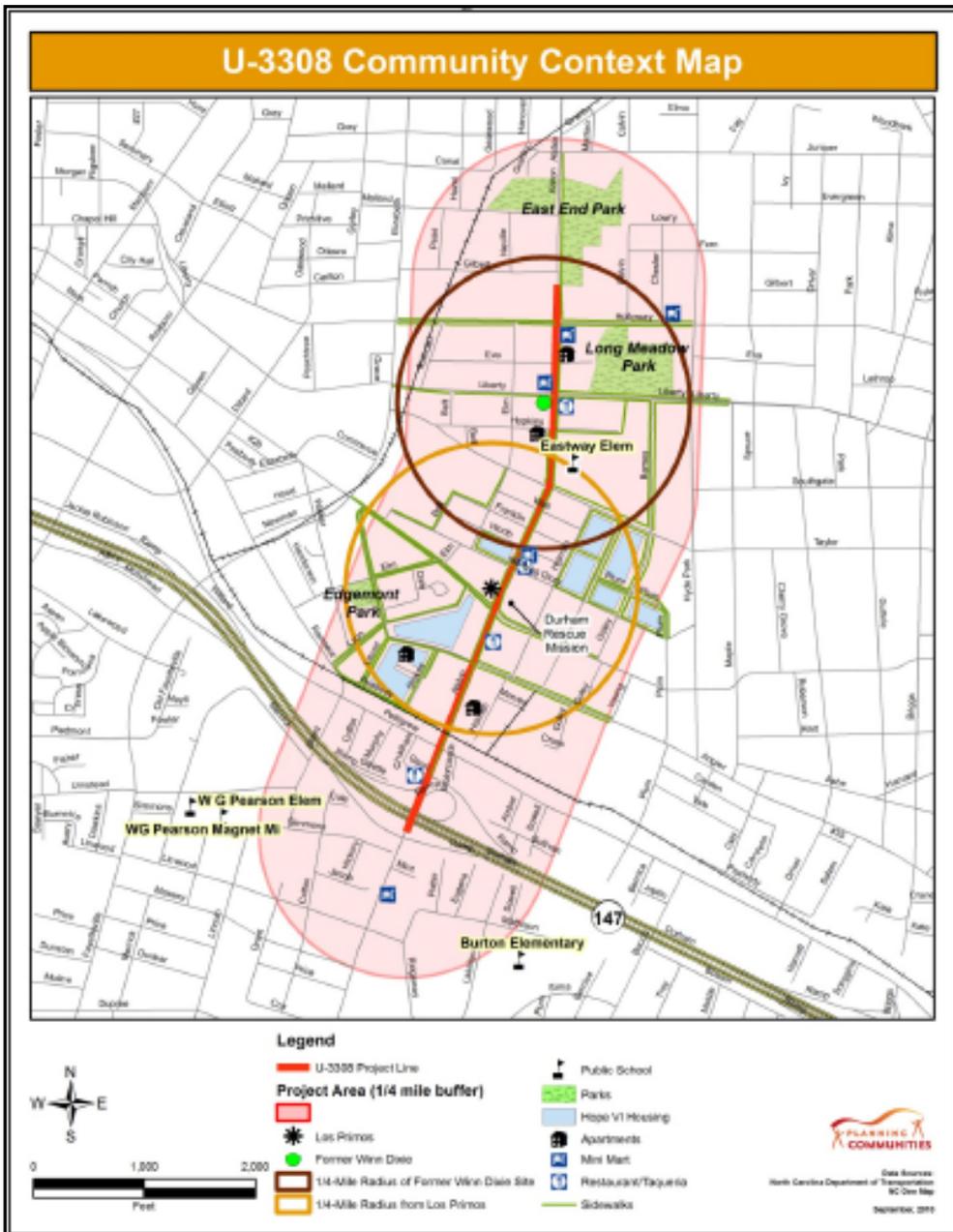


Figure 7: Alston Avenue project area community context map

It was also determined that, as a number of taquerias and smaller convenience stores are located along Alston Avenue, and relocation opportunities appear available for businesses of this size, impacts to the food mart and taqueria are not anticipated to affect overall community services to the low-income and minority communities in the area of the project.

#### *Site Comparison Analysis for Los Primos Supermarket*

In 2011, NCDOT supplemented and compiled previous environmental justice and LEP analyses into one study. The 2011 study updated demographic data and information about community services and notable features in the study area. In addition, NCDOT conducted a detailed site-comparison analysis of the Los Primos Supermarket and a former Winn-Dixie grocery store site, identified as a potential relocation site for the store (shown in Figure 8). This analysis was performed as a measure of due diligence, and occurred while conversations were continuing with the Durham Rescue Mission regarding potential impacts to their property.



*Figure 8: Former Winn-Dixie grocery store.*

In order to determine whether a relocation of the Los Primos Supermarket to the former Winn-Dixie site would result in impacts associated with the provision of services to environmental justice populations, an analysis was conducted comparing various attributes of both sites (described in detail below). The current site of the Los Primos grocery store and the potential relocation site at the intersection of Alston Avenue and Liberty Street are within five blocks of one another. As a result, access to the customer base would not be expected to differ to a large degree. However, there were some notable differences regarding each site, described in the study.

**Access and Visibility.** Access to and visibility of the two sites were reviewed in the field. Both sites are equally visible; however, the intersection (Main and Alston) where Los Primos is located had more vehicular traffic, transit service, and observed pedestrian activity than the intersection where the former Winn-Dixie is located (Liberty and Alston).

In order to identify the demographic composition of the customer base within walking distance of both the current Los Primos site and the former Winn-Dixie site under consideration, a ¼-mile radius from each site was defined. It is anticipated that the majority of customers that would walk to either site would reside within these “pedestrian travelsheds” (ped-sheds). Demographic data for the Census-block groups that encompass the Los Primos and former Winn-Dixie ped-sheds was compared to identify any differences. In some cases, the block groups extend more than a ½-mile from the site, which helps to ensure that most, if not all, pedestrians will be included in the data analysis. Because of the proximity of the sites to

one another, there are three block groups included in both pedestrian-sheds, limiting differences. Proximity to residential units within the Census-block groups that encompass the respective pedestrian-sheds was also compared. The Los Primos site had slightly more housing units in its pedestrian-shed in 2000 than did the former Winn-Dixie site, and those units were almost 2 percent less vacant. The percentage of owner-occupied units was almost equivalent, while the percentage of rental units was 2 percent higher in the Los Primos pedestrian shed. It should be noted that the removal of the Few Gardens housing project and the construction of the HOPE VI housing units in the area may have affected the housing characteristics in the project area since the 2000 Census, including the ped-sheds for both sites, particularly for Los Primos. The Los Primos ped-shed had about 700 more people than the former Winn-Dixie's ped-shed in 2000. The percentage distribution by race was almost equivalent, except for a slightly higher percentage of Black/African Americans in the Los Primos ped-shed and a slightly higher percentage of Hispanic/Latinos in the former Winn-Dixie ped-shed.

**Crime.** Crime statistics in 2009 and 2010 were also compared for each ped-shed to identify any differences. Overall, crimes totaled 259 within a ¼-mile radius of the Alston-Avenue/Liberty-Street intersection (former Winn-Dixie) and 258 within a ¼-mile radius of the Alston-Avenue/Main-Street intersection (Los Primos). The two areas were virtually identical with respect to the total crimes reported during this time period. The types of crime; however, varied. Of the crimes associated with operating a grocery store, including shoplifting and robbery, the former Winn-Dixie site had a

higher combined percentage (11.6 percent) than the Los Primos site (9.3 percent).

**Vehicle Ownership.** Vehicle ownership in the project area, both grocery store ped-sheds, Durham County, and North Carolina was compared. There is substantially less motor vehicle ownership within the ¼ mile project area than in the county or State as a whole.

In an effort to determine the most suitable locations for grocery services that cater to vehicle-less households within and surrounding the project area, a thematic map (shown in Figure 9) was created that shows the concentrations of these households. Data for the Census block groups that encompass the ¼-mile project area was obtained and utilized for this purpose. In addition, these concentrations were compared to the ¼-mile radius ped-sheds for not only the Los Primos supermarket and former Winn-Dixie site, but also a City-owned site on Holloway Street that was being considered for a new grocery store.

Based on the most recent U.S. Census data from 2000, Census Tract 11, Block Group 2, which encompasses Los Primos, and its adjacent Census Tract 10.01, Block Group 2 to the east, had the highest percentages of vehicle-less population within the project area at more than 45.1 percent. The ped-sheds for the former Winn- Dixie and Holloway Street sites were encompassed by block groups that have less than 25 percent and 25 percent-35 percent vehicle-less households.

**Concentrations of Minority and Low-Income Populations.** Thematic maps were also created to identify the concentrations of minority and low-income populations. However, the results of this GIS-based analysis indicated no real

differences among the three grocery store sites within the project area in terms of access to these populations.

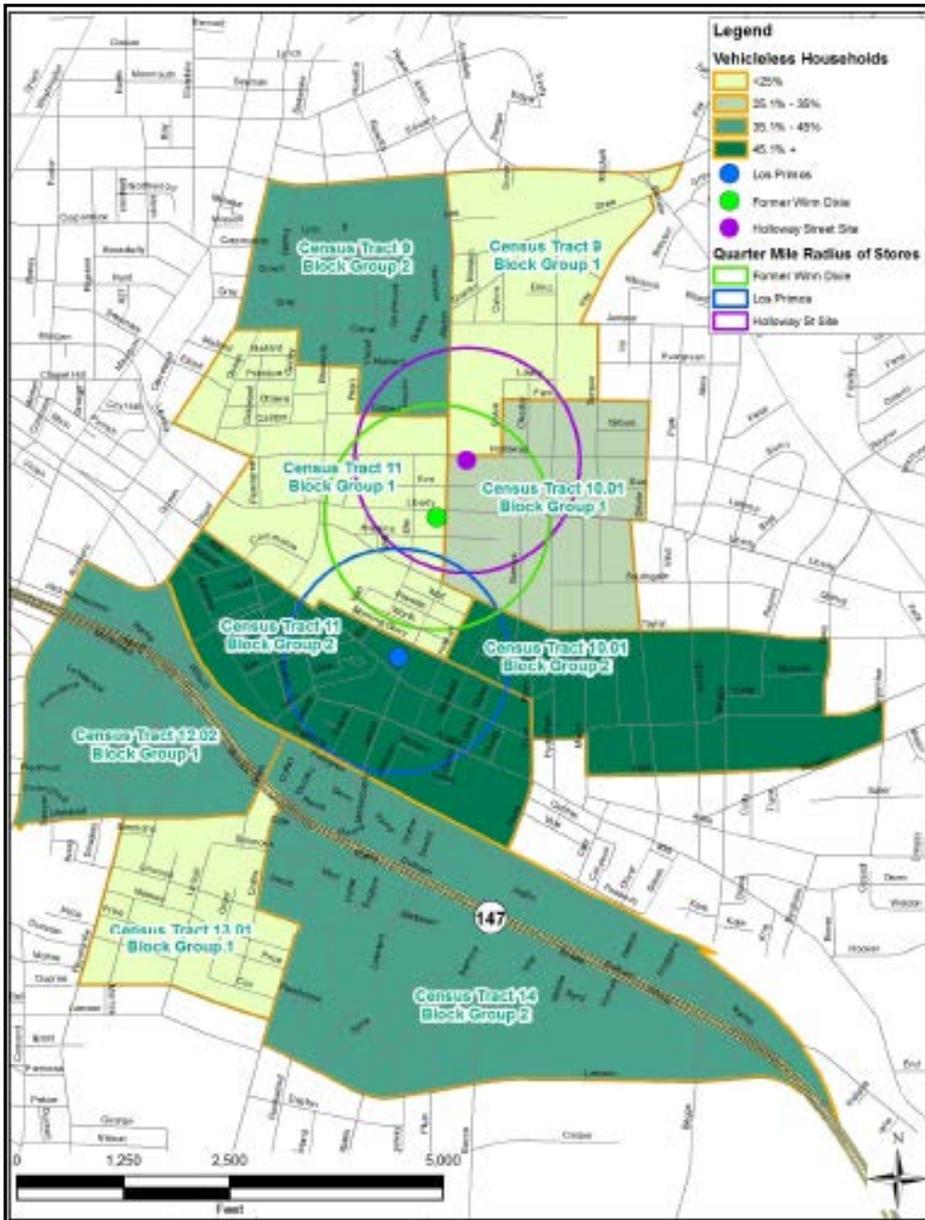


Figure 9: Thematic map of vehicle-less households in the Durham project area.

Based on the multi-level comparison of the former Winn-Dixie site and the current Los Primos site, NCDOT concluded that relocation to this site could result in impacts to low-income and minority residents without vehicles in the project area. Implementation of a relocation alternative would need to be accompanied with actions to address these concerns, such as enhancements to the pedestrian network, which would be addressed to some extent by the widening project.

#### Preferred Alternative

Following the 2011 site comparison analysis of the current Los Primos Supermarket location and the former Winn-Dixie location, NCDOT planned to move forward with the post-hearing design alternative that would avoid impacts to the structure of Los Primos Supermarket. The plan was presented to the Durham City Council and the public was given an opportunity to comment during a community feedback meeting. After extensive coordination and follow-up discussions, the Durham Rescue Mission indicated that they are amenable to impacts along their Alston-Avenue frontage property as long as they can receive the equivalent amount of land contiguous to their current campus.

NCDOT also conducted an updated traffic analysis and found that another alternative – a temporary road diet – would be feasible. Under this option, NCDOT would construct the project as proposed, 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. 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. This approach was also supportive and consistent with "new urbanism" goals developing within the City of Durham and with a new initiative in Northeast Central Durham, the "Northeast Central Durham Livability Initiative – A Partnership for Sustainable Communities." The post-hearing design concept with the road diet was supported by the City of Durham. Right-of-way acquisition for this plan is expected to move forward at the end of 2012, with construction projected for 2014.

#### Effective Practices and Lessons Learned

##### Update the community impact assessment as needed to reflect changing community characteristics and new project information.

In North Carolina, the CIA is treated as an ongoing analysis. For the Alston Avenue project, the NCDOT prepare a CIA early in the study process, and supplemented it as further information was gathered about the community and public input was received. This approach resulted in several supplements to the initial CIA. Since that time, North Carolina has updated their approach. Now a "Community Characteristics Report" is drafted early in project development to inform subsequent public involvement, analysis, and determination of impacts.

##### Use updated demographic data and information about community characteristics.

The initial CIA for this project was conducted in 2003. Project construction is not expected until

Comment [rb1]: Can't we say "residents without vehicles"?

2014. Over the course of the study, the project team updated demographic data and information describing community characteristics multiple times. This was important as there was a trend of an increasing Hispanic/Latino population in the study area. As the Hispanic/Latino population increased, so did the importance of community resources and services, such as Los Primos Supermarket, that directly served that population.

**Ensure that all perspectives are being heard.**

The NCDOT made a focused effort to reach out to all populations that could be impacted by the Alston Avenue project. The extensive coordination with the Few Gardens public-housing development project, the Durham Rescue Mission, and more general public outreach did a lot to head-off potential environmental justice issues early in the study and build the trust of agency actions in the community.

Despite this outreach, the NCDOT had not received the message from those participating in public-involvement activities that potential impacts to Los Primos Supermarket would be adverse. NCDOT recognized that participation in public meetings from the Hispanic/Latino segment of the low-income/minority community surrounding the project was very minimal. Instead of accepting the feedback the agency was receiving as comprehensive, NCDOT reached out directly to those who might be impacted – through interviews with community leaders, use of increased LEP resources, and a community survey given at the affected resource. The feedback through those activities provided a much different – and more complete – perspective about the importance of Los

Primos Supermarket and elevated the need to avoid and minimize impacts to it.

**Work closely with other jurisdictional agencies and partners.** The DOT worked closely with both the Federal Highway Administration (FHWA) and the City of Durham through each step of the environmental study. Keeping FHWA “plugged in” was critical for approval of final project decisions and the call of whether impacts to the environmental justice community were disproportionately high and adverse.

The City of Durham was able to provide local insight about the needs and values of the community. In addition, they provided extensive input into design modifications that would make the project sensitive to the community needs and context, and acted as an advocate for the Hispanic/Latino segment of the population when that population did not fully participate in outreach activities.

Finally, the Alston Avenue area is a focus for many City departments that work on economic development, infrastructure, community building, appearance, historic preservation, and other community improvement activities. The discussions generated by the environmental justice issue within the City increased dialogue among City departments; such as, Economic and Workforce Development, Neighborhood Improvement Services, and Planning. It was important for NCDOT to work with the City to be a part of these discussions and ensure that the resulting project decision was consistent with their efforts and goals (new urbanism and the Northeast Central Durham Livability Initiative).

**For any potential environmental justice issue, base the determination of impacts on**

**complete analysis.** In the early stages of the environmental analysis, the NCDOT did not recognize potential impacts to the Los Primos Supermarket as an adverse impact to an environmental justice resource. While the issue was raised by the City of Durham, feedback from the public did not elevate the issue at the time and much attention was focused on the Durham Rescue Mission, the Few Gardens housing development project, and other issues.

The effective practices noted: ongoing coordination with the City of Durham, ensuring that demographic data and community context information is updated, and ensuring all perspectives are being heard. These helped NCDOT to recognize that there may be more of an issue associated with the grocery store than initially recognized. NCDOT commissioned a detailed study of the potential impact, including surveys, a thorough site-comparison analysis, outreach through community leaders, and getting input “on the street” using LEP resources. The analysis demonstrated that removal of Los Primos Supermarket would result in a disproportionately high and adverse impact to the low-income and Hispanic/Latino community in the project study area.

**Have the staff working closely with the community make a recommendation regarding impacts and next steps.** The first CIA completed for the Alston Avenue project was informational and did not include a recommendation as to whether potential impacts to the environmental justice community would be adverse or disproportionately high. Over the course of the study, the NCDOT made changes overall in how community impact assessments were conducted and reported. In the supplements to the initial CIA, a “call” was

made as to whether impacts were adverse and disproportionately high, and recommendations for next steps were documented. This is a positive shift in that it puts the judgment of impacts in the hands of the individuals who are most familiar with the project and the surrounding community.

## Benefits

### For the Community

There were numerous benefits to the community associated with the analysis, outreach, and preferred alternative for the Alston Avenue project:

- The process resulted in an alternative to relocating the grocery store, maintaining access to a grocery store within walking distance, offering specialized products and services.
- The project will improve mobility and decrease congestion on Alston Avenue.
- The additional review, studies, meetings, and consideration needed for the environmental justice issue allowed more people to become aware of and provide input into the planning process. Consequently, the community was actively engaged in determining the preferred alternative.

### For the Agency

NCDOT also benefitted from the process, outreach, and partnerships created through analysis of the environmental justice issue:

- As a result of this experience, NCDOT and the City of Durham have established a stronger partnership.

- The outreach and responsiveness on the part of NCDOT has helped them regain the trust of this particular community that was lost because of past experiences.
- Construction will result in a project that meets the need identified in the long-range plan and addresses community concerns for the grocery store.
- The discussions generated by the environmental justice issue within the City increased dialogue among City departments such as Economic and Workforce Development, Neighborhood Improvement Services, and Planning. In a sense, it provided the impetus for an informal City “Livability Partnership” similar to the USDOT/HUD/EPA partnership. The relationships formed will help with future projects in the City.

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