

Tuesday - February 22, 1994 - 2:00 p.m.

Asheville Civic Center - Old Art Museum Space

Continuation of Recessed Regular Meeting on February 15, 1994

Present: Mayor Russell Martin, Presiding; Vice-Mayor Chris Peterson; Councilwoman Barbara Field, Councilman Gary McClure, Councilwoman Leni Sitnick, Councilman Joseph Carr Swicegood and Councilman Herbert J. Watts; City Attorney William F. Slawter; Interim City Manager William B. Farris; and Associate City Manager/City Clerk William F. Wolcott Jr.

Absent: None

Mayor Martin said that this meeting is a continuation of the regular meeting on February 15, 1994, for the sole purpose of discussing a resolution on the design of the Broadway Avenue Project.

RESOLUTION NO. 94-41 - RESOLUTION ON THE DESIGN OF THE BROADWAY AVENUE PROJECT

Mayor Martin said that Council would hear brief comments from the public and then the Council will vote on a resolution on the design of the Broadway Avenue Project.

Mr. Jim Samsel briefed the Council on some concerns, one being the removal of on-street parking on Broadway. He urged Council to look at the numbers closely, citing DOT's 1984 projections on Broadway being 58% above the 1991 actual counts. He said the Broadway Improvement Project group is for improvements on Broadway, but want them to be real improvements.

Mr. Tom Byers, Special Assistant to the UNC-A Chancellor, felt that all interested parties share the same concern of wanting an environmentally sensitive aesthetically pleasing design. He urged Council to continue the project with its existing design because he believes the roadway with the median has potential to be a very significant aesthetic environmental enhancement to our community. He felt that modifications to the design might result in a product which, in the end, might be a lot less satisfactory for all concerned.

Mr. Henry McFee felt that enough public comment has been expressed and the Council should just get on with the project.

Ms. Betty Lawrence expressed her frustrations regarding public comment to Council and felt that the Broadway Improvement Project group has not been able to make any kind of a comprehensive presentation to the Council about what they feel all the issues are. She felt that most her permitted speaking time has been spent in correcting misstatements of facts given by NC DOT. She said that she has confirmed with Vince Marron, a federal highway engineer in charge of western North Carolina, that the Federal Highway Administration ("FHA"), which funds 80% of this project and thus controls the purse strings, has asked NC DOT to, and NC DOT has agreed to, conduct a full reevaluation of the project. She said that the NC DOT is supposed to thoroughly and completely reexamine and justify all of their traffic data in addition to taking another look at the environmental factors, such as noise pollution, air pollution, the effect on streams, wildlife, historic resources, and on the economic impact. She stressed that since the FHA has asked that another look be taken, the Council should take time out and wait until the results of this reexamination and new data and then make an informed decision.

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Upon inquiry of Vice-Mayor Peterson, Ms. Lawrence explained that from 1982 until 1994, there were only 700 more cars traveling on Broadway, which shows roughly a 60% error in DOT's projected calculations.

Mr. Ron Fuller, City Transportation Planner, said that he too spoke with Vince Marron and Mr. Marron told him that the FHA was completely satisfied with the project and they had no desire to see the project stopped. He said that they did request, not insist, NC DOT do a reevaluation because of the obvious public concern regarding projections. They asked that after NC DOT does the reevaluation, that they make sure that all of those assumptions and projections are put into a format that the public can easily understand. He was told that this was not a mandate from the FHA to reevaluate the project.

Upon inquiry of Vice-Mayor Peterson about the traffic counts projections, Mr. Fuller responded that the traffic counts are done by the State and there could be different reasons why the projections are higher.

Mr. H. K. Edgerton insisted that the City Council make sure that NC DOT follows its guidelines as it relates to making a good faith effort to employ minority construction businesses when the Broadway Widening Project is undertaken.

Mr. Gawain Mainwaring passed out to Council a sheet which showed that a traffic count was performed on Broadway and the projected daily count was estimated to be \$5,492 vehicles a day. He said that over a 12 year period of time there was only a 700 car increase and that doesn't seem to merit building a road of this proportion. He said the large road will encourage more cars to come through and will only harm the community.

Councilwoman Field read the following resolution and moved to adopt it, stating that the City needs to build our roads for the future:

"WHEREAS, Broadway Avenue has been recognized as a main thoroughfare since the 1922 John Nolen Plan; and

WHEREAS, the Broadway Avenue project has been on the City's Thoroughfare Plan as a principal arterial since 1975; and

WHEREAS, the Broadway Avenue project has been identified as a funded project in the Transportation Improvement Program since 1984; and

WHEREAS, the required environmental reviews and public hearings have been held on the project; and

WHEREAS, phase one of the project has been constructed; and

WHEREAS, the City Council requested the redesign of phase two of the project to add sidewalks, bikelanes, and landscaping and to make accommodations for a greenway along Glenn's Creek; and

WHEREAS, the NC DOT has redesigned the project as requested; and

WHEREAS, the NC DOT has reviewed the need for the project and has concluded that the project as designed is needed to meet the design year deficiencies projected for Broadway Avenue; and

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WHEREAS, all privately owned right-of-way necessary for the construction

project has been acquired; and

WHEREAS, the City Council desires that the Broadway Avenue Project be built.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The support for the Broadway Avenue project as defined in the current Transportation Improvement Program for the Asheville Urban Area is reaffirmed.
2. The NC DOT is requested to move the sidewalk on the east side away from the curbline to allow sufficient room for a tree lawn of at least two feet in width.
3. Since, a) the design speed for Broadway Avenue is 35 mph, and b) the median is 20 feet in width, and c) there will be a raised concrete curb, the NC DOT is requested to allow for trees to be planted in the median with a maximum of a ten inch caliper, such as Trident Maple, Saw-Tooth Oak, Washington Hawthorn, or Willow Oak.
4. The NC DOT is requested to review the design of the re-channeled portion of Glenn's Creek to ensure that the area is compatible with any proposed greenway plans initiated by the City in the future."

The motion made by Councilwoman Field to adopt the above-referenced resolution was seconded by Councilman Watts.

Councilwoman Field stressed that the Tree/Greenway Commission should review the trees being used in this Project along with the Parks and Recreation Department reviewing the project in terms of maintenance.

Councilwoman Sitnick offered the following substitute resolution and moved to adopt it, stating that she didn't have all the facts:

"WHEREAS, in 1985, the DOT projected 9,200 vpd would be using Broadway by 1988, and there are only 5,492 vpd in 1994; and

WHEREAS, the Federal Highway Administration is asking the DOT and the City to take another look at the projections on Broadway; and

WHEREAS, the Federal Highway Administration has told the DOT it wants to consult with the State Historic Preservation Office before giving construction approval for this project; and

WHEREAS, there are compelling arguments and broad and diverse public support for the vast improvement of Broadway; and

WHEREAS, UNC-A deserves a visually and physically beautiful non-commercialized entrance to its campus and the zoning of Broadway is an unknown at this time; and

WHEREAS, the City has invested considerable funds into the revitalization of beautiful historic Montford; and

WHEREAS, the City of Asheville has a major stormwater runoff management concern already and stormwater runoff is greatly due to impervious surfaces; and

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WHEREAS, a number of calls from residents have raised questions of citizen

relocation during construction and who would be responsible for that; and

WHEREAS, it will cost the City of Asheville approximately \$15,000 annually to maintain a 20 foot median; and

WHEREAS, there are more than 1,000 signatures on a petition and there were more than 300 people at a public hearing who were opposed to a 74 foot Broadway transecting two of Asheville's affordable housing neighborhoods, a width that will surely promote speeds much greater than 35 mph; and

WHEREAS, the I-240/Broadway Intersection must be redesigned before the City can determine how traffic would be handled on Lexington Avenue and that it is not a TIP funded project at this time; and

WHEREAS, the DOT has, on preliminary maps, plans for Lexington Avenue for which the City of Asheville has no knowledge, a preliminary design that could cut through our downtown or, as is favored by the DOT Traffic Safety Engineer now working on the design, an interchange redesign that makes Lexington Avenue a cul-de-sac at I-240, and that there are still too many unanswered questions regarding this crucial part of the project; and

WHEREAS, the DOT has not projected the number of vehicles per day that would use Lexington Avenue and the City and the TAC will appear uninformed if we don't have all the facts before us; and

WHEREAS, the 74 foot wide proposed Broadway will be 10 feet wider than Hendersonville Road; and

WHEREAS, Interstate 40 at the Haywood/Buncombe line, which carries 29,700 vehicles per day (including 18 wheel trucks) is 78 feet wide (only 4 feet wider than the proposed Broadway) and Interstate 40 at the Hawthorn Curve in Winston-Salem, which carries 54,700 vehicles per day (including 18 wheel trucks) varies from 66 feet (8 feet narrower than Broadway) to 78 feet (only 4 feet wider than Broadway; and

WHEREAS the DOT originally said it could live with a short delay to look at alternate designs to see what works and said it would only take six to eight weeks to design a narrower median; and

WHEREAS, Governor Hunt has pledged to consider more cost-effective and environmentally-sound road designs; and

WHEREAS, there are too many unanswered questions to justify our support for a road of this size, expense, and social and environmental impact; and

WHEREAS, it is our responsibility as elected officials of the City of Asheville to evaluate the impact of Broadway and give considerable attention to our citizens, our budget, our housing needs and our economic development;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Asheville City Council requests the Transportation Advisory Committee and the DOT to reconsider the design of the Broadway Widening Project."

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Vice-Mayor Peterson seconded the substitute motion as read by Councilwoman Sitnick.

Councilwoman Sitnick reminded the Council that, assuming the NC DOT traffic

projections are correct and there will be 15,000 cars on Broadway, Interstate 40 is only four feet wider than Broadway.

Mayor Martin mentioned that this is a difficult decision for the City Council. He asked the Councilwoman Field, representative on the Transportation Advisory Commission, relay Mr. Edgerton's request regarding minority business opportunities on the Project. He felt like NC DOT has been trying to comply with suggestions by the Council. He hoped the public understands that City Council is trying to work with the citizens to come up with a good design and felt that Council would do what it felt was the best for the City.

Vice-Mayor Peterson commented that this project needed to be studied more because the daily traffic count done by NC DOT figures were off too much.

Councilwoman Sitnick appealed to Council by saying that the decision made today will impact a lot of people for a long time. She hoped that while the Council feels compelled to honor the City's commitment, Council must look at every aspect that makes up the City, that being the community.

By a show of hands, the substitute motion made by Councilwoman Sitnick and seconded by Vice-Mayor Peterson was defeated on a 2-5 vote, with Councilmen McClure, Watts and Swicegood, Councilwoman Field and Mayor Martin voting "no".

By a show of hands, the original motion made by Councilwoman Field and seconded by Councilman Watts was adopted on a 5-2 vote, with Vice-Mayor Peterson and Councilwoman Sitnick voting "no".

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VII. ADJOURNMENT:

Mayor Martin adjourned the meeting at 3:10 p.m.

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CITY CLERK MAYOR

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