

New Hope Creek Corridor Advisory Committee

Minutes of Meeting of April 11, 2019

(Present: Fowler, Goebel, Healy, Hogan, Welch, John Kent, Jane Korest, Reynolds Smith)

- (1) Sandy Creek Park. Goebel said that he went back to Durham Parks and Recreation for money for beaver water level control system. He thinks either that department or the City Manager can easily afford it. The “beaver walk” with Nicki Cagle during Creek Week was a great success. Even saw 2 beavers in daylight. Healy said that he saw mats of invasive algae growing rapidly on both ponds. Goebel said that invasives generally are a great problem with the park. Welch said he noticed some English ivy. Goebel said that the bid for the Larry Stogner Trail came in at twice the budget. It has also “disappeared” from the participatory budget process. He said that he has a garden club that will pay for materials from which he can build a new swing to replace the one that was stolen. Healy said that he had nominated Ken Coulter as one of the historic “Durham 150” to be recognized as part of the city 150th anniversary celebration. The Monarch Festival is scheduled for October 12 and a committee is working on it.
- (2) We have a need to keep an eye on conditions on various trails during Brendan Moore’s paternity leave. Jane Korest will coordinate, but we need to help. Kent said that he would walk New Hope Bottomlands Trail; Welch and Fowler will look at Hollow Rock; Goebel and Healy can handle Sandy Creek. Healy said that he had been to Hollow Rock recently with a Duke group and that shifting stream channel had now made it easily possible to walk under the Erwin Rd. bridge.
- (3) Patterson Place Plan. Healy said that he had submitted testimony (attached) to the Planning Commission. Our position is that there should either be a 300 ft. area on north side of 15-501 in which a special use permit would be required, or the entire set of parcels north of 15-501 should be excluded. Several PC members agreed with the 300 ft. area. In the end, the whole Patterson Place Plan was rejected by the Commission in a close vote—the major sentiment was that there were many issues and the end of the LRT planning deadline (and uncertainty about its replacement) meant that there is more time for careful consideration rather than immediate rezoning.
- (4) Kent said that he had spoken with Andy Henry of Durham Transportation about the desired bike/ped connection between Eastowne (across I-40) and New Hope Commons and beyond. There will be a new master plan for Eastowne. Henry said that Transportation wanted to preserve the LRT corridor. The 15-501 study is now dormant. The next step is an MPO meeting in May.

Next meeting, Thursday, May 9.

Testimony of Robert G. Healy before Durham Planning Commission

Re. Patterson Place Compact Neighborhood Plan, April 9, 2019

Good evening. My name is Bob Healy. I am here tonight as co-chair of the New Hope Creek Corridor Advisory Committee. The Committee has spent the last 27 years advising the local governments in Durham and Orange Counties on implementation of the 1992 New Hope Creek Corridor Plan. Over this time, close to \$5 million in federal, state, local and private funds have been expended protecting the integrity of the corridor for both natural values and public recreation.

In my testimony before you on February 12, I made note of the fact that six very experienced ecologists and environmental planners with whom we consulted **recommended a Transitional Use Area of at least 300 feet, measured from the corridor boundary, be established. This, I must emphasize, would not be a 300 foot setback or no build zone nor a limitation on zoned density.** Rather it would be a zone where a special use permit would be required that would have City Council decide whether a given configuration of development would be consistent with the New Hope Corridor Plan.

The recommendation from staff that has been sent to you calls for a TUA of only 200 feet. This would simply not cover enough of the property to see that New Hope corridor values are given adequate scrutiny. We cannot support it.

We all know that since our last meeting, the LRT has changed completely, both with respect to the nature of the project and its tight planning deadlines. We don't know what might take its place along 15-501. Patterson Place will still be a density node, but we are no longer in a rush for a blanket rezoning. **We therefore suggest that the entire property bordering the New Hope on the north side of the highway be removed from the Compact Neighborhood.**

We are very aware that the current landowner can use existing zoning to build strip commercial on the property. We are also aware that he has a grading permit that would allow virtual destruction of some of the most important slopes. We suspect that current zoning is not the most profitable use of this property, nor indeed the type of development most consistent with the public interest. We also think that exercise of the grading permit, for its own sake, would cause an enormous public outcry. At this point, rather than including the property in a blanket upzoning, with no real protection for the corridor, we think it best for the owner, should he wish to do so, to come to Planning Commission and Council for an ordinary rezoning. At that time there would be an opportunity for you and for Council to look at a specific development plan and determine whether use, density, and the configuration of development is consistent with the New Hope Corridor Plan and other matters of public interest.

Thank you for the opportunity to express these views this evening.