

## **New Hope Creek Corridor Advisory Committee**

### **Minutes of Meeting of May 9, 2019**

(Present: Goebel, Healy, Hogan, Welch, Harrison Kent, Korest)

(1) Sandy Creek. Healy noted that Goebel had beautifully replanted the butterfly garden. He also noted that there was flooding along the south side of the trail to Garrett Rd., just after the bridge. This may be the work of the secondary beaver colony. If so, it would be useful in creating the wetland originally envisioned by the environmental enhancement planting. Goebel said that our proposed improvements to Sandy Creek Park had not been included in the Participatory Budget voting. He had been not been notified of how the process worked, and how/why our project had been “cut”. Goebel also said that Parks and Recreation had not responded to his request for funding of the beaver water leveling device for the main pond. He noted that the Parks Foundation had gotten a nice donation for improvements elsewhere in the city and this has taken nearly all staff time away from Sandy Creek. There will be a meeting soon on the Monarch Festival. Sponsors are needed to the amount of about \$2000, mostly to pay drivers of shuttle bus to parking. Hogan suggested making a GoFundMe appeal. It was noted that a letter to the newspaper might help generate donations to this.

(2) Kent said that the boardwalk in the Chapel Hill bottomlands is passable, but there are downed trees.

(3) Healy intended (but forgot) to say that he had successfully nominated Ken Coulter as one of the 150 most influential people in Durham history (for the Durham 150 anniversary celebration). Hildegard Ryals is also on the list.

(4) Patterson Place Compact Neighborhood Plan and Rezoning. Healy said that he had given the attached testimony before Durham City Council on May 6. Kent, Steve Hall, and Reynolds Smith also testified. Council decided to continue the matter to its August meeting. Healy said that he had approached the Beacon Properties developer after the meeting and discussed the possibility of a negotiation that would be mutually satisfactory. This could involve adjustments to the setback that would not be strictly numerical but would best protect New Hope corridor resources and be acceptable to the landowner. The New Hope Committee deputized Healy to enter a negotiation on its behalf, subject by final approval by the Committee. Kent said there are 10 cameras monitoring wildlife movement under the 15-501 bridge—six on the stanchions and six at ground level.

(5) Harrison said that the Durham-Chapel Hill Work Group had met May 8 to start considering a replacement for the LRT. Some members of the Work Group are also members of the GoTriangle board. He said there was a discussion of the Eastowne Master Plan. Allison Weakley, biologist for the Town of Chapel Hill had looked at streams on the lower part of the

property. She found that there is a biologically important basic mesic forest community. This might complicate our plans for an automobile/bike-ped overpass connecting Eastowne with New Hope Commons. The outcome of the Master Plan process is intended to be a comprehensive development agreement between Chapel Hill and UNC, the property owner. Harrison suggested that the mesic forest be taken out of the development plan.

Next meeting June 13, 2019

## **Testimony of Robert G. Healy before Durham City Council**

### **Re. Patterson Place Compact Neighborhood Plan, May 6, 2019**

Good evening. My name is Bob Healy. I live at 839 Sedgefield St. and have been a Durham resident for 32 years. I am here tonight as co-chair of the New Hope Creek Corridor Advisory Committee. For the last 27 years the Committee has advised the local governments in Durham and Orange Counties on implementation of the 1992 New Hope Creek Corridor Plan. Past Councils have been very supportive of the New Hope Plan. Over 27 years, 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 the early 1990s this Council turned down rezoning for a Wal-Mart and Sams's Club that would have impacted the corridor very near Patterson Place; around 2005 this council joined with all the other local governments in persuading the state to raise the 15-501 replacement bridge, at a cost of \$1 million, to avoid blocking wildlife passage.

Today we are very concerned with the large tract of land, which immediately borders New Hope Creek on the north side of 15-501. In their initial proposal of May 2018, planning staff suggested a 300 foot setback of development from the floodplain. After talks with the landowner, to which we were not a party, they changed this to a transitional use zone of 200 feet from the neighborhood boundary. We cannot support this. It simply does not cover enough of the property to see that New Hope corridor values are given adequate scrutiny.

This is not just my opinion. The New Hope Committee has consulted six very experienced ecologists and environmental planners who are very familiar with the property. Three have doctorates in ecology; four have worked for more than 30 years EACH specifically on the corridor. One has at this very moment 12 motion activated wildlife cameras monitoring the area under the bridge.

All of these people **recommend a Transitional Use Area of at least 300 feet, measured from the corridor boundary. 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.

There is another alternative. We all know that in the last month, there have been major changes to the LRT, both in 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. This go-slower approach was endorsed last month by the majority of the Durham Planning Commission. Rather than including the property in a blanket upzoning, with no real protection for the corridor, and no way to coordinate planning with future LRT ideas for the corridor and future highway improvements **we suggest that the entire property bordering the New Hope on the north side of the highway be removed from the Compact Neighborhood.**

At any time the owner, should he wish to do so, may 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. But I urge you tonight not to give away density and density bonuses when we are so unclear about our future transportation options and land use opportunities.

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