

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.