March 8, 2016

Planning Commission Written Comments

PATTERSON PLACE COMPACT NEIGHBORHOOD (A1500015)

Brine – I voted against this proposed compact neighborhood for the reasons detailed below.

1. Crossing US 15-501

Among the guidelines staff established for consideration of compact neighborhoods was the use of large rights-of-way (highways, railroad corridors, etc.) that preclude pedestrian connections as edges. US 15-501 is such a right-of-way. In fact, several years ago, some pedestrians were killed trying to cross US 15-501 in the vicinity of Mt. Moriah Road. Future transportation infrastructure improvements may or may not improve the pedestrian connectivity. From my vantage point, US 15-501 is an appropriate northern boundary for this compact neighborhood.

One reason for extending the boundary of the proposed compact neighborhood across US 15-501 was to include the New Hope Commons Shopping Center. However, almost all of this shopping center is outside of the half-mile distance from the proposed transit station. I think only the bookstore is within a half-mile. The increased distance (beyond a half-mile) coupled with the danger associated with crossing US 15-501 makes it difficult for me to imagine the New Hope Commons Shopping Center as part of a walkable neighborhood around a transit station. Further east are the environmentally sensitive areas of Dry Creek and New Hope Creek. I note that staff has reservations about including the environmentally sensitive area north of US 15-501 within the proposed compact neighborhood. The New Hope Creek Corridor Advisory Committee and DOST also have reservations about the extent of the inclusion. I believe that our development ordinances are adequate to regulate any future development in the sensitive area north of US 15-501, and I see no good reason to include it within a compact neighborhood. The higher density development expected in a compact neighborhood could do significant environmental damage.

2. Eastern boundary south of US 15-501

Differences of opinion were expressed at the public hearing about what should constitute the eastern boundary (adjacent to the New Hope Creek Corridor) of the compact neighborhood south of US 15-501. I believe that consensus needs to be reached on this matter.

3. Piecemeal approach

Once again I believe that the design work and the boundary identification should go on concurrently rather than separately. Given that property values typically increase in the vicinity of transit stations, a particular concern is making sure that the affordable housing presently within the proposed compact neighborhood is not lost. I believe that affordable housing strategies for the transit corridor need to be in place before the compact

neighborhood boundary is established and the land use designation changed to design district.

Buzby – While I believe most of this proposal is appropriate, I have significant concerns about the inclusion of parts of designated heritage area, I believe an easy solution would be to hold the north and east boundaries to the 2005 comprehensive boundary. This concern could be addressed if the compact neighborhood were considered at the same time as the design district. This would provide certainty to the process and to the concerns raised about inclusion of parts of designated heritage area.

Freeman – Please hold the 2005 boundary. Environmental impact hold to the 2005 comprehensive boundary. The boundary should exclude the Natural Area Durham Open Space + Trails concerns should also be addressed. Use the legally statute boundary. North + East flood plain 100 year.

Ghosh – The main concern raised was the boundary. The reasoning behind the boundary were adequately explained as the city desires to have a definable line that is not subject to move. Thus, they defined it by an easement. I do not share the concerns of other commissioners regarding the lack of the standards for the design district. I have faith that our planning staff will work with surrounding neighbors to develop design district standards that will be a benefit to Durham.

Gibbs – Vote to approve. Well thought out, with prior development plans. Has great potential. Important LRT station vocation(s).

Harris – Voted no.

Huff – I urge the elected officials to vote against all of these amendments to the Future Land Use Map. We are being asked to create a group of Compact Neighborhood Tiers that will later become Design Districts each of which will have its own very specific attached zoning. We are asked to determine these boundaries without knowing what sort of configuration will exist within them. Once the Compact Neighborhood Tier is designated, the property will become more desirable and developers may seek to develop property without being subject to the Design District rules. It seems reckless to invite that. Also it is entirely possible that under the closer scrutiny occasioned by the actual establishment of real zoning there will be a need to adjust the overall boundaries we are presented with today. If they are already set, that will be a problem. Finally, and I believe most importantly, these Compact Neighborhood Tiers and the accompanying Design Districts are supposed to provide affordable housing to those people using the transit system. Without strict enforceable regulations in place, those regulations that go with the actual creation of the Design Districts, we won't get for our community what we must as regards housing. So until these vital components are in place, I believe we should not draw the Compact Neighborhood Tier boundary lines. There are other specific problems with several of these proposed districts. I do not see the reason to include the sensitive wetlands areas in the north and east in what is intended to be a densely populated district. It does not

seem the best way to protect such places, in fact it seems counterintuitive to place such areas within this district. Also I question the ability to be able to walk or bike from New Hope Commons across 501 to Patterson Place unless there is an elevated pedestrian bridge over the boulevard. It is already problematic crossing 501 by car and if the area around New Hope Commons is more densely developed I think it will get considerably worse. It is too bad because I think New Hope Commons would be a desirable point of destination for transit riders. Maybe people should get ready to spend some money on a way to get across 501 without creating enormous traffic delays or risking one's life.

Hyman – Move forward with the boundaries already established as the (illegible) recommendation (illegible), the open space + trail commission question whether we can hold the 2005 boundary along (illegible) which is the basis of the comprehensive plan. Voted against the action but note the discussion above.

Kenchen – No comments.

Miller – For the reasons cited above in my comments to the proposed Leigh Village compact tier, the city council and BOCC should vote no on this case. Establishing the boundaries at this time is premature. We should wait until planning for the design district is finished and then adopt the whole thing all at once. The governing bodies should be especially concerned about the environmentally sensitive areas along the New Hope Creek corridor that abuts the proposed district along much of its border. Until we propose measures inside the design district that satisfy us the intense development within the future district will be a good neighbor to the corridor, we should not create a compact tier here. As I said in my comments in the Leigh Village case, creating a compact neighborhood tier does actually loosen the zoning regulations in the existing zones within the tier. This especially true for non-residential zoning categories and this area is substantially non-residential. This loosening of the regs can only stimulate development when it would be better to wait and stimulate new development with the new design district.

This can wait. We will make Patterson Place a design district when we have the whole plan finished and know just how development in the area will impact not only the New Hope corridor, but every other aspect of city life in the area.

Riley – Voted no; I agree w/commissioner Miller that the design district should be defined prior to determining boundaries.

Vann – One speaker voted in favor and one spoke against the amendments. Everything is about the boundary question? New flood plain maps will be out in a year or so. This matter should be reviewed clearly through the lens of the boundary or the north and east sides. 2005 Comprehensive Plan. Need for the decision matter to completed. Flood plains will have to be compiled with. Design district regulations need to be completed first or through UDO. I voted no. Failed 2 to 12.

Whitley – I voted not to approve.

Winders – See GENERAL comments under A1500014

PATTERSON PLACE SPECIFICS

- According to my understanding of discussion at the meeting, northern and eastern boundaries of the suburban transit district were based on FEMA flood maps, which are subject to change periodically when new maps are issued. Therefore, slightly larger boundaries based on legal description of sewer easements were used because they will not change. Stable boundaries are good. The undeveloped land around the boundary is especially important to the New Hope Creek system and most is identified as Natural Heritage Area. The environmental standards in the current UDO compact districts are not appropriate for this type of sensitive area. They should be strengthened before any additional urban development is allowed.