

On Jul 14, 2022, at 12:42 PM, Peter Stanhope <pestanhope@stanhopegroup.com> wrote:

Michael

I was asked to opine as a former HDC chair on the issues I saw with the parking lot as proposed. At first blush it is fair to consider the proposed land use is an intense commercial use raising the question is this use appropriate to the neighborhood and the HD. Uses inconstant with abutting land uses are in real estate terms are considered an externality to the less intense immediate land uses. Diminution in value of less intense land uses is historically an issue that must be considered. An experienced Realtor Joan Friel with a long history of pricing Durham real estate has opined the land use as proposed will have an adverse influence on neighborhood values. That professional opinion deserves full consideration. My understanding is the proposed use cannot be accomplished without extensive modification of the contours of the site which would seem to be contrary to the intent of the language that speaks to "extensive" modification of the site. Along with the extensive contour modification a natural vegetation barrier will be substantially reduced. A debate over if the proposal is an "extensive" modification of the site strikes me as unusual for any governing body to ignore. That question reminds me of US Supreme Court Justice Stewart's statement on pornography "I know it when I see it" even when it could not be precisely described in words. Anyone with an ounce of common sense knows when they hear 14,000 yards of fill they know that is extensive. As a minimum any approved plan in or immediate to the HD should give full consideration to the HD. More specifically I would expect full screening with limitations on vegetation removal, limitation on hours of use and hours of maintenance (landscaping/snow removal) and restriction on lighting pollution.

Finally having voted as a Durham council member, HDC chair, and as a member of various other governing bodies my standard is and always will be "WHAT IS IN THE BEST INTEREST OF THE NEIGHBORHOOD AND THE COMMUNITY AS A WHOLE. I would ask that the PB consider that standard.

Regards,

Peter Stanhope