

**Comments of Nancy Sandberg at PB Public Hearing on February 13, 2019**  
**18 Main St. Conditional Use Parking Lot**

As a long time resident active in the development three Master Plans, 3 years on the Conservation Commission, 9 years on the Historic District Commission, and 3 years on the Zoning Board of Adjustment, I have watched the town struggle with the issue of parking. While the Town has sought to open Church Hill to uses other than student housing and has eliminated parking requirements for businesses and student housing elsewhere, the pressures for more parking have only increased in the CBD and on Church Hill. Currently I serve as museum curator for the Durham Historic Association, an organization dedicated to the preservation of 400 years of Durham's history. I hope Durham will not sacrifice its Historic District to parking pressures that should have been accommodated elsewhere.

In applying the Conditional Use Criteria to this commercial parking lot in this zone a very high bar has been set to meet the requirements of **all** the criteria. Several of the criteria have not been met.

**175-23 C. Conditional Use Criteria :**

**1. Site Suitability:**

As a result of the ZBA denial of an exit from this lot on to Cowell Drive, the Applicant proposes his 43 car commercial lot to have an expanded driveway with a separate entrance and exit at Main St. By design one can only enter the site by a right turn from the east. To exit the site one is allowed a 'right turn only'. This restricted access to the site will lead to a lot of reversing of direction at Park Court and overuse of the one-way loop downtown, exacerbating traffic congestion on Church Hill and downtown.

The new entrance will require alteration of the terrain, regrading of the hill, and the removal of a substantial portion of the granite retaining wall.

Entering and exiting is further complicated for drivers by a slope that rises 10 ft from Main St. to the lot and where sight lines may not be adequate.

Compounding these problems of access is the fact that Main St. often backs up from the traffic light to the east and from the stop sign at the west.

This site for the proposed commercial parking lot is not suitable for it does not have adequate access for vehicles and the environmental realities of slope and bedrock limit adequate mitigation.

**2. External Impacts:**

The addition of 26 vehicles to the 17 vehicles already utilizing the site will more than double the negative impacts on this property and the neighborhood from traffic, noise, vibrations, dust and fumes. The increased hours of operation and the nighttime illumination of the lot and driveway entrance and exit will be especially egregious for the neighborhood and the public.

### **3. Character of the Site Development:**

The design and layout of this commercial parking lot is incompatible with the character of the residential neighborhood. The vast ratio of pavement to land is incompatible with other residences. Construction requirements for such a large lot will lead to compaction of the soils. Pavement over roots and drip lines will endanger the mature trees and shrubbery that provide a buffer to the neighborhood. The increased traffic, noise, fumes, and all night light pollution will adversely effect the character the neighborhood.

### **4. Character of Buildings and Structures:**

Today the granite retaining wall acts as an important buttress of the hill as it stretches across the front of the property. Its modification and nearly 90 degree reorientation to accommodate the new entrance driveway eliminates much of the natural topography on which the historic house sits, resulting in an awkward front elevation that does not fit the character of the neighborhood.

### **5. Preservation of natural, cultural, historic, and scenic resources:**

The requirement to preserve the natural, cultural, historic, and scenic resources of this property cannot be met with a commercial parking lot for the following reasons.

The natural resources will be negatively impacted by the excavation and alteration of terrain for a massive paved lot and expanded paved driveway that will threaten the mature trees and shrubbery at the boundaries, as well as the underlying archaeology.

The Durham village cultural traditions of home, work, and churches will be diminished by the introduction of a 43 vehicle commercial parking lot.

Judge Valentine Smith's home that sits majestically on Church Hill is a fine example of Georgian and late federal architecture that is recognized as part of Durham's National Landmark Historic District. This historic house will be compromised by many changes to its historic landscape ruining its historical context. In the front yard the new entrance alters the terrain by cutting into the the hill. The expanded 30 ft. wide paved driveway will be in full view as it climbs 10 ft.up the slope. The historic granite retaining wall built by master mason Rudi Niemi over 50 years ago representative of the evolution of the landscape in a later time period. Its reorientation by 90 degrees creates an awkward, atypical landscape for the front yard.

All these physical changes to the historic landscape will affect the public's view of this historic property and will diminish our understanding of Judge Smith, his home and his role as a prominent legal advisor to the new state and nation.

These factors have been previously considered by the Historic District Commission which has denied this application. It follows, then, that the requirements of this criterion cannot be met.

**6. Impact on Property Values:**

A commercial parking lot will reduce property values for residential property owners in the Church Hill neighborhood, because the uses are in conflict.

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