

## Meyer Engineering &amp; Consulting, PLLC

Durham City-County Planning Department  
Mr. Steven L. Medlin, AICP  
Planning Director  
101 City Hall Plaza  
Durham, North Carolina 27701

November 24, 2014

With regard to the watershed protection overlay designation for 3700 and 3702 East Geer Street

Dear Mr. Medlin,

The purpose of this letter is to formalize the request of the property owner to have the Durham City-County Planning Department administratively interpret the Falls Reservoir water supply watershed protection overlay boundaries as they relate to the subject properties pursuant to UDO paragraph 4.11.3. The subject properties are currently listed with the Durham City-County Planning Department as residing within the F/J-A watershed protection overlay designation. It is my understanding that, in response to State requirements, Durham mapped watershed protection overlays in the early 1990s and followed two policies to guide mapping the overlay boundaries.

1. When an arc representing the one-mile Critical Area crossed a property, the property would be included inside the Critical Area.
2. The Zoning Ordinance, now the UDO, includes language to allow the Planning Director to make an administrative interpretation in these instances at the request of the property owner. The interpretation would delineate where the arc crossed the property lines and where the Critical Area and/or Protected Area regulations would apply.

The subject properties were likely included in the F/J-A watershed protection overlay when the overlays were initially mapped due to the fact that they fall within the 1 mile arc of the 251.5 foot MSL normal pool of Falls Reservoir within the Ellerbe Creek watershed. The subject properties, however fall within the Panther Creek watershed and reside greater than 1 mile from the 251.5 foot MSL normal pool of Falls Reservoir within this watershed.

To illustrate this finding, I engaged the Professional Land Surveying services of Puckett Surveyors, PLLC (Firm License No. P-1168) to create and certify a watershed delineation map, attached, which certifies that the ridgelines that define the Ellerbe Creek/Panther Creek watersheds indicate that the subject properties reside within the Panther Creek Watershed. This map also delineates the arc of 1 mile from the

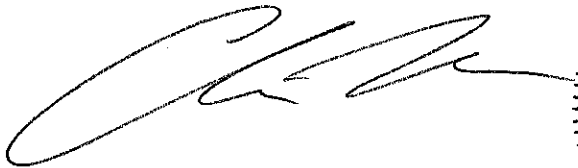
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251.5 foot MSL normal pool of Falls Reservoir and indicates that the subject properties fall in the region between 1 mile and 5 miles from Falls Reservoir. The resultant finding of this map is that because the subject properties reside greater than 1 mile and less than 5 miles from Falls Reservoir within the ridgelines that define their drainage basins, the subject properties should fall under the F/J-B watershed protection overlay designation.

I have evaluated this watershed delineation map in conjunction with the GIS topographic data and believe that the location of the ridgelines indicated in the survey is correct and accurate. This request does not suggest a new elevation or location for the normal pool of Falls Reservoir. Based on the language within UDO paragraph 4.11.2, it is my belief that the subject properties should be designated under the F/J-B watershed protection overlay based on their watershed and distance from Falls Reservoir.

Please review these findings and make the appropriate recommendation to the Durham Board of Commissioners. Should you have any questions or need additional information, please contact me at your convenience.

Sincerely,



Christopher Meyer, PE  
Registration Number 037455



Date 11/24/2014

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Attachment: Watershed Delineation Map, prepared by Pucket Surveyors, PLLC, dated  
November 17, 2014, 1 sheet