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From: Lindsey Pever <lindseypever@gmail.com>
Sent: Friday, January 5, 2024 11:59 AM
To: DS, Subdivision and Zoning
Subject: Planning Commission - Please deny SPUD 1581
Attachments: EPPI - Please deny SPUD 1581 Planning Commission.pdf

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Lindsey Pever
225 NW 33rd St.

Dear Planning Commission,

Please deny SPUD 1581.

The proposal is incompatible with the Comprehensive Plan, current zoning, HP Guidelines. This area is currently zoned R-2 Medium to low density. The previous use was through a variance, and was a church which had been vacant for close to ten years. Additionally, the church did not overwhelm the lot the way the proposal does because front and corner were only one story.

SPUD:

The proposed development goes against the very objectives for which SPUDs were created. Pursuant to § 59-14100, a SPUD should “maximize flexibility and innovation in development by utilizing area-sensitive site planning and design to achieve a **desirable mixture of compatible** land use patterns that include elements such as efficient pedestrian and vehicular circulation systems, enhanced residential amenities, and allowances for the provision of usable open space.”

Furthermore, development under a SPUD should:

- ***minimize*** adverse effects upon surrounding property, should be in accordance with the character of the neighborhood, traffic conditions, parking, utilities, or any other matters affecting the public health, safety and general welfare.
- Infill development should be compatible and harmonious.
- SPUDs should not be used to circumvent policies or to be used in lieu of a variance.

Protest:

There is a significant level of protest here, including more than a dozen neighbors who attended a 4.5 hour HP meeting. Developers met previously with a very small group of neighbors only once and the meeting was called with very little notice, despite what Counsel for developers stated publicly. As a result of the meeting, not one element changed. Developers have showed themselves to be unwilling to work with neighbors. Why might this be? Because the purchase price is dictating the density of this project.

Density:

The applicant is requesting to construct three buildings containing 27 Units instead of more fitting for this small lot - duplexes or triplexes. In fact, several of the properties in the legal notice area which contain single-family homes are larger than the subject property. In other words, the applicant is requesting to build a 40-foot building for 27-54 or more people on a piece of real estate that is *smaller* than adjacent lots that contain only one home. The number of people this would add is a concern, but more importantly the amount of traffic this would add to this corner would be disruptive and dangerous to the public health and safety of an area that is otherwise already extremely busy during the day and quiet at night.

Traffic/Vehicles/Parking/Setbacks:

30th Street, Walker, and Hudson are not equipped for the higher levels of traffic this would bring. The roads are narrow, have no turn lanes, and are crammed with parked cars due to existing small businesses and homes with single lane driveways. There are also many pedestrians and bikes in this area, all trying to share these roads. This corner in particular, has seen many accidents, including at least one which was fatal, and regular near misses. This is true even with existing buildings plenty setback. There is a complete lack of adequate parking for the development. There is no indication of where guests will park, there is not even enough parking proposed for those who would live there. The applicant's parking plan does not consider the likelihood that two people or more would likely live in one unit. That situation alone would suggest the need for a minimum of 54 parking spaces, which does not include guests or deliveries. The proposed development has virtually no setbacks, which would be out of line with existing structures making it overwhelm the small lot and destroy the look and character of the area.

Height:

The proposed building is taller than any building in this area. The requested 40-foot height is unprecedented. The Historic Preservation Commission considered reducing the height to 35 feet which is also unprecedented in this area. The most recent request for a 35-foot height is in this area was SPUD 1307 which was altered down to 30 feet due to much opposition.

Nuisance: Trash management – how many commercial dumpsters will be needed to service this many people on one block? How much would noise increase?

My neighbors and I are not opposed to development. We would be glad to see this lot developed appropriately in a way that considers the Plan, the zoning, and importantly for us, Historic Preservation Guidelines. The HP Commission considered the application four hours into a contentious meeting. The audience witnessed a decision based on exasperation and fatigue rather than consensus. Each time a community member spoke, the developer's counsel jumped up to rebut the points. Why is this possible and how is this fair? Discussions about a single nonconforming window can carry on for 30 minutes, but a development that exceeds every regulation in place receives a similar amount of time. The City has a Plan for our community that specifies density, setbacks, parking spaces, etc. We recognize it is currently being updated, but the plan in place today states that 19 units is the maximum appropriate number for this SPUD. That number would be 16 units if it were to be zoned R-4, which is already two steps above the current zoning. The parking guidelines state that developments should have 1.5 spaces per one bedroom. Setbacks should not be compromised in an historic area. Sight lines stem from federal law and we should never compromise safety in favor of density. This SPUD flies in the face of these concepts. Finally, this lot was purchased well above market values. It is not the fault of the existing neighborhoods that someone got a bad deal on real estate. The reason the developer is pushing for such density is that the purchase price is dictating this high density. Please do not approve anything that is excess of the Plan, the appropriate zoning, and Historic Preservation Guidelines. We are counting on you.

Thank you for your consideration and your service.

Sincerely,

Lindsey Pever
President, Edgemere Park Preservation Inc.