

Dear Planning Commission members,

I am writing to express my opposition to the current proposal to build a 17,000 square foot memory care facility on the old apple orchard at 312 Glendale, which sits at the western edge of our neighborhood. Our neighborhood, which includes the streets of Glendale, Orchard, Abbot, Charlton, Fair and Virginia, counts over 160 homes. Nearly all are modest single-family residences (less than 2,000 square feet), and most are downhill from the old orchard. Many are subject to flooding that the city's own studies have identified as originating at the proposal's adjoining property, Hillside Terrace Retirement Center.

This plan came before you in the late fall of last year. Despite many concerns raised by our neighborhood, the plan received only one nay vote before proceeding to City Council. However, at the January 17 council meet, council members unanimously voted to return it to the planning commission. While council members raised several informational questions, most of their comments called for substantive changes to the project. It was the council's collective desire for substantive changes that explains why it was referred back to you, and not simply tabled until the informational questions could be answered.

Among a host of specific recommendations, council members endorsed the following:

- 1) Given the coordinated usage and overlapping ownership between Hillside Terrace Retirement Center and the proposed facility, the new facility should be treated as an extension of Hillside Terrace and designed as such, with implications for the location and size of the facility, the size and placement of the parking lot, and the number of spaces.
- 2) Given that our neighborhood already suffers from extensive stormwater flooding, and that the proposed development currently crowds the northeast corner of the property, the developer should provide additional explanations of and steps for stormwater mitigation during construction itself. This recommendation was given partly in light of new flooding issues that have emerged for existing homeowners since the start of the Nixon Farms development.
- 3) Given that the city has gone to considerable time and expense in commissioning both the Stormwater Calibration Study and Analysis and the Sustainability Action Plan, the proposal should do more than meet the "bare minimum" (in Council Member Chip Smith's words) with respect to city ordinances, and should actively incorporate best practice recommendations from the Sustainability Action Plan.
- 4) Finally, several council members asked city staff and the petitioner to actively engage our neighborhood and solicit our input. In late January, our community's leaders reached out to Matt Kowalski and Brett Lenart in an effort to initiate that dialogue. Within days of our one meeting on February 2, we submitted a list of questions. After over a month without a response to those questions, we followed up to ask for a status report. On March 7, we heard back that city staff was still formulating answers, but also that the proposal had been put back on the

agenda for the March 21 meeting. Though we received some answers in an email on March 15, many questions still have not been answered.

It would not be fitting to try to represent the staff member's reasons for putting the plan back on the agenda before meeting with our neighborhood group, or his decision to recommend approval on a plan that has not changed from the one rejected by City Council in January.

But it is clear that the two most important recommendations from council members, namely that the petitioner imagine substantive changes to the proposal, and that the petitioner and city staff engage our neighborhood in a proactive way, have been disregarded.

Thankfully, you have an opportunity to be on the right side of this issue, because your role is not merely to ensure that this proposal meets city ordinances. If code compliance were the sole issue, a computer program could simply take your place and issue its determination. You have been given a broader mandate, to “consider the impact which such development shall have on the physical, social, economic, and environmental condition of the City.”

Our neighborhood has asked questions about the physical and environmental impact of this project that the engineering reports have not adequately addressed. We've documented the social and environmental sensitivity of our neighborhood and that it cannot absorb a building of this size and proximity. On these grounds alone, and because your recommendation is non-binding and meant to provide council members with guidance, this proposal should not receive this body's recommendation before heading back to City Council.

Finally, that the petitioner has chosen to ignore the recommendations from city council, submitting the exact project that was found wanting in January, and indeed did not respond to our own overture for direct exchange, reflects a lack of respect for the democratic process that is fundamental to the health of these deliberations, and indeed that undergirds the legitimacy of your commission. Tabling this project might give the petitioner a chance at a do-over and the opportunity to finally get it right. But if the commission is going to vote tonight, I strongly encourage you to send a clear and unanimous message against this proposal as currently conceived. Thank you for your consideration.

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