

Townhouse Development on Ash Place Meeting #7 AGENDA

Wednesday, March 6, 2024
6:00 pm-7:00 pm

Agenda:

Land Use Meeting – last week:

- Mtg was for all of Spokane & Spokane County
- Open forum – no agenda or plan – poorly managed
- Questions posed were primarily about talk about transit issues, sidewalk, Hangman valley issues,
- One developer was present, concerned about lack of parking. He can build 40 units with parking or 80 units without parking. Parish, Seattle, LA – all have same issue – NO parking. Do we want the same for Spokane? NO input for either council member.

Audubon-Downriver Neighborhood Council:

- North Hill or Emerson/Garfield – update (should we draft a letter and send to each one, asking for their support and help?)
- General update
- Update on meeting with Kitty Klitzke – any information regarding ability to utilize Future-wise?
- Draft letter for possible vote on March 21.

NEW – Triplexes in the Park – update:

- Dennis was contacted by the listing realtor.
- Michael reached out to Marc at UCUT (see attached email correspondence)

Northwest Conservation: Update

Carol Evans and Toni Lodge: Update

Attorney – update from Michele: (See attached info regarding attorney)

- Glenrose Association: Richard Brooke, current president
509-448-7317
dick.brooke@gmail.com.
Really nice guy.
- Attorney is David A. Bricklin, Bricklin & Newman, LLP. <https://www.bricklinnewman.com>
- Link to all of our legal documents where we are trying to stop the development of a giant sports complex. https://www.glenroseassociation.org/sports_complex.html

Draft Letter and preparation for Public Notification. Talking points

1. Decrease density of proposed 21 townhomes to 12 townhomes with an HOA.
2. Safety: Ash Pl-to-Euclid is a dead end. Create escape routes for Ash Pl. development and current neighbors.
3. Traffic and pedestrian infrastructure improvements to the surrounding neighborhood.
4. Extensive evaluation of appropriate storm water runoff.
5. Bond for damages to current homes due to excavation, construction, and other related activities that impact footings, buildings, property, and the exiting flow of natural fluids (water) and gas (radon).
 - a. Foundation and footing damage to current homes caused by drilling.
 - b. Cracks in foundation, ceilings, and walls – things falling off the walls due to drilling.
 - c. Re-routing of underground and aboveground liquids/gases
6. Other?

Next Steps:

1. Move forward with attorney? Who feels comfortable talking. Do we have support to all pitch in \$?
2. Determine the wetland rating for Drumheller Springs – developer should have done this – how do we find this information out?
3. Public Notification: Assign talking points and strategy.

Moving forward:

1. Continue to write letters to City Council and anyone else to bring attention to this situation.
2. KEEP A LOOK OUT FOR PUBLIC NOTICE! If you see a big sign go up, please email the group ASAP so we can start writing letters. *If we don't write to the notification board, then we will not have a voice at the next community meeting.

For All ... Check-List/To Do:

- 1. Continue to talk to neighbors – refer them to the website
 - Ask them to also write letters to City Council
 - If they live outside of notification area, please have them contact Melissa Owen
- 2. Write to our City Council Representatives, cc Giacobbe Byrd, Nicolette Ocheltree
 - *Keep in mind that - both Klitzke and Zappone have previously published statements regarding housing development. On 5-11-23 the Spokesman wrote that she "also argued that neighborhood character shouldn't be disregarded in the pursuit of greater housing density" and on 7-18-21 the paper wrote that he "wants to fast-track permitting that promotes development of housing ... such as townhomes and duplexes, that are affordable to millennial buyers."*
 - Zack Zappone, City Council Member, District 3 zzappone@spokanecity.org
 - Kitty Klitzke, City Council Member, District 3 kklitzke@spokanecity.org
 - Giacobbe Byrd, Director, City Council Office gbyrd@spokanecity.org
 - Nicolette Ocheltree, Manager of Housing and Homelessness Initiatives nocheltree@spokanecity.org
- 4. Postcards available

Next Meeting: Combine meeting with Audubon-Downriver Neighborhood Council Meeting.

Thursday, March 21 @ Shadle Library – 6:00 happy hour/6:30 meeting starts

Please be there at 6:00pm so we can gather and talk briefly about things.

OUR PRACTICE

All too often, development projects have negative impacts on the environment and on our shared quality of life. We represent neighbors, community groups, and environmental organizations adversely impacted by proposed zoning or development proposals that violate local, state and federal laws. We make every effort to vindicate our clients' interests in preserving the quality of their neighborhoods and communities. We bring attention to the adverse noise, air, stormwater, traffic, environmental, groundwater, aesthetic and other impacts caused by such developments. We can help with legal concerns in the following areas:

- Land use law
- Environmental law
- Energy facility siting
- Property disputes
- Property damage (e.g., landslides, contaminated wells)
- Condemnation

Our firm also represents individuals, businesses and organizations in boundary line disputes, easement disputes and disputes involving damage to property caused by negligence, nuisance, trespass or condemnation. We often represent clients who have been harmed by landslides, flooding, contamination or other catastrophic events.

We litigate state and local claims under the State Environmental Policy Act, the Growth Management Act, the Shoreline Management Act, and more. In addition to our practice in state and local law, we litigate federal claims under the Clean Water Act, Endangered Species Act, National Environmental Policy Act, and Forest Practices Act. We litigate these claims on behalf of clients who are interested in protecting our environment from pollution, degradation, and harm.

LAND USE LAW AND ENVIRONMENTAL PROTECTION

Anyone involved with protecting the environment understands the importance of land use law. Working for local laws that protect our communities and environment and ensuring that developers major

corporations and local businesses comply with the existing land use rules are critical components in the fight to protect our environment. This is a legal battle that requires the help of an experienced team of attorneys.

Bricklin & Newman LLP represents community groups, individuals, and environmental organizations who are fighting against development proposals that could harm the environment and/or have adverse impacts to their communities. Our three lead attorneys have more than 80 years of combined experience. We have experience in not only environmental issues, but also many property disputes related to land use and zoning and their impact on the environment. Our lawyers know how to handle land use issues to help protect the environment.

A MULTI-FRONT BATTLE

There is no one simple way to summarize the battles we fight on the front lines of environmental protection. We handle legal issues that include:

- **Regulations:** When local governments adopt development regulations and zoning that allows activities that will harm the environment or the community fabric, we get involved in the legislative and appeals process to fight against these changes. This fight can involve working with local governments or challenging zoning regulations as violations of state or federal environmental protection laws.
- **Land Use Permitting:** When a developer or landowner proposes a development that is inconsistent with legal requirements for protecting the environment and our communities, we fight back. We provide guidance, consultation, and representation throughout the entire land use process for people and organizations who are adversely impacted by irresponsible development.
- **Litigation:** Not all of our land use and zoning cases end up in the court, but when they do, our lawyers have extensive experience and knowledge that's necessary to effectively engage in state and federal litigation on behalf of our clients.

When there is any type of problem with land use, our lawyers take the time to assess the situation and create a sound strategy. We work in tandem with our clients throughout the process to ensure we get results.

Triplex's development across the street from the Ash Place Townhouse Project

[REDACTED]

Tue 2/20/2024 11:02 PM

To [REDACTED]

During my morning walk in the park I was approached by a man interested in purchasing the 3 remaining lots 1710 1714, 1722 W Dalton across from the townhouse project. He is a Federal Police Officer (showed me his badge) and already owns several rental properties. His plan is to purchase the three lots and build triplexes on each one. I told him wetlands have a protective buffer zone and that the proximity of the park to the lots would be an issue. He said the developer was building across the street and he didn't see any difference. According to the State of WA Department of Ecology property directly adjacent to wetlands must have a buffer zone...

"The recommended minimum buffer width for a healthy wetland ranges from 50 to 300 feet or more. The width requirement is based on the size of your wetland, the functions it provides, the health of existing vegetation, the wildlife you may want to protect, and adjacent land use. Your conservation district, county cooperative extension office, city or county planning office, or Department of Ecology can advise you on the minimum requirement for your particular wetland." - Department of Ecology State of WA Publication Number: 14-06-022 May 2014, Revised April 2018

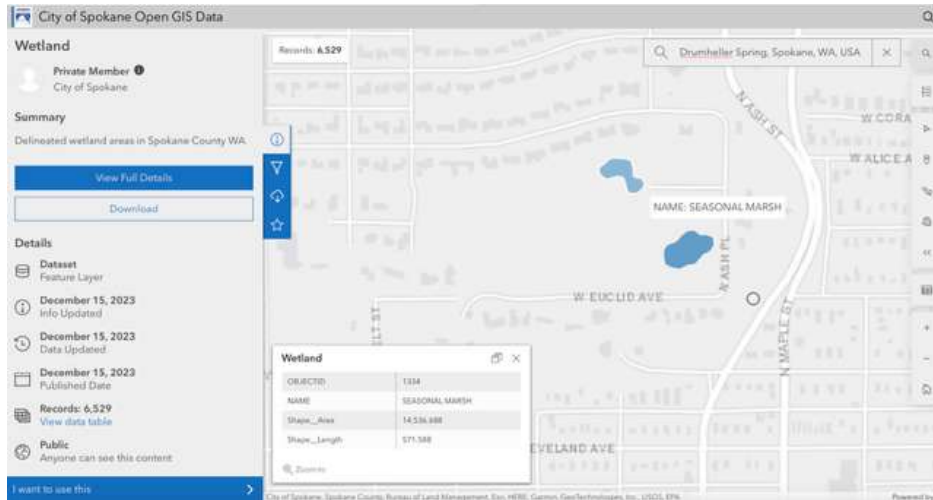
This is a serious situation that will directly affect the delicate ecology of the park. We need to address the size of the wetland's buffer zone immediately. A joint letter from UCUT, Audubon-Downriver Neighborhood Council and Ash Place Concerned Companions to The State of WA Department of Ecology requesting Drumheller Park's buffer zone size and status would be a strong start in preventing this triplex development from reaching the permitting stage.

Subject: Spokane Municipal Codes relating to Wetland Buffer Zone Boundaries

The Spokane Municipal Codes and Washington State Department of Ecology rules favor us but I wonder if either entity has actually applied the rules to this project - seems like that would be part of their due diligence. I haven't heard from Zack about the buffer zone review yet - **who do you recommend I send it to next?**

I have reviewed Spokane Municipal Codes relating to Wetland Buffer Zone Boundaries and these portions apply to developments adjacent to Drumheller Springs:

1. City of Spokane lists Drumheller Springs as an official wetland. <https://data-spokane.opendata.arcgis.com/datasets/wetland-1/explore?location=47.686607%2C-117.438505%2C16.93>. Drumheller Springs is also recognized by The Washington State Department of Ecology as a wetland.



2. Wetlands are rated according to the Washington State Department of Ecology wetland rating system found in the Washington State Wetlands Rating System for Eastern Washington. Wetlands have four rating levels. The Washington State Department of Ecology Wetlands Rating System establishes the rating criteria <https://my.spokanecity.org/smc/?Section=17E.070.100>
3. Wetland buffer zones are required for all regulated activities adjacent to wetlands.
4. Buffer zones size is determined by the wetland rating.
5. If Drumheller Springs has a wetland rating that is more than five years old it has expired one must be reviewed by a qualified wetland specialist. The wetland specialist performs wetland delineations using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands and Arid West Final Regional Supplement.
6. If **Drumheller Springs does not have a rating it is the responsibility of the development** applicant to pay for a wetland field investigation by a qualified professional wetland specialist.
7. The wetland specialist determines the exact location of the wetland boundary; an analysis of wetland functions and values; and a wetland rating according to the wetlands rating system criteria adopted in SMC 17E.070.100.
8. The Washington State Department of Ecology and City of Spokane must verify the accuracy of the wetland specialist's determination.

I have not found a wetland rating for Drumheller Springs. If a rating doesn't exist a wetland delineation is required. There are the four categories of wetlands Type I, II, II, and IV. The four categories are detailed at this link <https://my.spokanecity.org/smc/?Section=17E.070.100>

Wetland Category	Buffer Width
Type I	250 ft
Type II	200 ft
Type III	150 ft
Type IV	50 ft

Ideally Drumheller Springs would be rated as a Type I Wetland because Type I has the largest Buffer Zone...

Spokane Municipal Code Type I Wetlands include, but are not limited to, the following examples:

- Alkali wetlands.
- Represent a unique or rare wetland type.
- Are more sensitive to disturbance than most wetlands.
- Are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; and
 - * Provide a high level of function.
 - * Wetlands of High Conservation Value (formerly called Natural Heritage Wetlands).
 - * Bogs and Calcareous Fens.
 - * Mature and old-growth forested wetlands over one-fourth acre with slow growing trees.
 - * Wetlands that perform functions at high levels (scores of twenty-two points or more).

In Eastern Washington, Category I Wetlands include Alkali wetlands. Drumheller Springs may qualify as Type I based on several of the criteria including as an alkaline wetland. Alkaline wetlands are restricted to arid lands east of the Cascade Range. They include seasonally or intermittently flooded playas, marshes, and lakes, where alkaline soils and intense evaporation tend to concentrate salts in soils and water. They may support large populations of plants and animals found nowhere else in arid regions, and they are particularly well known as breeding or foraging sites for vast quantities of migrating birds. Many of the same species of plants and animals occur in both interior alkaline wetlands and estuarine wetlands along the coast, and the term "brackish marsh" has been applied to both. Playas or "salt flats" occur in basins with interior drainage that lack any exit streams. During years of high precipitation, runoff and meltwater accumulate in valley bottoms or depressions. Small to large, shallow lakes may form, or existing lakes may expand to flood areas around their edges. Playas are dependent on regional climatic cycles, and their flooding is by definition intermittent and often fleeting. Water may persist into the growing season for a few weeks, a month, or rarely years, and sites may not flood at all for years at a time. Playas are typified by flat topography, highly alkaline or saline soils, and no or scant vegetation that is distinctive and adapted to saline or alkaline conditions. Animals are adapted to the intermittent hydrology and may emerge only every few years.

If a Type I wetland is classified with at least one of the following special characteristics the following buffer table shall apply:

Table 17E.070.110-4

Wetland Characteristics	Buffer Widths by Impact of Proposed Land Use (apply most protective if more than one criterion is met)	Other Measures Recommended for Protection
Wetlands of High Conservation Value	Low - 125 ft Moderate - 190 ft High - 250 ft	No additional surface discharges to wetland or its tributaries No septic systems within 300 ft Restore degraded parts of buffer
Bogs	Low - 125 ft Moderate - 190 ft High - 250 ft	No additional surface discharges to wetland or its tributaries Restore degraded parts of buffer
Forested	Buffer size to be based on score for habitat functions or water quality functions	If forested wetland scores high for habitat, need to maintain connectivity to other natural areas Restore degraded parts of buffer
Alkali	Low - 100 ft Moderate - 150 ft High - 200 ft	No additional surface discharges to wetland or its tributaries Restore degraded parts of buffer
High level of function for habitat (score for habitat 8 - 9 points)	Low - 100 ft Moderate - 150 ft High - 200 ft	Maintain connections to other habitat areas Restore degraded parts of buffer
Moderate level of function for habitat (score for habitat 5 - 7 points)	Low - 75 ft Moderate - 110 ft High - 150 ft	No recommendations at this time
High level of function for water quality improvement (8 - 9 points) and low for habitat (less than 5 points)	Low - 50 ft Moderate - 75 ft High - 100 ft	No additional surface discharges of untreated runoff
Not meeting any of the above characteristics	Low - 50 ft Moderate - 75 ft High - 100 ft	No recommendations at this time

The complete Spokane Municipal Code Wetlands Rating System by Category Types I, II, III and IV is at <https://my.spokanecity.org/smc/?Section=17E.070.100>

These are excerpts from the Spokane Municipal Code which apply to wetlands and their buffer zones.

Title 17E Environmental Standards; Chapter 17E.070 Wetlands Protection; Section 17E.070.030 Identification, Designation, and Mapping of Wetlands...

B. Determination of Wetland Boundary.

1. The applicant shall, through the performance of a field investigation by a qualified professional wetland scientist applying the wetland definition provided in this chapter and in SMC 17A.020.230 and as part of the wetlands report requirement found in this chapter provide a site analysis including: a determination of the exact location of the wetland boundary; an analysis of wetland functions and values; and a wetland rating according to the wetlands rating system criteria adopted in SMC 17E.070.100. Qualified wetland scientists shall perform wetland delineations using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1987), Arid West Final Regional Supplement (2008), as revised or supplemented. The Director, upon consultation with the Department of Ecology, may determine that wetland identification and delineations made prior to adoption of these standards, or for a different use requiring permit changes, require a new determination by a qualified wetland scientist. Wetland determinations are subject to Corps Regulatory Guidance Letter (RGL) 05-02, 2005 and expire after five years from the date of determination and must follow requirements for review by a qualified wetland scientist upon expiration of the five year limitation.

2. **Where an applicant has provided a delineation of a wetland boundary, the department shall verify the accuracy of, and may render adjustments to, the boundary delineation.** The applicant may be charged by the department for costs incurred in verifying the accuracy of the delineation. In the event the adjusted boundary delineation is contested by the applicant, the department may, at the applicant's expense, obtain the services of a second wetlands scientist to perform a delineation. The second delineation shall be final, unless appealed to the hearing examiner.

Section 17E.070.110 Wetland Buffers

A. Wetland buffer zones shall be required for all regulated activities adjacent to wetlands.

All buffers shall be measured from the wetland boundary as surveyed in the field pursuant to the requirements of SMC 17E.070.030. The width of the wetland buffer zone shall be determined according to the rating assigned to the wetland in accordance with SMC 17E.070.100 and consistent with Wetlands in Washington State, Volume 2, Protecting and Managing Wetlands, Guidance on Buffers and Ratios (Appendix 8-D) as revised, for wetland category, intensity of impacts, wetland functions, habitat scores, or special characteristics. Standard buffer widths will be determined based on an evaluation of the following:

1. conditions of the wetland;
2. conditions of the buffer;
3. proposed land uses adjacent to the buffer; and
4. the functions intended to be protected

B. Wildlife habitat function is the most susceptible to developmental change and requires the greatest buffer protection. Protection of wildlife habitat functions require twenty five to seventy five feet for wetlands with minimal habitat functions and low intensity land uses adjacent to the wetlands, fifty to two hundred feet for wetlands with moderate habitat function and moderate or high intensity land use adjacent to the wetlands, and one hundred fifty to two hundred fifty plus feet for wetlands with high habitat functions depending on the intensity of the adjacent land use.

There are two alternative methods to determining the width of the wetland buffer zone. Alternative one is based on the wetland already having a wetland rating.

Wetland Characteristics Alternative 1.

Unless SMC 17E.070.110(3) (Table 17E.070.110-4) applies, width based solely on wetland category as follows:

Wetland Category	Buffer Width
Type I	250 ft
Type II	200 ft
Type III	150 ft
Type IV	50 ft

Wetland Characteristics Alternative 2.

Alternative 2 provides three buffer widths based on habitat scores. Habitat score refers to the quality of physical structures such as vegetation, open water, and connections to other wildlife habitats that are necessary for a wide range of species, including birds, mammals, and amphibians. Where more than one width applies based on score for function or based on special characteristics, the calculation providing the widest buffer shall be used. Widths are based on wetland category, intensity of impacts from proposed changes in land use, and wetland functions or special characteristics. Land use intensity shall be determined as follows:

Impact from Proposed Change in Land Use	Types of Land Use Based on Common Zoning Designations
High	Commercial, Industrial and Institutional Residential (more than 1 unit/acre) High-intensity recreation (golf courses, ball fields, etc.) Conversion to high intensity agricultural (dairies, nurseries, greenhouses, etc.) Hobby Farms
Moderate	Residential (1 unit/acre or less) Moderate-intensity active open space (parks with biking, jogging, etc.) Conversion to moderate intensity agriculture (orchards, hay fields, etc.) Paved trails Building of logging roads Utility corridor with access/maintenance road Forestry (cutting of trees only)
Low	Passive open space (hiking, bird-watching, etc.) Unpaved trails Utility corridor without road or vegetation management.

Category of Wetland	Land Use with Low Impact	Land Use with Moderate Impact	Land Use with High Impact
I	125 ft.	190 ft.	250 ft.
II	100 ft.	150 ft.	200 ft.
III	75 ft.	110 ft.	150 ft.
IV	25 ft.	40 ft.	50 ft.

Increased Wetland Buffer Zone Width.

The City may require increased buffer zone widths on a case-by-case basis as determined by the director when a larger buffer is necessary to protect wetland functions and values. This determination shall be supported by appropriate documentation showing that it is reasonably related to protection of the functions and values of the wetland. The documentation must include but not be limited to the following criteria:

1. The wetland is used by a plant or animal species listed by the federal government or the state as endangered, threatened, sensitive, or documented priority species or habitats, or essential or outstanding potential habitat for those species, or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees; or
2. The adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse wetland impacts; or
3. The adjacent land has minimal vegetative cover or slopes greater than thirty percent.

Reduction of Standard Wetland Buffer Zone Width.

The City may reduce the standard wetland buffer zone width on a case-by-case basis as determined by the director, consistent with Wetlands in Washington State, Volume 2, Protecting and Managing Wetlands, Guidance on Buffers and Ratios (Appendix 8-D) as revised, or wetlands that score:

The width of the buffer can be reduced if the following criteria are met:

- a. A relatively undisturbed vegetative corridor of at least one hundred feet in width is protected between the wetland and any other priority habitats; and
- b. The protected area is preserved by means of easement, covenant, or other measure;
- c. Measures identified in SMC 17E.070.110(C)(2) (Table 17E.070.110-5) are taken to minimize the impact of any proposed land use or activity

The buffer width can be reduced to that required for moderate land-use impacts by applying the following measures to minimize the impacts of the proposed land uses or activities:

Disturbance	Examples of Measures used to Minimize Impacts
Light	Direct lights away from wetland
Noise	Locate activity that generates noise away from wetland
Toxic runoff	Route all new untreated runoff away from wetland while ensuring wetland is not dewatered, establish covenants limiting use of pesticides within 150', may apply integrated pest management
Stormwater runoff	Retrofit stormwater detention and treatment for roads and existing adjacent development, prevent channelized flow from lawns that directly enters buffer
Change in water regime	Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns
Pets and human disturbance	Use privacy fencing; plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion; place wetland and its buffer in a separate tract
Dust	Use best management practices to control dust

How do we proceed?

1. Contact the WA Department of Ecology and the City of Spokane regarding Drumheller Springs wetlands rating.
2. If Drumheller doesn't have a rating, or the rating is more than five years old, we request that the Washington State Department of Ecology and City of Spokane (Planning Department?) require the developer hire a wetland specialist.
3. The increase of noise and light generated by the developments, and return of migrating water fowl, might be a positive factor against the size of the developments.

Response from Marc:

Thank you, Michael,

This is great information. This all sounds correct. Is someone from your team planning on following up with Ecology to determine if there is a wetland rating? This does seem like the logical next step. I would be happy to reach out to them if it is helpful. I am going to refrain from getting my hopes too high as there always seems to be a way to wiggle out of these things, but this does provide some hope that there are rules in place to prevent substantive harm to these sensitive areas that have been so heavily impacted over the last several decades.

Thank you again for your continued diligence in turning over every stone. I was able to confirm today that if the project proceeds after the first round of review that the applicant has 60 days to respond too, they will then open the public comment window. Hopefully, it does not move ahead but if it does there will be another opportunity for the public to comment and having as much information pulled together as possible would be great.

Thanks again,
Marc

To the City of Spokane Hearing Examiner, City Council, and other interested officials:

Introduction: "We" includes surrounding neighbors to the proposed Ash Place project site, including all neighbors South of the proposed 21-townhouse; neighbors between Maple/Ash and Oak on Courtland, Gordon, and Glass (neighbors highly impacted); neighbors surrounding Drumheller Springs park on Liberty; as well as neighbors on Liberty, Dalton, Courtland, Glass, Nettleton, Cochran, and Alberta. We request reconsidering the proposed density on this project. Other concerns include the historical and conservation lands of Drumheller Springs and the surrounding buffer zones as well as safety/impacts of first responders to the 17 homes that are south of the site.

We request you propose both modification to the subdivision and development at 3242 N Ash Place, Spokane, WA 99205 and require nearby infrastructure improvements if the development project proceeds. Specifically, we submit you allow for a subdivision into no more than 12 townhomes (with an HOA), require emergency escape routes, require traffic and pedestrian infrastructure/improvements, evaluate appropriate storm water runoff, and require a bond to be held for compensation of any damages from excavation, construction, and/or other related activities that impact the existing flow of natural fluids (such as water) and gases (such as radon).

The existing neighborhood character was established when zoning was "Residential Single Family". As such, all surrounding homes are "single-family", with the only exception being the duplex in the lot directly north of the proposed development. Building 21 townhouses would be in stark contrast to the existing neighborhood character. Limiting the development to 12 townhouses that are built with architecture to match the style of the existing neighborhood houses will both maintain the neighborhood characteristics and promote the infill housing development goals of the City. An HOA will be required to maintain the private alley, common services, and other common areas that will be necessary to build multiple units on this property.

Even a cursory review of the proposal identifies a glaring safety hazard: the only way in/out on the dead-end street that is Ash Place is to the North via Oak Street. In the event there is any blockage/impediment to emergency services access and/or resident escape via Ash Place, the only way out for the units on the East side of this development will be the rocky cliff that is adjacent to Ash Street. It is imperative some sort of emergency escape routes to the East, even if just a walkway, are required as part of this development. The below picture is taken from the proposed Plat map, and demonstrates a blockage on Ash Place, requiring an Emergency Route to the East.



Of note, the Trip Generation map inaccurately depicts Nettleton and Cochran Streets one block farther West than reality; the incorrect locations of the street names have been crossed out and the correct locations are identified in Comic Sans MS font in the map below.

For infrastructure improvements, we believe the Trip Generation map is inaccurate in how it assumes traffic patterns. Specifically, traffic going Northbound will traverse Oak Street (if ultimate destination is N/NE) and Belt Street (if ultimate destination is N/NW); it is extremely difficult to cross Ash Street and turn North onto or cross Maple Street (which is atop a steep hill that is difficult to see oncoming traffic), and the current residents already use Oak/Belt Streets for these Northbound travel routes. The corner of Nettleton and Liberty and the corner of Oak and Courtland are already dangerous, as accident data will no doubt corroborate, and additional traffic will only exacerbate the problems. We propose you require the developer implement roundabouts in the locations marked in green/yellow circles on the map below, and in this order of priority/importance:

1. Nettleton and Liberty (this is really importance level 1A)
2. Oak and Courtland (this is really importance level 1B)
3. Oak and Liberty
4. Belt and Garland
5. Belt and Liberty

The bare minimum, for traffic/pedestrian safety, would be to implement roundabouts at Nettleton/Liberty and Oak/Courtland.

The existing infrastructure that is Liberty Avenue is in very poor shape, and the increased traffic should equate to the developer contributing significant funding to a City project for repaving Liberty Avenue between Cochran and Oak.

Identified in blue rectangles in the map below, the developer should implement sidewalks all the way from the Southwest edge of the development, along Ash Place, and through to Oak/Liberty.

Our final infrastructure request is depicted by the purple hexagram in the map below identifies where the Whipple Consulting Engineers indicated a water collection pond will be located. Given the area is solid blue basalt, which will not percolate much, if at all, evaporation will be the only water remediation method of which we are aware. We urge the City to devote significant attention to the storm water capture and drainage and require the developer implement a plan that will not inequitably over-utilize our City sewer/overflow system.



For us existing residents, we request the City require the developer to submit a significant bond for a predetermined length of time during which a property owner may submit a claim for damages caused by the excavation (blasting, pile-driving, etc), construction, and related activities to our already existing property and housing investments to which we have devoted significant time, labor, and monies. Specific concerns in this regard are fluid discharges (such as above ground and below ground water flows) and gas discharges (such as radon gas). The impact of the activities on the compact blue basalt that composes much of the surrounding geography may produce fissures that redirect the flow of these natural elements in a manner that causes damage to our property for which we would deserve just compensation, and a bond will ensure the funds are available for any damages that must be compensated.