
case # 222-2023

9 messages

tamatwood@aol.com <tamatwood@aol.com>
To: "rusty.palmer@como.gov" <rusty.palmer@como.gov>

Mon, Aug 14, 2023 at 8:57 AM

Good morning Rusty,

I have a few questions about the hearing next week. Would you have time to meet with me this week?

I would really appreciate it and don't think it would take very long.

Regards,
Tracey Atwood

Russell Palmer <Rusty.Palmer@como.gov>
To: "tamatwood@aol.com" <tamatwood@aol.com>

Mon, Aug 14, 2023 at 9:18 AM

Good morning Tracey,

I'd be happy to discuss the case and/or the meeting with you, but I'm afraid my availability is limited this week due to some upcoming deadlines. I'll also be out of the office for much of the day tomorrow and Wednesday for doctor visits.

Later this afternoon, or sometime Wednesday morning would probably work best for me. We can also discuss things over the phone or via Google Meets if that is more convenient for you.

Just let me know what works best for you, and I'll get it on my schedule.

Take care,
Rusty
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RUSSELL 'RUSTY' PALMER, AICP

Senior Planner | Community Development

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Rusty.Palmer@CoMo.gov

tamatwood@aol.com <tamatwood@aol.com>
To: Russell Palmer <Rusty.Palmer@como.gov>

Mon, Aug 14, 2023 at 11:04 AM

Rusty,

Later this afternoon would work for me. I appreciate you making time.

Please let me know when and your office location.

Thanks again.

Regards,
Tracey Atwood

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Russell Palmer <Rusty.Palmer@como.gov>
To: "tamatwood@aol.com" <tamatwood@aol.com>

Mon, Aug 14, 2023 at 11:10 AM

How about we do 2PM, and I can just meet you in the lobby of City Hall? Come into the main entrance behind the keyhole sculpture at 8th and Broadway, and I'll meet you in the lobby there. I have to escort you up to my office anyway, and I'll be coming back from lunch at that time.

Just let me know if something comes up, or if you need to reschedule.

See you this afternoon.

Rusty
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tamatwood@aol.com <tamatwood@aol.com>
To: Russell Palmer <Rusty.Palmer@como.gov>

Mon, Aug 14, 2023 at 11:13 AM

I will be there in the lobby at 2pm...

See you then.

Thank you

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tamatwood@aol.com <tamatwood@aol.com>
To: Russell Palmer <Rusty.Palmer@como.gov>

Wed, Aug 16, 2023 at 7:02 PM

Rusty,

Thank you for the meeting on Monday. I know you are busy.

The two lots in question, 14B & 14C Woodrail Terrace are the last two lots in an established area and are adjacent to my home on 14A, built in 2001 by Fred Williams. He and his wife owned my home and lots 14B & 14C when I purchased in 2009. Dr. Williams has told me that when he had all three lots in his name, he deeded six feet along the property line of 14C back to himself, back to 14A. (I am still trying to track this down through his former attorney's office.) Dr. Williams was

concerned about water drainage, so he built a berm, planted some trees all in an effort to direct water flow to the existing cistern. It was of great concern to him and it is to me, more so now.

Reasons I am concerned about the proposed plans:

1) Drainage: I have had no water problems to date. None in my house or yard. The proposed plans would disrupt the current drainage especially from lot 14C. Keeping the above mentioned berm and trees and cistern as they currently exist could offset additional water flow, but even recently the cistern has had loss of dirt around it during rain, akin to a sinkhole. If additional water were to flow into this area after construction, the cistern and surrounding area will be overwhelmed with water and erosion.

2) The sheer size of the proposed duplexes on such small lots would increase the structural mass per acreage far in excess of the current structures on adjacent lots and in excess of any home or condo in the surrounding interior peninsula of Woodrail Terrace. The scale, the massing are not in proportion to the other homes and their lots. The duplex directly north of 14C sits on approximately 0.9 acres and sits well back from the property line on each side. The footprint of these proposed duplexes would sit on approximately 0.3 acres, maxing out the lot itself, resulting in the same amount of building on one-third the land, leaving very little yard space left over.

3) The maxing out of the code on these small lots to accommodate such large builds: while the buildings proposed may be within the code, they are not consistent with anything else built in this area. The observed code is different. All other condos and homes, especially those on the interior, have yards or common green space between them. No other structures, home or condo on this street, in this neighborhood, sit as close to one another as the ones proposed. When lot 14 was divided into three pieces, it was planned with three individual residences in mind, not as condos built with minimal set-back. The proposed build-to-the-max plan has a commercial development feel to it that is not in character with the surrounding homes and yards.

4) The change from the original plan for individual homes, R-1, to duplexes will also permanently add more cars, more driveway to an already small lot and narrow street. The street already struggles constantly with any overflow of cars and parking. A large construction project and the number of vehicles involved, not to mention construction debris in two separate sections of the street, will create additional burden by diminishing access to owners and any emergency services south of the building.

5) There is a retaining wall, a party wall, running along the property lines dividing all three lots of 14A, B & C. There is an east-west section and a north-south section. R-1 homes were planned for each side of the wall.

Now, per the proposal, a portion of the north-south wall would be removed. I sit below the east-west section and am concerned about the removal of too much of the wall's support to the north. The wall is holding back a lot of earth and to date I have had no structural problems along the wall or with my home, which has a basement. The proposed condos do not have basements. All the weight will be above ground, pressuring the wall in my direction.

6) In line with the party wall, along my back property line is a gate used for lawn care. I have a small fenced yard. I would like to retain access to this gate for lawn maintenance along the current pathway on the southside of the above mentioned berm.

7) The subject lots do have some older, taller, perimeter trees, planted 20 years ago by Dr. Williams, that provide some buffering, water absorption and shade, but I understand those are to be removed as well. (If the berm, trees, gate access and cistern along lot 14C could be preserved, many of concerns would be alleviated.)

The larger concern is still the size of the structures for the acreage...the large footprint of the condo on the lot compared to the neighborhood. The commercial approach to building as much as possible on the last two remaining lots in an established neighborhood seems to have little regard for the surrounding character of this older area. It is just not consistent with existing homes and lawns. I would hope for new homes to look like ones that belong, ones proportional to the site, not ones that are sandwiched in on lots that are too small.

Regards,

Tracey Atwood

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Russell Palmer <Rusty.Palmer@como.gov>
To: "tamatwood@aol.com" <tamatwood@aol.com>

Thu, Aug 17, 2023 at 12:01 PM

I've added your email to the agenda packet for this case. I wanted to let you know that my staff report is complete, but not final just yet. My recommendation did end up in support of the proposal, but I made it clear in the report that the setbacks on between your lot and the proposed development lots are inadequate. I compared them to the previous PD plan and pointed out how they are less than standard R-1 setbacks of 6' and significantly less than 10' multi-family setbacks. So, I also offered an alternative recommendation to approve the proposal pursuant to modified setbacks on that property line.

All-in-all, I think the attached single-family use is consistent with the historic zoning concept as well as the bulk of what's been built, but I absolutely agree that there should be a balance in the mass/void, or structure-to-open space ratio, which is out of proportion on the plan. My hope is that there is a solution that permits the development while maximizing the setback along your property line, and just generally improves the open space ratio.

Just let me know if you have any questions. I'm always happy to help.

Take care,
Rusty

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tamatwood@aol.com <tamatwood@aol.com>
To: Russell Palmer <Rusty.Palmer@como.gov>

Thu, Aug 17, 2023 at 1:38 PM

Rusty,

I appreciate your time and consideration of the aspects in this case. I do hope your alternative recommendation is the one that goes forward and is approved. If the more appropriate set-backs you recommend are observed, that will help in alleviating some serious drainage concerns and the overall aesthetic impact on the street...the deviation from the norm would be minimalized to a degree.

Will the developers be asked to resubmit plans to accommodate your recommendations?

The drainage and water diversion still concern me. The previous PD plan had the 14C-home placed much farther to the north on the lot and an additional retaining angled to divert water to the cistern. Water flow over the years, even with an open lot absorbing water, has created more of a run down the hill. Placing a large amount of building on top will create more runoff. So I hope that aspect is also addressed. The receiving cistern in place will need some evaluation due its current

tendency of losing surrounding dirt after rainfall. I have had to fill in around it with dirt a number of times in the past years.

Removal of a portion of the party wall/retaining wall are a structural concern, since I sit below the wall holding back the earth.

And access to my backyard gate for weekly lawn care also is part of my maintenance as a homeowner. Hopefully that can remain.

Perhaps a few of the trees that provide buffer can be preserved if the 10' multiunit setback is observed, but I feel like that is not likely, if is discretionary.

The addition of eight vehicles as opposed to two (Schuster's R-1 on both lots) or four cars for two R-1 homes, is inevitable with the addition of four condo units and eight garages.

Since the beginning of this, my concerns have been structural (the mass/acreage, drainage impact) and aesthetic (regarding consistency with surrounding homes).

Lastly, I greatly appreciate your consideration with the set-backs and the recommendation you put forth. If observed, that will be meaningful.

Regards,
Tracey Atwood

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Russell Palmer <Rusty.Palmer@como.gov>
To: "tamatwood@aol.com" <tamatwood@aol.com>

Thu, Aug 17, 2023 at 1:49 PM

The modifications to the plan may or may not be sought by the Planning Commission as a part of their recommendation. If they choose to condition their approval on a deeper setback, the developer can then choose to modify their plans to satisfy the commission, or they can choose to present their original plan to City Council. It really falls to City Council to make the final decision, regardless of the Planning Commission's action. My report, though, will be seen by both bodies when considering the request.

I'll add your most-recent email to the public comment file so that your additional concerns are considered as we move forward.

Thanks for taking the time to provide comments. They are of great value, and they often do see results as cases move through the approval process. So don't be discouraged.

Take care,
Rusty

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