

Thomas Harrigan

From: alexdiaz1@gmail.com on behalf of Tadeo Alejandro Diaz Balderrama
<c.e.elmgrove@gmail.com>
Sent: Sunday, October 2, 2016 10:45 AM
Subject: Citizens for the Essence of Elm Grove - Additional notes and comments

Citizens for the Essence of Elm Grove - Additional notes and comments

Good morning everyone,

I wanted to remind everyone of the open house this Wednesday October 5th from 4:30pm to 7:30pm at the Women's club. I haven't seen any formal flyers or information being posted/sent out but I think it is important to be there to voice your personal concerns. This is an opportunity to have 1:1 discussions with the "experts" on each part of the project, there is no lecture or prepared presentation.

Andrew Williams reminded me of another comment made during the meeting that I did not take note of:
-The discussion on demographics of those being targeted to populate the development - they are aiming for people with significant incomes (executives, people who are temporarily assigned to projects in the area, etc) and snow birds. The concern he raised is the potential conflict of discriminating based on income and the fact that some of the people passing by would not be very connected/invested in the community.

Also, Ted Eull sent a great email about their density calculations and the PDO ordinance. Instead of trying to summarize it I have pasted it below. The same concern was emailed to an ad-hoc committee member as well.

Please let me know if anyone has any additional comments or questions

Tadeo Diaz Balderrama

Email from Ted Eull:

"One thing I'm going to raise to the Ad Hoc and Planning Committees is the calculation of ERD (effective residential density) specified in the code for PDOs. Did the developer share this calculation, or enough data to complete it as far as you know? The ERD is not simply number of units but a more detailed calculation for mixed use that takes into account the interior size of units and the amount of commercial space. You can see an example calculation

here: <https://docs.google.com/spreadsheets/d/1es1H041I5FabrIPXQXA4BvaUiwR9YvTNHvw38yIshg/edit?usp=sharing>

In the spreadsheet I used some numbers from their plan but I don't have the real TNR number, and the ARU is just based on a bullet in your notes about 1,500 sq ft size for apartments. But if the units in the mixed use bldg are smaller that would bring this down (or townhomes could bring it up).

I'm also attaching the PDO ordinance which I think we should share out for interested people to read. It's worth noting that all allowance for a PDO, and especially for Enhanced Density, is discretionary on the part of the village. The owner/developer has no "right" to develop a PDO or put enhanced density, but must convince our board that:

[1] ...the project will provide **better utilization of the land and better preservation of natural resources** than would otherwise be realized if the site were developed either in conformity with the density requirements of the underlying district or as a PDO District without an enhanced density;

[2] ...the project makes adequate provision such that an increase in residential density will not have **an unreasonable adverse effect** on neighboring properties, existing and/or proposed public rights-of-way and/or municipal and other public services as a result of the type, intensity and frequency of the use(s) associated with the proposed project;

[3] ...**the structures proposed for the project are harmonious with existing surrounding structures and land uses.**

The "scale" issue that people are feeling speaks directly to #3 and it is completely correct, appropriate and indeed REQUIRED for the trustees to consider when deciding if the enhanced density is allowed. They can and should reject the plan, if the scale is not harmonious with surroundings.

Furthermore, when evaluating the PDO, the plan committee and the board are required to evaluate several criteria, including:

[1] The development will not be contrary to the **general welfare and economic prosperity of the community.**

If their best judgment is that 175 rental units is not in the village's best economic interest, they can (and should) reject or require revision. There is no right or entitlement (zero, none whatsoever) for the property owner to have a PDO, or put a specific density. For perspective, if the village simply re-zoned the undeveloped part to Multifamily, then the allowable density would be 8 units per acre.

Not sure if folks on the ad hoc committee have read the PDO ordinance (I would be pretty surprised if Marlee and Christina have not read it) but I think it's very helpful in understanding the role of the village in this process, and that this is an extraordinary and mutually-developed plan, not a simple development under regular zoning.

I also want to point out that comparing to much smaller watermark (also all Condo) is non-applicable and we should tell them to stop doing it unless they plan to put in premium condos only and reduce their property size to 2 acres. There is no requirement that the village allow same or similar densities in different PDOs, on different properties with totally different scale and composition. In fact it would be foolish in our part.

Personally, with great amenities (path, road realignment, mixed use) I would love to see the property developed. It's also clear that many EG residents don't think that 175 apartments is in our economic/general welfare best interests. So I'll be pushing for a plan with ERD much closer to 15 and a mix much more weighted to condos. I think some apartments could play a part in the development, but it could be 50 (which is still a lot) with a more significant development of townhomes and high-end condos - which helps lend stability and keep the rental values up.

Thanks again for your notes and sorry for MY long winded email :)

Best Regards,
Ted"