

Appeal

Deanna Garcia, NOLA Chair, Ward 6, ~~email address~~

Address 3 items, number of flag lots, lack of on-site parking & stormwater

Increased number of flag lots –

While middle housing and increased density are “goals” for the city and additional housing is needed, the livability of the existing community and potential habitants of the new units seems to be overlooked. If the number of lots will not be reduced, perhaps the positioning of the newly constructed homes could be done in a way to allow for continued privacy of existing homes and future enjoyment of the new property’s occupants.

Lack of on-site parking –

We understand the change to parking minimums was handed down by legislative action, but it’s okay to encourage development that support peaceful, flexible livability for current and future residents. Perhaps the occupants of the new homes will not own any vehicles because they’ll be completely dependent on the ~~rob~~ transit system & feel safe enough to walk on the non-existent sidewalks to get to the nearest stop. Or perhaps they will be compelled to ride a bicycle along crumbling asphalt where a bike lane would exist in a community that already has the infrastructure to support developments with no parking minimum.

Stormwater –

the report starts off with a “generalized” statement about stormwater management and that all subdivisions are required to meet a standard minimum. However, the existing management facilities present along Park Avenue are not up to standard. Public works has received numerous calls from residents along this stretch of Park Avenue regarding stormwater run-off, standing water in yards and around foundations, and leaking or failing foundations during heavy rain. These calls have resulted in no true action being taken. Residents are told, “something is planned” or “engineers are looking into it”.

There are 12 stormwater basins with street-level drains along Park Avenue, 8 on the west side, 4 on the east side and they’re all located near the north at Sunnyview Rd and south at Market Street. There are none located between 1804 and 1955 Park Avenue. Just one street over is Evergreen Avenue. There are 7 drains on the east and west sides of the street totaling 14, but most importantly is an asphalt curb that runs along the west side of the Evergreen guiding stormwater to the drains. If the city public works department, development services and its engineers are aware of issues with stormwater management along Park Avenue, why wouldn’t this be a priority to fix now before a new development is built potentially compounding the problem?? Wouldn’t it be more efficient to install or connect the new homes to existing stormwater facilities while work is already being done to connect water and sewer lines?

On Page 10 of the Udell engineering report dated April 2nd 2024, it states, “*the subject property is located inside the City’s Urban Service Area and adequate facilities are*

available. Water, sewer, and stormwater infrastructure are available along the perimeter of the site and appear to be adequate to serve the property as shown on the tentative plan”.

On page 14, a tentative design for stormwater was submitted for approval as suggested in this report. The findings were based on infiltration tests results and a preliminary site plan showing the tentative location of stormwater facilities. How can these test show anything but hypothetical results if there are no structures built, no foundations excavated, and the test was completed during a period experiencing low rainfall?

“It is the applicant’s burden to demonstrate the proposed stormwater management plan will work”, but who’s burden is it after the city affirms the design and construction...the neighbors experiencing flooding during the rainy months? There are neighboring homes nearing 80+ years old with basement foundations that could fail if the stormwater is not managed properly with this development.

The plan is to record CC&R’s for the collective property owners to maintain the rain garden. Will this collective group include all 6 lots or just the lots immediately adjacent to the rain garden? Who enforces the CC&R’s? And at what point does the city take serious action if proper maintenance and repair has not been done...when a child or pet drowns in the standing water? An unchecked infestation of mosquitos? Flooding damage to the flag lots or neighboring properties?

In the staff response, on page 5, it states design standards (*PWDS*) *do not require fencing around private stormwater facilities. However, there are Building & Safety standards for fall protections in certain circumstances. The Building & Safety Division has indicated that because there are no structures or walking paths adjacent to the proposed rain garden that no fall protection would be required.* Do the homes constructed on lots 3 & 4 not count as adjacent structures?

The NOLA NA fully supports the addition of housing units within its boundaries, but only if it means continued livability for existing and future residents. NOLA ask that the planning commission pause on affirming this development until the stormwater management concerns are addressed.