

Design Review

- (1) Property is Zoned R-3/D. Design Review is Required. Planning Department failed to do it.
- (2) The Property is Zoned R-3/D. The “D” is a Combining Zone Designation found at HCC 314-19. The “D” stands for Design Control. HCC 314-19.1.2 states that the member of the Board of Supervisors in whose district the D Zone is established may select a Design Committee to be the Reviewing Authority. Therefore, Fifth District Supervisor Steve Madrone has initiated that process with John Ford and has asked that the Valadao subdivision go through it.
- (3) Because, the proposed Subdivision is in the heart of the McKinleyville Town Center, it is supposed to be preserved in order to “enhance the tourism industry” by maintaining the “architectural and recreational aspects of this designated area.” (See HCC 314-19.1.1)
 - The Code states the “appearance and design of **buildings, sites, structures, and signs**
 - Should form a **substantial contribution** to the
 - **Desirability of the zone** for uses permitted therein.” HCC 314-19.
- (4) The proposal is in our McKinleyville Town Center, which will one day be our “Old Town”
 - Central Avenue is the Business Loop Exit off North and South Highway 101
 - The intersection at Central and Pickett Rd is our main Tourist Attraction. It has
 - Eureka Natural Foods, Safeway, Post Office, Gym, Restaurants
 - Library, Police, Senior Center, Azalea Hall (Recreation Hall)
 - Pierson Park, Teen Center, Skateboard Park, Group Picnic Shelter
 - Pierson Park hosts weekly concerts, weddings, car shows, and Community Holiday celebrations like Pony Express Days, 4th of July, etc.
 - The McKinleyville Community Forest sits .4 mile east up Pickett Rd
 - Pierson Park and Azalea Hall are our Tsunami Evacuation Center
 - Eureka Natural Foods is the Hub. It has a hot bar, deli, coffee shop, gift shop, etc. and is the only grocery store or restaurant with a generator during power outages.
 - Tourists drive up Pickett Rd all day long to check out the area—Pickett is .4 mile long.
 - If these Building are *two-story*, they will block the view of the *sunrise and ridgeline*.
 - They will be viewable from Eureka Natural Foods as you drive up Pickett Rd.
- (5) Under HCC 314-19.1.3.1 the Reviewing Authority is required to take the following items under consideration in approving a development plan:
 - Height,
 - Bulk and area of buildings,
 - Setbacks,
 - Color,
 - Texture,
 - Landscaping
 - Parking lot layout, and
 - relationship to other buildings and/or uses in area.

a. *Height, Bulk, and Area of Buildings.*

- The buildings are enormous.
- Four (4) Buildings are 90-feet long. Six (6) are 80-feet long. **All are Two-Story Boxes.**
- **R-3 Zoning** only allows 4 units per building. The one-bedrooms have 8 units.
- 12 monolithic two-story barracks that look like a *ginormous prison compound*.
 - The surrounding area is not a commercial zone. It is residential.
 - There are no two-story homes in view from Pickett or Gwin driving to parcel
 - To fit in our neighborhood, they need to be
 - Tiny Homes
 - Single-story duplexes, or
 - Single-story single-family homes

b. *Landscaping.*

- The developer has provided no landscaping plan.
- Developer should be required to provide 15-feet of trees/shrubs on either end.
- Hide the compound. Provide Beauty for the neighborhood.
- The Counties and Cities down south require it.
- People we want to entice here to work expect it.
- Parents sending students here want their children to have it.
- We live in the most beautiful place on earth. We should show it off.
- According to **PUD Code**
 - landscaping should be used to enhance privacy
 - And, give visual order to the development.
- According to the **McKinleyville Community Plan** landscaping
 - Should improve the appearance and livability of McKinleyville.
 - Provide adequate screening to protect individual properties community-wide from traffic, noise, heat, glare, and dust.
 - Retain the rural, forested, natural surroundings as much as possible by
 - Preserving existing trees and planting new trees which provide visually appealing communities.

c. *Parking Lot Layout*

- One long, narrow, dreary, line of cars that creates:
 - Fire hazard- People trying to flee in cars, No room for Fire Department.
 - Trash hazard – No place to put trash cans but behind parked cars.
- **Jack Way is a road. Not a parking lot.**
- *There is a reason the Code requires **off-street** parking.*
 - *There is no buffer zone with a 24-foot road like there is a 40-foot one.*
- See attached parking considerations required by the PUD Code.

Obviously, a *Monolithic*, Two-Story 60-unit Apartment Compound, with one long narrow through-road the length of two (2) football fields, with *no landscaping plan*, and *no parking pods or courtyards* is appropriate for this area. *Is it even safe?* The Fire Marshal has not reviewed this plan yet. Neither has the Building Department. (See Referral Agency List attached.)

Planned Development Code

Parking Considerations (HCC 314-31.1.6.3)

31.1.6.3 Parking Considerations.

31.1.6.3.1 Reducing the visual impact of lines of parked cars and expanses of asphalt can add more to the good looks of a building than anything else. (Former Section INL#315-4(f)(3); Ord. 519, Sec. 515, 5/11/65; Amended by Ord. 2166, Sec. 20, 4/7/98)

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31.1.6.3.4 To avoid the long, narrow, dreary look of carports found in some older apartment complexes, individual carports and garages should be designed to accommodate no more than four vehicles. (Former Section INL#315-4(f)(3); Ord. 519, Sec. 515, 5/11/65; Amended by Ord. 2166, Sec. 20, 4/7/98)

31.1.6.3.5 If a parking lot for five or more cars is within 20 feet of a street property line, a landscaped strip at least five feet wide should be provided between the parking lot and the street. This strip should have a fence, berm, wall or landscaping hedge that is three (3) feet high at the edge closest to the parking spaces. (Former Section INL#315-4(f)(3); Ord. 519, Sec. 515, 5/11/65; Amended by Ord. 2166, Sec. 20, 4/7/98; Amended by Ord. 2214, 6/6/00)

31.1.6.3.6 A screening device not less than six (6) feet high should be provided along all interior property lines where a parking lot for five or more cars adjoins a property line of a residential use. Raised earth mounds with landscaping may be used in place of fencing. (Former Section INL#315-4(f)(3); Ord. 519, Sec. 515, 5/11/65; Amended by Ord. 2166, Sec. 20, 4/7/98)

31.1.6.3.7 To avoid unwarranted noise or light, no parking lot for five or more cars should allow the front of parked cars to be within fifteen feet of the front of a living unit. (Former Section INL#315-4(f)(3); Ord. 519, Sec. 515, 5/11/65; Amended by Ord. 2166, Sec. 20, 4/7/98)

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Address: 1820 Pickett Rd., McKinleyville, CA 95519
Assessor's Parcel # 510-381-021-000
Record Number: PLN-2021-17560-APPEAL
Board of Supervisors File Number: BAI-23-1593

Revised Version
(January 15, 2024)

Heartwood PUD in McKinleyville (Zoned R-3-P-D-N)
1978 Sagewood Way, McKinleyville, California
Example of An Actual Planned Development



Timber Ridge Assisted Living Facility is the Green two-story commercial building behind the apartments. See how well the developer made his apartments fit in. Notice also, that the Commercial District has a lot of two-story boxy buildings that are not very aesthetically pleasing. Rightly, the developer chose to place the two-story apartments there rather than in the middle of his single-story housing development.

Note: The two yellow arrows represent roughly the size of the 90-foot proposed apartment buildings in the Valadao proposal. They will be massive.



1978 Sagewood Way. Regular sized parking spaces – 9 Feet by 18 feet. (Valadao is only providing 16 feet –Compact Car—spaces with no handicap spaces available.) The “road” between the parking spaces above is 34-feet wide. (Valadao’s is only 24-feet.) Plus, the developer built a 40-foot road in front of the apartments so there was room for additional parking---and trash bins. (They inadvertently did not allow a sufficient size trash area either and admitted “trash is a problem.”) Still, the apartments look sunny, spacious, and open as opposed to the one long dark tunnel of buildings proposed in the Valadao Project.

These apartments are only 56 feet long. Valadao’s are 90 feet long. So, 50% longer than these. (See page 1 for comparison.) Plus, the apartments in front of Timber Ridge are 16 feet 8 inches apart. And the apartments on the left of the picture are 23 feet apart. Valadao’s apartments are 10 feet apart. The developer also positioned his apartments so that they could pass the Solar Access requirements of HCC 322.5-4 through HCC 322.5-6.



These are the two bedroom apartments in the Heartwood PUD. The Developer used the Timber Ridge facility to create a courtyard feel. Look how well he made them fit in. Not as many windows as Timber Ridge, but the same roof line and height. And, he used the landscaping from Timber Ridge to create a beautiful, organic setting.

Here there is dedicated parking. And lots of it. With a large, wide roadway where children can safely ride a tricycle or other scooter. And again, a 40-foot road runs along the frontage of the apartments with room for trash bins and additional parking.

And, just across the street, a green belt will be developed with a sidewalk that connects up to the rest of the 7.22 acres of green belt you will see on page 5. This creates a great sense of community with the rest of the Planned Development and allows apartment dwellers access to the single-family homes and duplexes in the rest of the PUD. A way to connect up with their friends without ever having to get in their cars. Walkability. With the understanding that you still have a car you need to park somewhere.

And the apartments are 75 – 80 feet apart and face south so there is plenty of morning sun to warm up the apartments and to meet the Solar Access requirements of HCC 322.5-4 through HCC 322.5-6. And, they take dogs.... And, the dogs get to walk on the trails.



There is approximately 1/2 square mile of **single-story** single-family homes and duplexes built west of this picture. Homes and duplexes are intermixed within the PUD development. All developed with differing styles, facades, and textures that add variety rather than monotony to the development. This is a picture of how the developer used architecture to “build a hill” up to the two story apartments. He started from a small home, to a larger one, to a taller one...taller and taller until split level...then two story. (The picture does not do them justice. They are really eye-catching. And, you marvel at the ingenuity of the architect.)

Notice all the open space behind the apartments. That area is the Town Center that will have a lot of two-story buildings including two-story senior housing across from Safeway. (In front of the red building in the background.) Our area, on the other hand, are single-story, low-roofed ranch style houses on 1/3 acre lots. Even the mobile homes are low-roofed one-story manufactured homes.



The main street you see in the middle of the picture is Heartwood Drive. It runs from Central Avenue to McKinleyville Avenue. This is the area west of the above picture. They are *single-story* single-family homes and duplexes intermixed within the development. Notice the expansive “green space” the developer donated to the County (County now owns and maintains it). It has two trails running the length of the development and eventually over to the apartments as well.

This PUD was called out specifically in the McKinleyville Community Plan, Section 2602 # 8. It was developed by Central Estates, LLC. *It is 31.2 acres.* **The McKinleyville Community Plan required that it be developed to a maximum density of 9 units per acre.** The developer built all of the roads and donated them to the County. Additionally, they created and donated the 7.22 acres of open green space with sidewalks. (23.14% of the total 31.2 acres.)



Google Maps picture prior to development. Red pointer shows where the 1978 Sagewood Way apartments will be. Note that the developer built all the roads and sidewalks. Including the sidewalk through the eventual green space he donated. Plus, look how massive the Timber Ridge Assisted Living Facility is. (71 units on 6 acres – Valadao project is 60 units on roughly 1/3 the size.)

Once built, the 1978 Sagewood Way apartments will physically be about the same size complex as Timber Ridge. So, they fit right in.

Conclusion: The Valadao Project does not “fit right in” our neighborhood. Our neighborhood is single-story residential. 3 – 10 units per acres. (The Valadao apartments are massive two-story commercial compounds—28 units per acre.) And, the Valadao Project clearly does not have the beauty, expansiveness, or sense of belonging created by a Planned Development. *It is merely an apartment complex disguised as a prison compound.*

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Assessor's Parcel # 510-381-021-000
Record Number: PLN-2021-17560-APPEAL
Board of Supervisors File Number: BAI-23-1593

From: The Coalition for Responsible Housing:

The Planning Commission approved building a massive apartment compound in McKinleyville on November 16, 2023. In so doing, it allowed a prominent lender and developer to violate the following laws:

- (1) Failure to comply with Design Review zoning requirements. (HCC 314-19)
- (2) Failure to follow the procedural requirements for Design Review. (HCC 314-19.1.5)
- (3) Minimum off-street parking *spaces required 134*; spaces provided 86. (HCC 314-109.1.3)
- (4) Four (4) handicap parking spaces required; zero (0) provided (HCC 314-109.1.2.8.2)
- (5) Parking Space length --*18' required*; 16' compact spaces provided (HCC 314-109.1.2.2)
- (6) Additional spaces required by adequate off-street parking laws in order to reduce road hazards and permit safe passage to and from destinations. (HCC 314-109.1.1.2)
- (7) Road Right-of-Way width 32' required; 24' provided. (Title III Div.2 Appendix §4)
- (8) Maximum size of buildings 4-Units. Project has four 8-unit buildings. HCC 314-6.4)
- (9) 12 lots violate the 5000 sq.ft. Minimum lot size. (Cannot reduce lot size, width, and shape without providing open-space, recreational area, or resource protection.) (HCC 325-10)
- (10) Failure to meet "Solar Access" requirements for Planned Developments. (HCC 322.5-6)
- (11) Failure to follow Conditional Use Permit Laws- minimum lot size 5000' (HCC 314-6.4)
- (12) Failure to comply with Planned Development zoning Laws. (HCC 314-31)
 - a. No open-space, recreation area, or neighborhood services (HCC 314-31.1.1.2)
 - b. No non-profit, incorporated Owners Association (HCC 314-31.1.8 and 31.1.5.1.4)
 - c. No common area owned, managed, and maintained by the PUD Owners association.
 - d. Allowed *reduced lot size* in spite of failing PUD standards (HCC 314-31.1.5.2)
 - e. Allowed *reduced setbacks* and 0' setbacks without meeting PUD (HCC 314-31.1.5.4)
 - f. Proposed *two-story buildings* block the *ridgeline and hillside silhouettes*. Code states specifically "*The height of buildings constructed near ridgelines should not affect the ridgeline silhouette.*" (HCC 314-31.1.6.1.3). The sun rises in the east—over hillside
 - g. Jack Way does not meet "Circulation Considerations". (HCC 314-31.1.6.2)
 - h. The parking lot does not meet "Parking Consideration". (HCC 314-31.1.6.3)
 - i. "Architectural Considerations" have not been met. (HCC 314-31.1.6.4)
 - j. No landscaping plan to enhance privacy provided or reviewed. (HCC 314-31.1.6.5.1)
 - k. Washers and Dryers required. Not located in each Fourplex (HCC 314-31.1.6.5.2)
 - l. Trash collection area is insufficient—need 6 dumpsters (HCC 314-31.1.6.5.3).
 - m. Jack Way must be 32'. *Contrary to the Staff Report, there is no provision in PUD code that allows reduced road right-of-way width. (See HCC 314-31 & item #7 above)*
 - n. Development should be designed to minimize the length of roadway (HCC 31.1.7.2.2)
 - o. *Shared parking* does not mean *reduced parking*. (HCC 314.31.1.7.4)
 - p. Off-street parking for guest may be required (1 space per 2 units) HCC 31.1.7.4.2.2
 - q. Sufficient parking spaces may be required for storage of RV's (HCC 314-31.1.7.5). (Applicant has 4 trailers parked on the property. 19 owners could park theirs, too.)

HCC 312-17.2 Required Findings for Variances states the following:

The Hearing Officer may approve or conditionally approve an application for variance **only if all** of the following findings are made:

17.2.1 That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of use in the same zone in the vicinity;

17.2.2. The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship and would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;

17.2.3. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district; and

17.2.4 That granting the variance or its modification will not be materially detrimental to the public health, safety, or welfare.

Summary

No exceptions apply to the proposed subdivision. It is a flat buildable site with no topographical or EIR issues discovered so far. And, it did not qualify for any density bonuses. Yet, despite it not being included in the latest Housing Element inventory, the apartments were allowed a **density of 28 units per acre** so that the existing single-family home could be allowed on a 1/3 acre lot.

On the other hand, the Heartwood PUD which is also zoned R-3-P-D, and which is .4 miles from the proposed site, broke none of the above laws, and in fact, exceeded many of them. Plus, the Heartwood PUD does not appear to have been granted any special privileges. According to the McKinleyville Community Plan (MCP) Section 2602 # 8, density per acre in the Heartwood PUD **was not allowed to exceed 9 units per acre.** (4 units per acre for the Town Center PUD –MCP Table 2.)

Further, the general plan “*Does **not** propose increasing density beyond historical allowances*” when “*infilling vacant parcels in Urban Development Areas*” such as where the project is proposed. The historical densities in the surrounding area are as follows:

- (1) Heartwood PUD—9 units per acre.
- (2) Town Center Project—4 units per acre.
- (3) R-3 Zoned Senior Mobile Home Park Adjacent to Project—10 units per acre.
- (4) Single-Family Homes adjacent to the Project—3 units per acre.
- (5) Proposed Apartments—28 units per acre (3-10 times historical allowances.)

Why were all these exceptions allowed?

And, Who is Responsible for Enforcing the Code?

According to the County website, “The Humboldt County Planning and Building Department is responsible for protecting public health, safety, and welfare.” So are the Zoning laws they are supposed to uphold.

Per HCC 312-51.1 **Duty to Enforce:** The Planning and Building Department Director has the duty to:

[E]nforce all provisions of the County Zoning Regulations. All officials, departments, and employees of the County of Humboldt vested with the authority to issue permits, certificates, or licenses shall adhere to and require conformance with the County Zoning Regulations.

Per HCC 312-51.3 **Permits in Conflict with this Code**

No County department, employee or officer shall issue a permit, certificate or license for any land uses or building which conflicts with this Code, consistent with state law. Any permit, certificate or license issued in conflict with this Code shall be null and void.

Per HCC 312-51.5 **Violation of the County Zoning Regulations**

The following provisions shall apply to violations of the County Zoning Regulations. All of the remedies provided for in this section shall be cumulative and not exclusive.

51.5.1 Penalty. Any person, whether principal, agent, employee or otherwise, violating or causing or permitting the violation of any of the provisions or this Code shall be guilty of a misdemeanor and shall be subject to the penalties provided for in Section 112-5 of the County Code. *[See Section 112-5 below]*

51.5.2. Public Nuisance. Any building or use operated or maintained contrary to the provisions of this Code shall be and the same hereby is declared to be a public nuisance and shall be subject to injunction and abatement as such.

Per HCC 112-5. **General Penalty; Continuing Violations.**

Whenever in this Code or in any other ordinance of the County or in any rule or regulation promulgated pursuant thereto any act is prohibited or made or

declared to be unlawful or an offense, or the doing of any act is required or the failure to do any act is declared to be unlawful or a misdemeanor, where no specific penalty is provided, the violation of any such provision of this code or any other ordinance, rule or regulation of the County shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00) and/or imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment. (Ord. 2331, § 1, 11/2/2004)

Every day any violation of this Code or any other ordinance, rule or regulation of the County shall continue, such violation shall constitute a separate offense.

Laws are not aspirational. They are Purposeful...and Intentional. That is why Humboldt County Code sections start with the Section Heading...“Purpose” and “Intent.”

If developers are not required to follow the zoning laws, how can we trust they will be required to follow the Building Code, Engineering Codes, or the Business and Professional Code?

Please enforce the code. Deny the Subdivision, the Planned Development Permit, the Special Use Permit, the road and parking exceptions, and any and all other exceptions allowed. Make the Applicant follow the law. He can still build the apartments. But, he can do so following the strict guidelines of the building code.

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Below is a copy of the Parking Considerations from the Planned Unit Development Code. As you read them, you can feel the beauty and sense of well-being they are attempting to bestow. This proposed project made a mockery of them and yet still got a pass from the Planning Commission. Especially when you calculate that the parking lot covers over half of the entire square footage of the lot itself. Draft Resolution 15 *picks and chooses how to* summarize the rules before totally disregarding them. (See a copy of Draft Resolution #15 after HCC 314-31.1.6.3 below.)

Planned Development Code Parking Considerations (HCC 314-31.1.6.3)

31.1.6.3 Parking Considerations.

31.1.6.3.1 Reducing the visual impact of lines of parked cars and expanses of asphalt can add more to the good looks of a building than anything else. (Former Section INL#315-4(f)(3); Ord. 519, Sec. 515, 5/11/65; Amended by Ord. 2166, Sec. 20, 4/7/98)

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use. Raised earth mounds with landscaping may be used in place of fencing. (Former Section INL#315-4(f)(3); Ord. 519, Sec. 515, 5/11/65; Amended by Ord. 2166, Sec. 20, 4/7/98)

31.1.6.3.7 To avoid unwarranted noise or light, no parking lot for five or more cars should allow the front of parked cars to be within fifteen feet of the front of a living unit. (Former Section INL#315-4(f)(3); Ord. 519, Sec. 515, 5/11/65; Amended by Ord. 2166, Sec. 20, 4/7/98)

Draft Resolution from BOS Website on 01/14/24

13. FINDING: (3) Parking Considerations:

- develop shared parking areas and limit visual impact of rows of cars
- place parking along side and rear of buildings
- for parking areas of 5 or more vehicles, use landscaping, berms and screening to minimize visual impacts, unwanted light/glare and noise

EVIDENCE: a) On-site parking is being accommodated using perpendicular street parking along the frontage of most parcels, with the exception of Lots 15 and 16. Ten (10) shared spaces will be provided on Lot 8 which will be available for use by occupants of Lots 14-16, and Lot 8. Landscaping will be provided (see below).

14. FINDING: (5) Other Considerations:

- landscaping should be used to enhance privacy and give visual order to the development
- multifamily developments of 4 or more units should have laundry facilities
- areas should be set aside within the development for trash collection and recycling
- utilities should be underground; retention swales should be used to collect runoff

EVIDENCE: a) Though no landscaping is proposed at this time, it is expected that rear yards associated with western and eastern portions of the parcel being divided. A shared laundry facility is proposed to be developed on Parcel 8. Runoff will be addressed in accordance

1900 Picket Road, McKinleyville, CA 95519

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The Applicant is asking for a major 19 lot subdivision with a request for a Planned Development (“PUD”) Combining Zone. However, the Applicant has meet few if any of the requirements of the Planned Development Zone Regulations and is merely trying to use the PUD code as a thinly veiled attempt to build more apartments on the parcel than he would be allowed to build under the regular R-3 zoning laws. All without providing any beauty, sense of community, or feeling of well-being.

As such, in an otherwise one-story residential community, the site plan crams 2 huge box-like two-story duplexes and 10 massive two-story monolithic apartment buildings on a 2.11 acre long, narrow 24-foot wide road with only 16-foot compact car length perpendicular parking spaces. And, no handicap parking. **All without providing ANY of the “open space, recreation areas, or neighborhood commercial services” required by HCC 314-31.1.1.2.** *(As an extra bonus, the applicant was allowed to provide only 60% of the parking spaces required—pushing the responsibility for the other 40% on the surrounding neighborhood.)*

These 19 lots can then be sold to individual landlords who have no incentive to spend money on maintenance or operations as they most likely will not live there.
(Landlords like to make money—not spend it.)

If the applicant is allowed to develop the property as proposed, we will have essentially gutted the PUD code all together as there will be no incentive for other developers County-wide to provide beauty, open space, recreation areas, or commercial services as part of their developments. *(Once you allow one variance—everyone wants one.)*

Allowing this subdivision PUD status will provide the blue print for all future bankers and developers in the County to circumvent the code by cramming in as many huge, ugly, two-story buildings as possible

- into tiny little lots
- With tiny little roads
- With no setbacks
- No dedicated parking
- No Owner's Association
- Insufficient parking
- Insufficient trash collection
- No open space
- No recreation areas
- No beauty,
- No connectedness, and
- No feeling of well-being.

And the tenants will suffer, and the developers and the landlords will avoid responsibility, and Humboldt County will look like one huge parking lot centered around ginormous prison compounds. And then—Why would tourists, or anyone else for that matter, want to come here. They won't be able to find any parking spots. And who wants to live in an army barracks anyway.

Summary

The PUD code requires beauty, a sense of community, and a feeling of well-being. Its designation should not be handed out lightly. Instead of apartments, it should be used to encourage the building of beautiful condos, townhomes, and mixed residential areas that can provide affordable home ownership and a path to equity building that will lead to the purchase of single-family homes.

Owning and operating apartments is a commercial enterprise. Therefore, developers wishing to build and operate apartments should be required to pay commercial rates. They should not be able to exploit the Planned Development Code so they can get residential rates without providing any of the residential amenities or beauty required by the PUD Code.

Please deny the Subdivision, the Planned Unit Development, the Conditional Use Permit, the road and parking exceptions, and the reduced lot size and reduced setback exceptions. The developer can still build his apartments. But he can do so following the strict guidelines of the building code.

Thank You.
Laura Peterson
Coalition for Responsible Housing