

Request to **deny** Premier's request to remove 11.47 acres from the Oak Ridge Planned Development then add them to the Oak Ridge Meadows Planned Development, then change the now combined two to a Sub Division (i.e. fewer rules and regs).

My name is Sandi Colvin and I'm a resident of the Oak Ridge planned development HOA. Premier also built out our development and created the very CC&Rs and Bylaws they're trying to circumnavigate now by removing the so called 4th phase (to my knowledge, there was no 4th phase in their initial plans for Oak Ridge) from the HOA. The lots they are now showing as their 4th phase, were never platted, therefore, never intended or existed on their original plans. That they turned it into a 4th phase is nothing more than semantics and a way to get around the HOA and rules and regs they themselves created.

The CC&Rs and Bylaws (again written by Premier) specifically give the right to the architectural committee of the Oak Ridge Planned Development to refuse to allow fill or any structures that block the view of the common areas. Should Premier leave their "4th phase" within the HOA, they will not be able to build in the wetlands and they know it.

ARTICLE IV
ARCHITECTURAL REVIEW COMMITTEE

4.2 Committee Discretion. The Architectural Review Committee may, at its sole discretion withhold consent to any proposed work if the Committee finds the proposed work would be inappropriate for the particular Lot or incompatible with the design standards that the Committee intends for Oak Ridge. ***Consideration such as siting, shape, size, color, design, height, solar access, impairment of the view from other Lots, or other effect on the enjoyment of other lots or the Common Area, disturbance of existing terrain and vegetation and any other factors*** which the Committee reasonably believes to be relevant, may be taken into account by the Committee in determining whether or not to consent to any proposed work.

The act of building anything in the wetlands goes against their own policies in the Bylaws of the Oak Ridge HOA:

2.23 Oak Ridge Wetlands, Swale and Detention Pond. No Owner shall litter, contaminate, pollute or cause or permit any foreign substance to enter these areas.

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The Great Neighborhood plans call for green and natural spaces. The wetland is our green space – we have no other green spaces or common areas for our neighborhood. Removing the 11.47 acres after the development has been finished defeats the entire purpose of including green spaces in any other developments. Will developers be allowed to come back after the completion of a planned development or subdivision and then build on the green spaces too?

The city's own Goals and Policies state that:

Chapter 17.51

Planned Development Overlay

71.01 – 1. It will be the obligation of the City Planning Director and the City Engineer to determine whether or not the density of each proposed development can exceed six units per acre. School property, floodplain, and parklands will not be included in the density calculations.

71.06 – 3. Areas with mapped development limitations such as steep slopes, floodplains, stream corridors, natural drainageways and wetlands;

71.08 – 6. Proximity to and having potential impact upon identified floodplains and other environmentally sensitive areas (the higher the potential impact, the lower the allowed density). (Ord. 4796, October 14, 2003)

Planned Development Policies:

74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.

75.00 Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.

8-.00 In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees and drainage swales shall be preserved wherever feasible.

By changing the designation of Planned Development to Subdivision, Premier would have more room to go directly against the goals and policies their planned developments would have been originally held to.