

Treasure Comments

From: Jay Cromwell <jay@aamericanhousing.com>
Sent: Thursday, November 30, 2017 10:21 AM
To: Treasure Comments
Subject: Treasure Hill Comments

Good morning,

I had hoped to share this information last night but unfortunately I could not attend last night's meeting.

The Treasure project will not be able to comply with Land Management Code Criteria because the city lacks the inspection code and building agreement enforcement resources and rely's to heavily on promises made by developer(s).

I am a property owner on Upper Norfolk. During a recent visit with a neighbor the prospect of the city's ability to oversee/manage code for Treasure looks to be impossible. I say this looking at Treasure as an upscale of how the city has handled a project on our street.

There is a three house development project going on at the end of our street. The city and the developers entered into a construction agreement that contains several specific does and don'ts regarding developers activities. What may be of interest to you is the fact the developer violates the provisions of the construction agreement on a very regular basis, we as neighbors witness this personally. Trucks are not supposed to stage on Norfolk, yet they do. Construction activity is not to block the street or construction vehicles block access to residential homes, yet they do. Construction vehicles are not to park on street in designated residential spots, yet they do. Trucks are not to back down Norfolk yet I watch as very large trucks "beep beep" backing all the way down the street just squeezing by homeowners vehicles. Personally my truck, which rarely moves, sustained damage in the form of long scratches on the side facing the street. A couple neighbors with the resources have left for extended periods to " get a break". While the city is being made aware these violations there seems to be little that can be done. A recent conversation with an inspector responding to written a written complaint that included pictures of violations was eye opening. I was told inspectors visit this site almost daily, yet they miss so many violations that we regularly witness? The inspector offered that it must be a poor timing issue as it pertains to the exact time of inspectors visits? The project construction agreement for Norfolk contained a written provision that the developer is to use a 2000 square foot area behind the buildings to stage. Apparently the developers lost the preferred/easy access from King St. so the developer has ignored that staging agreement which mean larger than promised impact on neighbors. The inspectors comment: " well what else are they (the developer) supposed to do". When the developer is confronted with pictures of violations in certain cases they talk their way down by claiming trucks or equipment in question are not part of their project – really, no other such project going on at the end of Norfolk? As far as I can tell the provisions of the construction agreement do not contain specifics as to what the penalty is for violating the terms of the construction agreement. Thus it would seem forgiveness is easier than permission has become a best practice measure, and why not, no real impact on the developer.

As with the Treasure project the developer on Norfolk promised the city and immediate neighbors a number of things were in place to limit the impact on homeowners/neighbors. When the Norfolk developer ignored/renegeed on the agreed terms what recourse did we as affected neighbors have? From the homeowners perspective we ask: why is the city not representing our concerns? The conclusion we have come to is despite inspection efforts the city just can't properly represent affected homeowners regarding promised impact mitigation.

Imagine: Treasure developers have stated that the explosives used during the long excavation process will be barely discernible by residents. What is that's not the case? What recourse is there on the part of affected homeowners? Treasure has "promised" construction traffic, in what ever the final form, will be very tightly regulated as to limit impact on the neighbors/neighborhood. What if that's not the case? (I can't imagine that Treasure can fulfill that commitment, logistically very unlikely) So the ground is shaking, trucks are parading and daily life in parts of Old Town become a nightmare – then what? That's just what we experienced on Norfolk, upscaling to a project the size of Treasure is unimaginable.

Then there is the unintended consequences of such development projects. Case and point on Norfolk, the home to the immediate south of the project has experienced broken water pipes that flooded parts of the home. Foundation shifting and the resulting damage both interior and exterior. Likely due to a lack of a steep slope code requirement, work on the berm between Norfolk and the house to the south of the construction has resulted in the drive/street sloping away from the house. Literally shifting/cracking away from the front of the house. Subsequently the slope has also increased and trees (which the developers was not supposed to remove but did), are no longer a barrier to a vehicle sliding down to Norfolk below. The homeowner referenced here states that in the winter she will not able to get into her garage without four wheel drive (not previously the case) and fears sliding down onto Norfolk and causing damage or injury. Upscale to a project the size of Treasure – ugly.

At this point council needs to seriously consider what the Norfolk project has brought to bear. That being, if staff levels are not able to hold a relatively small development to account how can we possibly believe a project the size of Treasure can be enforced. I can imagine it will be tough to self reflect as this outline would require but we must.

Thank you for taking the time to consider my/our experiences and how we believe they relate to your deliberations of the Treasure project.

Respectfully,

Jay Cromwell