Attachment 'W'

Moises Monrroy Castillo

From: amybradshaw@cox.net
Sent: Sunday, April 10, 2022 3:36 PM
To: channa@councilbluffs-ia.gov; Moises Monrroy Castillo
Cc: jquackenbush@councilbluffs-ia.gov
Subject: FW: Whispering Oaks Phase V Proposal

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From: amybradshaw@cox.net <amybradshaw@cox.net>
Sent: Sunday, April 10, 2022 3:00 PM
To: 'jdisalvo@councilbluffs-ia.gov' <jdisalvo@councilbluffs-ia.gov>; 'sgorman@councilbluffs-ia.gov' <sgorman@councilbluffs-ia.gov>; 'channa@councilbluffs-is.gov' <channa@councilbluffs-is.gov>; 'cpeterson@councilbluffs-ia.gov' <cpeterson@councilbluffs-ia.gov>; 'rsandau@councilbluffs-ia.gov' <rsandau@councilbluffs-ia.gov>; 'mmonrroy@councilbluffs-is.gov' <mmonrroy@councilbluffs-is.gov>
Cc: 'jquackenbush@councilbluffs-is.gov' <jquackenbush@councilbluffs-is.gov>
Subject: Whispering Oaks Phase V Proposal

My name is Amy Bradshaw, I live at 1795 Sycamore Street, Council Bluffs, IA 51503.

I will start by saying I am adamantly opposed to the proposed plan for Whispering Oaks Phase V.

The Whispering Oaks Subdivision is still, to this day, marketed and advertised as a serene neighborhood with over 400 single-family residences. In fact, the Declaration of Covenants, Conditions, Restrictions and Easements of Whispering Oaks, a Subdivision in Pottawattamie County, Iowa states that "for the maintenance of the character and residential integrity of Whispering Oaks..." "Each lot shall be used exclusively for single-family residential purposes...except for use in connection with a Common Facility, or as a church, school, park, outlot, or for other non-profit use."

Although each phase of Whispering Oaks is governed under its own covenants, each of those covenants are identical, with the exact same wording regarding single-family residences. Under the plot plan, Phases I - IV include a total of 338 lots. With the advertised number of lots being over 400, it is implied by the developer that Phase V would also be single-family residences of approximately 62
+ in number.

Thus, the proposed change in zoning to accommodate multi-family structures is in direct opposition to how the subdivision was represented to buyers. It would be irresponsible and a show of questionable ethics for the Planning Commission and the City Council to allow this developer to continue with this plan, which was an obvious blatant effort to hoodwink the current homeowners within Whispering Oaks. I'm sure you don't want to reward a business willing to lie to its customers and community.

In addition to my opposition of this unethical practice of business, I have several other concerns.

1. TS Development has requested that a traffic study not be a condition of the City's review comments. A traffic study has not been conducted since 2017, prior to significant building in the Whispering Oaks area. TS Development must be required to conduct a current traffic study to evaluate the effects the neighborhood has

had up to this point and to consider the additional traffic impacts with the addition of 250+ apartment units. That study should also include the corner of Vally View Drive and Greenview Road. That intersection, I believe, has seen a significant increase in traffic since the development of Whispering Oaks and adding 250+ apartment units instead of the originally planned 62 homes will have an even more dramatic effect.

2. TS Development has requested that previously prepared and submitted Geotechnical Investigations and Drainage Studies be used to evaluate this rezoning/development request and that additional studies not be a condition of the City's review comments. The geotechnical investigations and drainage studies should be required to be redone. The studies done previously, did not take into consideration the significant, additional amount of pavement that will be present due to parking lots. This additional paved area will create much more run off than the originally proposed 62 single-family lots.
3. TS Development plans to dedicate a public right-of-way between Whispering Oaks Phase IV and Greenview Road. There is absolutely no need for Sycamore to connect this new development to the existing neighborhood via Phase IV. The additional traffic into our neighborhood is unwanted and unsafe. There is no possible reason residents of the apartment complex need to be driving into the existing neighborhood, as we offer no amenities for them to access. We do however, have many children and the additional traffic could certainly pose a safety concern for them. Especially, as Sycamore would then eventually become a through street with access from Franklin to Greenview. The additional traffic as well as the traffic speed would be of concern for safety issue, much like Forest Glen Drive is already.
4. Under this proposal, the Whispering Oaks HOA would be responsible for repair and maintenance of several parts of this development: specifically, outlots, private roads and storm water retention ponds and a lift station. It seems exceedingly unreasonable that we, as homeowners, would be saddled with this financial burden for a development we are not in support of. These financial responsibilities would likely necessitate an increase in our HOA dues. This is another example of this developer trying to take advantage of its customers and community. TS Development claims it will retain ownership of the Phase V development and the land it sits on. It then seems logical they would be responsible for the outlots, private roads and water retention ponds/lift station associated with the development and/or fall within those boundaries.
5. TS Development has stipulated that the number of parking spaces designated in this plan is only an estimate because they do not have completed and finalized designs for the complex, only conceptual renderings. They do not know exactly how many residents this complex may house due to incomplete planning. Prior to moving forward, the Planning Commission and the City Council should require this developer to have a final plan for the number of units and bedrooms to give an accurate number of required parking spaces. This information could be vital in determining additional traffic issues and water runoff. It also allows the developer tremendous leeway in making changes to the final plan after approval. Don't give TS Development special treatment that would not be afforded to other developers in the city.
6. In Chapter 5: Land Use Plan of the Council Bluffs 2030 document, it designates the area of town at the corner of Franklin and Greenview as Low Density Residential. There is a designation within the 2030 plan for Multi-Family/Mixed Use developments, however those designated areas of the city are nowhere near the Whispering Oaks area. This plan by TS Development, consisting of apartments and commercial space would certainly fall within the Multi-Family/Mixed Use designation. Therefore, the City of Council Bluffs visionary plan for 2030 does not coincide with this current request.
7. The 2030 plan, in the Land Use Plan chapter, also stipulates "All residential areas should be attractive and reflective of the unique local characteristics. Consideration should be given to the following elements that typically help define local character."
    a. Typical lot sizes that establish the overall density of the neighborhood and opportunities for green space;
    b. Consistent yards that define the setback from the street and adjacent housing, and influence the amount of landscaping in a neighborhood;
    c. Appropriate bulk and scale that establishes a rhythm of building and a sense of place;
    d. Residential development standards that ensure context-sensitive infill that address building massing and scale, site planning, access management, etc.

    The "local character of the Whispering Oaks neighborhood and the surrounding neighborhoods is obviously single-family and rural in nature. This "local character" is supported by parameters set forth is the 2030 plan: 1)

our consistently typical lot and yard sizes; 2) the bulk and scale of our neighborhoods that has established a single-family "rhythm and sense of place; 3) residential development standards that have, up until now, ensured context-sensitive infill by not allowing a development that is of inconsistent mass and scale. To be put simply, adding a multi-family complex with commercial space, flies in the face of our current "local character" and the 2030 plan should be used to protect that "local character."

8. The decision makers in this process also have an obligation to communicate with the school district this will impact. It would again be irresponsible to proceed without having a conversation about how this would impact their enrollment, facilities, and classroom/teaching compacity.

Amy Bradshaw