

Resident Comments

From: Jessica Williams [REDACTED]
Sent: Thursday, May 05, 2016 4:33 PM
To: Murphy, Joan
Subject: Proposed comprehensive plan amendment and rezoning Apple Valley

To whom it may concern:

I would like to voice my opinion.

I am opposing the proposed comprehensive plan amendment and rezoning in the city of apple valley on the additional of 28 unit apartment building on Whitney Drive.

There are several beautiful big pine trees on the property.. Those beautiful Pine trees should be leave alone as it provides us good benefits for our health.

It would increase traffic jammed by that stop sign area between Whitney Drive and Pennock Ave. There had been some crime reports on that street.. If adding more apartment, it could cause more crime assaults in the area. It could cause more noise and less privacy for neighborhood.

There are plenty of new development apartment on the East side of Apple Valley area. For example on Galaxies Ave and Flagstaff Ave. It will cause overcrowd on Whitney Drive.

I am opposing adding apartments by Whitney Drive. I would like to see the beautiful environment instead of overflow of apartment buildings. It would be a ugly picture of the building without beautiful grass lawn and trees. .

Thank you for your time.

Jessica Williams
Resident of Whitney Drive
Apple Valley, MN 55124

Thomas P. Carlson
Nigel H. Mendez*
Brienne T. Nielsen

*MSBA Certified
Real Property Law Specialist

Carlson & Associates LTD
ATTORNEYS AT LAW
www.carlsonassoc.com

1052 Centerville Circle
Vadnais Heights, Minnesota 55127
Telephone: 651-287-8640 • Facsimile: 651-287-8659

Paralegals
Rebecca L. Hansen
Sharlene A. Paradis
Jenifer R. Shull

July 15, 2016

Apple Valley City Council
7100 - 147th Street West
Apple Valley, MN 55124

Re: Comprehensive Plan Amendment
7800 - 7822 Whitney Drive

Dear Council Members:

This firm represents the Greenleaf IV Townhouse Association. The Association is comprised of 79 townhome units and is situated immediately to the north of the proposed apartment building project. It is a remarkably quiet residential area despite its close proximity to Cedar Avenue. The Association boasts mature trees and large green spaces between the buildings, making it a desirable yet affordable neighborhood.

It is my understanding that the Council will address certain land use actions requested by Delegard Apple Villa Properties, LLC which would allow Delegard to construct a new 28 unit apartment building on the property immediately adjacent to the Association property. The requested actions include a proposed amendment to the City's Comprehensive Plan which would rezone this area from Medium Density Residential to High Density Residential. They also request that the property be rezoned to Planned Development and that they be granted a variance from parking setback requirements. It is my understanding that these issues will be addressed at the City Council meeting on July 28.

From a comprehensive planning standpoint, it does not make sense to insert a lone, High Density Residential parcel into an already developed Medium Density Residential neighborhood. The proposed amendment is simply inconsistent with the City's overall comprehensive planning objectives.

The Association's Board of Directors has asked that I write to you to voice the concerns of the Association members and their strong opposition to these proposals. I have attached a Memorandum from the Board of Directors which lays out a number of these concerns. The Association requests that you specifically address these issues in your deliberation of this matter

06.28.2016

Memo

To

City of Apple Valley
Planning Commission

From

Greenleaf IV Townhouse
Association

CC

Association Team
Management

City of Apple Valley
Mayor and City Council

Carlson Law firm

Re

Delegard Apple Villa
Apartment Project and
rezoning to higher density
housing.

Comments:

This Communication represents the concerns of all 79 homeowners in the Greenleaf IV Townhouse Complex located directly north across Whitney Drive from the Delegard proposed new development of a 28-unit **High** Density Residential apartment building currently zoned for **Medium** Density Residential. All 79 Greenleaf IV homeowners have been represented at the recent Planning Commission meetings by multiple members of the Association's Board of Directors and the concerns of all homeowners have been expressed to city staff.

There are several concerns still remaining if this project continues! The most significant of which are the following:

- Delegard ownership has shown since their complex's inception to have no apparent interest in caring about the appearance of their property most notably the overall exterior of their buildings and in particular the significantly discolored and heavily worn shingles and roofing that can be seen from a long way off and significantly degrades the appearance of the entire neighborhood surrounding this project on all sides, and negatively impacts property values. Please see photos below. We are concerned that that this lack of caring and investing in their property will continue *unless contractually bound by the city* to make reasonable and timely maintenance upgrades and improvements now and in the future.
- At the most recent planning commission meeting it was stated that part of the new building project would be to upgrade the current buildings to the same standard and appearance of the proposed new building. We would hope and suggest that this upgrading of the current buildings will include replacing the current "eye sore" roofs (***which was not delineated or mentioned at the meeting when improvements were discussed***) and that *all* of those upgrades be performed at the *same time* and in conjunction with the construction of the new building. We request that this be included in contract language between the city and Delegard ownership so that the old buildings (including the one that will be behind the new building) don't just get left "as is" for some indefinite period of time. It is our strong belief that all of this needs to be done

[Company]

Tel [Telephone]
Fax [Fax]

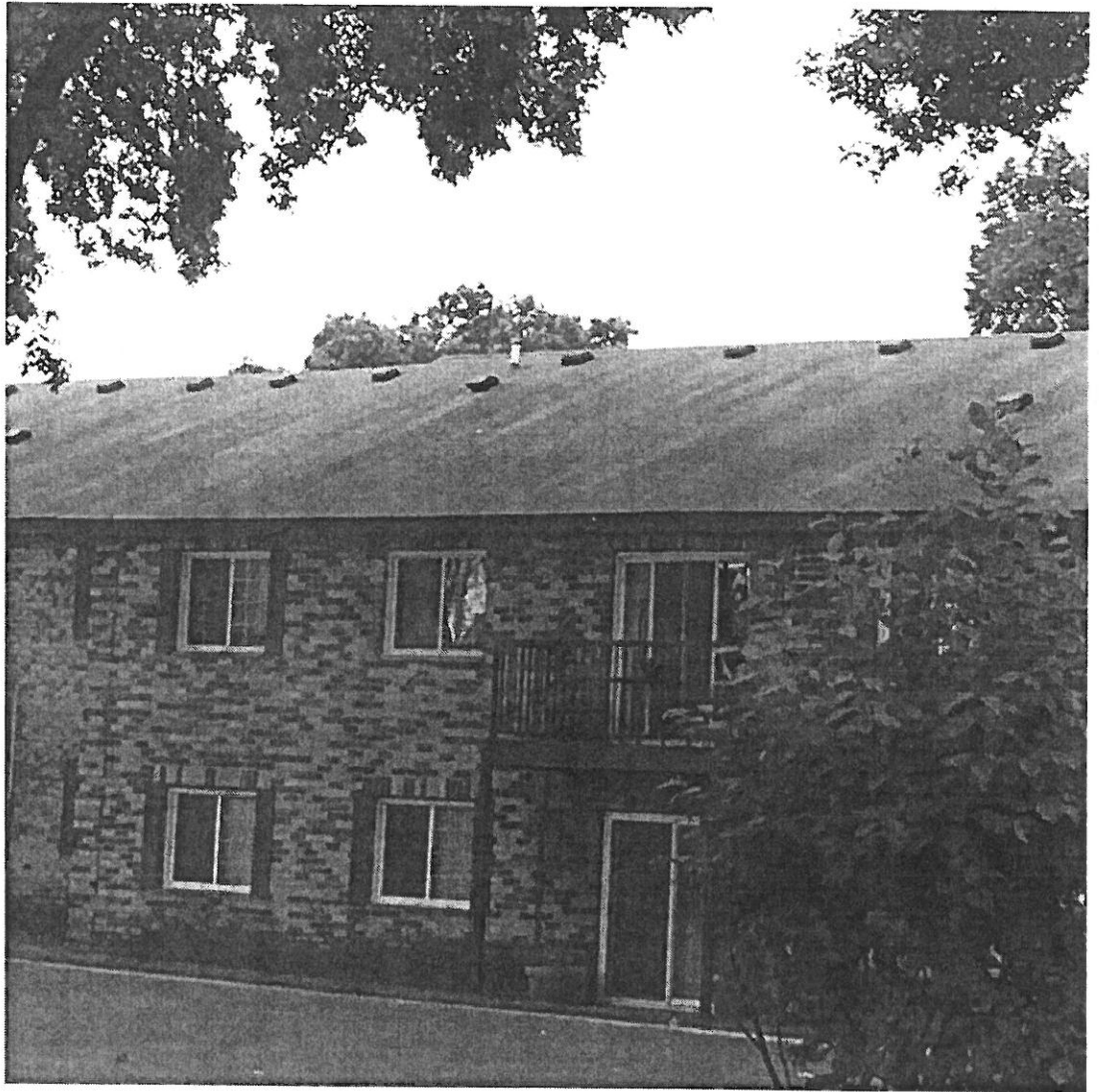
[Street Address]
[City, ST ZIP]

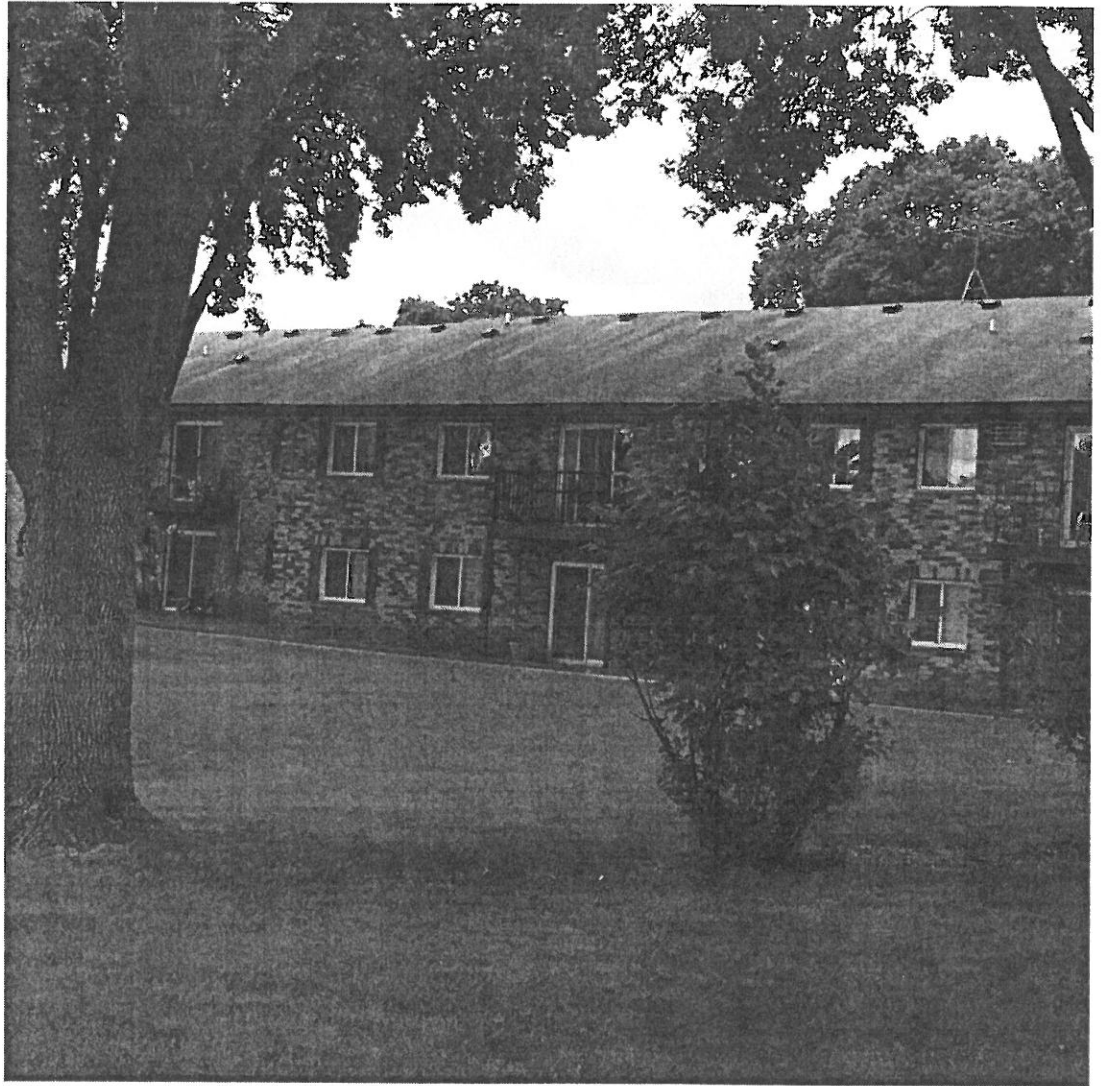
[Website]
[Email]

replace with
LOGO

concurrently in order to preserve the integrity of the neighborhood and the value of our properties.

- Increased traffic is a potential safety hazard to the many children that walk to and from the neighboring elementary school and middle school. Traffic flow during construction and after is going to be a major congestion & safety issue in an area where there are already constraint's due to Cedar Avenue ingress and egress having been changed significantly to accommodate the Metro transit traffic project recently. Additional buses in the area in addition to new resident traffic is a significant concern.
 - The current storm sewer is at capacity and will need to be upgraded.
 - There is significant concern about the size of the proposed landscaping buffers. These need to be of significant size at the outset to be effective and not some small shrubs that take 20-30 years to grow to an effective size. Again this should be part of the city's conditions and agreement with ownership at the time of agreement.
 - There is concern about the amount of new lighting being excessive and disrupting the quiet residential area that is enjoyed by both Greenleaf residents and the residential housing neighborhood to the immediate West of this new project, as well as the complex adjacent to it on the south.
 - The proposed decreasing of the parking setback from Whitney Drive from 20' to 15' is going to reduce privacy, neighborhood integrity and further aggravate the traffic and parking situation on Whitney Drive.
-









06.28.2016

Memo

Pg.07





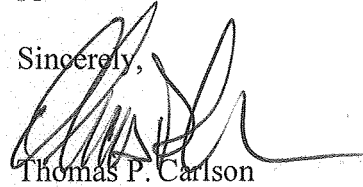
Apple Valley City Council

July 15, 2016

Page 2

and respectfully requests that the Association be made aware of the results of those deliberations. Specifically, they ask that those items that recommend certain project milestones and identified timelines be included in the City's final agreement with the vendor Delegard Apple Villa Properties LLC. A written response would be most appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas P. Carlson', written over the word 'Sincerely,'.

Thomas P. Carlson

Enclosure

cc: Mayor
City Manager
Planning Commission
Greenleaf Board of Directors