

From: John Pritchett <jpritchett@msn.com>
Date: July 24, 2018 at 11:56:52 AM CDT
Subject: PD-15 and the Authorized Hearing Process

This is an open letter to our Steering Committee members.

I know some of you may have gotten beat up a little bit, but please don't consider it anything personal. I sense you are endeavoring to represent your community to the best of your abilities. Thank you.

Yes, the attached petition is being circulated.

The situation we find ourselves in is very confusing to many, so let me try to simplify it. I've been dealing with Transwestern since 2013 and have devoted 100s of hours to endeavoring to protect my neighbors, so please read this carefully.

One of motivating factors for the Area Plan was a request in 2014 to Jennifer Gates to help us prepare a plan to guide developers contemplating buying properties in PHSNA. I was in that meeting. After developer interest on 2 other corners of Preston Road and Northwest Highway, a plan was produced, and ratified unanimously by the City Plan Commission and City Council in 2017 -- after 2 years and \$350,000. Consultants were engaged, options were considered, massing studies were conducted, surveys were taken, questionnaires were returned, stakeholders were interviewed, scenarios were considered, workshops were run, data was collected, intermediate reports were published, nine task force meetings were held, and visions were examined.

So you would think that would be the final word. Yet, we have had to immediately counter the following:

- Laura Miller hijacked the process and the plan is not representative. False.
- The Plan does not apply to PD-15. False, we finally got that reversed.
- During the Working Group setting, Jennifer Gates would not unambiguously state the Area Plan was the baseline, until she was pressured to do so, reluctantly.
- Scott Polikof, introduced to the Working Group by Margot Murphy, immediately declared the Area Plan trash. A planner himself, he was playing to the developers who might later engage him.
- Margot Murphy, who took on the role of facilitator of the Working Group, likewise tossed the Area Plan and went down the road of covering the same ground in the Fall of the same year the Area Plan was ratified by City Hall! Was she hoping for a better answer for the developers in the same room?
- The Area Plan takes rights away from individual properties. False.
- No marketing study was done as part of the Area Plan. We didn't need one. The area plan mirrored Transwestern's Laurel project and was approved about the same time.
- The deal for the land for the Laurel was made in 2011 and economics have changed. False. The final price for the land was established in 2015/16.
- Spanos has commissioned a study stating that concludes the Area Plan is not economical. 1] Then explain the Laurel. 2] It also concludes that the Spanos proposal is not economical (Read Appendix 7), so I have to wonder about the factors they are using. 3] CPC and City Council are not permitted to take economics into consideration when considering land use changes, so why is it even being mentioned?

Do you see a pattern emerging here? After many tries, the City is having difficulty busting up the Area Plan for the benefit of developers. So here comes the Authorized Hearing process, which our neighborhood did not ask for, which we have not ratified, and indeed which many have fought against from the start. The City has now appointed individuals to a Steering Committee who had no involvement with Transwestern, the Area Plan, or the Working Group.

No disparagement meant, Steering Committee members, but you are not the A-Team in terms of zoning matters. The idea is to put you in front of a nice City Hall staffer to guide you to a more developer friendly version of a plan ratified by the City in only 2017. FIGHT AGAINST THAT. Kudos to Tatiana for putting the Area Plan in front of Andrew at the last meeting. The rest of you need to pile on. Keep it up.

Please read the petition. This is what your neighbors want. Thus far I am getting a huge response.

In my humble opinion, unless you are fighting tooth and nail to preserve the Area Plan, you are not representing your neighbors. You may be receiving the same reaction from others. The City wants you to think you are serving your community by giving away development rights. No, you will be serving the developers.

Think of us as being in negotiations. The Area Plan is represents our offer. If a developer wants more than that then we await their counter-offer. Do not make another offer -- you would only be negotiating against yourself. Not a good idea. Stick to the Area Plan and we will deal with them in a professional manner when we get across the table from a developer after a zoning request.

Here is another perspective. We want to have a say in what new properties in the neighborhood look like. How will trash be removed, where will moving vans park, how large will the units be, how will balconies be oriented, etc. etc. For Transwestern we were able to negotiate such details because they filed a zoning request. If you give developers sufficient development rights in the Authorized Hearing process, you are leaving this all up to the developers. For the sake of your neighbors, DO NOT leave this up to developers. Demand there be no changes to the PD and they will have to file.

Talk to your neighbors at 6040 Place and Park De Ville across the alley from Laurel. It has been 18 months of Hell. Blocked alleys, contractors parking on their streets, plugging their microwave ovens into outlets on their front porch. I see the complaints at a rapid pace. They promised to park their contractors off site and bus them in, but we didn't get it in writing. With eventually 4 properties to be constructed in the middle of our neighborhood we are looking potentially at 6 years of awful disruption. We want to negotiate site conditions with the developer. If you give them sufficient development rights in the Authorized Hearing process, you are leaving this up to the developers. For the sake of your neighbors, DO NOT leave this up to developers. Demand there be no changes to the PD and they will have to file.

How do you like driving on Averill Way with all the potholes? All the City requires of developers is to patch. So after the fact I and others had to negotiate a full re-pavement, with City help. Or at least I think it's done. But the streets in PD-15 are not City streets so we won't be able to negotiate complete street repaving to City standards when the developers are done. We only do that if they file a zoning request!

I know you Steering Committee members want to do something positive so here's an idea. Propose splitting PD-15 into 5 PDs. PD-15 will be comprised of Athena and Preston Tower have an isthmus that enables the towers to preserve the perpetual parkway easement and the 100' set back. Each low-rise (PD-15.A, PD-15.B, etc.) will be given precisely the same development rights they have today plus their pro-rata share of the 60-some un-allocated units, based on number of units today. If a low-rise wants to redevelop then they can file to amend their PD without dragging in the other properties.

Sorry for the long email, but it is a complex situation with lots of history.

Incidentally, why don't you Steering Committee members get together and caucus before Thursday's meeting. What you do in the next few meetings will influence this neighborhood for years to come. You must work together as a team. The City is into divide and conquer mode.

By the way, don't buy into Jennifer's "self-determination" characterization of the Authorized Hearing. "Self-determination" is what we can do when we can face a developer one-on-one, just like we did with Transwestern.

Sincerely, thanks for your energies so far, Steering Committee Members. You are putting in a lot of work and I have no doubt that you are all well-intentioned.

Keep those petitions flowing my way!

AREA PLAN!

John

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