

From: [REDACTED]
To: [planningdepartment](#)
Subject: RESOLUTION PC 21 28 MOD 01 (AGENDA ITEM #4; 1/25/2022)
Date: Monday, January 24, 2022 6:08:36 PM

In addition to the application and attachments thereto, the HOA submits the following statement.

In mid-November, the Builder approached the Board and asked that we (homeowners and the HOA Board) withdraw our demand for the 8' fence. Instead, he offered to 1) cut and cap the existing posts, and 2) once the City approved this plan and refunded his \$5,000 he would give that to the HOA and we could use it to augment the landscaping along the fence (inside and outside) on 32nd Street.

The HOA Board and homeowners (those who had given written testimony to the original public notice to modify the PUD) met to discuss this. As a group, we also solicited advice from Lisa at Laurel Bay Gardens as to what could be done for \$5,000 and we requested a quote from them. Based on Lisa's advice, we agreed that augmenting the landscaping was our best alternative as additional plantings would actually do a better job of mitigating the noise and dust from the concrete plant. In lieu of the 8' fence, we opted to accept the Builder's offer of a \$5,000 payment to augment the landscaping along the 32nd St. fence.

We all are very disappointed that the Builder didn't do what he originally committed to do. We fully understand the sidestepping he did to avoid fulfilling his original contract with homeowners, but we don't think it benefits us to insist he do so at this point. Instead, the Board and the homeowners who responded to the variance posting (the Llewellyns and Joe Cullivan) have agreed to accept the verbal offer the builder made to us on November 16 — that is to 1) cut and cap the posts, and 2) give us the \$5,000 he has with the City once the City refunds it to him. We will use that money to enhance the landscaping along the 32nd Street fence. We stipulated this in the application so you are very much aware of the Builder's commitment to the HOA and the homeowners.

We would very much appreciate any assistance the City can lend to ensuring the Builder follows through on his commitment to pay the \$5,000 for the additional landscaping.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dolly Brock', with a stylized, flowing script.

Dolly Brock. President
Oak Street Commons HOA