

January 8, 2024

**Subject:** Request for Royal Pines Apartments Financial Cost-Sharing on HOA Managed Shared Spaces

Planning Commission Members,

The Pine Creek Village Homeowner's Association (PCVA) has serious concerns about the impact Royal Pines Apartments (DEPN-23-0141/COPN-23-0015) will have on our community, particularly on our shared spaces. This includes our private park (referenced as "Pirate's Cove" by the Planning Department, see below) identified as an accessible amenity for this development:

**Parks**

This conversion from commercial to residential density triggers several ordinances, including the Parkland Dedication Ordinance (PLDO). The Citywide Development Impact (CDI) Fees (Police & Fire Fees) are also applicable to all new development and redevelopment.

- PLDO: This project creates a new park land obligation based upon the proposed (232) residential units being created. The total land obligation amounts to less than the minimum neighborhood park size of 3.5 acres, in addition Pirate's Cove Park is within a 0.5 mile walking distance from this location and John Venezia Park is just beyond a 0.5 mile distance. In cases of limited dedicated acreage, fees in lieu are an acceptable alternative.
- CDI: Citywide Development Impact Fees for Police and Fire apply to all new and redeveloped residential and nonresidential development. This development is applicable to CDI.

**Figure 1:** The submission from the Planning Department designates "Pirate's Cove Park," a private facility under the management of PVCA, as an anticipated amenity for the new apartment complex. This designation occurs without any commitment from the city or the developer to contribute financially towards the upkeep or enhancement of the park. Consequently, the increased usage of "Pirate's Cove Park" by residents of the proposed development effectively imposes an undue burden on our community. This situation can be seen as an indirect levy, as it necessitates additional maintenance and operational costs for the park, costs that are being passed on to our community members without their consent or a formal vote by the citizens.

**Despite repeated requests to work with the developer for cost-sharing of common area maintenance, the developer has dismissed our requests and concerns.** The developer, at different neighborhood meetings, has expressed a desire to "integrate" with our community. However, their lack of willingness to share costs contradicts these statements. This situation is distressing, as we believe a collaborative approach is vital to mitigate the impact of the new development on our community.

It is imperative the developer contributes towards the maintenance and upgrade of these shared spaces to offset their increased use. To illustrate, another nearby apartment complex with 314 units contributes \$74,105 to PCVA's annual budget. Using this as a benchmark, we propose a similar assessment for the new development (232 units/ \$54,752) for fiscal year 2024, with a 7.5% annual increase to account for inflation. This contribution is crucial in maintaining the quality and accessibility of our shared amenities.

This approach ensures fairness and proportionality of financial responsibilities for the shared spaces (including the private park). It also aligns with the developer's professed commitment to community integration. This is a necessary step in sustaining the shared amenities.

The HOA and its members are committed to a harmonious coexistence with the new development. However, we can only achieve this if the developer acknowledges and compensates for the additional strain on our resources. We urge the Planning Commission to consider our request and mandate this financial cost-sharing as part of the development's review process.

Thank you for your attention to this matter. We look forward to a favorable resolution that respects the interests of all parties involved.

Sincerely,



Jeffrey Anderson  
President, Pine Creek Village Association Board of Directors  
Pine Creek Village Association  
jeff.pcva.hoa.com@gmail.com