

Appellant's Exhibit 55

(as referenced in June 30, 2017

*Appellant WPDC Cleveland LLC's Witness and Exhibit List*)

## Rob Odle

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**From:** Gary Lee  
**Sent:** Friday, April 14, 2017 11:33 AM  
**To:** Rob Odle; Steve Fischer; Lisa Maher  
**Subject:** RE: Hearing for Origins Building Permit Appeal with Hearing Examiner needs to be rescheduled

Yes. The Andorra attorney sent me an email requesting a refund of the SPE application fees too.

I understand from the City Attorney, who is in contact with the applicant's attorney, that the applicant intends to revise their building permit application so it does not require approval of an Administrative Modification or Site Plan Entitlement by the Design Review Board, only a building permit approval.

We do not have a revision request for the building permit application yet. That applicant needs to be initiate by the building permit revision process with the Building Inspector.

*Gary Lee*

Senior Planner  
(425) 556-2418  
City of Redmond, MS: 25PL PO Box 97010 Redmond WA 98073-9710

**From:** Rob Odle  
**Sent:** Friday, April 14, 2017 11:06 AM  
**To:** Gary Lee <GLEE@REDMOND.GOV>; Steve Fischer <SFISCHER@REDMOND.GOV>; Lisa Maher <lmaher@redmond.gov>  
**Subject:** FW: Hearing for Origins Building Permit Appeal with Hearing Examiner needs to be rescheduled

Is this considered final so that the Redmond Reporter can be advised that they have withdrawn their entitlement application?

Thanks  
Rob

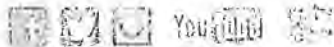
**From:** Cheryl D. Xanthos  
**Sent:** Friday, April 14, 2017 10:39 AM  
**To:** Vicki Orrico <Orrico@jmmllaw.com>; Laing, Aaron M. <ALaing@SCHWABE.com>  
**Cc:** Gary Lee <GLEE@REDMOND.GOV>; Jim Haney Outside Address <jhaney@omwlaw.com>; Daniel P. Kenny <dpkenny@omwlaw.com> <dpkenny@omwlaw.com>; Rob Odle <RODLE@REDMOND.GOV>; Steve Fischer <SFISCHER@REDMOND.GOV>; Michelle Hart <MHART@redmond.gov>; Duana Kolouskova <Kolouskova@jmmllaw.com>; Anderson, James C. <JAnderson@SCHWABE.com>; Mr. Kevin R. Wallace <kwallace@wallaceproperties.com>  
**Subject:** RE: Hearing for Origins Building Permit Appeal with Hearing Examiner needs to be rescheduled

The Hearing Examiner stated that we will continue with the May 31<sup>st</sup> hearing date, and the order that was issued with the document timelines. Let me know if you have any questions.

Thank you,  
Cheryl



**Cheryl Xanthos, CMC**  
Deputy City Clerk | City of Redmond  
PH: 425.856.3194 | [cdxanthos@redmond.gov](mailto:cdxanthos@redmond.gov) | [Redmond.gov](http://Redmond.gov)  
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(Filling out the short survey will assist us in knowing how better to meet your needs)

**From:** Vicki Orrico [<mailto:Orrico@jmmlaw.com>]  
**Sent:** Thursday, April 13, 2017 9:40 AM  
**To:** Laing, Aaron M. <[ALaing@SCHWABE.com](mailto:ALaing@SCHWABE.com)>  
**Cc:** Cheryl D. Xanthos <[cdxanthos@redmond.gov](mailto:cdxanthos@redmond.gov)>; Gary Lee <[GLEE@REDMOND.GOV](mailto:GLEE@REDMOND.GOV)>; Jim Haney Outside Address <[jhaney@omwlaw.com](mailto:jhaney@omwlaw.com)>; Daniel P. Kenny ([dpkenny@omwlaw.com](mailto:dpkenny@omwlaw.com)) <[dpkenny@omwlaw.com](mailto:dpkenny@omwlaw.com)>; Rob Odle <[RODLE@REDMOND.GOV](mailto:RODLE@REDMOND.GOV)>; Steve Fischer <[SFISCHER@REDMOND.GOV](mailto:SFISCHER@REDMOND.GOV)>; Michelle Hart <[MHART@redmond.gov](mailto:MHART@redmond.gov)>; Duana Kolouskova <[Kolouskova@jmmlaw.com](mailto:Kolouskova@jmmlaw.com)>; Anderson, James C. <[JAnderson@SCHWABE.com](mailto:JAnderson@SCHWABE.com)>; Mr. Kevin R. Wallace <[kwallace@wallaceproperties.com](mailto:kwallace@wallaceproperties.com)>  
**Subject:** RE: Hearing for Origins Building Permit Appeal with Hearing Examiner needs to be rescheduled

Aaron

As I said, we are withdrawing our site entitlement application and will proceed with only our building permit application as originally submitted.

Best Regards,

*Vicki E. Orrico*

Vicki E. Orrico  
Johns Monroe Mitsunaga Kolousková, PLLC  
Bellefield Office Park  
11201 S.E. 8<sup>th</sup> Street, Suite 120  
Bellevue, WA 98004  
(425) 467-9968 (direct)  
(425) 417-3519 (cell/direct)  
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**From:** Laing, Aaron M. [<mailto:ALaing@SCHWABE.com>]  
**Sent:** Wednesday, April 12, 2017 5:03 PM

**To:** Vicki Orrico

**Cc:** Cheryl D. Xanthos; Gary Lee; Jim Haney Outside Address; Daniel P. Kenny ([dpkenny@omwlaw.com](mailto:dpkenny@omwlaw.com)); Rob Odle; Steve Fischer; Michelle Hart; Duana Kolouskova; Anderson, James C.; Mr. Kevin R. Wallace

**Subject:** Re: Hearing for Origins Building Permit Appeal with Hearing Examiner needs to be rescheduled

Ms. Orrico,

For clarification, does this mean your client is abandoning the mezzanine that is subject to the stop work order and agreeing that it will not provide doors, windows or other exterior modifications to the building--ever?

Please advise.

Aaron M. Laing  
Attorney  
Schwabe, Williamson & Wyatt, PC

Sent from my iPhone  
206.450.0950

On Apr 12, 2017, at 4:52 PM, Vicki Orrico <[Orrico@jmmmlaw.com](mailto:Orrico@jmmmlaw.com)<<mailto:Orrico@jmmmlaw.com>>> wrote:

Dear Examiner Rice

We are withdrawing our site entitlement application and will not be refileing it. We wish to proceed with the outstanding appeal on the May 31 date already set for the matter. Please let me know if you have any questions. Thank you.

Best Regards,  
Vicki E. Orrico  
Vicki E. Orrico  
Johns Monroe Mitsunaga Koloušková, PLLC  
Bellefield Office Park  
11201 S.E. 8th Street, Suite 120  
Bellevue, WA 98004  
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From: Cheryl D. Xanthos [<mailto:cdxanthos@redmond.gov>]  
Sent: Tuesday, April 11, 2017 2:49 PM

To: Vicki Orrico; Gary Lee; Laing, Aaron M.  
Cc: Jim Haney Outside Address; Daniel P. Kenny ([dpkenny@omwlaw.com](mailto:dpkenny@omwlaw.com)<<mailto:dpkenny@omwlaw.com>>);  
Rob Odle; Steve Fischer; Michelle Hart  
Subject: RE: Hearing for Origins Building Permit Appeal with Hearing Examiner needs to be rescheduled

I have informed the Hearing Examiner regarding the correspondence today, and will let you know how she advises.

Thank you,  
Cheryl

<image001.png>

Cheryl Xanthos, CMC  
Deputy City Clerk | City of Redmond  
•: 425.556.2191 | •: [cdxanthos@redmond.gov](mailto:cdxanthos@redmond.gov)<<mailto:cdxanthos@redmond.gov>> |  
[Redmond.gov](http://www.redmond.gov)<<http://www.redmond.gov>>  
MS: 3NFN | 15670 NE 85th St | Redmond, WA 98052

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From: Vicki Orrico [<mailto:Orrico@jmmlaw.com>]  
Sent: Tuesday, April 11, 2017 2:18 PM  
To: Cheryl D. Xanthos <[cdxanthos@redmond.gov](mailto:cdxanthos@redmond.gov)<<mailto:cdxanthos@redmond.gov>>>; Gary Lee <[GLEE@REDMOND.GOV](mailto:GLEE@REDMOND.GOV)<<mailto:GLEE@REDMOND.GOV>>>; Michelle Hart <[MHART@redmond.gov](mailto:MHART@redmond.gov)<<mailto:MHART@redmond.gov>>>  
Cc: Laing, Aaron M. <[ALaing@SCHWABE.com](mailto:ALaing@SCHWABE.com)<<mailto:ALaing@SCHWABE.com>>>; Jim Haney Outside Address <[jhaney@omwlaw.com](mailto:jhaney@omwlaw.com)<<mailto:jhaney@omwlaw.com>>>; Daniel P. Kenny ([dpkenny@omwlaw.com](mailto:dpkenny@omwlaw.com)<<mailto:dpkenny@omwlaw.com>>)  
<[dpkenny@omwlaw.com](mailto:dpkenny@omwlaw.com)<<mailto:dpkenny@omwlaw.com>>>; Rob Odle <[RODLE@REDMOND.GOV](mailto:RODLE@REDMOND.GOV)<<mailto:RODLE@REDMOND.GOV>>>; Steve Fischer <[SFISCHER@REDMOND.GOV](mailto:SFISCHER@REDMOND.GOV)<<mailto:SFISCHER@REDMOND.GOV>>>  
Subject: RE: Hearing for Origins Building Permit Appeal with Hearing Examiner needs to be rescheduled  
Importance: High

Dear Hearing Examiner

The Applicant does not agree to postpone the hearing again. We would like to hold the May 31 date for the next few days while we analyze our position. Thank you.

Best Regards,  
Vicki E. Orrico  
Vicki E. Orrico  
Johns Monroe Mitsunaga Koloušková, PLLC  
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11201 S.E. 8th Street, Suite 120  
Bellevue, WA 98004  
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From: Cheryl D. Xanthos [<mailto:cdxanthos@redmond.gov>]  
Sent: Friday, April 07, 2017 11:07 AM  
To: Gary Lee; Michelle Hart  
Cc: Vicki Orrico; Laing, Aaron M.; Jim Haney Outside Address; Daniel P. Kenny ([dpkenny@omwlaw.com](mailto:dpkenny@omwlaw.com)<<mailto:dpkenny@omwlaw.com>>); Rob Odle; Steve Fischer  
Subject: RE: Hearing for Origins Building Permit Appeal with Hearing Examiner needs to be rescheduled  
Importance: High

Gary,

For us to reschedule, we will need a future date to reschedule to (it can be further rescheduled if need be). Please propose a date so I can get back to the hearing examiner regarding this change. Upcoming dates are:

July 19, 2017

August 28, 2017

Please advise ASAP.

Thanks!  
Cheryl

<image007.png>

Cheryl Xanthos, CMC  
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(Filling out the short survey will assist us in knowing how better to meet your needs)

From: Gary Lee

Sent: Friday, April 07, 2017 10:59 AM

To: Cheryl D. Xanthos <[cdxanthos@redmond.gov](mailto:cdxanthos@redmond.gov) <<mailto:cdxanthos@redmond.gov>>>; Michelle Hart <[MHART@redmond.gov](mailto:MHART@redmond.gov) <<mailto:MHART@redmond.gov>>>

Cc: Vicki Orrico <[Orrico@jmmlaw.com](mailto:Orrico@jmmlaw.com) <<mailto:Orrico@jmmlaw.com>>>; Laing, Aaron M. <[ALaing@SCHWABE.com](mailto:ALaing@SCHWABE.com) <<mailto:ALaing@SCHWABE.com>>>; Jim Haney Outside Address <[jhaney@omwlaw.com](mailto:jhaney@omwlaw.com) <<mailto:jhaney@omwlaw.com>>>; Daniel P. Kenny <[dpkenny@omwlaw.com](mailto:dpkenny@omwlaw.com) <<mailto:dpkenny@omwlaw.com>>>

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<[SFISCHER@REDMOND.GOV](mailto:SFISCHER@REDMOND.GOV) <<mailto:SFISCHER@REDMOND.GOV>>>

Subject: Hearing for Origins Building Permit Appeal with Hearing Examiner needs to be rescheduled

Cheryl and Michelle,

The hearing date for this appeal needs to be rescheduled, as the subject Site Plan Entitlement Application will not be achieving its Notice of Decision as previously anticipated.

The Design Review Board did not approve of the design last night, requiring an additional meeting, and the Technical Committee will be requesting additional information, requiring additional time for the applicant to prepare the information and for the Technical Committee to evaluate the requested information. At this point cannot estimate when the Notice of Decision can be issued.

Please let all parties know what needs to be done to postpone/reschedule the hearing.

Gary Lee,  
Senior Planner  
(425) 556-2418  
City of Redmond, MS: 2SPL PO Box 97010 Redmond WA 98073-9710

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