

Appellant's Exhibit 68

(as referenced in June 30, 2017

Appellant WPDC Cleveland LLC's Witness and Exhibit List)

Laing, Aaron M.

From: Gary Lee
Sent: Tuesday, February 28, 2017 3:12 PM
To: 'Vicki Orrico'
Cc: Seth Bailey; Sean Miller
Subject: RE: 16390 Cleveland, Permit #BLDG-2016-09802 - Parking Issue with Mezzanine

Hello Vicki,

Thanks for replying. I remember the Pre-application meetings we had, and I went back to look at those plans to see if I missed anything then, and I found that there was no mezzanine proposed at that time. Thus, no parking was to be required for the interior and exterior modifications.

The existing building is considered as grandfathered for parking, but the 459 square foot mezzanine (under the subject building permit) requires 2 parking stalls per 1000 sq. ft. of GFA (0.91 stalls). The mezzanine should not have been approved as it was over 250 square feet in area. Thus we have issued the permit in error.

As such, the mezzanine needs to be reduced to 250 sq. ft. or an easement/long term lease agreement for 1 parking stall within 600 feet of the site needs to be provided to allow the mezzanine to proceed as designed.

Please call me when you can.

Gary Lee,

Senior Planner

(425) 556-2418

City of Redmond, MS: 25PL

PO Box 97010

Redmond WA 98073-9710

From: Vicki Orrico [mailto:Orrico@jmmlaw.com]
Sent: Tuesday, February 28, 2017 1:09 PM
To: Gary Lee <GLEE@REDMOND.GOV>
Cc: Seth Bailey <seth@paylinedata.com>; Sean Miller <sean@paylinedata.com>
Subject: FW: 16390 Cleveland, Permit #BLDG-2016-09802 - Parking Issue with Mezzanine

Gary

As you may recall, I represent Andorra Ventures with regard to 16390 Cleveland, Permit #BLDG-2016-09802. I am writing in response to your email yesterday stating "After further review of your application for the tenant improvement and the addition of the 459 square foot mezzanine, we have determined that the permit was approve in error, as the addition of the mezzanine requires the addition of 1 parking stall. The minimum parking requirement in the Old Town zone is 2 stalls per 1000 square feet GFA." Could you please tell me what has changed since your July 5, 2016 email stating that no parking will be required due to grandfathering?

From: Gary Lee <GLEE@REDMOND.GOV>
Date: Tuesday, July 5, 2016 at 11:36 AM
To: Sean Miller <sean@paylinedata.com>

Cc: Min Luo <mluo@redmond.gov>

Subject: RE: 16390 Cleveland St. Parcel number: 7198800085

Sean,

This property has been grand-fathered regarding parking in the past. Thus no parking will be required for this building, for general retail/office use.

As mentioned by Min previously, you will need to do property frontage improvements, including new curb, gutter and sidewalk – according to City plans, if your improvements to the building equal or exceed the current assessed value of the improvements.

If the cost of the improvements to the building (with your project) equal or exceed \$23,500 (as assessed below) you will need to remove approximately 10' of the east side of the building (fronting 164th and the intersection) and build a new, wider, sidewalk as shown below. All of the costs associated with improving the building will be included.

Our general thinking is that you will be spending at least \$23,500 to make the building suitable for retail/commercial use, which will trip the requirement for the removal of the east side of the building and widening of the sidewalks. I think that this is very important for you to aware of.

From: Gary Lee <GLEE@REDMOND.GOV>

Date: February 27, 2017 at 1:35:49 PM PST

To: Sean Miller <sean@paylinedata.com>

Cc: "Cameron A. Zapata" <cazapata@redmond.gov>, Steve Fischer <SFISCHER@REDMOND.GOV>, "morrisarch@integra.net" <morrisarch@integra.net>, Jason Lynch <JLYNCH@REDMOND.GOV>

Subject: RE: 16390 Cleveland, Permit #BLDG-2016-09802 - Parking Issue with Mezzanine

Hello Sean,

After further review of your application for the tenant improvement and the addition of the 459 square foot mezzanine, we have determined that the permit was approve in error, as the addition of the mezzanine requires the addition of 1 parking stall. The minimum parking requirement in the Old Town zone is 2 stalls per 1000 square feet GFA.

I am writing to you now in hopes that you have not started construction of the mezzanine yet. The options available that would meet the parking regulations are to revise the building permit to eliminate the mezzanine – or reduce the size of the mezzanine to 250 square feet or less. Or you can obtain an easement for one paved parking stall from a neighboring property within 600 feet of your site (that has excess parking). See D.3 in the screen shot below.

D. Required Off-Street Parking.

1. The minimum required and maximum permitted number of off-street parking spaces for each lot noted in the Parking Ratio Column of each zone. Where calculations of parking requirements result in fractional amounts, they shall be rounded up if 0.5 or over.
2. The Administrator may approve alternative minimum parking requirements for specific uses at development sites where the land use permit applicant demonstrates, through a parking study prepared by a qualified expert, that the alternative requirement will provide sufficient parking to serve the site without adversely impacting other uses and streets in the vicinity. The Administrator may require the recording of a covenant or other instrument restricting the use of the property to the specific use if the alternative minimum parking requirement was approved. Where a parking study does not demonstrate that available parking stalls will adequately serve the proposed use, reductions below the requirement may be approved if a Transportation Management Program that effectively reduces parking demand as provided in RZC 21.52.020, *Transportation Management Program*, is approved and recorded on the property.

The Technical Committee may require alternative parking programs if there is a need for additional overall parking to alleviate significant adverse environmental impacts.

3. Required parking may be provided off site within 600 feet of the site, unless otherwise approved by the Administrator, when secured by an easement.

Please reply back soon to let me know that you have received this email.

Gary Lee,

Senior Planner

(425) 556-2418

City of Redmond, MS: 2SPL

PO Box 97010

Redmond WA 98073-9710

From: Gary Lee

Sent: Friday, February 24, 2017 12:15 PM

To: 'Sean Miller' <sean@paylinedata.com>

Cc: Cameron A. Zapata <cazapata@redmond.gov>; Steve Fischer <SFISCHER@REDMOND.GOV>; 'morrisarch@integra.net' <morrisarch@integra.net>; Jason Lynch <JLYNCH@REDMOND.GOV>

Subject: FW: 16390 Cleveland, Permit #BLDG-2016-09802

Hello Sean,

I am forwarding this email to you from the representative of your surrounding property, at 16390 Cleveland Street.

In his email he indicates that he will be appealing the issuance of the building permit, and he encourages me to inform you so you (the owners/developers) can decide whether to spend additional money on construction. Thus, I am doing so.

In his email he does not say why he is appealing, or what grounds he is appealing, but I think it is on the grounds that the existing building does not have any parking.

Because you are also required to have an approval of a pending Administrative Modification application to modify the exterior, I believe that he will also appeal that approval. His appeal(s) will then require a hearing by the Hearings Examiner.

At this point, I am only guessing that he will be appealing based on lack of parking, and appealing the City's determination that parking for the building is grandfathered for the existing building. In any case, I am informing you of his intent, as he suggested.

At this point, the City does not find any reason to revoke your building permit, or stop the approved work.

Please call me if you have any questions or would like to talk about this email.

Gary Lee,

Senior Planner

(425) 556-2418

City of Redmond, MS: 25PL

PO Box 97010

Redmond WA 98073-9710

From: Kevin Wallace [<mailto:kwallace@wallaceproperties.com>]

Sent: Friday, February 24, 2017 8:01 AM

To: Gary Lee <GLEE@REDMOND.GOV>

Cc: Courtney Skony <CSkony@wallaceproperties.com>; Laing, Aaron M.

<ALaing@SCHWABE.com> <ALaing@SCHWABE.com>; mreimers@schwabe.com; Robert

Wallace <rwallace@wallaceproperties.com>

Subject: 16390 Cleveland, Permit #BLDG-2016-09802

Mr. Lee,

I represent the owner of the property at 16330 Cleveland, where the Prime restaurant is located. Two days ago we became aware of construction work being undertaken in the warehouse that neighbors our property, and that the City of Redmond had issued a permit for the construction. As a courtesy to our neighbor I am alerting you to the fact that we will be filing an appeal of the permit next week. I encourage you to inform the owner of 16390 Cleveland so that they can decide whether to continue to spend additional money on construction in the warehouse.

Kevin R. Wallace

Wallace Properties, Inc.

330 112th Ave. NE #200

Bellevue, WA 98004
(425) 278-6363 (Direct)
(425) 802-5701 (Cell)

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