

Appellant's Exhibit 85

(as referenced in June 30, 2017

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

**Laing, Aaron M.**

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**Subject:** Pre-App LAND-2016-01420; 16390 Cleveland Street  
**Location:** Council Conference Room  
**Start:** Thu 9/1/2016 10:30 AM  
**End:** Thu 9/1/2016 11:30 AM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Gary Lee  
**Required Attendees:** Lisa Singer

Lisa,  
Please come to this Pre-App for the concrete block building on the northwest corner of Cleveland Street and 164<sup>th</sup>.



Application.pdf



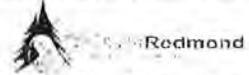
Redmond preapp  
Questions-State...



Redmond Preapp  
Siteplan.pdf



# Pre-Application Form



DATE: 7/27/2016 ACCEPTED BY: CZ Office Use Only LAND: 2016-01420 PAYMENT METHOD:  CHECK  CREDIT CARD

## PRE-APPLICATION CONFERENCE WITH TECHNICAL COMMITTEE

Project Name: ~~Plot # 2016000000~~ Andorra  
 Project Address: 16340 Cleveland St. 98052  
 Parcel Number(s): 7198800085  
 Square Footage Site: 3140 Zone: \_\_\_\_\_  
 Acres: \_\_\_\_\_

## DESCRIPTION OF PROPOSAL (INCLUDE NUMBER OF LOTS, BUILDINGS, PROPOSED USE, ETC)

We are looking to complete a light (enod) and change of use to  
Detail

## CONTACT INFORMATION

Owner: \_\_\_\_\_  
 Company Name: Rain City Development  
 Mailing Address: 2105 Wilkney way  
 City: Bellvue  
 State: WA Zip: 98004  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

Applicant: Sean Miller  
 Company Name: Andorra Ventures  
 Mailing Address: 3861 E Lake Sammamish Parkway NE  
 City: Sumner WA  
 State: WA Zip: 98074  
 Phone: 265571309 Fax: \_\_\_\_\_  
 Email: Sean@pugline.com

Select Billing Contact:  APPLICANT  OWNER

## AUTHORIZED AGENT

The undersigned hereby certifies that all information submitted with this application is complete and correct to the best of my knowledge. I have read the City of Redmond's "Purpose of the Pre-Application Conference" statement contained as part of this application.

Print Name: Sean Miller Date: 7-27-2016

Signature:

To Whom It May Concern:

Andorra Ventures has placed 16390 Cleveland St. 98052 under contract with the intention of completing a light interior remodel and changing the use to retail. We believe retail is a better use for the area and will add to the downtown districts appeal. I have been a long time resident of Redmond and now Sammamish and care greatly on the greater good of the city and what it offers to the community. I hope we can work together to beautify what is currently an eye sore to the downtown district.

**Plan for the property:**

Structurally the building is well built and has been maintained. Esthetically the building could use some help inside and out. We plan to keep with the old town look and feel with the remodel again with the focus on enhancing the downtown area.

Water will need to be brought into the space along with a conforming ADA bathroom. All other changes will be purely esthetic. All exterior and interior walls will remain in their current form.

**Constraints:**

Tax records show the building is valued at \$23,500 which is far below the true value and or replacement value. The building being undervalued is causing any remodel over \$23,500 to trip the redevelopment trigger. We are not looking to redevelop the property.

**Questions:**

1. How can we work together to complete the remodel without tripping the redevelopment trigger?
2. Where is the water located and what will the costs be to hook up to City water and Sewer
3. Is an ADA bathroom required to change the use to retail?

I have included our email thread with myself, Vicki (our land attorney) and the city.

**Sent:** Wednesday, July 20, 2016 2:40 PM **To:** Vicki Orrico **Cc:** Sean Miller **Subject:** RE: 16390 Cleveland St. Parcel number: 7198800085

Vicki,

That code section is now RZC 21.76.100. F.9. Yes this applies too. However, parking has been grandfathered for the existing square footage of the building.

See the link below the new Zoning Code, and that section.

<http://online.encodeplus.com/regs/redmond-wa/doc-viewer.aspx#secid-3080>

The anticipated exterior modifications to the building will require an Administrative Modification application review approval (prior to the issuance of a building permit), which also requires Design Review by the Design Review Board. The Fee for that application is \$5,953.05. Below is a link to the filing requirements.

Administrative Modification filing Requirements

<http://www.redmond.gov/common/pages/UserFile.aspx?fileId=90430>

## Gary Lee,

Senior Planner (425) 556-2418

City of Redmond, MS: 2SPL PO Box 97010 Redmond WA 98073-9710

**From:** Vicki Orrico [<mailto:Orrico@jmmlaw.com>] **Sent:** Wednesday, July 20, 2016 11:40 AM **To:** Gary Lee **Cc:** Sean Miller; Min Luo **Subject:** RE: 16390 Cleveland St. Parcel number: 7198800085

Thank you Gary. I understand that it falls under RZC 21.17.010.F.1.d. My question is whether it is also considered a nonconforming structure under 20F.10.50-090.

Best Regards,

*Vicki E. Orrico*

Vicki E. Orrico

Johns Monroe Mitsunaga Koloušková, PLLC

Bellefield Office Park

11201 S.E. 8<sup>th</sup> Street, Suite 120

Bellevue, WA 98004

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**From:** Gary Lee [<mailto:GLEE@REDMOND.GOV>] **Sent:** Wednesday, July 20, 2016 8:23 AM **To:** Vicki Orrico **Cc:** Sean Miller; Min Luo **Subject:** RE: 16390 Cleveland St. Parcel number: 7198800085

Vicki,

Yes, this is a nonconforming structure, sidewalk, etc. The codes section that could trigger the requirement is RZC 21.17.010.F.1.d. (Screenshot below). If you have any questions about this, please contact Min Luo. I cc'd her on this email, so she will know what you may be contacting her about.

RZC 21.17.010.F.1 below

F. **Adequate Streets, Sidewalks, and Trails.** Except as provided in RZC 21.17.010.B.3, it shall be a condition of approval for development permits that public improvements, including paving curbs, sidewalks, storm drainage, street lights, and underground utilities (except as provided for in RZC 21.17.020), conforming to the standards adopted by the Technical Committee shall be installed by the applicant prior to final approval or occupancy as follows:

L. This subsection shall apply to:

- a. New commercial, industrial or residential construction (multifamily and new single-family on infill lot, except for accessory dwelling units)
- b. New subdivisions
- c. Dedication of private streets
- d. Remodeling or additions to existing commercial, industrial, or multifamily residential buildings or conversions to these uses that increases gross floor area by 20 percent or greater, or any alterations or repairs which exceed 100 percent of the value of the previously existing structure.
- e. Remodeling or additions to existing single-family residential buildings that increases the gross floor area by 100 percent or more, or any alterations or repairs which exceed 100 percent of the value of the previously existing structure. The decision maker may waive this requirement if any of the conditions set forth in subsection 21.17.010.B.3 are present.

**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, July 19, 2016 4:35 PM **To:** Gary Lee **Cc:** Sean Miller **Subject:** 16390 Cleveland St. Parcel number: 7198800085

Hi Gary

I am working with Sean Miller on the above-referenced project. He shared your email (below) with me. What is triggering the infrastructure requirements – is this a nonconforming structure?

Best Regards,

*Vicki E. Orrico*

Vicki E. Orrico  
Johns Monroe Mitsunaga Koloušková, PLLC  
Bellefield Office Park  
11201 S.E. 8<sup>th</sup> Street, Suite 120  
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**From:** Gary Lee <[GLEE@REDMOND.GOV](mailto:GLEE@REDMOND.GOV)> **Date:** Tuesday, July 5, 2016 at 11:36 AM **To:** Sean Miller <[sean@paylinedata.com](mailto:sean@paylinedata.com)> **Cc:** Min Luo <[mluo@redmond.gov](mailto: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.

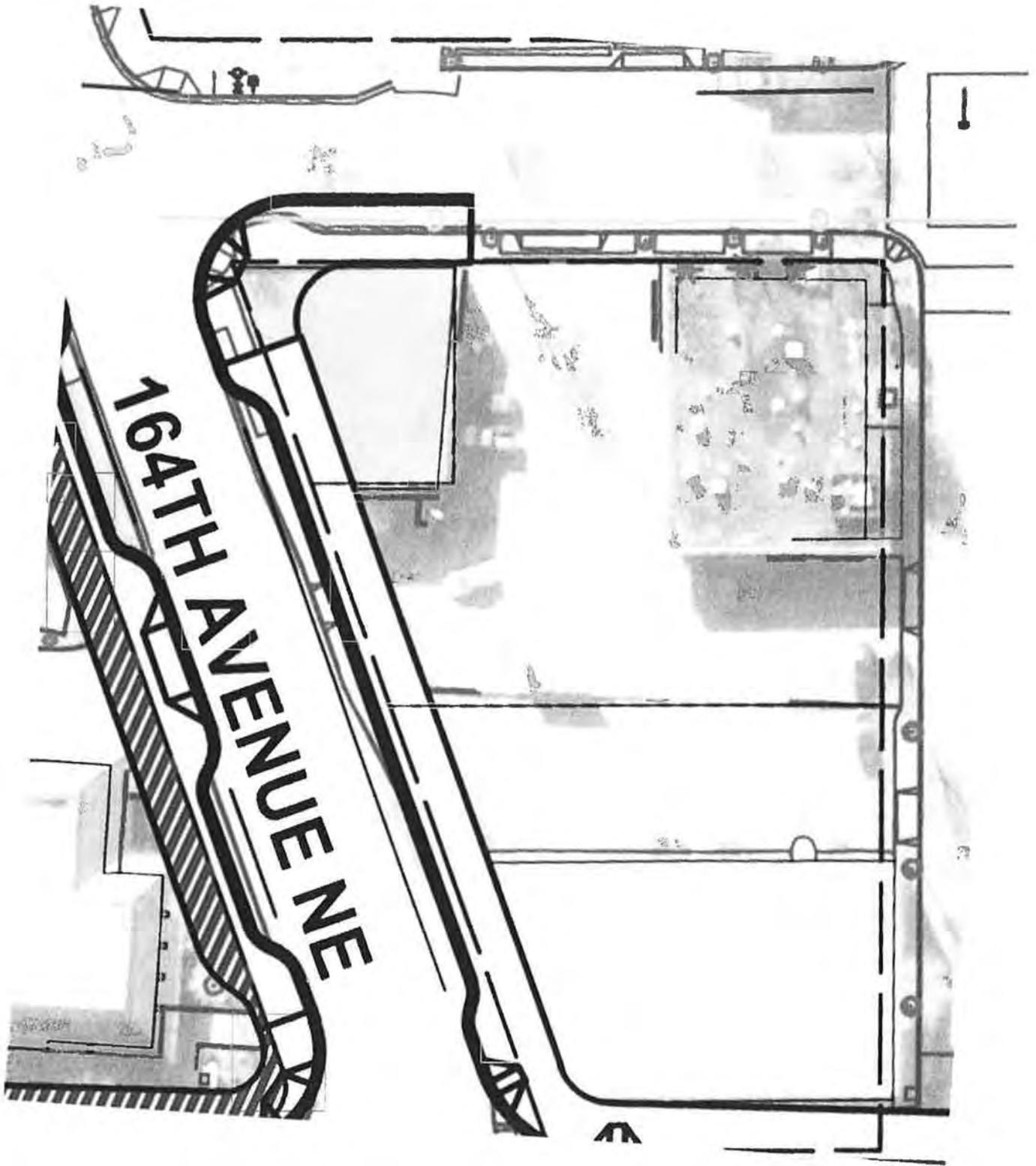
If the cost of the improvements to the building (with your project) equal or exceed \$23,500 (as assessed below) you will need to remove approximately 10' of the east side of the building (fronting 164<sup>th</sup> and the intersection) and build a new, wider, sidewalk as shown below. All of the costs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

[Click here to see levy distribution comparison by year.](#)

<b>TAX RO</b>			
<b>Valued Year</b>	<b>Tax Year</b>	<b>Appraised Land Value (\$)</b>	<b>Appraised Imps Value (\$)</b>
2015	2016	292,900	23,500
2014	2015	273,400	23,000
2013	2014	237,100	22,300

Plans for this intersection call for the widening of the sidewalk as shown below. See arc through the building.



## Gary Lee,

Senior Planner (425) 556-2418

City of Redmond, MS: 2SPL  
9710

PO Box 97010

Redmond WA 98073-

**From:** Sean Miller [<mailto:sean@paylinedata.com>] **Sent:** Thursday, June 30, 2016 11:42 AM **To:** Min Luo; Zheng Lu **Cc:** Gary Lee **Subject:** Re: 16390 Cleveland St. Parcel number: 7198800085

Min, here is the site plan with a basic traffic pattern to show how a car will back into the parking space. Please let me know your thoughts. As I shared in my last email we plan to reduce the retail space sqft to 1500 to remove one parking space which will make the spaces larger and easier to access.

Best regards,

Sean Miller  
Partner

payline

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Chicago, Illinois 60606 • USA  
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E: [sean@paylinedata.com](mailto:sean@paylinedata.com)  
W: [www.paylinedata.com](http://www.paylinedata.com)

**From:** Min Luo <[mluo@redmond.gov](mailto:mluo@redmond.gov)> **Date:** Wednesday, June 29,

2016 at 2:16 PM **To:** Sean Miller <[sean@paylinedata.com](mailto:sean@paylinedata.com)>, Zheng Lu <[zlu@redmond.gov](mailto:zlu@redmond.gov)> **Cc:** Gary Lee <[GLEE@REDMOND.GOV](mailto:GLEE@REDMOND.GOV)> **Subject:** RE: 16390 Cleveland St. Parcel number: 7198800085

Sean,

Could you sketch out the path how the vehicle entering and exiting the parking stalls?

Thanks,

Min Luo, P.E., PTOE, PTP

Senior Engineer, Transportation | City of Redmond

☎: 425.556.2881 | ✉: [mluo@redmond.gov](mailto:mluo@redmond.gov) | [Redmond.gov](http://Redmond.gov)

MS: 2SPL | 15670 NE 85<sup>th</sup> St | Redmond, WA 98052

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**From:** Sean Miller [<mailto:sean@paylinedata.com>] **Sent:** Wednesday, June 29, 2016 11:42 AM **To:** Min Luo; Zheng Lu **Cc:** Gary Lee **Subject:** Re: 16390 Cleveland St. Parcel number: 7198800085

Min and Gary, here is the proposed site plan showing 4 parking stalls inside the building. We will have sub 1500sqft of interior retail space so technically we should need 3 parking stalls which will leave additional room.

We would like to get confirmation it is ok to move forward with back in parking to accommodate the parking requirements.

Please let me know if you have any further questions. Thank you for your time and patience.

Sean Miller  
Partner

payline

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E: [sean@paylinedata.com](mailto:sean@paylinedata.com)  
W: [www.paylinedata.com](http://www.paylinedata.com)

**From:** Min Luo <[mluo@redmond.gov](mailto:mluo@redmond.gov)> **Date:** Thursday, June 16, 2016  
at 1:24 PM **To:** Sean Miller <[sean@paylinedata.com](mailto:sean@paylinedata.com)>, Zheng Lu  
<[zlu@redmond.gov](mailto:zlu@redmond.gov)> **Cc:** Gary Lee <[GLEE@REDMOND.GOV](mailto:GLEE@REDMOND.GOV)> **Subject:**  
RE: 16390 Cleveland St. Parcel number: 7198800085

Sean,

I will need to see your site plan to determine if there any issue regarding the vehicles back into the parking stalls.

Regarding the transportation impact fee, it would be the net difference before and after land use changed.

The link below shows the impact fee schedule and hopefully it is straight-forward and you can do an estimate by yourself.

<http://www.redmond.gov/common/pages/UserFile.aspx?fileId=178122>

Thanks,

Min Luo, P.E., PTOE, PTP  
Senior Engineer, Transportation | City of Redmond  
☎: 425.556.2881 | ✉: [mluo@redmond.gov](mailto:mluo@redmond.gov) | [Redmond.gov](http://Redmond.gov)  
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**From:** Sean Miller [<mailto:sean@paylinedata.com>] **Sent:** Monday, June 13, 2016 5:06 PM **To:** Min Luo; Zheng Lu **Cc:** Gary Lee **Subject:** Re: 16390 Cleveland St. Parcel number: 7198800085

Thank you Min I appreciate your response. You mentioned that Cleveland will be turning into a 2 way street. Do you know when this is scheduled to happen? How would I get additional information on if we can back into the building? There is currently a two parking stall cut out and no curb at the street to access the building. I envision that the cars could pull into the cut out and then back into the stalls located under the existing building roof. Do you see any issues with this?

As to the trip volume I estimate approximately 60-75 customers per day would be entering the facility. It will be used for retail purposes. The building currently is used for warehouse space and office space. It has two separate units. I estimate it currently has less than 20 trips per day. So it will be converting to warehouse to retail. Can you provide an estimate on what the impact fee would be for this change?

Thank you again for your help and time.

Best regards,

Sean Miller  
Partner

payline▶

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**From:** Min Luo <[mluo@redmond.gov](mailto:mluo@redmond.gov)> **Date:** Tuesday, June 7, 2016 at 8:45 AM **To:** Sean Miller <[sean@paylinedata.com](mailto:sean@paylinedata.com)>, Zheng Lu <[zlu@redmond.gov](mailto:zlu@redmond.gov)> **Cc:** Gary Lee <[GLEE@REDMOND.GOV](mailto:GLEE@REDMOND.GOV)> **Subject:** RE: 16390 Cleveland St. Parcel number: 7198800085

Sean, see the responses in red for transportation. Zheng will respond to the water and sewer.

Min Luo, P.E., PTOE, PTP

Senior Engineer, Transportation | City of Redmond

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**From:** Sean Miller [<mailto:sean@paylinedata.com>] **Sent:** Monday, June 06, 2016 4:05 PM **To:** Shirley Lu; Min Luo **Cc:** Gary Lee **Subject:** 16390 Cleveland St. Parcel number: 7198800085

John and Min, I'm local resident of Redmond and was given your information from the planning desk this morning regarding a use change and remodel we are looking to begin. We have until June 30<sup>th</sup> to gather all relevant information on the property before we close. I'm submitting for a pre-intake but understand appointments are booked out until August. I was hoping you could help clarify a few topics prior to my June 30<sup>th</sup> deadline. Below is a list of questions I have that I hope you can help clarify. If any of the questions, fall outside your domain it would be wonderful if you could point me in the right direction on whom could help answer the questions.

1. The property does not currently have water or sewer inside the

building. Is water and sewer available and what will be the approximate fees to bring them to the site?

2. For a use change from warehouse to retail are Water and Sewer required?
3. We are looking to keep the same building foot print and during the remodel we would like to open up the front of the building to allow for parking accessible via Cleveland st. The building roof would remain and would overhang the 4-5 car parking stalls. We envision it will be back in parking given the one way street.

Per RZC 21.40.010.E.6, Backing Into Streets Generally Prohibited. Parking facilities shall be designed so exiting vehicles are not required to back into streets, except for residential uses of less than four dwellings per lot on local access streets. However, Cleveland St will be converted into a two-way street and you may be able to back into the garage?

4. Assuming the parking as described will work the building sqft will reduce to 1800. Will the parking requirements thus reduce to the 1800sqft versus the original 2800sqft (current building)? I believe so, Gary Lee to confirm.
5. Which impact fees do you anticipate being charged I need to know what specific use of the building before and after and I will use the before and after use to estimate the new trips. If the new net new trips are more than 30 trips, it will trigger new impact fee. The net impact fees would be the new impact fee offset by the impact fee resulting from the existing use.
6. We are looking to remodel the exterior to include either new barn doors, reclaimed wood exterior (possibly repaint portions of the cinderblock). Which permits and or architectural committee involvement will be needed? Check with planer or building department.

Thank you in advance for your help.

Best regards,

Sean Miller

Partner

payline▶

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