

Appellant's Exhibit 101

(as referenced in June 30, 2017

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

**Laing, Aaron M.**

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**From:** Deborah Farris  
**Sent:** Monday, February 27, 2017 9:01 AM  
**To:** Rob Odle; Jim Haney Outside Address (jhaney@omwlaw.com)  
**Cc:** Jason Lynch; Jane Christenson  
**Subject:** RE: Question Regarding Marijuana Licenses

Hi Rob,

To address Councilman Myers's concerns: A "Change of Occupancy" is being required because of the previous *building certificate of occupancy* of the building.

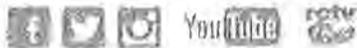
Because the building is located in Downtown on Cleveland St., the *land use* allows for any type of retail. However, the *building use* (or occupancy) requires a "Change of Occupancy" because it is currently a warehouse shell. Improvements will need to be made so that the building can be used for retail. At a minimum, they will need to install bathrooms, bring it up to ADA standards, hook up to water and sewer, and create safe ingress and egress. These are all International Building Code requirements. Bringing the building up to code would be required regardless of the actual retail use; in other words, it doesn't make any difference whether the business owners wanted to sell women's fashions; open a massage parlor, a restaurant, or sell marijuana.

The *owner has also opted* to do major renovations of the building under a "Tenant Improvement". Here is the description:

"TI - Change of Occupancy - Origins - Construction includes TI to divide the building into multiple retail suites, storage and offices, including the construction of a new 2nd story (459 sq ft) mezzanine. Total area of construction = 3268 sq ft. Interior only work. Exterior work is on a separate permit."



Deborah Farris, Code Enforcement Officer  
15670 NE 85th St. MS: 25PL  
PO Box 97010  
Redmond, WA 98073-9710  
Office: 425.556.2465 | Fax: 425.556.2400



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**From:** Hank Myers  
**Sent:** Saturday, February 25, 2017 2:15 PM  
**To:** Rob Odle <RODLE@REDMOND.GOV>; MayorCouncil <MayorCouncil@redmond.gov>  
**Cc:** Steve Fischer <SFISCHER@REDMOND.GOV>; Jason Lynch <JLYNCH@REDMOND.GOV>; Carl McCarthy <CMCARTHY@REDMOND.GOV>; Deborah Farris <dfarris@redmond.gov>; hank@hankm.com  
**Subject:** Re: Question Regarding Marijuana Licenses

Thanks, Rob for the update. In two cases (#3 and #4), there is a notation about the need for some process related to change of use. Recognizing that until very recently retail marijuana was not legal, it is not surprising that marijuana sales were not included in any of the allowed uses in commercial zones. As far as I understood the vote the Council took, we authorized retail marijuana in commercial zones and business parks where the sites complied with State law. Indeed, Planning provided a map of all such locations highlighted in yellow. What the Council resolution did was to add retail marijuana sales to all of the sites highlighted in yellow (at least). The 16390 Cleveland site was incorrectly excluded based on the erroneous assumptions that the Central Connector and the Edge Skate Park are parks with playgrounds. State law is very specific about what a park with a playground must have. Furthermore, trails are not protected sites. The previous errors have obviously been recognized or else the Cleveland Street site would not be considered at all.

Redmond already has a reputation as a city with a lot of additional costs and process for development (see Stone letter to Planning Commission re Clarisonic redevelopment). Please explain why any further process is necessary to add retail marijuana sales immediately to all properties as defined by the Council action. I am asking this in the hope that your backlog of work can be reduced.

Best wishes-

Hank Myers

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**From:** Rob Odle  
**Sent:** Friday, February 24, 2017 5:11 PM  
**To:** Hank Myers; MayorCouncil  
**Cc:** Steve Fischer; Jason Lynch; Carl McArthy; Deborah Farris  
**Subject:** Question Regarding Marijuana Licenses

Councilmember Myers:

In your email of February 22nd, you had asked as to the status of the four state licenses that have been issued for retail marijuana sales in Redmond. Staff has compiled a status list of those and it is listed below. As you are aware, WA State has issued the maximum of four retail marijuana licenses for the City of Redmond. There are no additional retail marijuana licenses remaining.

1. JK Group; 15937 Redmond Way. Their City of Redmond Business License was issued on 01/01/2016. A sign permit was issued on 01/20/2017.
2. Plausible Products, LLC; 8296 Avondale Way. Their City of Redmond Business license review is complete and their license was available 02/23/2017. An electrical permit was issued on 01/30/2017.
3. A Green Life; 15219 NE 90<sup>th</sup> St. The applicants were notified in August 2016 by the City of Redmond that they could not open a retail store at this location. The

address is located in the MP zone. The store has not been opened. They are currently working on relocating their retail store to 16390 Cleveland St.. They are being required to do a Change of Use for the location. A building permit was issued on 02/17/2017.

4. The Grass is Always Greener; 7505 W. Lake Sammamish Pkwy. The City received a Notice of Marijuana License Application on 12/21/16. To date, the applicant has not applied for a City of Redmond Business License, or any other permits, for this location. The applicant met with staff earlier this week to proceed with preparing their application for amending the development agreement for the site in order to allow retail sales of marijuana on the site.

As you are aware, staff makes every effort to work as efficiently as possible with any applicant who applies for a business license or any other permit(s) that may be required to open a retail store in Redmond.

Please let me know if you need any additional information regarding these uses.

In your email, you also asked for information regarding tree cutting. Staff is currently preparing the information and we will go over that with you early next week.

I hope you have a great weekend.

Rob Odle