



Department of Community Development

801 228th Avenue SE ■ Sammamish, WA 98075 ■ phone: 425-295-0500 ■ fax: 295-295-0600 ■ web: www.sammamish.us

April 28, 2020

Peter Brennan
Innovation Realty Partners, LLC
5335 Meadows Road STE #10
Lake Oswego, OR 97035
pete@innovationrealtypartners.com

RE: STCA Resubmittal Extension Request
File #s: UZDP2019-00562, PSUB2019-00563, PSUB2019-00561, and BSP2019-00564

Dear Mr. Brennan,

The City of Sammamish Department of Community Development received your letter dated April 7, 2020 via electronic email transmittal (attached). We do appreciate the effort our applicants have put into using electronic methods to continue with business and we are fortunate to work in a region where we have adequate technology and tools to work remotely and continue with 'business as usual' by sending letters, sharing plans and documents, holding meetings, and completing other work activities electronically and in virtual work spaces. Thank you for taking advantage of these tools; receiving this letter in a timely manner by email (faster than US Mail) is helpful.

In the letter you request the City's Municipal Code required 90-day resubmittal period for response to the City's comments/corrections be tolled from the day you (STCA) received the City's issued comment/corrections letter on March 10, 2020 until the date that the Governor's stay-at-home order is lifted and City Hall is again open to the public.

First of all, and contrary to the assertions that the physical closure of City Hall has impacted your ability to move forward in addressing City sponsored comments, the City remains open for business at this time and development review staff remain available to accommodate a virtual meeting with you and your team, should it be requested, as outlined in an email dated March 17, 2020. The City has not furloughed or released employees from work and due to incorporation of technology into our workspaces plan review staff remain at nearly 100% capacity and efficiency.

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The City is able and willing to setup a “Go to Meeting” or other virtual meeting space online and conduct meetings via teleconference if necessary. We have found virtual meetings and use of document/plan sharing with our applicants to be very productive and although the physical City Hall space is closed to the public, City Hall remains open and operational in the services provided.

Regarding your request for extension, in accordance with SMC 20.05.100(1)(i)(a) the Department may grant an extension to the resubmittal deadline when satisfactory justification is provided or when the City agrees to a specific plan revisions production schedule. To date you have not provided satisfactory justification that would warrant an extension nor have you provided a proposed plan revisions production schedule. No specific detail is provided regarding how your work has been constrained outside of staffing issues experienced by one of your subconsultants. In your letter you cite that due to the March 23, 2020 “Stay Home, Stay Healthy” directive of the Governor (“the Governor’s Order”) meeting the City’s required 90 day June 8, 2020 resubmittal deadline may be difficult due to operational constraints presented by the current COVID19 emergency and the Governor’s Order. While we do recognize there have been limitations on field work, we are not aware of any limits on work done in offices that can be successfully done remotely while meeting the social distancing requirements of the Governors Order. Before the Director considers the requested extension, additional details specifying why the extension is needed must be provided.

As you know, the date for resubmittal has been established in accordance with the Sammamish Municipal Code as June 8, 2020. This is nearly six weeks from today plus the six weeks that have already passed. There has been significant time available to work through required project plan corrections. In addition to needing clarification on the constraints faced by STCA in completing the re-design work, the City also needs specific details outlining what work has been done by STCA to date in response to the City’s corrections/comment letter and on what work STCA anticipates to be complete between today and the specified June 8, 2020 resubmittal date. What specifically has prevented STCA from making the required corrections in the time allotted by code? What work will remain pending and why? Please clearly identify unanticipated site design problems or other circumstances beyond your control that have precluded STCA from meeting the required resubmittal date.

To reiterate, the City has remained open and viable to serve its customers during this COVID-19 emergency, just not in person. The statement that STCA has not been able to address the City’s comments because City Hall is not allowing public access and in person meetings is not factual. For now, if the revised plans are not submitted by the June 8, 2020 deadline, the application will expire pursuant to Sammamish Municipal Code (SMC) 20.05.100(1)(a)(ii). No further extensions



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will be granted. As mentioned above, if STCA is interested in setting up a meeting with City plan review staff continue to remain available . However, please note that the scope of any applicant requested meeting should focus on specific issues related to addressing the City's comments and should be limited to discussion of the City's Code requirements. It is not our role to design the project for STCA or debate the layout or design of the project in prolonged discussions.

If you have any questions, please feel free to contact Senior Planner, Chris Hankins at (425) 295-0547 or at chankins@sammamish.us.

Best Regards,

SENT VIA EMAIL

David Pyle
Director - Department of Community Development
City of Sammamish
(425)295-0521
dpyle@sammamish.us



INNOVATION
Realty Partners, LLC

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April 7, 2020

Chris Hankins
Senior Planner
City of Sammamish
801 228th Avenue SE
Sammamish, WA 98075

Re: *UZDP2019-00562, PSUB2019-00563, PSUB2019-00561, and BSP2019-00564.*

Dear Mr. Hankins:

We are writing to request an extension of time to respond to the City's initial review of comments, as authorized under SMC 20.05.100(1)(a)(i). Under that provision, the City may grant an extension "upon written request by the applicant providing satisfactory justification for an extension . . .". As described below, the unprecedented circumstances relating to COVID-19 necessitate an extension of the deadline to respond.

The above applications were submitted on November 4, 2019, and deemed complete on November 27, 2019. We received the City's comments on March 10, 2020. The next day, on March 11, Sammamish City Hall was closed to the public, precluding any in person meetings with the City which is such a critical part of any application process. On that same day, Governor Inslee announced the first significant round of community strategies and dramatic social distancing plans. These were followed with additionally restrictive orders on March 13 and March 16. On March 23, the Governor announced an expansive stay-at-home order. On April 2, that order was extended to May 4.

We are diligently reviewing the City's comments and working with our team of consultants to develop responses and revisions. However, the impact of the

Peter J. Brennan
Vice President and Senior Project Manager
Innovation Realty Partners, LLC

P 503.849.4233
E pete@innovationrealtypartners.com

emergency orders is significantly hampering our ability to coordinate the necessary work to respond to the City's comments, work that involves several consultants working from various locations in the Puget Sound area and beyond. We are doing as much as possible through phone calls and various forms of video conferencing, but progress is delayed despite best efforts and we cannot achieve anywhere near the same efficiencies and turnaround as would be the case if consultants were able to meet in person and were not juggling the various additional responsibilities that come from school and business closures throughout the region.

One of our local consultants, CORE Engineering, compiled the following list of the unique challenges and demands they are currently facing due to COVID-19:

- *Office Closures.* Having been deemed non-essential by the Governor, our office is essentially closed. All office staff is working remotely, which is working but communication takes longer than normal.
- *Layoffs.* We've put 90% of our field staff on stand-by, plus 3 office staff—a total of 19 employees to date. This number will grow for our survey staff with the lack of field work.
- *Regulatory Compliance and Federal Programs.* We are digesting new information daily. Currently this includes new federal programs, state unemployment, as well as potential changes to 401(k) and profit sharing plans. I'm spending a lot of time reading and working with our attorney, CPA, and HR consultant, to make sure we are applying programs correctly.
- *Unemployment Claims.* We are spending time processing unemployment paper work to make sure our employees get approved.

With the closure of City Hall to the public since March 11, and staff currently unable to conduct in-person meetings, the application process has been dramatically impacted. Among other things, these circumstances preclude an in-person meeting with City staff about key issues identified in the City's March 10 letter, such as the road network and the green spine, where it is imperative to have site plans and other illustrations in front of us. Some of the comments are also unclear to us. An in-person meeting allows for the back and forth discussion that is needed to gain clarity, which is needed before we can respond to the comments received.

All of these challenges are magnified given the complexities of executing a project in the Town Center. In light of these extraordinary circumstances beyond anyone's control—with closures and social distancing orders that started literally the day after we received the City's comments—we ask that the 90-day period for a response to the City's comments be tolled from the day we received the letter on

Peter J. Brennan
Vice President and Senior Project Manager
Innovation Realty Partners, LLC

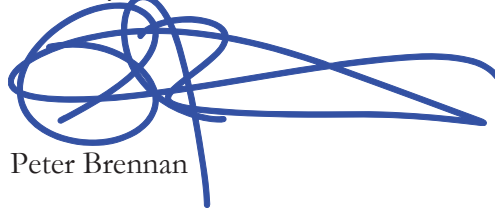
P 503.849.4233
E pete@innovationrealtypartners.com

March 10 until the date that the Governor's stay-at-home order is lifted and City Hall is again open to the public. We hope that by that date our consultants will be operating again at closer to normal capacity, and we will be able to proceed with the task of responding to the City's comments and corrections. At that point we can also schedule a meeting with City staff to discuss a limited number of high-level clarifying questions that have emerged as we continue to review the City's comments.

We hope you can agree to this reasonable accommodation in the timeframe for our response to the City's comments.

Thank you, and please let me know if you have any questions regarding this extension request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Brennan", with a long horizontal stroke extending to the right.

Peter Brennan

cc: David Pyle, Director
Kellye Hilde, Deputy Director

Peter J. Brennan
Vice President and Senior Project Manager
Innovation Realty Partners, LLC

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