May 28, 2010

Sammamish City Council
801 228th Ave SE
Sammamish, WA 98075

RE: Arbor Schools Property, 1107 228th Ave SE, Sammamish, WA

Dear Council:

We are the owners of the Arbor Schools property just South of City Hall. The Montessori school was established in 1993. The school has toddler and primary programs, as well as elementary and junior high school components. The entire school will become a nonprofit 501(c)(3) organization on July 1, 2010. The overall square footage of the buildings currently on the property encompass approximately 12,000 square feet.

Under the Town Center Plan, our property has been zoned A5. Under the development standards of the A5 zone, it is our understanding that we will have the opportunity to build a mixed retail and residential structure 60-70 feet in height with 16 residential units per acre and 20,000 square feet of commercial space. (21B.25.030 Densities and Dimensions Tables).

While we intend to develop the property to its highest and best use, we had hoped to continue the operation of Arbor Schools as part of our overall project. Unfortunately, we note that while the operation of a daycare II is allowed, operation of a school is prohibited under the proposed zoning. (21B.20.060 General Service Land Uses Table).

Continuing the school not only fits the recent historical use of the property, it also provides the economic reality of making our overall project practical. We are asking that the operation of a school be a permitted use in the A5 zone. By providing elementary and junior high school components in addition to child care, our facility will continue to furnish an educational home for entire families.

We are also asking that the square footage utilized by the school not be counted against the property’s 20,000 square feet of retail space allocation. The small school environment existing at Arbor is complimentary to the overall site and Town Center policy. Its educational, non-profit status negates its characterization as retail footage. Should the school be considered half of the commercial allocation of the site, it eliminates the feasibility of providing the quality improvements the Town Center policy envisions.

Thank you for your consideration.

Mary O’Brien      John O’Brien

EXHIBIT NO. 15
Public Comments for June 1, 2010 City Council meeting.

Submitted by:

Bill Stern

13212 178th Ave. NE

Redmond, WA 98052

These comments are related to the proposed Zoning and Development Regulations for the Town Center and reflect the views of property owners in the NW quadrant. This area has been designated the “core” of the Town Center.

1. The city has spent about 10 years getting to the point where it finally has a plan ready to implement. Hundreds of thousands of dollars have been spent. We’ve had experts testify and provide input. The public has had numerous chances to comment via tours, charettes, meetings, etc. The Council has studied the Regulations and has had a chance to provide input. We have also had our Planning Commission, under the Council’s direction, spend significant time in the preparation of the plan you have in front of you.

2. It has been shown that Sammamish has the demographics necessary to support the Town Center as envisioned. As an aside, we could also use the additional revenue from taxes and fees this project will provide. It will also reduce the trips off the plateau for shopping that could be done in the Town Center.

3. Developers have already approached us to inquire as to when we will know what type of Zoning we have to offer for development. Regardless of what you may have heard, there are people that have money to invest in projects such as this. They have been, and still are, waiting for the City to pass this plan so they can begin work.

4. Our engineers have examined the plan you have in front of you and have advised that they see NO fatal flaws. Is the plan perfect? Does it meet all the requirements everybody in the Town Center has? The answer to both questions is no. As we begin its implementation, there will be "tweaks" that may need to be made. These tweaks are not significant enough to delay your approval of the Regulations you have in front of you.

We urge you to approve the Zoning and Development Regulations without delay.
June 1, 2010

Sammamish City Council
City of Sammamish
801 228th Avenue SE
Sammamish, Washington 98075

Re: Town Center Plan and Draft Zoning Provisions

Dear Council Members:

I am a land use and environmental planner with approximately 30-years experience in both the public and private sectors. Representative experience includes the following:

- Drafted Comprehensive Plans, zoning codes and other implementing ordinance;
- Prepared development feasibility studies;
- Served as Project Manager for a wide variety of projects including obtaining entitlements, preparation of SEPA documents, develop phasing plans, select consultants, brokers and contractors;
- Principal and Owner in a variety of large development projects.

We attended all but two or three Planning Commission and Council Town Center Plan and Zoning Code development public meetings and hearings. I am taking this opportunity to commend staff, the Planning Commission and Council for a comprehensively prepared and well thought out subarea plan and draft ordinance. It doesn’t include all of the provisions we would like to see, but, no plan and ordinance will meet everyone’s expectations. As a representative of the development community I can work with the ordinance as drafted to meet the vision you developed in the Town Center Plan. If we run into problems with code provisions, there will be ample opportunity to work with staff to propose amendments to the ordinance over the coming years. That is the normal process all cities go through following a major zoning code update.

Thank you for a well thought out plan and we look forward to working with staff on what we expect will be a model project for the City and the region.

Sincerely,

Jon Potter

EXHIBIT NO. 1

3611 29th Avenue West  Seattle, Washington 98199
(206) 579-0088  potter.nwp@gmail.com
PUBLIC COMMENT
TO AMMEND/CLARIFY PROPOSED LAND USE CODE

Dear Council Members,
per our previous meeting and phone conversations with your planners and project manager, we are submitting public comment and propose several adjustments to the language of the Town Center Zoning Code. The clarifications and (if necessary) adjustments will assist us to facilitate development of new sports club within proposed Town Center zoning.
Our client wishes to develop new sports club activity center of approximately 50,000 SF on approximately 3 acres with mixture of sporting and recreational activities, ranging from aerobic, racquetball, basketball, tennis to full size swimming pool. Accessory uses will be a child care and sporting and snack shops. The intent is to provide state of art LEED Certified facility. This facility will provide “beachhead” for Town Center- located on the edge of the gorge as well as being catalyst for further development. We also feel that the proposed location on the edge of Town Center overlooking gorge will allow combination of outdoor and indoor sporting activities and be complimentary to the proposed conceptual master plan of the Town Center as well as its future residents and residents of City of Sammamish at large.

After review of the proposed language of the land use code, we would like to clarify and suggest alternative language which will allow this development to proceed without creating negative impact on welfare and improve the desirability and livability of the community and the intent and goals of the proposed Town Center.

21B.95.020 UNIFIED DEVELOPMENT PLANS SCOPE

We want to clarify that development under UDP is possible without satisfying 21B.95.020 a (40% of land) and that options a, b, and c are not cumulative.

21B.25.030 DENSITIES AND DIMENSIONS.

It is our understanding that sports club facility and aquatic facility is classified under cultural and recreational uses, not commercial use, therefore the commercial space allocation should NOT be applied towards the area of sports club with exception of retail and snack stores.
Is it not clear how the commercial space is allocated- it is on first come first serve basis or is it prorated per SF of TCA-1 zoning?
21B.20.050 RECREATIONAL/CULTURAL LAND USES.
Sports clubs are allowed in TCB outright, while community/aquatic center is not allowed in TCB zoning. We interpret this that the intent is to limit of outdoor, open air aquatic center to minimize visual and noise pollution within predominantly residential TCB zone. Our intent is to have indoor swimming pool(s) for recreational swimming. We feel it would not be applicable to our case.

21B.10.030 TC-A1 MIXED USE

21B.10.040 TC-B MIXED RESIDENTIAL
(e) Providing for a minimum residential development intensity to support the goal of creating a vibrant and walkable mixed-use environment;
Is mixed use required at all circumstances?

Conceptual Town center plan calls for creation of the public ROW on what currently is private land. What mechanism and compensation is intended to accomplish the severance of the land?

What mitigation fees will be applicable to development within Town Center? Is there a way to estimate those upfront, based on size of development?
At what point of entitlement process are these due?

For development designed to obtain LEED certification, is there any intent to expedite and guarantee entitlement timelines by the City of Sammamish (similar to City of Seattle)?

In Seattle, June 1st, 2010

Radim Blazej AIA LEED AP
Caron Architecture LLC
June 1, 2010

Sammamish City Council:

Habitat for Humanity of East King County is grateful to have had the opportunity to work with City of Sammamish Staff, the Planning Commission and the City Council over the past several years in the development of the Town Center Plan and the Town Center Development Regulations. We have seen the professional approach taken and the dedication of individuals to a quality product. The City of Sammamish can take great pride in the outcome to date.

The adoption of the Development Regulations is the next step, and a very important one at that, to continue the progress toward Sammamish’s efforts to provide a quality living environment for its residents and a clear path into the future. Specifically, the Development Regulations address a plan to provide affordable housing in this growing community. I encourage the City Council to adopt the Development Regulations as constructed through this rigorous process.

Habitat for Humanity of East King County has attempted to provide information and insight during the process on the issue of affordable housing. We are committed to continue working with the City of Sammamish through implementation of the Town Center Plan in accordance with the Development Regulations. Through these regulations we will be able to bring the resources of the greater East County community to Sammamish to provide safe, decent, affordable housing for many hard working, low income families. Specifically, in conjunction with these Development Regulations, Habitat for Humanity will mobilize additional community resources and work in partnership with the City and developers to provide homeownership opportunities for families earning less than 50% of the Area Median Income as we have done in your neighboring communities including Redmond, Issaquah and Bellevue to name a few.

Thank you for the opportunity to participate in this process and for your courageous work.

Respectfully,

[Signature]

Tom Granger

Executive Director
June 10th 2010  
Sammamish City Council  
Re: Town Center  

Dear Council members,

We are property owners within the NW Quadrant of the currently designated Town Center area. We are in agreement that the Town Center Zoning and Design Guidelines need to be approved and implemented as soon as possible.

We are not, however, in agreement with the current zoning and design proposal for reasons that go far beyond the impact of such regulations on my property. These reasons include the following:

1) 40% minimum assemblage requirement in the "A" zone to submit a Master Plan is unreasonable high. Though we can appreciate the City's desire to work with fewer developers, it creates a monopoly mentality that may force landowners to sell at a price that is less than fair market value or face being excluded from the Town Center entirely. This would be a huge detriment to the land owners and the needs of the Town Center. Owners that are not interested at the time of a development purchase, or those that are geographically segregated as a result of a neighboring hold-out could be excluded from participating in the sale or development of their land.  
Solution: Each landowner shall be able to submit a plan proposal which will then be considered based on its own merits and contributions to the Town Center.

2) Minimum setback requirements and buffers from areas where an "A" zone meets a "C" zone create a significant constraint on development feasibility 21B.30.150 (5). This appears to affect our property only... as a means to appease the adjacent landowner that is currently against development. These transitions are prohibitive and discriminatory. A developer would certainly want other options to allow for a reasonable transition. The fact that an "A" zone is even contiguous with a "C" zone is in direct opposition to the "Wedding Cake Approach" that was suppose to have been the driving force behind determining the zoning maps.  
Solution: Make these "A" to "C" buffers and setbacks commensurate with the buffers currently proposed for transitions from "A" to "B" zones. If unique constraints are placed on these "A" zone properties, there should be associated benefits to the landowner that is being unfairly discriminated against.

3) The city remains unwilling to commit financially to the needed infrastructure of the NW quadrant in order for a Town Center to actually be feasible. Landowners and developers should not solely bear this burden.  
Solution: Stop promising to "look at this in the future". Create a special session of the Council and essential players to create a plan with timelines and hard numbers. Prolonging this crucial element is the antithesis development viability.
This has truly become a “plan without a plan”.

Though we have spent a lot of time and deliberation on this over the past 5 years, we have come too far to memorialize a notably defective plan.

Please feel free to contact me with any questions that you may have. I anxiously await the next phase of adoption and implementation and will do whatever that I can to contribute to a plan that is workable and sustainable. It must first be started before it can actually be anything more……………

Our family has lived in Sammamish for more than 10 years. We plan on remaining in Sammamish after the sale of our property to enjoy the Town Center for many years to come.

Sincere thanks for your efforts and consideration.

Respectfully,

Edward and Kari Zercher
22244 SE 4th St
Sammamish WA 98074
425-442-8105

Cc:
Kamuron Gurol
Michael Mathias
FYI

Debbie Beadle
City Of Sammamish
Community Development Department
Mailto: dbeadle@ci.sammamish.wa.us
Direct Line: 425 295-0525
Fax: 425 295-0600

-----Original Message-----
From: Michael Matthias
Sent: Thursday, June 10, 2010 11:53 AM
To: Debbie Beadle
Subject: FW: Please add to Public Comment on Town Center

Michael Matthias
Town Center Project Manager
City of Sammamish
801 228th Ave SE
Sammamish, WA 98075
email: mmatthias@ci.sammamish.wa.us
(425) 295-0539

-----Original Message-----
From: Ed Zercher [mailto:Ezercher@wsna.org]
Sent: Thursday, June 10, 2010 7:13 AM
To: Tom Odell; Mark Cross; John James; Don Gerend; John Curley; Michele Petitti; Nancy Whitten
Cc: edzercher@hotmail.com; Kamuron Gurol; Michael Matthias; Ben Yazici; Melonie Anderson; kari_zercher@hotmail.com
Subject: Please add to Public Comment on Town Center

Good Morning to all,
I ask that you please add the attached letter to public comment for the Town Center.
Please review these points carefully as numbers one and three will shape the outcomes for
anatomy and timeframes of the Town Center build out.
Please take these points into consideration.
I will be unable to attend the June 15th meeting due to being out of town on business.
I look forward to the implementation of the Design Guidelines and Regs.

Sincere thanks,
Ed Zercher

-----Original Message-----
From: Konica@wsna.nr [mailto:Konica@wsna.nr]
Sent: Wednesday, June 09, 2010 10:26 PM
Stacy Herman

From: Michael Matthias
Sent: Thursday, June 10, 2010 12:57 PM
To: Stacy Herman
Subject: FW: Please enter following into Public Record

Michael Matthias
Town Center Project Manager
City of Sammamish
801 228th Ave SE
Sammamish, WA 98075
email: mmatthias@ci.sammamish.wa.us
(425) 295-0539

From: Valerie Spiegler [mailto:espiegler@comcast.net]
Sent: Monday, April 19, 2010 7:07 AM
To: Don Gerend; Michele Petitt; Mark Cross; Nancy Whitten; Tom Odell; John James; John Curley
Cc: Kamuron Gurol; Michael Matthias
Subject: Please enter following into Public Record

To: Sammamish City Council

From: Valerie Spiegler – 302 224th Avenue SE
Date: April 19, 2010
Re: Request for E-zoning

Although absent from Sammamish for three years come May, I am up-to-date on the status of the proposed Town Center.

I share in the frustration of many of my neighbors situated in the Northwest quadrant regarding the lack of progress on this project. The continued lack of concern exhibited by the City Council and abdication of any sense of responsibility to the landowners is astounding to me.

Given this intractable situation, my neighbors and I are probably looking at a decade or more of the status quo. The status quo meaning we all remain hostage to the “imagined” Town Center, unable to sell our residential properties for a fair price to a home buyer or to a developer for a price equivalent to our homes’ values as residential properties.

What I do not understand is why the E-zoning, which you inexplicably and selectively extended to Messrs. Bump, Santoni, Petterson and Bowman has not been offered to other landowners. Many owners never wanted their properties included in the Town Center plan. I, along with other landowners, were fully in favor of a
Town Center until after years of waiting we realized that we’ve been placed in a grossly improper (likely illegal) and financially untenable holding pattern.

For those of us who sit in the proposed “core” of the Town Center, E-zoning would provide a reprieve from the unlucky situation of having found ourselves in a quadrant that will in all probability not be developed during many of our lifetimes.

I request that the City Council extend the E-zoning to my property and the property of other landowners in the core area. This will give all of us piece of mind regarding our property tax status. It would also give us at least a vague chance to sell our properties as residential, since we can almost guarantee a would-be buyer that nothing is going to change for at least a decade. Thus, purchase of a home in the area would not leave them burdened with an expensive asset and tax burden that they can’t dispose of or develop.

In support of my request for E-zoning, I wish to repeat and emphasize what all of you are well aware of:

The City Council and Administration are clearly not prepared to support development in the NW quadrant either by investing in the absent but necessary infrastructure or by offering landowners and developers the economic incentives to develop a Town Center and;

The Town Center Plan fails to offer appropriate incentives for individual landowners and developers to participate in the difficult and complex task of assembling land for development; a task made even more difficult as certain landowners have expressed no interest in participating in any development.

It has been apparent almost from day one that the Town Center, a much-needed addition to Sammamish, was never something the City Council had its “heart in”. The fact that you have spent hundreds of thousands of dollars on consultants, environmental studies, road trips and charrettes does not change the reality that YOU JUST DON’T WANT A TOWN CENTER.

Rejection of the Southeast quadrant’s request to put their master plan proposal on the docket for discussion during the 2011 Comprehensive Plan review is a crystal clear message to both landowners and the development community that the City is not serious in its stated intent to build a Town Center.

If you won’t consider changing the Town Center Plan or withdrawing it in its entirety, then at the very least, I ask that you extend an offer of E-zoning to me and to my neighbors. Look at the facts:

It is eight years since the Planning Advisory Board began discussing a Town Center;

It is six years since the Town Center Advisory Committee began developing a Vision Statement;

It is now two years after the adoption of the Town Center Plan, and as of this writing, nothing has been accomplished and most landowners are convinced nothing is going to happen for a long, long time.

Do the decent thing. Change the Plan; withdraw the Plan; or extend E-zoning.

Those of you who are new to the Council are not responsible for any of what has or has not taken place. But I sincerely hope that, as newcomers, you might be instrumental in influencing your fellow council members to
offer some help to the landowners who have been so seriously and adversely affected, both financially and emotionally, by this failed Plan.

Very truly yours,

Valerie Spiegler  
5500 Holmes Run Parkway #1606  
Alexandria, VA  22304  
(571) 312-4442  
espiegler@comcast.net