

**BEFORE THE HEARING EXAMINER for the
CITY of SAMMAMISH**

ORDER DENYING RECONSIDERATION

FILE NUMBER: UZDP2019-00562

APPELLANTS: STCA, LLC & STC JV1, LLC
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APPLICANTS: Same as Appellants

TYPE OF CASE: Appeal from denial of a Unified Zone Development Plan

WHEREAS, on August 30, 2021, the City of Sammamish Hearing Examiner (“Examiner”) issued a Decision in the above-entitled matter; and

WHEREAS, on September 9, 2021, Respondent Department of Community Development filed a timely Motion for Reconsideration (the “Motion”); and

WHEREAS, on September 10, 2021, the Examiner issued an Order inviting Parties of Record to submit written comments on the Motion by close of business on Friday, September 24, 2021, and

WHEREAS, the Examiner has assigned exhibit numbers for identification to those documents generated through the above-described process:

- Exhibit 9094: Decision in UZDP2019-00562, issued August 31, 2021
- Exhibit 9095: City of Sammamish’s Motion for Reconsideration, filed September 9, 2021
- Exhibit 9096: Order Accepting a Request for Reconsideration and Inviting Comments, issued September 10, 2019
- Exhibit 9097: Mar Ka, comment e-mail, filed September 20, 2021
- Exhibit 9098: Karen Herring, comment e-mail, filed September 22, 2021
- Exhibit 9099: Catherine Freudenberg, comment e-mail, filed September 23, 2021
- Exhibit 9100: Masha Yana, comment e-mail, filed September 24, 2021
- Exhibit 9101: Aaron Laing on behalf of TRF Pacific, comment e-mail, filed September 24, 2021
- Exhibit 9102: Paul Stickney, comment e-mail, filed September 24, 2021, with Attachments A – D to be cited as Exhibits 9102.1 – 9102.4
- Exhibit 9103: Sam Vatslov, comment e-mail, filed September 24, 2021
- Exhibit 9104: Mary Doerrer, comment e-mail, filed September 24, 2021
- Exhibit 9105 Appellants’ Response to Motion for Reconsideration, filed September 24, 2021

;and

WHEREAS, the Examiner has carefully read the Motion, Appellants’ Response, and all the timely filed comments; and

WHEREAS, in preparing the Decision the Examiner was very careful to not imbue it with his personal opinions on anything except procedural and substantive requirements of the code and applicable policies. STCA’s appeal asked the Examiner to “direct” Community Development to take certain actions. (Exhibit 9002, PDF 20; see also Exhibit 1034, PDF 2) The Examiner declined that request. (Exhibit 9094, PDF 88, Conclusion of Law 19.1.14) The Motion essentially asks the Examiner to direct the future course of events by declaring that Community Development may take certain positions. The Examiner declines that request as well. As the Examiner said in Conclusions of Law 12.2.6 and 19.1.14, “The Examiner is not the project designer.” (Exhibit 9094, PDF 73 & 88); and

WHEREAS, the Examiner concludes that there is no reason to change the Decision as issued on August 31, 2021, in any regard.

NOW, THEREFORE, the Examiner **DENIES** the Motion and reaffirms the Decision as issued on August 31, 2021.

ORDER issued September 29, 2021.

ls/ *John E. Galt*

John E. Galt
Hearing Examiner

NOTICE OF RIGHT OF APPEAL

The initial Decision, as affirmed by this Order Denying Reconsideration, is the final and conclusive action for the City subject to the right of judicial appeal. (See RCW 36.70C.020(2).and SMC 20.10.250)

The following statement is provided pursuant to RCW 36.70B.130: “Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.”