

Applicant's Consultant
Chris Goodell - AKS Engineering & Forestry, LLC
[Redacted]

Time Extension Application

THIS IS PUBLIC RECORD

PROPERTY OWNER/CONTRACT PURCHASER (as listed on deed OR purchase contract):

Copy of purchase contract must be included with submittal for application to be accepted.

NAME: Nandina & Co., LLC
ADDRESS: [Redacted]
PHONE: Please Contact Applicant's Consultant
E-MAIL: Please Contact Applicant's Consultant

PROPERTY OWNER/CONTRACT PURCHASER (as listed on deed OR purchase contract):

Copy of purchase must be included with submittal for application to be accepted.

NAME: Same as above
ADDRESS:
PHONE:
E-MAIL:

SITE AND PROJECT INFORMATION:

ZONING DISTRICT: R-M
TAX MAP AND LOT: 07 11 22AA Tax Lot 6800
CASE NUMBER: SUB 2020-01 and PUD 2020-01
DATE OF DECISION: October 12, 2020
EXPIRATION DATE OF DECISION: October 12, 2022

Explain why the following statement is true: *The extension is necessary because it is not practicable to begin development within the allowed time for reasons beyond the applicant's reasonable control.*

The Applicant met with City staff to discuss this project in May of 2019 and submitted a land use application to the City of Lincoln City on February 18, 2020; just a few weeks before the governor of Oregon declared a state of emergency due to the COVID-19 pandemic and issued a stay-at-home order. Believing the pandemic would be over shortly, the Applicant proceeded with the project and it was approved in October 2020.

However, at the time of the approval, there were still many COVID-19 restrictions in place and the pandemic was creating unforeseen economic impacts (business closures, market uncertainty, and supply chain issues to name a few) that were being felt throughout the state. Because of these unforeseen circumstances, the project has been delayed.

The current land use approval is valid until October 12, 2022. Pursuant to the provisions of Table 17.76.140, this application is permitted an extension for two years. Therefore, with this extension, the land use approval will remain valid until October 12, 2024.



_____ My/our initials acknowledge that the previous land use decision will not be modified in design, use, or conditions of approval.

This completed application requesting an extension of the expiration date of the above-referenced decision must be submitted prior to the decision's expiration date. One extension request may be granted for the applicable period of time as specified in LCMC Table 17.76.140-1. If granted, an extension is vested against any code changes adopted since the original decision.

I (We) hereby declare under penalty of perjury under the laws of the State of Oregon that the foregoing information is true, complete, and accurate. I (We) have read and fully understand, and agree to meet, the criteria for an extension as outlined in Lincoln City Municipal Code (LCMC) Section 17.76.140 and reflected in this application.

I (We) acknowledge that providing false information in the application shall be a violation and grounds to deny the application and void the approval.

SIGNATURES:

Property Owner/Contract Purchaser (signature required)

3.25.22

Date

Property Owner/Contract Purchaser (signature required)

Date

- *All property owners listed on the deed must sign the application.*
- *All contract purchasers listed on the purchase contract must sign the application.*
- *If contract purchasers are individuals other than the property owners shown on the deed, all property owners listed on the deed as well as all contract purchasers listed on the purchase contract must sign the application.*

Sandi Balada

From: [REDACTED]
Sent: Tuesday, May 24, 2022 2:12 PM
To: David Scott
Cc: Monty Hurley; Jacki Herb; Sandi Balada
Subject: RE: The Cove at Lincoln City Extension
Attachments: 7432 20220520 Time Extension Form - NEW.pdf

Hi David,

In the time between our discussions with the City and when we submitted our extension application, the City started using a new extension form that we were unaware of. My apologies for the repeat request for this.

Can you please review/sign/return the attached new extension application form at your earliest convenience? Please let me know if there are any changes you'd like us to make.

Thanks.

Lawrence Pankey, PE, LSI
AKS ENGINEERING & FORESTRY, LLC

[REDACTED]

From: David Scott [REDACTED]
Sent: Friday, May 6, 2022 10:39 AM
To: Lawrence Pankey [REDACTED]
Cc: [REDACTED]
Subject: Re: The Cove at Lincoln City - Checking In

EXTERNAL EMAIL: This email originated from outside AKS Engineering & Forestry.

Looks solid, thank you

David Scott NMLS #157331
Attorney-At-Law
President
Silverado Funding, LLC NMLS #292151

[REDACTED]

On May 6, 2022, at 9:57 AM, Lawrence Pankey [REDACTED]

Hi David,

Per your request, please see attached draft letter intended to accompany the City land use extension application form.

Please feel free to reach out with any questions/comments/concerns.

Thanks.

Lawrence Pankey, PE, LSI
AKS ENGINEERING & FORESTRY, LLC

[Redacted]

From: David Scott <[Redacted]>
Sent: Wednesday, May 4, 2022 11:22 AM
To: Lawrence Pankey [Redacted]
Cc: [Redacted]
Subject: RE: The Cove at Lincoln City - Checking In

EXTERNAL EMAIL: This email originated from outside AKS Engineering & Forestry.

Yes please

David C. Scott | President | Attorney-at-Law | Silverado Funding, LLC.

[Redacted]

[VCard](#)

NMLS # 292152

Please note that this transmission may be: (1) subject to the Attorney-Client privilege, (2) an attorney work product (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy, or disseminate this information. If you have received this message in error, please reply and notify the sender (only) and delete this message.

 Please consider the environment before printing this e-mail.

[Redacted]

Subject: RE: The Cove at Lincoln City - Checking In

Received. Thanks, David!

Would you like to review a draft submittal package before it gets submitted to the City?

Thanks.

Lawrence Pankey, PE, LSI
AKS ENGINEERING & FORESTRY, LLC

[Redacted]

[Redacted]

EXTERNAL EMAIL: This email originated from outside AKS Engineering & Forestry.

Here you go, thank you

David C. Scott | President | Attorney-at-Law | Silverado Funding, LLC.

[Redacted]

VCard

NMLS # 292152

Please note that this transmission may be: (1) subject to the Attorney-Client privilege, (2) an attorney work product (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy, or disseminate this information. If you have received this message in error, please reply and notify the sender (only) and delete this message.

 Please consider the environment before printing this e-mail.

[Redacted]

Hi David,

Agreed. Please see attached application form for signature. Please sign and return it at your earliest convenience.

There will be a brief narrative that will be submitted to accompany the application form. Please let me know if you'd like to review it before it gets submitted to the City for review.

Thanks.

Lawrence Pankey, PE, LSI
AKS ENGINEERING & FORESTRY, LLC

EXTERNAL EMAIL: This email originated from outside AKS Engineering & Forestry.

Thanks Lawrence for the check in. We should probably start on the extension track ?

Sent mobile

David Scott
Attorney-At-Law
President
Silverado Funding, LLC

Hi David,

It has been a little while since we last discussed The Cove, so I wanted to check in to see if you needed anything from us. Please don't hesitate to reach out if you do.

Thanks.

Lawrence Pankey, PE, LSI
AKS ENGINEERING & FORESTRY, LLC

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply e-mail and immediately delete the message and any attachments without copying or disclosing the contents. AKS Engineering and Forestry shall not be liable for any changes made to the electronic data transferred. Distribution of electronic data to others is prohibited without the express written consent of AKS Engineering and Forestry.