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3 **BEFORE THE HEARING EXAMINER FOR THE CITY OF REDMOND**

4 In re the matter of the Appeal by  
5 C. R. HOMEBUILDERS, LLC,

6 Appellant,

7 vs.

8 THE CITY OF REDMOND, PLANNING  
9 AND COMMUNITY DEVELOPMENT  
10 DEPARTMENT, and PUBLIC WORKS  
11 DEPARTMENT

12 Respondent.

Holmgren Short Plat,  
LAND-2017-00548

**APPLICANT/APPELLANT'S  
FINAL DISCLOSURE OF  
WITNESSES AND EXHIBITS**

13 Applicant/Appellant C. R. Homebuilders, LLC, hereby submits the following Witness  
14 List and Exhibit List pursuant to the Order Setting Hearing and Pre-hearing Schedule dated  
15 October 16, 2018.

16 **WITNESSES:**

17 **1. Todd Levitt, C.R. Homebuilders, LLC.** Contract owner and applicant  
18 representative; Mr. Leavitt can be contacted through the undersigned counsel. If called,  
19 Mr. Levitt will testify regarding the proposed project, permitting history of the project and of  
20 surrounding properties, site characteristics and generally regarding all appeal issues.

21 **2. James R. Lynch, C.R. Homebuilders, LLC.** Contract owner and applicant  
22 representative; Mr. Lynch can be contacted through the undersigned counsel. If called,  
23 Mr. Lynch will testify regarding the proposed project, permitting history of the project and of  
24 surrounding properties, site characteristics and generally regarding all appeal issues.

1     **3. Scott Brainard, PWS. Principal Ecologist, Wetland Resources, Inc.** 9505 – 19<sup>th</sup>  
2 Ave. SE, Suite 106, Everett, WA 98208, 425-337-3174. Mr. Brainard prepared the critical  
3 area determination report and other critical area analysis submitting in support of the project.  
4 If called, Mr. Brainard will testify to his findings regarding the site and the absence of critical  
5 areas, stormwater outfalls, properties surrounding the subject site, the site characteristics  
6 generally, and all appeal issues as those pertain to the evaluation of critical areas.

7     **4. Ted Schepper, PE. Principal, Terra Associates, Inc.** 12220 113<sup>th</sup> Avenue NE,  
8 Suite 130, Kirkland, WA 98034. Mr. Schepper submitted his geotechnical report and findings  
9 to the City, originally dated March 9, 2017 and revised August 21, 2017. If called,  
10 Mr. Schepper will testify to geotechnical aspects of the project as those relate specifically to  
11 this appeal.

12     **5. Jim Olsen, P.E., Principal, Core Design.** 12100 NE 195<sup>th</sup> Street, Suite 300, Bothell,  
13 WA 98011. If called, Mr. Olsen will testify regarding civil engineering aspects of the project  
14 as those relate specifically to this appeal.

15     **6. Annie Catlin.** Ms. Catlin can be contacted through the undersigned counsel.  
16 Ms. Catlin is the daughter of the Holmgrens who have owned the property for decades.  
17 Ms. Catlin has lived on the site or frequently visited and maintained the site for decades.  
18 Ms. Catlin has direct knowledge regarding the issues on appeal and, if called, will testify to  
19 the site's history, maintenance, topography, and characteristics.

20     **7. Scott Catlin.** Mr. Catlin can be contacted through the undersigned counsel.  
21 As husband to Ms. Catlin, Mr. Catlin has frequented the site and actively maintained and  
22 landscaped the site for many years. Mr. Catlin has direct knowledge regarding the issues on  
23 appeal and, if called, will testify to will testify to the site's history, maintenance, topography,  
24 and characteristics.  
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1 The Applicant/Appellant reserves the right to supplement this disclosure with  
2 witnesses and/or experts as the case is developed. The Applicant/Appellant reserves the right  
3 to call records custodians to verify the authenticity of records. The Applicant/Appellant  
4 reserves the right to call any witnesses identified by the other parties herein, and to further call  
5 witnesses to rebut and/or address the testimony of the other parties' disclosed witnesses.

6 **EXHIBITS:**

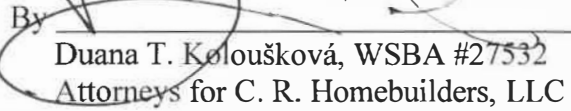
- 7 A-1. Notice and Statement of Appeal of CR Homebuilders LLC, dated October 3, 2018.  
8 A-2. Set of 18 site photographs taken by Scott Brainard on October 30, 2018.  
9 A-3. King County iMap aerial of site and larger neighborhood surroundings, 2 pages.  
10 Printed October 19, 2018  
11 A-4. Site plan showing stormwater outfalls and pertinent existing features and  
12 characteristics, survey date January 30, 2017.  
13 A-5. Timbers Site Plans, dated April 16, 2003, and September 2004 (3 pages).  
14 A-6. 1965 Road Aerial, King County Road Services Map Vault.  
15 A-7. Rainfall data sheet from Natural Resources Conservation Services Climate Data and  
16 Summary Report for dates in February 2015.  
17 A-8. Wickman short plat, recording number 20000105900001, dated January 5, 2000.  
18 A-9. Resume of Scott Brainard, PWS. Principal Ecologist, Wetland Resources, Inc.  
19 A-10. Resume of Ted Schepper, PE. Principal, Terra Associates, Inc.  
20 A-11. Resume of Jim Olsen, P.E., Principal, Core Design.

21 As the Applicant/Appellant is waiting for the remainder of the City's exhibit listing (in  
22 particular related to the applicant's submittal items), the Applicant/Appellant respectfully  
23 reserves the ability to supplement the record with materials from the City's public records of  
24 the foregoing files.  
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1 The Applicant/Appellant reserves the right to rely on the City's record in this matter  
2 and to supplement the foregoing in response and/or rebuttal to the City's exhibits.

3 DATED this 3<sup>rd</sup> day of December, 2018.

4 JOHNS MONROE MITSUNAGA  
5 KOLOUŠKOVÁ, PLLC

6 By   
7 Duana T. Koloušková, WSBA #27532  
8 Attorneys for C. R. Homebuilders, LLC

9 *1600-34 Applicant's Final List of Witnesses & Exhibits 12-03-18*

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DECLARATION OF SERVICE

I, Evanna L. Charlot, am a citizen of the United States, resident of the State of Washington, and declare under the penalty of perjury under the laws of the State of Washington, that on this date, I caused to be served a true and correct copy of the foregoing Applicant's Final Disclosure of Witnesses & Exhibits, upon all counsel and parties of record at the address and in the manner listed below.

Office of Hearing Examiner  
City of Redmond  
Cheryl Xanthos, City Clerk  
15670 NE 85<sup>th</sup> St.  
Redmond, WA 98073

[cdxanthos@redmond.gov](mailto:cdxanthos@redmond.gov)

Attorneys for Respondent City of Redmond  
James E. Haney  
Katherine D. Hambley  
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Seattle WA 98164-2008

[jhaney@omwlaw.com](mailto:jhaney@omwlaw.com)  
[khamblev@omwlaw.com](mailto:khamblev@omwlaw.com)

Dated this 3<sup>rd</sup> day of December, 2018, in Bellevue, Washington.

  
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EVANNA L. CHARLOT