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BEFORE THE HEARING EXAMINER
CITY OF REDMOND

In the Matter of the Appeal of
Eugene Zakhareyev
Of the June 12, 2018 approval
Site Plan Entitlement LAND-2013-
00171 Decision for the Anjuman-E-
Burhani Mosque at 15252 NE 51st
Street, Redmond

Appeal No. LAND-2018-00701 of
LAND-2013-00171

**ZAKHAREYEV'S PRELIMINARY
WITNESS AND EXHIBIT LIST**

A. Proposed witnesses.

Appellant Eugene Zakhareyev will provide testimony by the following witnesses.

1. William ("Bill") Popp, William Popp Associates, 14400 Bel-Red Rd #206, Bellevue, WA 98007, Telephone (425)401-1030. Mr. Popp will testify regarding traffic impacts, review of traffic reports for the project, and unmet requirements. Mr. Popp's CV will be Exhibit Z-05.
2. Eugene Zakhareyev, Appellant. Mr. Zakhareyev may testify from personal knowledge regarding the application and the applicant, documents received from the city or applicant, exhibits submitted, neighborhood conditions, use of the SR520 ramp from 51st St NE., and other matters.
3. Thomas L. Flick, neighboring property owner. Tom Flick is a resident of Redmond and an owner of residential property adjacent to the subject development, addressed as 5211 154th Avenue NE and 5215 154th Avenue NE, Redmond, Washington. He is expected to testify concerning proposed building bulk, scale and project impacts on the neighborhood character and his property.

1 4. Hans Gundersen, neighboring property owner. Hans Gundersen is a long
2 time Redmond resident and the owner of property in the neighborhood
3 addressed as 4836 159th Avenue NE. He is expected to testify on traffic
4 safety on 51st Street NE in vicinity of the development.

4 **B. Proposed Exhibits.**

5 Exhibit Z-01 – William Popp Associates summary report, August 27, 2018

6 Exhibit Z-02 - City of Redmond Technical Committee Notice of Decision for Anjuman E
7 Burhani, dated June 13, 2018

8 Exhibit Z-03 - Land Use Application LAND-2013-00171 Appeal Form, dated Jun 27,
9 2018

10 Exhibit Z-04 - Updated Operational Analysis Memo for NE 51st Street by TENW, dated
11 February 17, 2017

12 Exhibit Z-05 - CV of William Popp Sr., PE of William Popp Associates, August 27,
13 2018

14 Exhibit Z-06 - Supplemental Signal Warrant Analysis for NE 51st St & 154th Ave by
15 TENW, dated October 31, 2017

16 Exhibit Z-07 - Zakhareyev comments on SEPA-2017-00172, dated March 23, 2017

17 Exhibit Z-08 - Zakhareyev response to the City comments response on SEPA-2017-
18 00172, dated March 30, 2017

19 Exhibit Z-09 - Printout aerial shot of 51st Street & 154th Ave from Bing Maps, captured
20 July 25, 2018

21 Exhibit Z-10 - Printout photo of the site as captured from 154th Ave NE, captured April
22 29, 2014

23 Exhibit Z-11 - Right of Way agreement between the State of Washington and the City
24 of Redmond, dated August 7, 1969

25 Exhibit Z-12 - Judgment and Decree for the 15252 NE 51st Street property dated
February 20, 1974

Exhibit Z-13 - Quitclaim deed between State of Washington and the City of Redmond
dated March 12, 1991

- 1 Exhibit Z-14 - Letter dated July 16, 2008 from WSDOT Ramin Pazooki to David
2 McCann, denying change of access for 15252 51st Street property
- 3 Exhibit Z-15 - Letter dated February 27, 2009 from WSDOT Lorena Eng to Nazim
4 Nice, denying change of access for 15252 51st Street property
- 5 Exhibit Z-16 - Email string dated January 16, 2009 to January 22, 2009 between City
6 of Redmond Planners Pat Lyga and Dennis Lisk discussing access limitations for
7 15252 NE 51st Street property
- 8 Exhibit Z-17 - Statutory Warranty Deed between David and Julie Ann McCann and
9 Anjuman E Burhani, dated August 4, 2010
- 10 Exhibit Z-18 - Letter dated August 24, 2012, from WSDOT Ramin Pazooki to the City
11 of Redmond, discussing the access and design requirements for 15252 51st Street
12 property
- 13 Exhibit Z-19 - Email string dated June 18, 2014 to June 23, 2014 between WSDOT
14 Ramin Pazooki and Assistant AG Ann Salay discussing access limitations and
15 jurisdiction for 15252 NE 51st NE Street property
- 16 Exhibit Z-20 - Email string dated July 22, 2014 to August 5, 2014 between WSDOT
17 Ramin Pazooki and Eugene Zakhareyev discussing WSDOT responsibilities to access
18 and drainage for 15252 NE 51st Street property
- 19 Exhibit Z-21 - Anjuman E Burhani property WSDOT Narrative Appraisal Report by
20 Valbridge, dated January 16, 2018
- 21 Exhibit Z-22 - Letter dated 23 March, 2018, from J. Richard Aramburu to WSDOT
22 asking to deny change of access for 15252 51st NE Street property (*Letter
23 Attachments are located in Exhibits Z15 and Z19*)
- 24 Exhibit Z-23 - Exhibit Z-23 - Letter, 4-25-18, WSDOT Lorena Eng to Aramburu re 3-23-
25 18 letter (*Letter Attachments are located in Z13 and Z18*)
- Exhibit Z-24 - Exhibit Z-24 - Letter, 5-15-18, Aramburu to City asking to deny change
of access.pdf (with Attachment, May 15, 2018 letter to Lorena Eng)
- Exhibit Z-25 - Letter dated 18 May, 2018, from WSDOT Mike Cotten to J. Richard
Aramburu in response to May 15, 2018 letter
- Exhibit Z-26 - Email string dated April 11, 2018 to April 13, 2018 between Eugene
Zakhareyev and Hank Myers regarding Planning & Public Works Committee April 10th
meeting "51st Easement Sale" item

- 1 Exhibit Z-27 - staff memo 18-081 to Council agenda, 5-1-18, with Attachment A, a
2 Draft Easement (other attachments omitted)
- 3 Exhibit Z-28 - Redmond City Council meeting of May 1, 2018 approved minutes, dated
4 May 15, 2018
- 5 Exhibit Z-29 - Signed easement dated June 19, 2018, granted by the City of Redmond
6 over ROW to Anjuman E Burhani
- 7 Exhibit Z-30 - Memo dated May 14, 2018, from William Popp, PE discussing highway
8 approach classification
- 9 Exhibit Z-31 - City of Redmond document titled Multimodal Plan-Based Concurrency
10 System Administrative Guidelines, dated September 2014
- 11 Exhibit Z-32 - Anjuman E Burhani Transportation Concurrency Application, dated 20
12 January, 2017
- 13 Exhibit Z-33 - AEB Memo to the City of Redmond by JTE Traffic Engineering titled
14 Anjuman E Burhani Site Access Sight Line Deviation Request, dated December 23,
15 2016
- 16 Exhibit Z-34 - City of Redmond response to JTE memo asking for Sight Line Deviation
17 Request, dated January 17, 2017
- 18 Exhibit Z-40 - City of Redmond staff memo - Citizen Questions, Comments and City of
19 Redmond Answers Regarding Anjumann E Burhani Application made available on
20 February 27, 2018
- 21 Exhibit Z-41 - MAPS Assembly Facility traffic impact study by Transpo Group, dated
22 June 21, 2010
- 23 Exhibit Z-42 - ICOR Assembly Facility traffic impact study by Transpo Group, dated
24 April 20, 2010
- 25 Exhibit Z-43 - AEB Project memo to the City of Redmond discussing project capacity,
dated Jan 23, 2013
- Exhibit Z-44 - City of Redmond staff memo to Design Review Board, dated April 6,
2017
- Exhibit Z-45 - City of Redmond Notice of Decision for Type I permit, dated June 27,
2013

- 1 Exhibit Z-46 - City of Redmond memo titled Administrative Interpretation, discussing
2 fixed seat definitions, dated 29 April, 2015
- 3 Exhibit Z-47 - Email dated April 29, 2015 from City of Redmond planner Sarah Pyle to
4 Eugene Zakhareyev making available multiple documents
- 5 Exhibit Z-48 - Printout from Google Search page searching for Redmond
6 Administrative Interpretation taken July 16, 2018
- 7 Exhibit Z-49 - Printout from the City of Redmond Publicly Available Administrative
8 Interpretations web page taken July 16, 2018
- 9 Exhibit Z-50 - Email string dated June 22, 2012 between the City of Redmond
10 employees Rob Crittenden and Thara Johnson discussing parking for AEB project
- 11 Exhibit Z-51 - Anjuman E Burhani architectural plans, undated
- 12 Exhibit Z-52 - City of Redmond staff memo to DRB titled Staff Response to Letter from
13 Eugene Zakhareyev, dated April 2, 2017
- 14 Exhibit Z-53 - AEB Project pre-application conference submittal, dated Feb 23, 2012
- 15 Exhibit Z-54 - AEB Traffic And Parking Letter by JTE, dated December 20, 2016
- 16 Exhibit Z-55 - AEB Traffic And Parking Letter by JTE, dated March 15, 2014
- 17 Exhibit Z-56 - AEB Traffic And Parking Letter by JTE, dated April 19, 2013
- 18 Exhibit Z-57 - AEB Traffic And Parking Letter by JTE, dated May 28, 2013
- 19 Exhibit Z-58 - AEB Traffic And Parking Letter by JTE, dated June 5, 2012
- 20 Exhibit Z-61 - Printout from Google Maps, photo of 5204 154th Ave NE, captured July
21 26, 2018
- 22 Exhibit Z-62 - Printout from Google Maps, photo of 5208 156th Ave NE, captured July
23 26, 2018
- 24 Exhibit Z-63 - Printout from Google Maps, photo of 5315 154th Ave NE, captured July
25 26, 2018
- Exhibit Z-64 - Anjuman E Burhani applicant presentation for DRB, created March 3,
2017

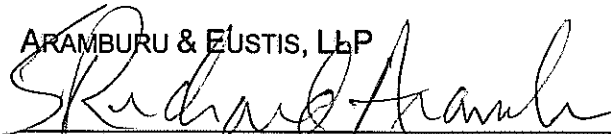
- 1 Exhibit Z-65 - Anjuman E Burhani Design Standards Checklist, created March 13,
2 2017
- 3 Exhibit Z-66 - Letter dated 11 July, 2017 from the City of Redmond to Emerald Heights
4 detailing issues to the proposal scale
- 5 Exhibit Z-67 - Emerald Heights Assisted Living building DRB presentation, dated June
6 15, 2018
- 7 Exhibit Z-69 - Letter dated April 10, 2018 from AEB to Redmond Mayor John
8 Marchione discussing AEB request of waving easement approval fees
- 9 Exhibit Z-70 - Printout of AEB representative comment on Facebook, dated July 2,
10 2018
- 11 Exhibit Z-71 - Printout of Houston mosque complex web page discussing congregation
12 growth, created July 30, 2017
- 13 Exhibit Z-72 - Sound Transit preliminary RTC to Downtown extension plan, created
14 May 18, 2018
- 15 Exhibit Z-73 - Emailstring 5-20-18 to 5-23, Redmond planner Pyle-Zakhareyev,
16 alerting city to potential effects of ST3 on 51st NE property
- 17 Exhibit Z-74 - Email string dated May 30, 2018 to June 11, 2018 between City of
18 Redmond planner Sarah Pyle and Eugene Zakhareyev, discussing city approved
19 access to the 15252 51st NE Street property
- 20 Exhibit Z-75 - Email string dated 9-14-14 to 9-16-14, between planner Fischer &
21 Zakhareyev, minutes for city-residents meeting
- 22 Exhibit Z-76 - HCT Corridor Preservation Map Book, dated August 16, 2011
- 23 Exhibit Z-77 - Letter dated March 13, 2018 from the City of Redmond planner Sarah
24 Pyle to AEB
- 25 Exhibit Z-78 - Email dated April 07, 2014 from the applicant's architect Donn Stone to
City Planner Thara Johnson
- Exhibit Z-79 - AEB Transportation Management Plan, dated January 2, 2014
- Exhibit Z-80 - Memo from William Popp Assoc on AEB Parking and Traffic Analysis
Critique, dated March 23, 2017
- Exhibit Z-81 - TENW Comment Letter to AEB Traffic and Parking, dated April 1, 2014

- 1 Exhibit Z-83 - Email dated April 26, 2017 from WSDOT Felix Pallisoc to City of
2 Redmond traffic engineer Min Luo regarding WSDOT comments on AEB traffic study
- 3 Exhibit Z-84 - Email dated October 12, 2017 to December 11, 2017 from WSDOT Felix
4 Pallisoc and City of Redmond planner Sarah Pyle regarding additional WSDOT
5 comments to AEB traffic study
- 6 Exhibit Z-85 - AEB response to WSDOT comments by TSI, dated 24 July, 2017
- 7 Exhibit Z-86 - AEB follow up to WSDOT by TSI, dated November 16, 2017
- 8 Exhibit Z-87 - Memo from William Popp Assoc to WSDOT on subject of TSI responses
9 to WSDOT comments, dated September 14, 2017
- 10 Exhibit Z-88 - Anjuman E Burhani site and floor plans, undated
- 11 Exhibit Z-89 - Email 6-6-18 to 6-27-18, Redmond Planning Director Vandenbrande and
12 Eugene Zakhareyev, re info to council during easement vote
- 13 Exhibit Z-90 - Neighborhood map and spreadsheet of lot and house sizes, prepared by
14 Eugene Zakhareyev, August 2018
- 15 Exhibit Z-91 – Design Review Board minutes for April 6, 2017, including design
16 approval for the 2013 application.

17 Appellant reserves the right to supplement this list, particularly in response or
18 rebuttal to witnesses or exhibits proposed by respondents in the case, and to call any
19 witness or present any exhibit listed in another party's materials.

20 Respectfully submitted on this 27th day of August, 2018.

21 ARAMBURU & EUSTIS, LLP



22 J. Richard Aramburu, WSBA #466
23 Attorney for Appellant

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CERTIFICATE OF SERVICE

I am an employee in the law offices of ARAMBURU & EUSTIS, LLP, well over eighteen years of age and competent to be a witness herein. On the date below, I distributed copies of the foregoing document to counsel of record by email PRIOR TO 3:00 P.M.:

Office of the Hearing Examiner, c/o cdxanthos@redmond.gov
James Haney, Redmond City Attorney, jhaney@omwlaw.com
Sarah Mack, Attorney for Applicants, mack@tmw-law.com, cc cohee@tmw-law.com
Applicants eliasy@microsoft.com, ahaveliwala@gmail.com
Planner dlee@redmond.gov
Appellant eugenez@outlook.com

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

DATED: August 27, 2018.



Carol Cohoe