



APPEAL APPLICATION FORM

To file an appeal of a Type I or II decision or a SEPA determination, please complete the attached form and pay the applicable fee by 5:00 p.m. on the last day of the appeal period.

Form submission and payment must be by **PERSONAL DELIVERY** at City Hall 2nd Floor Customer Service Center c/o Office of the City Clerk-Hearing Examiner, 15670 NE 85th Street. Contact the Office of the Hearing Examiner with process questions at 425-556-2191.

Standing to Appeal:

- **Appeal to the Hearing Examiner of a SEPA determination** - Any interested person may appeal a threshold determination, adequacy of a final EIS, and the conditions or denials of a requested action made by a nonelected City official based on SEPA. No other SEPA appeals shall be allowed.
- **Appeal to the Hearing Examiner of an Administrative, Technical Committee or Design Review Board Decision (Type I or II)** - the project applicant, owner, or any person who submitted written comments (party of record) prior to the date the decision was issued may appeal the decision. The written appeal and the applicable fee must be received by the City of Redmond's Office of the Hearing Examiner no later than 5:00 p.m. on the 14th calendar day following the date of the decision.

Should the appellant prevail in the appeal, the application fee will be refunded (City of Redmond Resolution No. 1459). The application fee will not be refunded for appeals that are withdrawn or dismissed.

Hearing Examiner or City Council decision may be appealed to Superior Court by filing a land use petition which meets the requirements set forth in RCW Chapter 36.70C. The petition must be filed and served upon all necessary parties as set forth in State law and within the 21-day time period as set forth in RCW Section 36.70C.040. Requirements for fully exhausting City administrative appeal opportunities must be fulfilled.

Please continue to page 2 to select your appeal type.

File No: _____ Date Received: _____ Receipt No. _____	(Staff Use Only)
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RECEIVED
CITY OF REDMOND
MAR 07 2018
OFFICE OF THE
HEARING EXAMINER

Please check the applicable appeal:

- Appeal to the Hearing Examiner of a SEPA determination RZC 21.70.190(E). **(Please be sure to understand the type of SEPA appeal you are filing, and if a further appeal to the underlying action is needed.)**
- Appeal to the Hearing Examiner of an Administrative, Technical Committee or Design Review Board Decision (Type I or II) RZC 21.76.060(I)

Section A. General Information

Name of Appellant: Redmond Sustainable Investments LLC
Address: 450 Central Way Suite 3000
City: Kirkland State: WA Zip: 98033
Email: angela@pantley.com / robert@pantley.com
Phone: (home) _____ (work) 206-795-3545 (cell) 425-765-4037

Name of project that is being appealed: 162TEN
File number of project that is being appealed: SPE: LAND-2014-01610 CIVIL: SITE-2015-09009
Date of decision on project that is being appealed: February 21, 2018
Expiration date of appeal period: March 7, 2018

What is your relationship to the project?
 Party of Record Project Applicant Government Agency

Pursuant to the Redmond Zoning Code, only certain individuals have standing to appeal a decision on application or appeal (See page 1 above). Below, please provide a statement describing your standing to appeal, and reference all applicable City Code citations.

Project applicant. City of Redmond code 20F.30.30-40(1)(a)



Section B. Basis for Appeal

Please fill out items 1-4 below. Reference all applicable City Code citations and attach additional sheets if necessary.

1. Please state the facts demonstrating how you are adversely affected by the decision:

We received SPE approval for this project on April 22, 2015. In October 2015, we met with the City, by their request, to discuss the install of the water line in NE 80th Street, which was not required under the SPE approval. To do so, we were provided with a sum offsetting cost option, including but not limited to trading water meters (existing 1" meter to 3/4" public ROW landscape meter), and not having a limit on the capital improvements credit. City approved plans also showed them putting in the ROW signage, and that the water line is on the south side of the street with an asphalt patch only.

2. Please provide a concise statement identifying each alleged error of fact, law, or procedure, and how the decision has failed to meet the applicable decision criteria:

The City is now charging the project a capital charge for the new water meter. The city initially agreed that we would not be charged a capital improvements charge for the water meter on NE 80th Street that provides water for the City's ROW landscaping, as part of the inducement to have us install the water line in NE 80th Street that was not part of SPE approval. The City agreed to no limit on the water line credit. At the time of application, they put a limit on it. They are also now telling us all of the street needs a complete overlay and to fix their drainage problem, but the approved plans show work just on the south side with an asphalt patch only. Approved plans also show that the City is to install signage in the ROW, but they are now telling us that it is ours to install.

3. Please state the specific relief requested:

A full reimbursement of water line capital charges.
No limit on the water line credit. City to install ROW
signage per plans. For street to require asphalt patch not full
overlay, per plans.

4. Please provide any other information reasonably necessary to make a decision on the appeal:

Additional information will be provided through the appeal
process, including testimony of three City employees: Paulette
Norman, Rob Edie, and Tony Lewis.

Do not use this form if you are appealing a decision on a:

- Shoreline Permit (must be appealed to the State Shoreline Hearings Board *RZC 21.68.200(C)(6)(b)*)
- Shoreline Variance or a Shoreline Conditional Use Permit (must be appealed to the State Shoreline Hearings Board *RZC 21.68.200(C)(6)(c)*)
- Hearing Examiner decision on a SEPA appeal (not an appealable action as successive appeals are not allowed *RZC 21.70.190(D)*)
- Hearing Examiner decision on an application (must be appealed to Superior Court)
- City Council approval or denial (must be appealed to Superior Court *RZC 21.76.060(Q)*)