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BEFORE THE HEARING EXAMINER
FOR THE CITY OF REDMOND

In the Matter of the SEPA Appeal of

File Nos: BLDG-2016-09802
BPLN2016-02092

WPDC CLEVELAND, LLC

**ADDENDUM APPELLANT WPDC
CLEVELAND, LLC'S WITNESS &
EXHIBIT LISTS**

of approved Building Permit BLDG-2016-09802/BPLN-2016-02092 authorizing alterations to the structure at 16390 Cleveland Street, Redmond Issued February 17, 2017.

Per the Hearing Examiner's March 17, 2017 Order Setting Pre-hearing Document Exchange Schedule, Appellant WPDC Cleveland, LLC submits this amended addendum to its June 30, 2017 lists of witnesses and exhibits:

I. LIST OF WITNESSES

On information and belief, the below-identified witnesses have first-hand knowledge of any or all of the subjects identified in the above-captioned appeal. Appellant intends to call any or all of the following witnesses to testify at the hearing, subject to witness availability, verification of witness knowledge of relevant information and good faith cooperation and coordination with legal counsel for Respondents City of Redmond and

**ADDENDUM APPELLANT'S WITNESS & EXHIBIT
LISTS - 1**

SCHWABE, WILLIAMSON & WYATT, P.C
Attorneys at Law
1420 5th Avenue, Suite 3400
Seattle, WA 98101-4010
Telephone: 206 622 1711

1 Andorra Ventures, LLC to limit the number of witnesses to avoid duplication and to
2 streamline testimony at the hearing:

3 **Appellant's Non-City Witnesses**

4
5 **1) Mike J. Read, P.E. of TENW (Appellant's expert witness)**

6 Mr. Read is a professional licensed transportation engineer employed by
7 Transportation Engineering Northwest (TENW). He will testify as to the
8 matters described and set forth in his April 20, 2015 memorandum titled
9 Comparative Trip Generation and Parking Generation Analysis for the
10 Redmond Origins Appeal, his April 25, 2017 declaration on file in this matter,
11 and his June 29, 2017 Supplemental Trip Generation and Parking Generation
12 Analysis for the Redmond Origins Appeal. Mr. Read will provide rebuttal
13 testimony as necessary, too. Because the City is still responding to one or
14 more public records requests submitted by the Appellant related to this matter,
15 Appellant reserves the right to amend or further supplement Mr. Read's
16 memoranda and testimony based on newly-discovered information and / or
17 submit one or more declarations in lieu of his testimony at the hearing, per the
18 Hearing Examiner's June 9, 2017 Order.

19
20 **2) Matthew M. Woolsey of The Woolsey Company, Inc. (Appellant's expert
21 witness)**

22 Mr. Woolsey is a professional construction cost estimator. He will testify as
23 to the matters described and set forth in his April 16, 2017 Unit Cost Estimate
24 for the proposed Origins Tenant Improvements project, his April 25, 2017
25 declaration on file in this matter and his June 8, 2017 revised (Reduced
26 Scope) Unit Cost Estimate for the proposed Origins Tenant Improvements
project. Mr. Woolsey will provide rebuttal testimony as necessary, too.
Because the City is still responding to one or more public records requests
submitted by the Appellant related to this matter, Appellant reserves the right
to amend or further supplement Mr. Woolsey's cost estimates and testimony
based on newly-discovered information and / or submit one or more
declarations in lieu of his testimony at the hearing, per the Hearing
Examiner's June 9, 2017 Order.

27
28 **3) Rick Driftmier, AIA of The Driftmier Architects, P.S. (Appellant's expert
29 witness)**

30 Mr. Driftmier is a licensed professional architect. He will testify as to the
31 matters described and set forth in his April 28, 2017 declaration on file in this
32 matter, his knowledge and experience with the City of Redmond's land use

1 and building codes and permit process (both substantive and procedural), his
2 knowledge of the project site and its history and his knowledge and
3 experience related to costs of the proposed improvements. Mr. Driftmier will
4 provide rebuttal testimony as necessary, too. Because the City is still
5 responding to one or more public records requests submitted by the Appellant
6 related to this matter, Appellant reserves the right to amend or further
7 supplement Mr. Driftmier's testimony based on newly-discovered information
8 and / or submit one or more declarations in lieu of his testimony at the
9 hearing, per the Hearing Examiner's June 9, 2017 Order.

7 **4) Lee Driftmier, AIA of The Driftmier Architects, P.S. (Appellant's expert
8 witness)**

9 Mr. Driftmier is a licensed professional architect. He will testify as to his
10 knowledge and experience with the City of Redmond's land use and building
11 codes and permit process (both substantive and procedural), his knowledge of
12 the project site and its history and his knowledge and experience related to
13 costs of the proposed improvements. Mr. Driftmier will provide rebuttal
14 testimony as necessary, too. Because the City is still responding to one or
15 more public records requests submitted by the Appellant related to this matter,
16 Appellant reserves the right to amend or further supplement Mr. Driftmier's
17 testimony based on newly-discovered information and / or submit one or more
18 declarations in lieu of his testimony at the hearing, per the Hearing
19 Examiner's June 9, 2017 Order.

16 **5) Richard (Dick) L. Settle, Of Counsel Attorney of Foster Pepper PLLC
17 and Professor Emeritus of Seattle University School of Law (Appellant's
18 expert witness)**

19 Professor Settle is a licensed attorney, author and professor of law. He will
20 testify as to the matters described and set forth in his June 30, 2017 Summary
21 of Opinions, his knowledge and experience with the City of Redmond's land
22 use and building codes and permit process (both substantive and procedural)
23 and his knowledge and opinions as to the change of occupancy / use,
24 nonconforming structures, nonconforming uses, nonconforming sites,
25 nonconforming rights, nonconforming parking, abandonment and procedural
26 issues raised in Appellant's June 2, 2017 Amended Appeal. Prof. Settle will
provide rebuttal testimony as necessary, too. Because the City is still
responding to one or more public records requests submitted by the Appellant
related to this matter, Appellant reserves the right to amend or further
supplement Prof. Settle's testimony based on newly-discovered information
and / or submit one or more declarations in lieu of his testimony at the
hearing, per the Hearing Examiner's June 9, 2017 Order.

1 **6) Kevin R. Wallace, Manager of Appellant WPDC Cleveland, LLC**

2 Mr. Wallace is a licensed attorney in the State of Washington on inactive
3 status, President and COO of Wallace Properties and manager of Appellant
4 WPDC Cleveland, LLC. He will testify as to the matters described and set
5 forth in his April 28, 2017 declaration on file in this matter, his knowledge
6 and experience with the City of Redmond's land use and building codes and
7 permit process (both substantive and procedural), his knowledge of the project
8 site and its history, his knowledge and experience related to costs of the
9 proposed improvements, and his knowledge as to the change of occupancy /
10 use, nonconforming structures, nonconforming uses, nonconforming sites,
11 nonconforming rights, nonconforming parking, abandonment and procedural
12 issues raised in Appellant's June 2, 2017 Amended Appeal. Mr. Wallace will
13 provide rebuttal testimony as necessary, too. Because the City is still
14 responding to one or more public records requests submitted by the Appellant
15 related to this matter, Appellant reserves the right to amend or further
16 supplement Mr. Wallace's testimony based on newly-discovered information
17 and / or submit one or more declarations in lieu of his testimony at the
18 hearing, per the Hearing Examiner's June 9, 2017 Order.

13 **7) Jason Bailey, Owner of RedPrime LLC dba Prime Steakhouse**

14 Mr. Bailey is the owner of the Prime Steakhouse in Downtown Redmond's
15 Old Town, located at 16330 Cleveland Avenue on the real property owned by
16 Appellant WPDC Cleveland, LLC. He will testify as to the matters described
17 and set forth in his April 27, 2017 declaration on file in this matter, his
18 knowledge and experience with the City of Redmond's land use and building
19 codes and permit process (both substantive and procedural), his knowledge of
20 the project site and its history and his knowledge and experience related to
21 costs of the proposed improvements. Mr. Bailey will provide rebuttal
22 testimony as necessary, too. Because the City is still responding to one or
23 more public records requests submitted by the Appellant related to this matter,
24 Appellant reserves the right to amend or further supplement Mr. Bailey's
25 testimony based on newly-discovered information and / or submit one or more
26 declarations in lieu of his testimony at the hearing, per the Hearing
 Examiner's June 9, 2017 Order.

22 **8) Lee Keller, CEO of The Keller Group**

23 Ms. Keller is the founder and CEO of The Keller Group. She will testify as to
24 the matters described and set forth in her April 27, 2017 declaration on file in
25 this matter. Ms. Keller will provide rebuttal testimony as necessary, too.
26 Because the City is still responding to one or more public records requests
 submitted by the Appellant related to this matter, Appellant reserves the right

1 to amend or further supplement Ms. Keller's testimony based on newly-
2 discovered information and / or submit one or more declarations in lieu of her
3 testimony at the hearing, per the Hearing Examiner's June 9, 2017 Order.

4 **9) Sean Miller, Applicant Andorra Ventures LLC's Representative**

5 Mr. Miller is a member of Applicant Andorra Ventures LLC. He will testify
6 as to the matters described and set forth in his April 25, 2017 declaration on
7 file in this matter. Mr. Miller will also testify to the permitting process,
8 project cost estimates and costs-to-date, improvements to the building and
9 site, parking and traffic associated with the project. Because the City is still
10 responding to one or more public records requests submitted by the Appellant
11 related to this matter, Appellant reserves the right to amend or further
12 supplement Mr. Miller's testimony based on newly-discovered information
13 and / or submit one or more declarations in lieu of his testimony at the
14 hearing, per the Hearing Examiner's June 9, 2017 Order.

15 **10) Eric Hansen, Member of Rain City Development, LLC**

16 Mr. Hansen is a member of Rain City Development, LLC, the former owner
17 of the project site. He will testify as to physical condition and use of the site
18 and building during his tenure as an owner representative, his knowledge of
19 *Rain City Development, LLC v. Shilla Inc.*, King County Superior Court
20 Cause No. 09-2-03962-3SEA, his efforts to develop and use the site and
21 building, his communications with the City of Redmond about the same and
22 the sale of the site and building to Andorra Ventures, LLC. Because the City
23 is still responding to one or more public records requests submitted by the
24 Appellant related to this matter, Appellant reserves the right to amend or
25 further supplement Mr. Hansen's testimony based on newly-discovered
26 information and / or submit one or more declarations in lieu of his testimony
at the hearing, per the Hearing Examiner's June 9, 2017 Order.

11) Shelli Dean, Member of Rain City Development, LLC

Mr. Dean is a member of Rain City Development, LLC, the former owner of
the project site. She will testify as to physical condition and use of the site
and building during her tenure as an owner representative, her knowledge of
Rain City Development, LLC v. Shilla Inc., King County Superior Court
Cause No. 09-2-03962-3SEA, her efforts to develop and use the site and
building, her communications with the City of Redmond about the same and
the sale of the site and building to Andorra Ventures, LLC. Because the City
is still responding to one or more public records requests submitted by the
Appellant related to this matter, Appellant reserves the right to amend or
further supplement Ms. Dean's testimony based on newly-discovered

1 information and / or submit one or more declarations in lieu of her testimony
2 at the hearing, per the Hearing Examiner's June 9, 2017 Order.

3 **12) Sot Koh, Secretary of Shilla Incorporated**

4 Mr. Koh is the registered agent and Secretary of Shilla Inc., the former owner
5 of the site now owned by WPDC Cleveland LLC and presently occupied by
6 the Prime Steakhouse restaurant. He will testify as to physical condition and
7 use of the site and building during his tenure as an owner representative, his
8 knowledge of *Rain City Development, LLC v. Shilla Inc.*, King County
9 Superior Court Cause No. 09-2-03962-3SEA, his knowledge of efforts to
10 develop and use the site and building, his communications with the City of
11 Redmond about the same and the sale of the site and building to Andorra
12 Ventures, LLC (if any). Because the City is still responding to one or more
13 public records requests submitted by the Appellant related to this matter,
14 Appellant reserves the right to amend or further supplement Ms. Koh's
15 testimony based on newly-discovered information and / or submit one or more
16 declarations in lieu of his testimony at the hearing, per the Hearing
17 Examiner's June 9, 2017 Order.

18 **13) Tom Morris, AIA of Morris Architects Inc. PS**

19 Mr. Morris is the project architect for the permits subject to this appeal. He
20 will testify to the permitting process, project cost estimates and costs-to-date,
21 improvements to the building and site, parking and traffic associated with the
22 project. Because the City is still responding to one or more public records
23 requests submitted by the Appellant related to this matter, Appellant reserves
24 the right to amend or further supplement Mr. Morris's testimony based on
25 newly-discovered information.

26 **Appellant's City Witnesses**

Based on public records produced to-date, Appellant intends to call some or all of the
following City employees to testify on the City's codes, permitting process, their personal
knowledge of the site, the building on the site, the permits and project at issue on this appeal
and the exhibits identified below for which each was an author or recipient:

14) City Planner Gary Lee

15) City Development Services Center Supervisor Carol Lewis

- 1 **16) City Building Plans Examiner Janise Goucher**
- 2 **17) City Public Works Project Manager Lisa Singer**
- 3 **18) City Planner Jason Rogers**
- 4 **19) City Building Code Enforcement Officer Deborah Farris**
- 5 **20) City Plans Examiner Anita Randall**
- 6 **21) City Transportation Engineer Min Luo**
- 7 **22) City Planner Cameron Zapata**
- 8 **23) City Planner Patrick McGrath**
- 9 **24) City Planner / Engineer Andy Chow**
- 10 **25) City Building Inspector Kenneth McCleod**
- 11 **26) City Plans Examiner Jozanne**
- 12 **27) City Planning Director Robert Odle**

13
14
15 Appellant may call some or all of the non-City and City witnesses for purposes of
16 rebuttal testimony.

17 Appellant reserves the right to call any witness identified in the witness disclosures
18 submitted by the City of Redmond and / or Andorra Ventures, LLC and any witness whose
19 identify becomes known through the exhibits disclosed by the City of Redmond and / or
20 Andorra Ventures, LLC.

21
22 Because the City is still responding to one or more public records requests submitted
23 by the Appellant related to this matter, Appellant reserves the right to amend or further
24 supplement this witness list with additional non-City and City witnesses and the proposed
25 testimony based on newly-discovered information.

26
*ADDENDUM APPELLANT'S WITNESS & EXHIBIT
LISTS - 7*

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
1420 5th Avenue, Suite 3400
Seattle, WA 98101-4010
Telephone: 206.622.1711

1 **II. LIST OF EXHIBITS**

2 Appellant intends to introduce any or all of the documents, including excerpts
3 thereof, of the documents that comprise the administrative record, expert report(s) prepared,
4 public records provided by the City and other municipal corporations, and demonstrative
5 exhibits prepared by the Appellant.
6

7 In conjunction with identification of final witnesses, Appellant may ask non-party
8 witnesses if they have relevant documents not otherwise available to Appellant. If such
9 documents are made available by non-party witnesses, Appellant reserves the right to
10 disclose such exhibits consistent with the deadline for such disclosures in the Hearing
11 Examiner's prehearing orders.
12

13 Appellant provides the following exhibit list:

14 1. Public Records Act requests submitted to the City of Redmond pursuant to
15 Chapter 42.56 RCW, the Public Records Act dated March 6, 2017, March 30, 2017 and April
16 21, 207. Public Records Request Reference # W003479-030617 sought all records from
17 January 1, 2000 through March 6, 2017. Public Records Request Reference # W003480-
18 030617 sought all records from June 1, 2016 through March 6, 2017.
19

20 2. April 25, 2017 Declaration of Michael J. Read, PE and exhibits thereto.

21 3. April 20, 2015 memorandum titled Comparative Trip Generation and Parking
22 Generation Analysis for the Redmond Origins Appeal prepared by Michael J. Read, PE of
23 TENW.

24 4. June 28, 2017 Supplemental Trip Generation and Parking Generation
25 Analysis for the Redmond Origins Appeal prepared by Michael J. Read, PE of TENW.
26

- 1 5. CV of Michael J. Read, PE of TENW.
- 2 6. April 25, 2017 Declaration of Matthew M. Woolsey and exhibits thereto.
- 3 7. April 16, 2017 Unit Cost Estimate for the proposed Origins Tenant
- 4 Improvements project prepared by Matthew W. Woolsey of The Woolsey Company, Inc.
- 5
- 6 8. June 8, 2017 revised Unit Cost Estimate (Reduced Scope) for the proposed
- 7 Origins Tenant Improvements project prepared by Matthew W. Woolsey of The Woolsey
- 8 Company, Inc.
- 9 9. [WITHDRAWN]
- 10 10. April 28, 2017 Declaration of Rick Driftmier, AIA and exhibits thereto.
- 11 11. CV of Rick Driftmier, AIA.
- 12
- 13 12. Email and attachment dated May 23, 2017 from architect Rick Driftmier to
- 14 attorney Aaron Laing with subject Origins – Review of Drawings and attachment titled
- 15 Block Building Drawings Review #2Ra.pdf regarding review of revised project plans.
- 16 13. CV of Lee Driftmier, AIA.
- 17 14. June 18, 2017 estimate by Sipos Construction LLC for stucco finish on
- 18 Redmond Retail Building located at 16390 Cleveland Street, Redmond WA prepared for,
- 19 Driftmier Architects.
- 20
- 21 15. June 30, 2018 estimated by Pacific Windows Systems Inc. for storefront,
- 22 doors and windows for construction project located at 16390 Cleveland Street, Redmond
- 23 WA prepared for, Driftmier Architects
- 24 16. June 30, 2017 Summary Opinions of Richard L. Settle on his knowledge and
- 25 experience with the City of Redmond’s land use and building codes and permit process (both
- 26

1 substantive and procedural) and his knowledge and opinions as to the change of occupancy /
2 use, nonconforming structures, nonconforming uses, nonconforming sites, nonconforming
3 rights, nonconforming parking, abandonment and procedural issues raised in Appellant's
4 June 2, 2017 Amended Appeal.

5 17. CV of Professor Richard L. Settle.

6 18. April 28, 2017 Declaration of Kevin R. Wallace and exhibits thereto.

7 19. April 27, 2017 Declaration of Jason Bailey and exhibits thereto.

8 20. April 27, 2017 Declaration of Lee Keller and exhibits thereto.

9 21. April 25, 2017 Declaration of Sean Miller.

10 22. January 5, 2009 Summons & Complaint to Quiet Title by Adverse Possession,
11 *Rain City Development, LLC v. Shilla Inc.*, King County Superior Court Cause No. 09-2-
12 03962-3SEA, filed January 9, 2009.

13 23. June 23, 2009 Declaration of Scot Koh in Support of Defendant Shilla
14 Incorporated's Motion for an Order to Show Cause Why and Order of Default should not be
15 Vacated, *Rain City Development, LLC v. Shilla Inc.*, King County Superior Court Cause No.
16 09-2-03962-3SEA, filed June 23, 2009.

17 24. July 8, 2009 Supplemental Declaration of Scot Koh in Support of Defendant
18 Shilla Incorporated's Motion to Vacate the Order of Default, *Rain City Development, LLC v.*
19 *Shilla Inc.*, King County Superior Court Cause No. 09-2-03962-3SEA, filed July 8, 2009.

20 25. August 19, 2009 Finding of Fact and Conclusions of Law, *Rain City*
21 *Development, LLC v. Shilla Inc.*, King County Superior Court Cause No. 09-2-03962-3SEA,
22 filed August 21, 2009.

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**ADDENDUM APPELLANT'S WITNESS & EXHIBIT
LISTS - 10**

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
1420 5th Avenue, Suite 3400
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Telephone: 206.622.1711

1 **26.** August 19, 2009 Judgment Quieting Title and Granting Easement, *Rain City*
2 *Development, LLC v. Shilla Inc.*, King County Superior Court Cause No. 09-2-03962-3SEA,
3 filed August 21, 2009.

4 **27.** King County GIS Center Parcel Viewer aerial photographs of project site,
5 parcel numbers and vicinity for years 2007, 2009, 2012, 2013 and 2015 prepared on June 28,
6 2017 from King County GIS Center Parcel Viewer website
7 <http://www.kingcounty.gov/services/gis/Maps/parcel-viewer.aspx>.

8 **28.** King County Department of Assessments property summary for project site
9 real property located at 16390 Cleveland Street, Redmond, WA, King County tax parcel
10 number 719880-00085 prepared on June 28, 2017 from King County GIS Center Parcel
11 Viewer website <http://www.kingcounty.gov/services/gis/Maps/parcel-viewer.aspx>.

12 **29.** [WITHDRAWN]

13 **30.** King County Department of Assessments property summary for real property
14 located at 16325 Cleveland Street, Redmond, WA, King County tax parcel number 719880-
15 0016 prepared on June 28, 2017 from King County GIS Center Parcel Viewer website
16 <http://www.kingcounty.gov/services/gis/Maps/parcel-viewer.aspx>. This property was
17 formerly occupied by the T & D Feeds store, feed mill and warehouse complex.
18

19 **31.** Aerial photograph dated 1969 of project site and site then occupied by the T
20 & D Feeds store, feed mill and warehouse complex prepared / produced by City of Redmond
21 staff in conjunction with this appeal.
22

23 **32.** Town of Redmond, WA Ordinance No. 172 passed February 10, 1954
24 described as “An Ordinance of the Town of Redmond Establishing a Comprehensive Zoning
25
26

1 Plan for the Town of Redmond by establishing various Use Districts for the Areas in the
2 Town and Prescribing certain Regulations for each of said Use Districts” prepared / produced
3 by City of Redmond staff in conjunction with this appeal.

4 **33.** Redmond Historical Society History page on T & D Feeds store, feed mill and
5 warehouse complex that occupied property opposite project site until 2000, when it closed
6 printed from the website at the following web address:
7 [http://www.redmondhistoricalsociety.org/RHS/index.php?option=com_content&view=articl](http://www.redmondhistoricalsociety.org/RHS/index.php?option=com_content&view=article&id=179:walking-tour-building-23&catid=26:places-of-historic-interest&Itemid=186)
8 [e&id=179:walking-tour-building-23&catid=26:places-of-historic-interest&Itemid=186.](http://www.redmondhistoricalsociety.org/RHS/index.php?option=com_content&view=article&id=179:walking-tour-building-23&catid=26:places-of-historic-interest&Itemid=186)
9

10 **34.** November 15, 2016 Fidelity Nation Title real property summary, maps and
11 Statutory Warranty Deed for conveyance of project site from Rain City Development, LLC
12 to Andorra Ventures, LLC, including summary of occupancy and land use for site / building
13 at time of sale.
14

15 **35.** Aerial photographs prepared by Kevin Wallace using Imap showing the
16 project site with radii showing 100-foot, 600-foot and 1,000-foot areas surrounding project
17 site as measured from project site’s exterior property lines prepared by Kevin Wallace.

18 **36.** Undated aerial photographs and narratives prepared by unknown City of
19 Redmond staff using unknown mapping tool showing distances from the project site to
20 various locations identified in Appellant’s Appeal produced in response to public records
21 request.
22

23 **37.** Email string dated June 9, 2017 through June 15, 2017 between WPDC
24 Cleveland representative Kevin Wallace and City Mayor John Marchione regarding concerns
25 about the project.
26

1 **38.** Email dated April 3, 2017 from City Planning Director Rob Odle to City
2 Assistant Development Director Jason Lynch, City Planning Manager Steve Fischer and City
3 Development Services Center Supervisor Carol Lewis regarding the project and confirming
4 intended use.

5
6 **39.** Email dated April 7, 2017 from City Planner Gary Lee to applicant's legal
7 counsel Vicki Orrico regarding the project and confirming a traffic study and detailed cost
8 estimate are required.

9 **40.** Email string dated January 4, 2017 between applicant representative Sean
10 Miller and City Planner Cameron Zapata regarding the project.

11 **41.** Email string dated March 21, 2017 through March 23, 2017 between City
12 Planner Gary Lee, City Planning Manager Steve Fischer, applicant representative Sean
13 Miller and applicant's legal counsel Vicki Orrico regarding the project and confirming a
14 traffic study and detailed cost estimate are required.

15
16 **42.** Email string dated March 29, 2017 through March 30, 2017 between applicant
17 representative Sean Miller, City Planner Gary Lee and City Planner Cameron Zapata
18 regarding the project.

19 **43.** July 27, 2016 City of Redmond Pre-Application Form for Andorra project,
20 LAND 2016-01420, submitted by applicant representative Sean Miller.

21 **44.** April 19, 2017 Development and Engineering Division CCR-General
22 Application for project water and sewer service.

23
24 **45.** Email string dated December 2, 2015 between City Planner Gary Lee and Dan
25 Stansbury of Novelty Hill Development LLC regarding efforts to redevelop or use the
26

1 project site prior to its acquisition by Andorra Ventures, LLC.

2 **46.** Email dated July 28, 2014 between City Police Department Lt. Julie Beard
3 and City Code Enforcement Officer Deborah Farris regarding unauthorized use of the project
4 site prior to its acquisition by Andorra Ventures, LLC.

5 **47.** Aboda home page, Rental Furnishings, Rental Packages, Retail Furniture and
6 Staging Services printouts from website <http://aboda.com/aboda-services/furnishings.aspx>.

7 **48.** Email string dated November 14, 2012 through November 29, 2012 between
8 City Planner Gary Lee, City Financial Analyst Laura Pendergraft and City Code
9 Enforcement Officer Deborah Farris regarding unauthorized use of the project site prior to its
10 acquisition by Andorra Ventures, LLC.

11 **49.** Email string dated November 14, 2012 through November 16, 2012 between
12 City Planner Gary Lee, Eric Hansen of Rain City Development LLC and City Code
13 Enforcement Officer Deborah Farris and City Real Property Manager Debby Wilson
14 regarding unauthorized use of the project site prior to its acquisition by Andorra Ventures,
15 LLC.

16 **50.** Email string dated July 24, 2013 through July 30, 2013 between City Planner
17 Gary Lee and Jason Jones of the Chaffey Building Group regarding efforts to use or develop
18 the project site prior to its acquisition by Andorra Ventures, LLC.

19 **51.** Email string dated December 7, 2012 through December 10, 2012 between
20 City Planner Gary Lee, Eric Hansen of Rain City Development LLC and City Code
21 Enforcement Officer Deborah Farris regarding unauthorized use of the project site prior to its
22 acquisition by Andorra Ventures, LLC.

23 *ADDENDUM APPELLANT'S WITNESS & EXHIBIT*
24 *LISTS - 14*

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
1420 5th Avenue, Suite 3400
Seattle, WA 98101-4010
Telephone: 206.622.1711

1 **52.** Draft letter dated May 25, 2007 to Josh Peterson of Magellan Architects with
2 Subject line “CMU Building – PRE070015 (Pre-Application) from City Assistant Planning
3 Director Jim Roberts and City Development Services Manager David K. Almond regarding
4 history and use of project site prior to its acquisition by Andorra Ventures, LLC.
5

6 **53.** Email dated January 9, 2006 between City Deputy Planning Director Jim
7 Roberts, City Code Enforcement Officer Deborah Farris and City Planner Gary Lee
8 regarding history and use of project site prior to its acquisition by Andorra Ventures, LLC.

9 **54.** Email dated April 6, 2017 from City Planner Gary Lee to City Administrative
10 Staff for the Mayor’s Office Anika Van Ry and Jill Smith regarding parking requirements for
11 the project and attachment titled Parking agreemen.pdf.

12 **55.** Email string dated April 7, 2017 through April 14, 2017 from City Planner
13 Gary Lee to City Planning Director Rob Odle, City Assistant Development Director Jason
14 Lynch, and City Planning Manager Steve Fischer forwarding confirmation from applicant’s
15 attorney Vicki Orrico that land use permit had been withdrawn.
16

17 **56.** Email dated April 10, 2017 from City Planner Gary Lee to City
18 Transportation Engineer M. Luo regarding requirement for a transportation impact analysis
19 for the project.
20

21 **57.** Email string dated April 6, 2017 through April 14, 2017 between City Planner
22 Gary Lee, City Transportation Engineer M. Luo, City Code Enforcement Officer Deborah
23 Farris, applicant representative Sean Miller and applicant’s attorney Vicki Orrico regarding
24 requirement for a transportation impact analysis for the project.

25 **58.** Email string dated June 6, 2016 through June 15, 2016 between Origins
26

1 Cannabis representative Sean Miller and City Planner Gary Lee regarding the project.

2 **59.** Email string dated June 6, 2016 through July 20, 2016 between Origins
3 Cannabis representative Sean Miller, attorney Vicki Orrico and City Planner Gary Lee
4 regarding the project.

5 **60.** Email string dated July 29, 2016 between City Development Services Center
6 Supervisor Carol Lewis and City Building Plans Examiner Janise Goucher regarding the
7 project.

8 **61.** Email dated August 9, 2016 between City Public Works Project Manager Lisa
9 Singer and City Planner Gary Lee regarding the project.

10 **62.** Email string dated September 1, 2016 between City Building Plans Examiner
11 Janise Goucher and City Planner Jason Rogers regarding the project.

12 **63.** Email string dated September 1, 2016 between City Building Code
13 Enforcement Officer Deborah Farris and City Plans Examiner Anita Randall regarding the
14 project.

15 **64.** Email string dated June 6, 2016 through November 17, 2016 between Origins
16 Cannabis representative Sean Miller, City Planner Gary Lee, City Transportation Engineer
17 Min Luo, City Building Plans Examiner Janise Goucher, attorney Vicki Orrico, City Planner
18 Jason Rogers and City Development Services Center Supervisor Carol Lewis regarding the
19 project.

20 **65.** Email string dated January 4, 2017 to January 5, 2017 between City Planner
21 Cameron Zapata and Origins Cannabis representative Sean Miller regarding the project.

22 **66.** Email string dated January 12, 2017 between City Planner Cameron Zapata
23
24
25
26

1 and architect Tom Morris regarding the project.

2 **67.** Email string dated January 25, 2017 to February 10, 2017 between City
3 Planner Patrick McGrath, City Planner Gary Lee, City Planner Cameron Zapata, City
4 Planner Jason Rogers and City Planner / Engineer Andy Chow regarding the project.

5 **68.** Email string dated February 24, 2017 to February 28, 2017 between WPDC
6 Cleveland representative Kevin Wallace, Origins Cannabis representative Sean Miller, City
7 Planner Gary Lee, City Transportation Engineer Min Luo, and attorney Vicki Orrico
8 regarding the project.

9 **69.** Email string dated February 24, 2017 to February 28, 2017 between WPDC
10 Cleveland representative Kevin Wallace, City Planner Gary Lee, City Assistant Development
11 Director Jason Lynch, and City Development Services Center Supervisor Carol Lewis
12 regarding the project.

13 **70.** Email string dated April 5, 2017 to April 7, 2017 between attorney Aaron
14 Laing and City Planner Gary Lee, including the attachment transmitted by Mr. Lee at 10:21
15 a.m. on April 7 regarding the project.

16 **71.** Email string dated April 7, 2017 to April 20, 2017 between attorney Vicky
17 Orrico and City Planner Gary Lee regarding the project.

18 **72.** Printout from the City of Redmond's online permit review webpage for the
19 Origins Cannabis permit number BLDG-2016-09802 and a PDF copy of the linked
20 December 9, 2016 building permit application form regarding the project.

21 **73.** Email string dated April 5, 2017 to April 13, 2017 between Cliff Tyler of
22 Redmond Vacuum and City Mayor John Marchione.
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1 **74.** Printout from the City of Redmond’s online Land Use Action Notices
2 webpage for the Andorra Site Plan Entitlement, permit number LAND-2017-00290, vicinity
3 map and a PDF copy of the linked City of Redmond Notice of Application form.

4 **75.** Printout from the City of Redmond’s webpage for the City Council agenda
5 and meeting information for the April 21, 2015 City Council meeting and a linked Redmond
6 Downtown Park master plan document.

7 **76.** Letter dated August 5, 2015 from the Department of Commerce confirming a
8 \$3,000,000 grant for the Redmond Downtown Park.

9 **77.** August 1, 2016 Site Plan Entitlement approval for the Redmond Downtown
10 Park, permit number LAND-2016-01140.

11 **78.** Printout from the City of Redmond’s online Land Use Action Notices
12 webpage for the Redmond Downtown Park, permit number LAND-2016-01140, vicinity
13 map and a PDF copy of the linked City of Redmond Notice of Application form and
14 Redmond Downtown Park Final Master Plan Concept.

15 **79.** Printout from the City of Redmond’s online permit review webpage for
16 Redmond Downtown Park building permit numbers BLDG-2016-07861 and BLDG-2016-
17 08739.

18 **80.** Printout from the City of Redmond’s webpage for the Redmond Downtown
19 Park project and the linked April 2017 Summary.

20 **81.** October 3, 2016 Appraisal Report prepared by CJM for Andorra Ventures
21 LLC for the Cleveland Street Building located at 16390 Cleveland Street, Redmond, WA.

22 **82.** Official transcript of the City of Redmond’s April 6, 2017 Design Review
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1 Board public hearing on the Andorra Site Plan Entitlement Application for the Origins
2 Cannabis project located at 16390 Cleveland Street, Redmond, WA.

3 **83.** April 25, 2017 notice from the City of Redmond that the Andorra Site Plan
4 Entitlement, permit number LAND-2017-00290, has been withdrawn.

5 **84.** Email string dated August 22, 2016 between Origins Cannabis representative
6 Sean Miller and City Planner Jason Rogers regarding the project.

7 **85.** Emailed calendar appointment and three attached PDF files for the Pre-App
8 LAND-2016-01420; 16390 Cleveland Street for the September 1, 2016 Pre-App from City
9 Planner Gary Lee to City Public Works Project Manager Lisa Singer regarding the project.

10 **86.** Email string dated September 1, 2016 between City Building Code
11 Enforcement Officer Deborah Farris and City Plans Examiner Anita Randall and City
12 Planner Gary Lee regarding the project.

13 **87.** Email string dated December 8, 2016 between City Building Plans Examiner
14 Janise Goucher, City Building Code Enforcement Officer Deborah Farris and City Planner
15 Jason Rogers regarding the project.

16 **88.** Printout from the City of Redmond's online Permits We Issue webpage linked
17 Change of Occupancy permit information page and PDF copies of the linked Fill Out Forms.

18 **89.** Printout from the City of Redmond's online Permits We Issue webpage linked
19 Site Plan Entitlement permit information page.

20 **90.** Origins Cannabis permit number Change of Occupancy application form for
21 permit BPLN-2016-02092 and the Construction Parking form signed by Sean Miller on
22 December 8, 2016 and submitted to the City on December 9, 2016.

1 **91.** Email dated January 4, 2017 from City Planner Cameron Zapata to Origins
2 Cannabis representative Sean Miller regarding the project.

3 **92.** Email string dated January 25, 2017 to February 1, 2017 between City Planner
4 Patrick McGrath, City Planner Gary Lee, City Planner Cameron Zapata, City Planner Jason
5 Rogers and City Planner / Engineer Andy Chow regarding the project.

6 **93.** Email dated February 2, 2017 between City Plans Examiner Jozanne Moe and
7 City Construction Inspector Tony Lewis regarding the project.

8 **94.** Email string dated April 2, 2017 between Origins Cannabis representative
9 Sean Miller and Lee Keller, which was forwarded to the undersigned legal counsel for
10 Appellant by Ms. Lee Keller regarding the project.

11 **95.** Origins Cannabis website homepage for a retail marijuana sales establishment
12 located at 4800 40th Avenue SW, West Seattle, WA 98116.

13 **96.** Email transcription of a voice messages left by City Building Inspector
14 Kenneth McCleod for City Plans Examiner Jozanne Moe at 12:40 p.m. on April 21, 2017
15 regarding the project.

16 **97.** Printout from the City of Redmond's online Staff Directory Results webpage
17 search, showing Mr. McCleod and his title.

18 **98.** Printout from the City of Redmond's online permit review webpage for the
19 Origins Cannabis building permit numbers BLDG-2016-009802, showing that Mr. McCleod
20 has conducted inspections of the Origins Cannabis Project.

21 **99.** Email string dated April 11, 2017 from City Planner Gary Lee to City
22 Development Services Center Supervisor Carol Lewis regarding the project.

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*ADDENDUM APPELLANT'S WITNESS & EXHIBIT
LISTS - 20*

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
1420 5th Avenue, Suite 3400
Seattle, WA 98101-4010
Telephone: 206.622.1711

1 **100.** Email string dated April 26, 2017 to April 27, 2017 between City Plans
2 Examiner Jozanne Moe, Origins Cannabis representative Sean Miller and architect Tom
3 Morris and the attached plans referenced therein regarding the project.

4 **101.** Email string dated February 24, 2017 to February 27, 2017 between City
5 Planning Director Robert Odle, Redmond City Councilmember Hank Myers, and City
6 Building Code Enforcement Officer Deborah Farris regarding the project.

7 **102.** Email string dated July 24, 2013 to July 25, 2013 between City Plans
8 Examiner Jozanne Moe, Jason Jones and City Planner Gary Lee regarding efforts to
9 redevelop or use the project site prior to its acquisition by Andorra Ventures, LLC.

10 **103.** Email string dated July 24, 2013 to August 8, 2013 between Jason Jones and
11 City Planner Gary Lee regarding efforts to redevelop or use the project site prior to its
12 acquisition by Andorra Ventures, LLC.

13 **104.** Printout from the City of Redmond's online Marijuana Stores -- Zoning
14 Regulations webpage.

15 **105.** Printout from the Washington State Liquor and Cannabis Board's online
16 marijuana Retail License Application Process webpage.

17 **106.** Printout from the City of Redmond's online Business License -- Apply for a
18 License webpage.

19 **107.** July 5, 2017 ProClad Construction, LLC bid Proposal for Retail Building at
20 16390 Cleveland Street, Redmond, WA 98052 for exterior stucco work for the project
21 prepared for Driftmier Architects.

22 **108.** July 5, 2017 Pacific Glass & Door, Inc. bid proposal for Project at 16390
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Cleveland Street, Redmond, WA 98052 for windows, doors and storefront work for the project prepared for Driftmier Architects.

109. – 150. [RESERVED]

Appellant reserves the right to rely on any exhibit identified in the exhibit lists submitted by the City of Redmond and / or Andorra Ventures, LLC and document or item whose identify becomes known through the exhibits disclosed by the City of Redmond and / or Andorra Ventures, LLC.

Because the City is still responding to one or more public records requests submitted by the Appellant related to this matter, Appellant reserves the right to amend or further supplement this exhibit list with additional documents and records produced on or after June 30, 2017.

Dated this 7th day of July, 2017.

SCHWABE, WILLIAMSON & WYATT, P.C.

By: 
Aaron M. Laing, WSBA #34453
alaing@schwabe.com
*Attorneys for Appellant WPDC
Cleveland, LLC*

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CERTIFICATE OF SERVICE

I, the undersigned, hereby declare under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

That on July 7, 2017, I caused to be served by e-mail transmission *Addendum Appellant WPDC Cleveland, LLC's Witness & Exhibit Lists*; and this *Certificate of Service* to the following counsel:

Attorney Vicki Orrico, Orrico@jmmlaw.com

Attorney Darrell Mitsunaga, Mitsunaga@jmmlaw.com

Paralegal Evanna Charlot, charlot57TB@jmmlaw.com

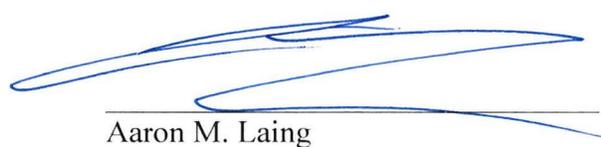
Attorney James Haney, jhaney@omwlaw.com

Attorney Daniel Kenny, dpkenny@omwlaw.com

And to the Office of the Hearing Examiner in care of:

Cheryl D. Xanthos, cdxanthos@redmond.gov

Dated this 7th day of July, 2017.



Aaron M. Laing