

Appellant's Exhibit 19

(as referenced in June 30, 2017

*Appellant WPDC Cleveland LLC's Witness and Exhibit List*)

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Hearing Examiner Sharon A. Rice

BEFORE THE HEARING EXAMINER  
FOR THE CITY OF REDMOND

In the Matter of the SEPA Appeal of  
  
**WPDC CLEVELAND, LLC**  
  
of approved Building Permit BLDG-2016-09802/BPLN-2016-02092 authorizing alterations to the structure at 16390 Cleveland Street, Redmond Issued February 17, 2017.

File Nos: BLDG-2016-09802  
BPLN2016-02092

**DECLARATION OF JASON BAILEY**

JASON BAILEY ¶ being first duly sworn upon oath, deposes and says:

1. I am over the age of 18, and competent to testify in a court of law as to the matters asserted herein. I am a member of RedPrime LLC dba the Prime Steakhouse. I have personal knowledge of the facts and circumstances set out in this declaration.

2. I am an owner and operator of the Prime Steakhouse in Downtown Redmond's Old Town. Since March 2014, the Prime Steakhouse has leased the real property, existing 27-stall parking lot and building located at 16330 Cleveland Avenue, Redmond, WA 98052 from WPDC Cleveland, LLC (the "WPDC Property").

3. There is an existing abandoned warehouse building adjacent to and abutting the Prime Steakhouse parking lot just east of the Prime Steakhouse. The warehouse building

DECLARATION OF JASON BAILEY - 1

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1 is located at 16390 Cleveland Street, Redmond, WA 98052.

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3 4. In mid-to-late February 2017, I began noticing unfamiliar trucks and other  
4 vehicles parked in the Prime Steakhouse parking lot when I would arrive in the morning. I  
5 observed workers going from these vehicles in and out of the warehouse building. Because  
parking for my business is so crucial to its success, I politely asked that they not park in the  
lot. Over a period of four days in late-February, I confronted workers that were parking in  
our lot and working in the old warehouse building on at least four occasions. Our parking lot  
has many signs stating that parking is solely for the Prime Steakhouse.

5. On one occasion they had a porta-potty delivered to the site, which was  
dropped in my parking lot. In early March, they had a load of what appeared to be steel  
beams or other metal structural supports dropped in our lot across several parking spaces.  
On both occasions, I had to demand that these items be removed immediately.

6. Sometime in early March, Sean Miller approached me in the restaurant during  
lunch and asked me to lease four parking spaces to him for his business. He stated that I  
should lease him spaces because his customers "would park in my lot anyway."

7. The old warehouse building has no onsite parking, no area for garbage /  
recycling and no area for deliveries.

8. I am now aware that Sean Miller is seeking to convert the abandoned  
warehouse into a retail marijuana sales business called Origins Cannabis. I learned this from  
Courtney Skony and Kevin Wallace, who represent our landlord WPDC Cleveland, LLC in  
early March. I did not receive any notice of any permit application or permit approval for  
any activity in the old warehouse building from the City of Redmond.

9. I had hoped to attend the April 6, 2017 Design Review Board public hearing  
and provided comments on the Andorra Site Plan Entitlement Application, but the meeting is  
during my busiest time as a restaurant owner / operator.

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10. On Friday, April 7, 2017, I received a phone call from a person that had made a lunch reservation for six guests but had to cancel the reservation because they could not park in our lot or find other publicly available parking nearby in time to make the reservation. My estimated lost revenue from this cancellation was \$400 to \$600.

11. Shortly after I received the phone call, I walked outside to look at the lot and saw three people come out of the old warehouse building, enter three separate vehicles parked in our lot and leave. I did not have an opportunity to confront them.

12. I am concerned that, by the nature of the proposed marijuana retail sales business, that I cannot effectively police my parking lot as the marijuana shop customers will be in and out and on their way before a tow truck can arrive. I cannot afford to have my already limited parking compromised or afford to spend time and resources policing the lot. I am also concerned that the old warehouse's lack of a delivery area or a garbage / recycling area will impact our parking and access, drive away our customers and destroy our business.

*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 this 27 day of April, 2017 at Redmond, Washington.

  
Jason Bailey

DECLARATION OF JASON BAILEY - 3

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