

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

In the Matter of the Appeal of)	No. HEA- 2018-02
)	
Aaron Hollingbery, on behalf of)	
Toll WA LP)	Rose Hill Cottages
)	
<u>Of an Administrative Interpretation</u>)	PRE-HEARING ORDER

TO:¹ Mr. Aaron Hollingbery, Appellant
Via email to: ahollingbery@tollbrothers.com

Mr. Jim Haney, City Attorney
Via email to: jhaney@omw.com

Ms. Cheryl D. Xanthos, Clerk to the Hearing Examiner [for file]
Via email to: cdxanthos@redmond.gov

PLEASE TAKE NOTICE that Aaron Hollingbery, on behalf of Toll WA LP (Appellant), filed an appeal of the City’s Administrative Interpretation of Redmond Zoning Code 21.04.020.B (Zoning Map Interpretations). An open record appeal hearing in the above-referenced case will be held on:

**February 27, 2018, 1:00 PM
City Council Chambers
15670 NE 85th Street,
Redmond, Washington**

ORDER ON APPEAL PROCEDURES

The following order is intended to facilitate a hearing and resolution of this matter:

1. **Motions:** By **Noon, February 6, 2018**, two paper copies of any motions may be submitted by any party to the Clerk to the Hearing Examiner of the City (who will forward one copy to the Hearing Examiner), with a copy to the other party. **By Noon,**

¹ The RZC provides that as part of an appeal, the Appellant, Applicant, owner of the property subject to the application, and the City are to be made parties to the appeal. *RZC 21.76.060.I.3*. If the Appellant is not the property owner, the Appellant shall make this information known to the Clerk to the Hearing Examiner. Neighbors to the property sent an email request to the City, dated January 8, 2018, requesting intervention. The RZC does not provide for intervention in appeals before the Hearing Examiner. *RZC 21.76.060.I.3*.

*Pre-Hearing Order
City of Redmond Hearing Examiner
Toll WA LP, Administrative Interpretation Appeal
No. HEA- 2018-02*

February 13, 2018, two paper copies of any response to motions may be submitted by any party to the Clerk to the Hearing Examiner of the City (who will forward one copy to the Hearing Examiner), with copy to the other party.

2. Witness and Document Lists: By **Noon, February 20, 2018**, the parties shall provide to the other party, with two paper copies to the Clerk to the Hearing Examiner (who will forward one copy to the Hearing Examiner), the following:
 - a. a witness list
 - b. a documents list
 - c. copies of the documents

The witness list shall include the name, address and telephone number of each witness. If the witness will be providing expert testimony, the witness list shall also identify the witness's area of expertise. Only those witnesses and documents identified shall be allowed at the hearing. Objections to admission may be made at the hearing; if no objection is made the document will be deemed admitted. All parties to the appeal shall have an opportunity to cross-examine witnesses. Copies of documents shall be tabbed and designated as follows: Appellant (A-1, A-2, etc.) and City (C-1, C-2, etc.).

3. Hearing Presentation: The issues that may be addressed at the appeal hearing are limited to those identified in the appeal statement. The general format of the appeal hearing shall be as follows:
 - a. Introductory remarks by the Hearing Examiner
 - b. Presentation of Appellant witnesses, and cross-examination of those witnesses by the City
 - c. Presentation of City witnesses, and cross-examination of those witnesses by the Appellant
 - d. Closing arguments, if any, by the City, and Appellant.
5. The parties are encouraged to discuss settlement and to notify the Clerk to the Hearing Examiner of any settlement reached prior to the scheduled hearing.

SO ORDERED this 16th day of January 2018.



Andrew M. Reeves
Hearing Examiner
Sound Law Center