

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

In the Matter of the Appeal of)	NO. LAND-2018-01145
)	
)	
CR Home Builders LLC)	
)	
)	
Of the September 19, 2018 denial of the)	
Holmgren Short Plat)	
No. LAND 2017-00548)	Decision on Reconsideration
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Request for Reconsideration

The above-captioned appeal was heard in an open record appeal hearing on December 10, 2018 and denied in a final decision issued January 14, 2019. On January 24, 2019, the City and the Appellant submitted a timely stipulated request for reconsideration of the denial under the criteria set forth in Redmond Zoning Code (RZC) 21.76.060. The request stated as follows:

[P]rior to the Examiner's Decision, the Parties have been conferring as to Ms. Flanagan's testimony and the additional requested technical information referenced by City witnesses at the open record hearing. The Parties have further conferred regarding the Examiner's decision and have agreed that the appropriate directive based on the Examiner's findings and conclusions is to maintain the Short Plat application, LAND -2017-00548 as open and pending, and [for the Examiner] to remand the application for further action by the Applicant for further technical work regarding the presence or absence of a Class IV stream as requested by City staff and review by the City of such. It is understood and agreed that this stipulation is not intended to limit the City staff's review to the stream issue and that City staff retains its right to review any and all other aspects of the short plat for compliance with City codes.

The Parties respectfully request that the Examiner reconsider her decision as to the remedy of denial only and revise it to remand the Short Plat application, LAND - 2017-00548, for further action by the Applicant for further technical work regarding the presence or absence of a Class IV stream as requested by City staff and review by the City of such.

Jurisdiction

Pursuant to RZC 21.76.060.I.5, any party to the appeal who participated in the hearing may file a written request with the Hearing Examiner for reconsideration within 10 business days of the date of the Hearing Examiner's decision. The request shall explicitly set forth alleged errors of

procedure or fact. The Hearing Examiner shall act within 10 business days after the filing of the request for reconsideration by either denying the request or issuing a revised decision. The decision on the request for reconsideration and/or issuing a revised decision shall be sent to all parties of record.

DECISION

While the reconsideration request does not identify errors in the decision, it does propose a desired outcome – one that the undersigned agrees is the best outcome. The denial of the appeal is reversed and the short plat application is remanded for further development of technical information suggested by City Staff in their testimony, after which the Technical Committee may issue a new decision on the short plat.

Decided February 6, 2019.

By: 

Sharon A. Rice
City of Redmond Hearing Examiner