



CITY OF REDMOND
REQUEST FOR RECONSIDERATION
FORM

(Staff Use Only)

File No: _____
Date Received: _____

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This Request for Reconsideration form is for City of Redmond Hearing Examiner decisions and recommendations only.

Any person who participated in the hearing (Party of Record) may file a written request with the Hearing Examiner for reconsideration within 10 business days of the date of the Hearing Examiner's decision or recommendation. The request shall explicitly set forth alleged errors of procedure or fact. The Hearing Examiner shall either deny the request or issue a revised decision in accordance with RZC 21.76.

Requests for Reconsideration may be delivered to the Office of the Hearing Examiner by email, mail, personal delivery or by fax before 5:00 P.M on the last day of the reconsideration period.

City of Redmond Office of the Hearing Examiner Contact Information:

Mailing Address: Office of the Hearing Examiner P.O. Box 97010, 3NFN Redmond, WA 98073	Physical Address: City Hall, 3 rd Floor 15670 NE 85 th Street Redmond, WA 98052	Phone: 425-556-2191 Fax: 425-556-2198 Email: cdxanthos@redmond.gov Web: http://www.redmond.gov
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Section A. General Information

Name of Party of Record: Nokomis Club of Redmond

Address: PO Box 9012

City: Bellevue State: WA Zip: 98008 Email: info@nokomisclub98052

Phone: (home) 425-882-4766 (work) — (cell) —

Name of project that is being appealed: LAND-2015-00408

File number of project that is being appealed: LAND-2015-00408

Date of decision on project you are appealing: August 7, 2015

Expiration date of appeal period: August 21, 2015

(Continued on other side)



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Section B. Basis for Appeal

1. Please indicate whether this request for reconsideration addresses an error in PROCEDURE _____, LAW _____ and/or an error in FACT _____.

2. Please provide a concise statement identifying each alleged error; identify the specific factual, legal or procedural errors or misinterpretations; and/or identify the specific laws, code sections or plan policies that have been misapplied, misinterpreted or violated. (Attach additional sheet if necessary.)

See Attachment I, A, B, C, D, E

3. Please state the facts demonstrating how you are adversely affected by the decision/recommendation (attach additional sheets if necessary):

See Attachment I, A, B, C, D, E

4. Please state the specific relief requested (attach additional sheets if necessary).

See Attachment I, A, B, C, D, E

**NOKOMIS CLUB of REDMOND
REQUEST FOR RECONSIDERATION**

A.

- 1. Fact
- 2. Hearing on July 9, 2015: Kim Dietz gave false testimony under oath, which is a culpable offense, when she said that she repeated what the experts told her. When queried about who that expert was she said, "Todd Scott". Todd Scott was contacted almost immediately and replied with the e-mail marked *Attachment A-2*.

The Nokomis Building was inventoried in 1998 and 2005 by individuals who met the Secretary of Interior's standards and guidelines on professional qualifications standards (Exhibit RHS-23) and the Secretary of the Interior's standards for evaluation (Exhibit RHS-24). As a result of those inventories, the Nokomis Building was declared eligible for the National Register of Historic Places, and must continue to be evaluated utilizing the Secretary of Interior's professional qualification and evaluation standards. In his July 8, 2015, letter, Gregory Griffith, Deputy State Historic Preservation Officer states, "Our review of the HPI in February 2015 resulted in our continuing concurrence with the National Register eligibility recommendation, as related to the City in our February 26 letter. The building remains a National Register eligible property. We object to the DNS." Mr. Griffith's letter continues with the explanation of appropriate criteria used for evaluation which is also found in King County Code 20.62.040. Not only does Ms. Dietz not meet any of the requisite professional qualifications, but she was unable to apply any of the criteria of historic integrity as outlined in Mr. Griffith's letter when she compiled a list of alleged building defects (Decision 8-7-2015 pg. 16).

- 3. Ms. Dietz lists alleged defects purporting to indicate the building lacks integrity, and is, therefore, suitable for demolition.
- 4. Removal of the list of alleged defects.

B.

- 1. Fact
- 2. Hearing on July 10, 2015: David Markley gave false testimony under oath which is a very reprehensible offense. The offense occurred when Markley said Village Square management had no issues with Vision 5. *Attachment B-2* is an e-mail from Wendy Vance, Principal at Integrated Real Estate Services, to Robert Pantley that detail continuing issues Village Square management has had with Vision 5.

The loitering, drinking, and excessive littering will most likely occur at 162TEN because of its similarity to Vision 5, and will cause rates for public safety services to be higher than normal. In addition to gaining a reputation as an area where delinquent behavior occurs, customers will be deterred from gaining access to surrounding businesses as a result of the high usage of off site parking by 162TEN residents.

- 3. Disclosure that loitering, drinking, and excessive littering would most likely occur at the 162TEN Project also, and create a substantial public nuisance that in all probability would require excessive requests for public safety services.
- 4. Deny 162TEN Project.

C.

- 1. Procedure
- 2. City of Redmond Witness and Exhibit List, May 26, 2015: Despite notification of over a

month, Kim Keeling was unavailable to testify at the Hearing on July 10, 2015, and we were informed by Mr. Haney only at the beginning of the Hearing on the morning of July 10th. We would not have agreed to the June 10th date had we been informed Ms. Keeling was not available because Mr. Marpert, offered as a substitute, could only offer information on the general approach to the City's TMP administration.

Ms. Keeling is the administrator for the City's Transportation Management Program (TMP) at Vision 5 and 162TEN, and is the only person who can testify about the program process and management components specific to Vision 5 and 162TEN.

3. Without Ms. Keeling's testimony, there is insufficient knowledge to evaluate how the program is administered and monitored which is important because the TMP will be attached to the property deed, as an integral part of vehicle management in the crowded downtown area.
4. Obtain from Ms. Keeling appropriate information on the specific administration of the TMP's at Vision 5 and 162TEN.

D.

1. Fact
2. Decision 8-7-2015, page 10 line 7: The text currently states the Nokomis Club met in the Nokomis Building until 1999.
3. Indicates the Chamber of Commerce permitted 4 years more of meetings than actually occurred.
4. Change the text to be factually correct—the year should be 1995.

E.

1. Fact
2. Decision 8-7-2015, page 31 line 20: The text states the Nokomis Club as being "*singular*".
3. Asserts the Nokomis Club engaged in only minimal individual activity.
4. Clarify contextual meaning.

Subject: Fwd: Confusion over eligibility of Nokomis Club
From: ivesredmond@aol.com (ivesredmond@aol.com)
To: alemu846@yahoo.com;
Date: Tuesday, July 21, 2015 10:26 AM

for your records

From: Todd.Scott@kingcounty.gov
To: ivesredmond@aol.com, joe.townsend@redmondhistoricalsociety.org
CC: Jennifer.Meisner@kingcounty.gov
Sent: 7/9/2015 3:14:26 P.M. Pacific Daylight Time
Subj: Confusion over eligibility of Nokomis Club

Rosemarie and Joe,

Thanks for the call during your hearing recess. You asked whether I had informed Kim Dietz that the Nokomis Club had no historic integrity during a tour of downtown Redmond in 2014. I did participate in a walking tour with Kim and Tom Hitzroth on September 12, 2013. We did a cursory review of a number of buildings downtown and Kim asked questions about things such as design improvements, whether certain architectural features might be original to some buildings, and whether some buildings might be eligible for landmark designation. I do not recall looking at the Nokomis Building, and I believe Tom Hitzroth can confirm that. I provided no written report or analysis of any of the buildings; this was primarily just a quick look at the potential for design improvements to certain buildings.

If, as Kim asserts, I had told her the Nokomis Building had insufficient historic integrity to be eligible for landmark designation, that opinion would have been based solely on its architectural significance, not its cultural or social significance. I certainly had no knowledge of the building's cultural and social significance prior to Redmond's issuance of the Determination of Non-Significance on the property.

Please don't hesitate to contact me if you have other questions.

J. Todd Scott, AIA

Preservation Architect

King County Historic Preservation Program | 201 S. Jackson Suite 700 | Seattle, WA 98104

206.477.4545 | todd.scott@kingcounty.gov | www.kingcounty.gov/landmarks

Like us on Facebook – King County Historic Preservation

Subj: **FW: needing your staffs help with Redmond**
Date: 7/20/2015 11:35:06 A.M. Pacific Daylight Time
From: wendy@ires1.com
To: ivesredmond@aol.com

Here is one!

Wendy Vance
Principal



1015 Third Avenue · Suite 900 · Seattle, WA 98104
206.515.0630 | 206.903.8385 | wendy@ires1.com
206.999.0204

From: Wendy Vance
Sent: Monday, March 02, 2015 1:25 PM
To: 'Robert Pantley'
Cc: Steve Scott; Chris Polinder
Subject: needing your staffs help with Redmond

Hi Robert and hoping this email finds you well.
We continue to have issues with many of the residents continually using parking that is owned by village square as well as loitering in the lot, drinking, excessive littering and the like.
Can you and your property manager please help us control this?

Wendy Vance
Principal



1015 Third Avenue · Suite 900 · Seattle, WA 98104
206.515.0630 | 206.903.8385 | wendy@ires1.com
206.999.0204