



CITY OF REDMOND
APPEAL APPLICATION FORM

(Staff Use Only)
File No: _____
Date Received: _____
RECEIVED CITY OF REDMOND
AUG 03 2016
OFFICE OF THE HEARING EXAMINER

This appeal application form is for appeals of Technical Committee and Hearing Examiner decisions only.

Do not use this form if you are appealing a decision on a:

- Shoreline Permit
- Shoreline Variance
- Shoreline Conditional Use Permit
- Hearing Examiner decision on a SEPA appeal
- City Council approval or denial

Appeal Applications may be delivered to the Office of the City Clerk-Finance/Hearing Examiner by email, mail, personal delivery or by fax before 5:00 P.M on the last day of the appeal period.

City of Redmond Office of the City Clerk-Finance/Hearing Examiner Contact Information:

Mailing Address:

Office of the City Clerk/
Hearing Examiner
P.O. Box 97010, 3NFN
Redmond, WA 98073

Personal Delivery:

City Hall, 2nd Floor
Customer Service Center
C/O City Clerk's Office
15670 NE 85th Street
Redmond, WA 98073

Phone: 425-556-2191

Fax: 425-556-2198

Email: cdxanthos@redmond.gov

Web: <http://www.redmond.gov>

Appeals of City Council decisions may be appealed to Superior Court by filing a land use petition which meets the requirements set forth in RCW Chapter 36.70C. The petition must be filed and served upon all necessary parties as set forth in State law and within the 21-day time period as set forth in RCW Section 36.70C.040. Requirements for fully exhausting City administrative appeal opportunities must be fulfilled.

Section A. General Information

Name of Appellant: ANJUMAN - E - BURHANI SEATTLE

Address: 20521 NE 22ND CT

City: SAMMAMISH State: WA Zip: 98074 Email: ahaveliwala@gmail.com

Phone: (home) _____ (work) _____ (cell) 425 985 0900

What is your relationship to the project?

☐ Interested Citizen ☒ Project Applicant ☐ Government Agency



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File No: _____
Date Received: _____

Name of project that is being appealed: ANJUMAN - E - BURHANI MASJID
File number of project that is being appealed: LAND 2013 00171
Date of decision on project you are appealing: JULY 20th 2016
Expiration date of appeal period: AUGUST 3rd 2016

Please choose the applicable appeal:

- ☒ Appeal to the Hearing Examiner of a Technical Committee Decision
☐ Appeal to City Council of a Hearing Examiner decision on an appeal
☐ Appeal to City Council of a Hearing Examiner decision on an application

Pursuant to the Redmond Zoning Code, only certain individuals have standing to appeal a decision on application or appeal. Below, please provide a statement describing your standing to appeal. (Please review the back page to determine if you have standing to appeal.)

Section B. Basis for Appeal

If you are appealing a Technical Committee Decision, please fill out items 1, 2, and 3 **only**. If you are appealing a Hearing Examiner's decision on an application, or a Hearing Examiner's decision on an appeal, you only need to fill out item 4 below. Attach additional sheets if necessary.

1. Please state the facts demonstrating how you are adversely affected by the decision (attach additional sheets as necessary):

(SEE ADDITIONAL ATTACHED LETTER)
EXTENSION FILED WITH DUE REASON ON
JUSTIFICATION OF NEW REQUIREMENTS
RE-SUBMITTING IS SIGNIFICANT COST ON A
NON-PROFIT ORGANIZATION
CITY DELAYS CONTRIBUTED TO SIGNIFICANT
DELAYS AND COSTS



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2. Please provide a concise statement identifying each alleged error and how the decision has failed to meet the applicable decision criteria (attach additional sheets as necessary):

SEE ATTACHED LETTER OUTLINING THE
ISSUES PERTINENT TO SHIFTING REQUIREMENTS
AND DELAYS.

3. Please state the specific relief requested (attach additional sheets as necessary):

- REVERSE THE CITY'S DENIAL OF AN EXTENSION
- OR WAIVE THE FEE FOR A NEW
APPLICATION

(SEE ATTACHED LETTER)

4. Please provide a written statement of the findings of fact or conclusions (as outlined in the Hearing Examiner's decision) which are being appealed (attach additional sheets as necessary):

- NEW REQUIREMENTS ASKED FOR ARE NOT CLEARLY
SEE ATTACHED LETTER ARTICULATED
AS TO WHY
THEY ARE NEEDED



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Standing to Appeal

TECHNICAL COMMITTEE DECISIONS

For appeals of a Technical Committee Decision on a Type I or II permit, the project applicant or any person who submitted written comments (party of record) prior to the date the decision was issued may appeal the decision. The written appeal must be received by the City of Redmond's Office of the Hearing Examiner no later than 5:00pm on the 14th calendar day following the date of the decision by the Department.

HEARING EXAMINER DECISION ON APPEALS OF TECHNICAL COMMITTEE DECISIONS

For appeals of a Hearing Examiner Decision on an Appeal of a Technical Committee Decision, the project applicant, any person who participated in the public hearing as provided in RZC 21.76.060, or the City may appeal.

HEARING EXAMINER DECISIONS

For appeals of a Hearing Examiner Decision, the project applicant, any person who participated in the public hearing as provided for in RZC 21.76.060, or the City may appeal.

August 3, 2016

Office of the Hearing Examiner
P.O. Box 97010, 3NFN
Redmond, WA 98073

Re: Project: Anjuman-e-Burhani, Seattle,
File No: Site Plan Entitlement application for project LAND-2013-00171
Date of Decision: July 20, 2016
Expiration of Appeal Period: August 3, 2016

Dear Hearing Examiner:

Anjuman-e-Burhani, Seattle ("ABS") respectfully submits this appeal of the City of Redmond Planning Department's decision to deny extension of the Site Plan Entitlement application for the above-referenced project and thereby terminating ABS's application.

ABS is a Washington non-profit corporation comprised of approximately 150 local members (predominantly families) of a close-knit community following the Dawoodi Bohra faith tradition of Shiite Islam. The membership includes professionals from various backgrounds, including medicine, business, and software. A large segment of the community is employed at Redmond businesses, including Microsoft. The membership has never had a mosque or community center in Seattle, and it is currently using rented-out office space in Kirkland for prayers and community gatherings.

In 2010, the community purchased the then-dilapidated piece of property at 15252 NE 51st Street in Redmond with the intent to develop religious prayer and community space for its members. The property was purchased with the express understanding that the community's intended use was compliant with the City code. The property was purchased solely with the personal savings – for some, their life savings – of the local community members. Since 2010, the community has invested hundreds of thousands of additional dollars in the property, including considerable resources in cleaning up tons upon tons of rubbish accumulated over many prior years of neglect.

The community has gone above and beyond to work with the City Planning Department in ensuring that any concerns regarding development and usage are Code-compliant, including re-working aspects of its submission at immense costs. The community has also hosted an open house and voluntarily submitted to multiple public meetings to accommodate any concerns expressed by neighbors.

Although ABS has shared an overall positive relationship with the City—and looks forward to continuing that relationship—it fundamentally disagrees with the City's decision to deny a short extension to its application under the circumstances. As the City noted in the denial letter, ABS submitted its application on January 25, 2013. Clearly, this process has been extended beyond anyone's initial expectations. Based on information provided at the outset, ABS had an expectation of the time frame for approval, what was required, and how much it would

cost the community to see the application to its conclusion. ABS was ready and able to fulfill the requirements based on initial expectations and information. However, time and again, the goal posts for what is needed to complete the application have moved to no fault of ABS. Moreover, ABS has endured extended periods of waiting for the City to respond to issues related to the project (e.g., stormwater-related concerns), as well as dealing with change of personnel at the City. Indeed, only recently ABS was made aware of a SEPA requirement as well as a more extensive and altered traffic study (from what was fully submitted more than a year ago) requiring a different analysis concerning ingress and egress from the property. Thus, while ABS acknowledges that the City provided a 90-day window in March to submit additional information, ABS feels that with the constant need to fundraise due to new and changing requirements and the City's own role in previous delays that the City committed an error in not permitting a short extension.

To be clear, ABS is fully committed to seeing this project through. However, submitting a new application comes at a new significant cost that will only further impede expeditious resolution of this application and development on this property. To the extent that the Hearing Examiner is unable to reverse the City's denial of an extension, ABS respectfully requests that some accommodation be made to waive a fee for a new application.

ABS appreciates the time of all involved with this project at the Planning Department and is committed to continued positive engagement the rest of the way.

Sincerely,

Anjuman-e-Burhani, Seattle