

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

In the Matter of the Appeal of)	NO. SEPA-2015-01939
)	
Irina Berger)	
)	
)	Berger SEPA Appeal
)	
of the January 29, 2016 Determination of)	
Non-Significance for the)	RESPONSE
Redmond City Center project at)	TO APPLICANT'S
16135 NE 85th Street)	MOTION TO DISMISS
-----)	

I, Irina Berger ("Appellant"), ask to reject Motion To Dismiss by Cosmos Development Company ("Applicant"), on basis it have no merits. This is my counterarguments to reasons for dismissal presented by "Applicant":

1. Form for application to appeal filed by "Appellant" in accordance of City requirements. This effectively implies I appeal issuing "DNS" and as result ask to invalidate project approval for "Applicant". "Appellant" insists on statement: Proposed project have significant impact and cannot proceed as it plans.

"Appellant" in filling provided concrete impact on his environment, live condition and property value:

- High building will block light to Appellant residence.
- High Building will affect vegetation in area.
- Significant increase in number of residence in this area will increase traffic in the area, which associated with increased pollution, noise and increase time required to reach residence.

2. "Appellant" was not required comment on project as DNS have no comment period.

3. "Appellant" provides concrete inconsistency on project and City zoning. This area was zoned "TQS" as one, which not allowed High Building. Expectation of "Appellant", when choosing residence, consider City zoning and expected: City in development will be consistent with City rules and City current state, preserving City traditional view. "DNS" will affect residents in the area and "Appellant" in particular.

4. "Appellant" expect Examiner have full jurisdiction on decision about environmental impact of "Applicant" project. It includes direct and indirect impact of project. "Appellant" do not have ability to participate and appeal different activities of "Applicant" in process of acquiring permits for the project. "Appellant" decides to appeal most important decision, which allows "Applicant" to proceed with project. "Appellant" insists "QTS" zoning not allows 11 stores building in the area. "Appellant" insist, building of this size will impact surrounding environment and affect humans, animals, trees

and vegetation in area by changing light and air condition in the area, independently from
"Applicant" decision preserve existing trees in particular building site or not.

April 4, 2016.

By:



Irina Berger