

CITY OF REDMOND HEARING EXAMINER PRE-HEARING CONFERENCE MINUTES

September 10, 2012

Redmond City Council Chambers 15670 NE 85th Street, Redmond 7 p.m.

Hearing Examiner

Staff

Sharon Rice, Offices of Sharon Rice, Elizab Hearing Examiner, PLLC

Elizabeth Adkisson, CMC, Deputy City Clerk

Convened: 7 p.m. Adjourned: 8:14 p.m.

I. CALL TO ORDER

Hearing Examiner Sharon Rice convened the hearing at 7 p.m.

II. DESCRIPTION OF PRE-HEARING CONFERENCE PROCEDURES

Ms. Rice introduced the matter and reviewed the procedures for the pre-hearing conference in the matter of the FedEx Distribution Facility Appeal, File No. L120346.

Representatives for the Parties to the Appeal introduced themselves for the record:

- Mr. Judd Black, Development Review Planning Manager, City Representative;
- Mr. Dennis Lisk, Associate Planner, City Representative;
- Mr. Kevin O'Brien, Taylor Development, Property Owner Representative;
- Mr. Clint McNaughton, SunCap Property Group, Applicant Representative;
- Mr. Jon Phillips, SunCap Property Group, Applicant Representative;
- Ms. Kristine Wilson, Perkins Coie LLP, Applicant Representative;
- Mr. Howard Hillinger, Appellant Representative;
- Mr. Manish Garg, Appellant Representative; and
- Mr. Mohit Datta, Appellant Representative.

Ms. Rice reviewed the appeal actions to-date:

08/07/2012 - Site Plan Entitlement (SPE) Approval Notice of Decision Issued;

08/21/2012 - Appeals of SPE Notice of Decision submitted (roughly 115 appellants); and

09/10/2012 - Pre-Hearing Conference.

Ms. Rice stated the objectives of the pre-hearing conference:

- identification of parties/representative(s);
- review and clarification of appeal issues;
- finalize date for the Appeal Hearing;
- set a schedule for submission (pre-hearing exchange of documents/lists), if needed;
- review of appeal hearing procedures; and
- review of questions.

III. PRE-HEARING CONFERENCE

Ms. Rice provided an outline of the appeal hearing procedures, and provided the following information in response to Appellant Representative questions: there are no time limits on testimony presented, and evidence may be presented in advance, for hearing preparation, and at the time of the hearing, as it is an open record matter.

Discussion ensued and the parties discussed the following matters:

- legal representation of parties;
- clarification of Appellant Representation;
- clarification of issues on appeal (issue nos. 4, 5, and 7 were consolidated; and issue no. 3 regarding SEPA questioned regarding timeliness of appeal);
- proposed appeal hearing date (October 3, 2012, 6 p.m.); and
- pre-hearing submissions and scheduling (including witness and exhibit lists; motions).

The terms of the pre-hearing conference were memorialized in the Amended Pre-Hearing Order Setting Submission Schedule issued by the Hearing Examiner on Wednesday, September 12, 2012; and is attached hereto.

IV. ADJOURNMENT

The pre-hearing conference closed at 8:14 p.m. and the meeting adjourned.