Hearing Examiner Galt

BEFORE THE HEARING EXAMINER OF THE CITY OF MERCER ISLAND

In Re The Appeal of : HERZL-NER TAMID CONSERVATIVE CONGREGATION, Appellant, v. CITY OF MERCER ISLAND, a Washington State municipality, Respondent.	No. APL25-003 CITY OF MERCER ISLAND'S EXHIBIT LIST

The City of Mercer Island submits the following exhibits in the above-referenced matter, currently set for hearing on July 9, 2025.

Exhibit No.	Description	Date
1	Combined Development Application	3/28/2024
2	Transportation Concurrency Application	2/15/2024
3	Memorandum Transpogroup Transportation Impact Analysis Scope	2/6/2024
4	Memorandum KPG Psomas Review of Transportation Impact Analysis (TIA) Scope	3/19/2024
5	Environmental Checklist prepared by EA Engineering, Science, and Technology, Inc., PBC AESI	3/27/2024
6	Draft JDS TIA	5/9/2024
7	Memorandum KPG Psomas Review of Transportation Impact Analysis (TIA)	5/30/2024

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Exhibit No.	Description	Date
8	Transpogroup Response to TIA comments for 3700 E Mercer Way	9/19/2024
9	Transportation Impact Analysis (TIA) prepared by Transpogroup	9/2024
10	Memorandum KPG Psomas Review of Transportation Impact Analysis (TIA)	12/5/2024
11	Transpogroup Response to TIA comments for 3700 E Mercer Way	1/16/2025
12	Transportation Impact Analysis (TIA) prepared by Transpogroup	1/20/2025
13	Memorandum KPG Psomas Review of Transportation Impact Analysis (TIA)	2/7/2025
14	Email from Dan McKinney to Ryan Harriman; John Davies; Michael Lapham cc dana Warren; Dianne.dougherty@gmail.com; Anjali Grant; Chris Cavallo re TCC24-004 Traffic Impact Meeting	2/28/2025
15	Map E. Mercer Way/Frontage Rd – Intersection Concept prepared by Transpogroup	2/27/2025
16	Map of Approximate WSDOT ROW and City ROW Boundaries	Undated
17	GM 1268 Phase I – Turnback Agreement	1/28/1987
18	GM 1268 Maps	Assorted Dates
19	Airspace Lease	3/11/1994
20	Amendment 1 to Airspace Lease	11/15/2007
21	Amendment 2 to Airspace Lease	12/28/2021
22	ROW Map MP8.24 – 8.52	12/18/1978
23	WSDOT Design Manual Chapter 530 Limited Access Control	9/2024
24	Revised Mitigated Determination of Nonsignificance (MDNS)	4/7/2025
25	Affidavit of Mailing SEPA Threshold Determination (McGuire)	4/7/2025
26	Affidavit of Mailing SEPA Threshold Determination (Jackson)	4/7/2025
27	SEP24-003 Mailing List	No Date
28	Email from Molly McGuire to Molly McGuire cc: Anjali Grant; Ryan Harriman re: Withdrawal and Reissuance of Revised SEPA Mitigated Determination of Nonsignificance	4/7/2025
29	Email from NoReply@ecy.wa.gov to Molly McGuire re: SEPA record published	4/7/2025
30	Appeal of Revised MDNS	4/18/2025
31	Affidavit of Public Noticing	6/25/2025
32	Staff Report	To Be Filed 6/27/2025
33	SEPA Comments and Applicant Responses Thereto	Assorted Dates
34	Turnback Quit Claim Deed WSDOT to Mercer Island	4/19/2000

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The City reserves the right to seek admission of rebuttal exhibits after review of the Appellant's exhibits. The City further reserves the right to utilize documents identified by Appellant, and to rely on and elicit testimony concerning any provision of the Revised Code of Washington, Washington Administrative Code, or Mercer Island City Code.

DATED this 25th day of June, 2025

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DECLARATION OF SERVICE

I, Reina McCauley, declare and state:

1. I am a citizen of the State of Washington, over the age of eighteen years, not a party to this action, and competent to be a witness herein.

2. On the 25th day of June, 2025, I served a true copy of the foregoing ***CITY OF MERCER ISLAND'S EXHIBIT LIST*** on the following parties using the method of service indicated below:

Josh Friedmann HILLIS CLARK MARTIN & PETERSON, P.S. 999 Third Avenue, Suite 4600 Seattle, WA 98104 *Attorney for Appellant*	☐ First Class, U.S. Mail, Postage Prepaid ☐ Legal Messenger ☐ Overnight Delivery ☐ Facsimile ☒ E-Mail: josh.friedmann@hcmp.com

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 25th day of June, 2025, at Auburn, Washington.

/s/Reina McCauley
Reina McCauley

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