

**Description**

W-17-006 - W-17-014  
Wallingford Community Council, et al.  
Mandatory Housing Affordability FEIS  
Hearing, Day 4  
Thursday, June 28, 2018

Time: 9:00 a.m.  
Examiner: Ryan Vancil  
Assistant: Alayna Johnson

**Party Representatives:**

David Bricklin, Counsel for SCALE

Judith Bendich, Friends of Ravenna-Cowen

Toby Thaler, Fremont Neighborhood Council

Jeff Weber, Counsel for the City of Seattle

**Date**

6/28/2018

**Location**

Large Hearing Room

<u>Time</u>	<u>Speak</u>	<u>Note</u>
<a href="#">9:01:11 AM</a>		Hearing Examiner opens Day 4 of the hearing.
<a href="#">9:01:29 AM</a>		Bricklin calls David Sherrard as a witness and he is sworn in.
<a href="#">9:01:59 AM</a>		Bricklin begins direct examination of Sherrard.
<a href="#">9:31:09 AM</a>		Weber objects; relevance.
<a href="#">9:31:24 AM</a>		Bricklin responds.
<a href="#">9:34:16 AM</a>		Withdrawn.
<a href="#">10:03:32 AM</a>		Scheduling discussion.
<a href="#">10:04:37 AM</a>		Bricklin continues direct examination of Sherrard.
<a href="#">10:21:56 AM</a>		Break. Back at 10:35.
<a href="#">10:35:37 AM</a>		Back on the record.
<a href="#">10:35:56 AM</a>		Bendich explains that Sherrard will come back at another time to complete his testimony.
<a href="#">10:36:11 AM</a>		Bendich calls Lorne McConachie as a witness and he is sworn in.
<a href="#">10:36:37 AM</a>		Bendich begins direct examination of McConachie.
<a href="#">10:39:52 AM</a>		Bendich offers resume of Lorne McConachie and it is marked as Exhibit 65.
<a href="#">10:40:41 AM</a>		Bendich moves to admit Exhibit 65 and it is admitted.
<a href="#">10:41:38 AM</a>		Bendich offers Tomorrow's Roosevelt Neighborhood Plan and it is marked as Exhibit 66.
<a href="#">11:02:54 AM</a>		Bendich offers Roosevelt Neighborhood Design Guidelines and it is marked as Exhibit 67.
<a href="#">11:03:16 AM</a>		Bendich moves to admit Exhibits 66 and 67.
<a href="#">11:03:31 AM</a>		Exhibits 66 and 67 are admitted.
<a href="#">11:24:33 AM</a>		Bendich concludes.
<a href="#">11:24:43 AM</a>		Weber asks for clarification.
<a href="#">11:24:53 AM</a>		Bricklin begins direct examination of McConachie.
<a href="#">11:26:47 AM</a>		Bricklin concludes.
<a href="#">11:26:55 AM</a>		Bendich asks procedural question.
<a href="#">11:27:04 AM</a>		Bendich asks clarifying question of McConachie.
<a href="#">11:27:28 AM</a>		Bendich concludes.
<a href="#">11:27:41 AM</a>		Weber begins cross examination of McConachie.
<a href="#">11:29:26 AM</a>		Weber concludes.
<a href="#">11:29:31 AM</a>		No redirect.
<a href="#">11:29:40 AM</a>		Bricklin re-calls Sherrard as a witness.
<a href="#">11:30:11 AM</a>		Bricklin continues direct examination of Sherrard.
<a href="#">11:33:26 AM</a>		Bricklin offers City Council Resolution and it is marked as Exhibit 68.
<a href="#">11:34:25 AM</a>		Bricklin moves to admit Exhibit 68 and it is admitted.
<a href="#">11:39:57 AM</a>		Weber objects. Bricklin responds. Objection withdrawn.
<a href="#">12:02:26 PM</a>		Bricklin offers map from The Seattle Times and it is marked as Exhibit 69.
<a href="#">12:05:14 PM</a>		Bricklin offers Uptown Urban Center Rezone Final EIS and it is marked as Exhibit 70.

<a href="#">12:10:56 PM</a>	Weber objects; document being discussed is not in the record. Bricklin responds. Overruled.
<a href="#">12:13:16 PM</a>	Bricklin concludes.
<a href="#">12:13:19 PM</a>	Bricklin moves to admit Exhibits 69 and 70 and they are admitted.
<a href="#">12:13:44 PM</a>	Weber begins cross examination of Sherrard.
<a href="#">12:33:30 PM</a>	Weber concludes.
<a href="#">12:33:34 PM</a>	Bricklin begins redirect examination of Sherrard.
<a href="#">12:40:06 PM</a>	Weber objects; witness is not an expert on the topic discussed.
<a href="#">12:40:33 PM</a>	Bricklin concludes.
<a href="#">12:40:38 PM</a>	Break. Back at 2 p.m.
<a href="#">1:58:23 PM</a>	Back on the record.
<a href="#">2:00:04 PM</a>	Thaler calls Steve Zemke as a witness and he is sworn in.
<a href="#">2:01:26 PM</a>	Thaler offers Zemke's testimony notes and they are marked as Exhibit 71.
<a href="#">2:14:39 PM</a>	Thaler offers memo to the Planning, Land Use and Zoning Committee and it is marked as Exhibit 72.
<a href="#">2:21:17 PM</a>	Mitchell objects; relevance. Thaler responds. Sustained.
<a href="#">2:29:26 PM</a>	Thaler offers Tree Regulations Research Project report and it is marked as Exhibit 73.
<a href="#">2:29:49 PM</a>	Thaler offers Tree Regulations Urban Forestry Commission report and it is marked as Exhibit 74.
<a href="#">2:30:07 PM</a>	Thaler offers Tree Regulations Research project findings and recommendations and it is marked as Exhibit 75.
<a href="#">2:48:20 PM</a>	Thaler offers Seattle Department of Construction and Inspections Director's Rule 16-2008 and Tip Sheet 242 and they are marked as Exhibits 76 and 77.
<a href="#">2:53:29 PM</a>	Thaler offers Executive Order on tree protection and it is marked as Exhibit 78.
<a href="#">3:00:27 PM</a>	Thaler offers 2016 tree canopy assessment and it is marked as Exhibit 79.
<a href="#">3:04:45 PM</a>	Thaler offers tree canopy assessment report and it is marked as Exhibit 80. Thaler offers Clarification of Canopy Cover Assessment Statistics and it is marked as Exhibit 81.
<a href="#">3:13:47 PM</a>	Thaler offers Seattle Urban Forestry Commission letter and it is marked as Exhibit 82.
<a href="#">3:15:15 PM</a>	Thaler offers summary of EIS conclusions and it is marked as Exhibit 83.
<a href="#">3:18:23 PM</a>	Thaler concludes.
<a href="#">3:18:30 PM</a>	Mitchell begins cross examination of Zemke.
<a href="#">3:19:18 PM</a>	Thaler moves to admit Exhibits 71-83 and they are admitted.
<a href="#">3:19:47 PM</a>	Mitchell notes for the record that Exhibits 80 and 81 were not used in the MHA EIS analysis.
<a href="#">3:20:07 PM</a>	Exhibits 71-83 are admitted.
<a href="#">3:20:14 PM</a>	Mitchell continues cross examination of Zemke.
<a href="#">3:29:47 PM</a>	Break. Back at 3:45.
<a href="#">3:45:33 PM</a>	Back on the record.
<a href="#">3:45:39 PM</a>	Mitchell continues cross examination of Zemke.

<a href="#">3:45:49 PM</a>	Mitchell concludes.
<a href="#">3:45:53 PM</a>	Thaler begins redirect examination of Zemke.
<a href="#">3:50:20 PM</a>	Thaler concludes.
<a href="#">3:50:29 PM</a>	Thaler calls Michael Oxman as a witness.
<a href="#">3:51:31 PM</a>	Oxman is sworn in.
<a href="#">3:53:08 PM</a>	Thaler begins direct examination of Oxman.
<a href="#">4:33:14 PM</a>	Discussion of time.
<a href="#">4:33:28 PM</a>	Thaler continues.
<a href="#">4:38:41 PM</a>	Thaler concludes.
<a href="#">4:38:46 PM</a>	Bricklin begins direct examination of Oxman.
<a href="#">4:42:41 PM</a>	Bricklin concludes.
<a href="#">4:42:45 PM</a>	Mitchell begins cross examination of Oxman.
<a href="#">4:55:27 PM</a>	Mitchell concludes.
<a href="#">4:55:39 PM</a>	Thaler offers Michael Oxman's resume and it is marked and admitted as Exhibit 84.
<a href="#">4:56:45 PM</a>	Hearing Examiner closes Day 4 of the hearing.