

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

<p>In the Matter of the Appeals of SAVE MADISON VALLEY, from approval of a land use application and a land use interpretation by the Director, Department of Construction and Inspections</p> <hr style="width: 50%; margin-left: 0;"/>	<p>)))))))))</p>	<p>Hearing Examiner File: MUP-18-020 (DR, W) & S-18-011</p> <p>Department References: 3020338, 3028345</p> <p>2925 E Madison Street</p> <p>SDCI FINAL LIST OF EXHIBITS AND WITNESSES</p>
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As requested by the Hearing Examiner in her Second Amended Prehearing Order of September 26, 2018, the Department of Construction and Inspections (SDCI) provides the following final list of exhibits and witnesses. SDCI continues to reserve the right to call additional witnesses and submit additional exhibits at hearing in rebuttal to testimony or exhibits offered by the appellants. Electronic copies of all exhibits have been provided to the parties, and SDCI will not provide additional paper copies to the parties. One complete set of paper copies will be provided to the Hearing Examiner at hearing, and a second set of paper copies will be available at hearing.

The Department lists the following exhibits:

Exhibit	Description
1	City of Seattle Analysis and Decision of the Director of the Seattle Department of Construction and Inspections Dated July 23, 2018 for Land Use Application 3020338-LU
2	SEPA Environmental Checklist Annotated Dated July 13, 2018
3	Plan Set Cycle 6 Dated April 30, 2018
4	Preliminary Assessment Report Dated March 9, 2016
5a	Arborist Report – Tree Solutions Inc Dated October 21, 2016
5b	Arborist Report v4 – Studio Meng Strazzara Dated September 23, 2016
5c	Arborist Report 2 – Tree Solutions Inc Original dated June 16, 2016; Revised July 1, 2016
5d	Tree Canopy Calculation Prepared by Thomas Rengstorf and Associates Dated August 3, 2016
6a	Correction Letter Cycle 1 Corrections for POTECH Dated July 28, 2016
6b	Correction Letter Cycle 1 Corrections for POTECH v3 Dated October 3, 2016
6c	Correction Letter Cycle 2 Corrections for POTECH Dated October 25, 2016
6d	Correction Letter Cycle 3 Corrections for POTECH Dated July 10, 2017
7	ECA Exemption Decision Dated June 8, 2016
8a	Geotechnical Master Use Permit Report prepared by GeoEngineers Dated November 17, 2015

8b	Geotechnical Master Use Permit Report prepared by GeoEngineers Dated March 25, 2016 (filed under Project No. 6610469)
8c	Geotechnical Master Use Permit Report prepared by GeoEngineers Dated August 9, 2017
8d	Geotechnical Review and Comment – Ladd Geoservices LLC Dated October 26, 2016
9a	Correction Letter Cycle 1 Corrections for ECA Slide Dated May 15, 2017
9b	Correction Response for ECA Slide Correction Notice 1 Dated July 24, 2017
10a	Traffic Report – Traffic Impact Analysis Prepared by Gibson Traffic Consultants Dated June 2016
10b	Traffic Report – Updated Traffic Impact Analysis Prepared by Gibson Traffic Consultants, Inc. Dated May 2017
10c	Traffic Report – Response to Tilghman Group Comments Prepared by Gibson Traffic Consultants, Inc. Dated May 26, 2017
10d	Traffic Report – PCC Truck Count Information GTC#16-097 Counted June 2017
10e	2925 Madison vehicle turning movements diagram dated March 23, 2018
10f	Email chain ending with John Shaw email to Magda Hogness dated August 21, 2017
11	Correction Response 1 for Transportation Dated July 26, 2017 and including correction notice from John Shaw dated June 26, 2017
12	Habitat Assessment- prepared by Environmental Science Associates Dated May 23, 2017
13a	MUP 3020338 Early Design Guidance 1 Draft Meeting Packet Memo to the Applicant Dated June 21, 2016
13b	MUP 3020338 Early Design Guidance 1 Proposal Submitted July 5, 2016 Dated July 13, 2016
13c	MUP 3020338 Early Design Guidance 1 Memo to the East Design Review Board Sent July 5, 2016 Dated July 5, 2015
13d	MUP 3020338 Early Design Guidance 1 Meeting Report Dated July 13, 2016
14a	MUP 3020338 Early Design Guidance 2 Draft Meeting Packet Memo to the Applicant Dated October 5, 2016
14b	MUP 3020338 Early Design Guidance 2 Proposal Submitted October 14, 2016 Dated September 28, 2016
14c	MUP 3020338 Early Design Guidance 2 Memo to the East Design Review Board Dated October 18, 2016
14d	MUP 3020338 Early Design Guidance 2 Meeting Report Dated October 26, 2016
15a	MUP 3020338 Early Design Guidance 3 Draft Meeting Packet Memo to the Applicant Sent January 13, 2017 Dated January 13, 2016
15b	MUP 3020338 Early Design Guidance 3 Proposal Submitted January 17, 2017 Dated January 25, 2017
15c	MUP 3020338 Early Design Guidance 3 Memo to the East Design Review Board Dated January 18, 2017

15d	MUP 3020338 Early Design Guidance 3 Meeting Report Dated January 25, 2017
16a	MUP 3020338 Recommendation Draft Meeting Packet Memo to the Applicant Dated August 17, 2017
16b	MUP 3020338 Recommendation Proposal Submitted September 1, 2017 Dated September 13, 2017
16c	MUP 3020338 Recommendation Memo to the East Design Review Board Dated September 5, 2017
16d	MUP 3020338 Recommendation Meeting Report Dated September 13, 2017
17	Land Use Code Interpretation No. 17-004 (Project 3028345) dated July 23, 2018, including Attachments 1 and 2
18	Site survey from Plan set Cycle 6 (see Exhibit 2 above)
19	Plan sheets from Plan set Cycle 6: G002, AS101, A201, A202, A203, A204, L0.01 through L0.38 (see Exhibit 2 above)
20	Application for Relief from ECA development standards filed by Jerry Kesselring dated June 8, 2016
21	ECA Consideration (ECA Exemption) Review by Jim Mattoon, SDCI Geotechnical Engineer dated July 5, 2016 (filed under Project No. 6541076)
22	ECA Slide Correction Notice for Project 3020338 from Robert McIntosh, SDCI Geotechnical Engineer dated May 15, 2017
23	SDCI Tip 327A
24	H. N. Clifton grading application November 1955, including letter and plans (filed under Project 3028345)
25	Three grading permits from SDCI microfilm: Permit 015 dated December 14, 1955; Permit 048 dated August 29, 1957; Permit 00329 dated October 3, 1972
26	Seattle Building Permit No. 562961 dated April 15, 1976 from SDCI microfilm
27	SDCI Director's Rule 4-2012
28	Former ECA Code Sections 25.09.180, 25.09.060, 25.09.320
29	SDOT street grade profiles (filed under Project 3028345 and also found in GeoEngineers geotechnical reports)
30	Magda Hogness CV

The Department lists the following witnesses:

1. William K. Mills, Land Use Planner Supervisor, will testify regarding the facts and analysis of Interpretation No. 17-004, including explanation of all exhibits supporting the interpretation.
2. Magda Hogness, Urban Designer, former Senior Land Use Planner, will testify regarding the SEPA environmental review and Design Review analysis in Project No. 3020338-LU and in response to testimony or exhibits offered by appellant as to these subjects.
3. John G. Shaw, Senior Transportation Planner, will testify regarding facts and analysis of transportation and traffic issues related to Project No. 3020338-LU and in response to testimony or exhibits offered by appellant as to transportation issues.
4. Robert M. McIntosh, Senior Geotechnical Engineer, will testify regarding facts and analysis of geotechnical issues pertaining to Project No. 3020338-LU and Interpretation 17-004 (Project 3028345), including the geotechnical basis for SDCI's conclusion that the project qualifies for relief from the prohibition on steep slope development and in response to testimony or exhibits offered by appellant as to geotechnical issues.
5. Arthur J. Pederson, Senior Land Use Planner, will testify regarding facts and analysis of his review of tree and vegetation issues pertaining to Project No. 3020338-LU, including his opinion of the arborist reports and tree canopy calculation provided by the applicant and in response to testimony or exhibits offered by appellant as to tree and vegetation issues.
6. Ede M. Courtenay, SDCI Drainage Review section manager, will testify regarding the rationale for waiver of drainage review at the Master Use Permit stage of this project, including any facts she considered or analysis made in making her determination and in response to testimony or exhibits offered by appellant as to drainage issues.

Entered this 16th day of November 2018.



William K. Mills, Land Use Planner Supervisor
Department of Construction and Inspections

cc. Claudia M. Newman and Bryan Telegin, for Appellant Save Madison Valley
Jeremy Eckert and Patrick Mullaney, for Applicant TVC Madison Co. LLC

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeals of) Hearing Examiner File:
SAVE MADISON VALLEY,) **MUP-18-020 (DR, W) &**
) **S-18-011**
from approval of a land use application and a)
) Department References:
land use interpretation by the Director,) 3020338, 3028345
Department of Construction and Inspections)
) **2925 E Madison Street**

Certificate of Service

The undersigned certifies the following:

1. I am a Land Use Planner Supervisor at Seattle Department of Construction and Inspections (SDCI), representing SDCI in the above-entitled appeal proceeding; I am over the age of majority and am able to testify as to the matters stated herein;
2. On Friday, November 16, 2018, I delivered SDCI's Final List of Exhibits and Witnesses, together with a complete electronic set of the exhibits, by e-mail and drop box service only, to the following named parties:

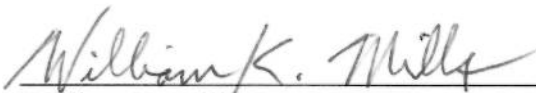
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patrick.mullaney@foster.com

Both e-mail copy and hand delivered hard copy of the SDCI Final List of Exhibits and Witnesses are provided to the Office of Hearing Examiner.

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

DATED this 16th day of November 2018.



William K. Mills, Land Use Planner Supervisor, SDCI

cc. Claudia M. Newman and Bryan Telegin, for Appellant Save Madison Valley
Jeremy Eckert and Patrick Mullaney, for Applicant TVC Madison Co. LLC

