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BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

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

Hearing Examiner File:
MUP 18-020 (DR, W) & S-18-011

Department References:
3020338, 3028345

**FINAL WITNESS AND EXHIBIT
LISTS**

Pursuant to the Hearing Examiner’s Second Amended Prehearing Order dated September 26, 2018, Respondent/Applicant Velmeir Madison Co. LLC (“Velmeir”) hereby submits the following final witness and exhibit lists. Velmeir reserves the right to call witnesses or use exhibits identified by any other party. Velmeir also reserves the right to call additional witnesses and submit additional exhibits at hearing to rebut testimony or evidence offered by any other party. In addition, Velmeir reserves the right to supplement this preliminary witness and exhibit lists as appropriate. Copies of the exhibits will be provided in accordance with the Second Amended Prehearing Order.

FINAL WITNESS LIST

Velmeir lists the following witnesses:

1. Geza DeGall, Senior Vice-President at The Velmeir Companies, is prepared to testify regarding the facts and background of the project and entitlement process, and respond to other appeal issues within his knowledge.
2. Lucas Branham, Architect and Project Manager at Studio Meng Strazzara, is prepared to testify as an expert witness regarding the background of the project, the Design Review process, and other appeal issues that are within his knowledge.
3. Charles Strazzara, President of Studio Meng Strazzara, is prepared to testify as an expert witness regarding the background of the project, the Design Review process, and other appeal issues that are within his knowledge.

- 1 4. Brian D. Gillooly, PLS, Principal, Director of Surveying Services at Barghausen Consulting
2 Engineers, Inc., is prepared to testify as an expert witness regarding survey and boundary
3 matters affecting the project and other appeal issues that are within his knowledge.
- 4 5. Joe Taflin, P.E., LEED AP, Principal of Navix Engineering, is prepared to testify as an
5 expert witness regarding the project's stair design, temporary erosion controls, stormwater
6 management and drainage, and other appeal issues that are within his knowledge.
- 7 6. Scott Evans, Principal, Thomas Rengstorf Associates, is prepared to testify as an expert
8 witness regarding project landscape architecture and other appeal issues that are within his
9 knowledge.
- 10 7. Sandro Kodama, P.E., S.E., Principal of Quantum Consulting Engineers LLC, is prepared to
11 testify as an expert witness regarding project structural design and other appeal issues that are
12 within his knowledge.
- 13 8. Matthew W. Smith, P.E., Principal Geotechnical Engineer at GeoEngineers, Inc., is prepared
14 to testify as an expert witness regarding project geotechnical issues and analysis, the
15 Geotechnical Master Use Permit Report prepared for the project, and other appeal issues that
16 are within his knowledge.
- 17 9. Bill Stewart, INCE, REFP, Managing Partner of SSA Acoustics, LLP, is prepared to testify
18 as an expert witness regarding project acoustical issues and other appeal issues that are
19 within his knowledge.
- 20 10. Edward Koltonowski, President of Gibson Traffic Engineers, Inc. is prepared to testify as an
21 expert witness regarding project traffic issues, the traffic impact analyses prepared by Gibson
22 Traffic Engineers, Inc. and appeal issues that are within his knowledge.
- 23 11. Patrick C. Hayes, Owner of Energy Consulting, is prepared to testify as an expert witness
24 regarding project building compliance with energy codes and other appeal issues that are
25 within his knowledge.
- 26 12. Brad Minogue, AIA, LEED AP, President of Cross 2 Design Group, is prepared to testify as
an expert witness regarding building envelope, technical siding and roof details, and other
appeal issues within his knowledge.
13. Sean Dugan, Principal of Tree Solutions Inc., is prepared to testify as an expert witness
regarding facts and analysis involving trees, the arborists reports prepared for the project, and
other appeal issues within his knowledge.
14. Matt Sneddon, Project Architectural Historian, Historical Research Associates, Inc. is
prepared to testify as an expert witness regarding facts and issues of cultural resource
assessment and other historical analysis prepared by Historical Research Associates, and
respond to other appeal issues that are within her knowledge.
15. Jim Keany, Senior Program Manager at Environmental Science Associates is prepared to
testify as an expert witness regarding analysis and facts of habitat issues, the habitat
assessment report, and other appeal issues that are within his knowledge.

1 16. Adam French, P.E., Vice President, Emerald City Engineers, Inc., is prepared to testify as an
2 expert witness regarding sewer and waste water issues including plumbing and utility
demand created by the project and other appeal issues that are within his knowledge.

3 17. Velmeir reserves the right to call witnesses from the City and Appellant's witness lists.
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5 **FINAL EXHIBIT LIST**

6 Velmeir will rely upon the exhibits identified by SDCI in addition to the following exhibits:

Ex.	Description
7 1.	Applicant Velmeir Inc.'s Response to Save Madison Valley's Request for Code Interpretation (SDCI Project Numbers 65107 and 3020338)
8 2.	Madison – News Alert – SMV To Appeal City Permit
9 3.	Average Grade Calculation and Section (February 19, 2018)
10 4.	Habitat Assessment (May 23, 2017) [Duplicate of C-12]
11 5.	SEPA Appendix A (June 14, 2016)
12 6.	EDG Packet (April 19, 2016)
13 7.	REC Draft Packet (September 13, 2017)
14 8.	Correction 1 – Applicant Services
15 9.	Correction 1 – Land Use
16 10.	Correction 1 – Zoning 2
17 11.	Correction 1 – Zoning
18 12.	Correction 2 – Land Use
19 13.	Correction 2 – Zoning
20 14.	Correction 3 – Land Use
21 15.	Correction 3 – Zoning 2
22 16.	Correction 3 – Zoning
23 17.	Correction 4 – Land Use
24 18.	Correction 4 – Zoning
25 19.	Correction 5 – Zoning
26 20.	2925 Madison Vehicle Turning Movements (October 19, 2017)
21 21.	2925 Madison Vehicle Turning Movements (March 23, 2018) [Duplicate of C-10(e)]
22 22.	Madison Curb Cut Sizing (March 7, 2018)
23 23.	Response to SMV Comment Letter (March 7, 2018)
24 24.	Approved Pre-submittal Conference Minutes of Meeting (March 23, 2016)
25 25.	Studio Meng Strazzara's Response to Applicant Services Correction Notice #1 email (July 27, 2017)

Ex.	Description
26.	Bearing Soil Contour Map by GeoEngineers (March 30, 2016)
27.	Studio Meng Strazzara's Response to LAND USE Correction Notice #1 email (July 24, 2017)
28.	2925 Madison SEPA Environmental Checklist (March 1, 2017)
29.	Email from S. Evans to L. Branham and P. Mahoney re: 2939 Madison – sidewalk/street tree (August 2, 2017)
30.	Velmeir Correction Notice Response #1 Madison #3020338 (July 26, 2017)
31.	Velmeir EDG Design Guideline Responses
32.	Velmeir EDG Response Summary
33.	Studio Meng Strazzara's Response to Tree Protection Correction Notice #1 email (July 24, 2017)
34.	Studio Meng Strazzara's Response to Zoning Correction Notice #1 email (August 4, 2017)
35.	2939 E Madison Street – Frequent Transit Service Information (undated)
36.	Studio Meng Strazzara's Response to LAND USE Correction Notice #2 email (December 23, 2017)
37.	Studio Meng Strazzara's Response to Zoning Correction Notice #2 email (December 23, 2017)
38.	2939 E Madison Street – Frequent Transit Service Information (undated)
39.	Studio Meng Strazzara's Response to Zoning Correction Notice #3 email (March 7, 2018)
40.	Studio Meng Strazzara's cover letter regarding SDCI's Cycle 4 Zoning and Land Use Correction Notices
41.	Studio Meng Strazzara's Response to Zoning Correction Notice #4 email (April 30, 2018)
42.	Studio Meng Strazzara's Correction Notice #1 Response (September 23, 2016)
43.	Average Grade Calculation and Max Structure Height (September 22, 2016)
44.	DCI Zoning Response (October 7, 2016)
45.	Comment Letter prepared by Steinbrueck Urban Strategies LLC (dated July 13, 2016)
46.	Frequent Transit Information
47.	LPB (July 20, 2017)
48.	SDCI Correspondence (from John Shaw to Magda Hogness, RE Madison Access, dated August 16 and August 21, 2017)
49.	SDCI Correspondence – SMV Tree Comments (from SDCI to Melissa Stoker RE “missing documents”) (January 18, 2018)
50.	Site Plan (dated October 26, 2016)
51.	Attachment 1 – Response to Guidelines: MUP Application for Design Review (undated)
52.	Correction Notice #2 - POTECH 10.25.2016 - with highlighting (October 25, 2016)
53.	Notice of Application (April 27, 2017)
54.	Notice of Design Review Board Recommendation Meeting (August 24, 2017)

FINAL WITNESS AND EXHIBIT LISTS - 4

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Ex.	Description
55.	Notice of Design Review Early Design Guidance Meeting (June 23, 2016)
56.	Notice of Design Review Second Early Design Guidance Meeting (October 6, 2016)
57.	Notice of Design Review Third Early Design Guidance Meeting (January 5, 2017)
58.	Notice of Design Review Third Early Design Guidance Meeting (January 19, 2017)
59.	Notice of Public Meeting (May 11, 2017)
60.	Site Photos (March 3, 2016)
61.	Street Improvement Exception Report (February 24, 2017)
62.	Water Availability Certificate (February 26, 2016)
63.	ALTA/ACSM Land Title Survey (certified April 17, 2017)

DATED this 20th day of November, 2018.



Patrick J. Mullaney, WSBA #21982
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DECLARATION OF SERVICE

The undersigned certifies that I am a citizen of the United States of America and a resident of the State of Washington, I am over the age of twenty-one years, I am not a party to this action, and I am competent to be a witness herein.

The undersigned declares that on November 20, 2018, I caused to be served:

1. **PRELIMINARY WITNESS AND EXHIBIT LISTS.**

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- via hand delivery
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- via hand delivery
- via first class mail, postage prepaid
- via facsimile
- via e-mail
- via ECF

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

DATED this 20th day of November, 2018, at Seattle, Washington.



Nikea Smedley, Legal Assistant