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BEFORE THE HEARING EXAMINER  
FOR THE CITY OF SEATTLE

In Re: Appeal by  
  
ESCALA OWNERS ASSOCIATION  
  
of Decisions Re Land Use Application  
for 1903 5<sup>th</sup> Avenue, Project 3018037

NO. MUP-19-031 (DD, DR, S, SU,W)  
  
APPELLANT’S CLARIFICATION OF  
ISSUES

Pursuant to the agreed upon deadline that was established at the prehearing conference for this matter, appellant is submitting this clarification of issues in response to questions that were raised by the applicant concerning certain issues that were presented in the Notice of Appeal.

**SEPA Issues**

The issues stated in Section 2.1(e), (g),( j), (k),(l), and (m) in the Notice of Appeal (Oct. 24, 2019) are intended to encompass elements of the environment beyond those that are identified in Sections 2.1.(a) and (b). SDCI issued a Determination of Significance (DS) for the land use, environmental health, energy/greenhouse gas emissions, aesthetics (height, bulk, and scale, light, glare, and shadows), wind, historic and cultural resources, transportation and parking and construction elements of the environment for the Proposal. The analysis, disclosure, and process associated with

1 the review of those specifically identified elements of the environment following the issuance of the  
2 DS violated SEPA.

3 The issue stated in Section 2.1(f) in the Notice of Appeal (regarding scoping) is intended to  
4 encompass only those elements of the environment that are identified in Sections 2.1(a)-(d).  
5

6 **Design Review Issues**

7 The issues stated in Section 2.2(d) and (e) of the Notice of Appeal with respect to design review  
8 are meant to address only those design guidelines that are identified in the issue statement in Section  
9 2.2(a). In other words, appellant will focus only on the design guidelines listed in C(6) for its  
10 arguments on issues 2.2(d) and (e).

11 Dated this 12th day of November, 2019.  
12

13 Respectfully submitted,

14 BRICKLIN & NEWMAN, LLP

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17 By:



18 Claudia M. Newman, WSBA No. 24928  
19 Attorneys for Escala Owners Association  
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