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BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

In the Matter of the Appeal of
ESCALA OWNERS ASSOCIATION
from a decision issued by the Director, Seattle
Department of Construction and Inspections

Hearing Examiner File:
MUP-19-031 (DD, DR, S, SU, W)

Department Reference:
3018037-LU

DECLARATION OF COURTNEY A
KAYLOR IN SUPPORT OF CITY AND
APPLICANT'S JOINT MOTION FOR
PARTIAL DISMISSAL

I, Courtney A. Kaylor, declare as follows:

1. I am one of the attorneys for Seattle Downtown Hotel & Residences, LLC, the
applicant in this matter. I am competent to testify and make this declaration based on my
personal knowledge.

2. Attached to this declaration are true and correct copies of the following
documents:

DECLARATION OF COURTNEY A. KAYLOR
IN SUPPORT OF CITY AND APPLICANT'S
JOINT MOTION FOR PARTIAL DISMISSAL

- Page 1 of 2

McCullough Hill Leary, PS

701 Fifth Avenue, Suite 6600

Seattle, Washington 98104

206.812.3388

206.812.3389 fax

Exhibit A: Notice of Revised Application, Adoption of Final Environmental Impact Statement and Availability of Addendum, dated September 14, 2017.

Exhibit B: Re-Notice of Revised Application, Adoption of Final Environmental Impact Statement and Availability of Addendum, dated October 9, 2017.

Exhibit C: Revised Notice of Availability of Addendum for Proposed Project Located at 1903 5th Ave, dated August 5, 2019.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of November at Seattle, Washington.

s/ Courtney A. Kaylor
Courtney A. Kaylor

DECLARATION OF COURTNEY A. KAYLOR
IN SUPPORT OF CITY AND APPLICANT’S
JOINT MOTION FOR PARTIAL DISMISSAL

- Page 2 of 2

McCullough Hill Leary, PS

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Seattle, Washington 98104

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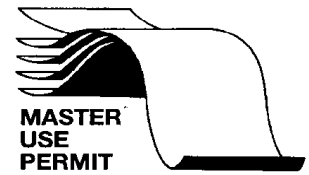
206.812.3389 fax

EXHIBIT A

Seattle Department of Construction and Inspections

Nathan Torgelson, Director

September 14, 2017



NOTICE OF REVISED APPLICATION, ADOPTION OF FINAL ENVIRONMENTAL IMPACT STATEMENT AND AVAILABILITY OF ADDENDUM

Area: DOWNTOWN/CENTRAL **Address:** 1903 5TH AVE

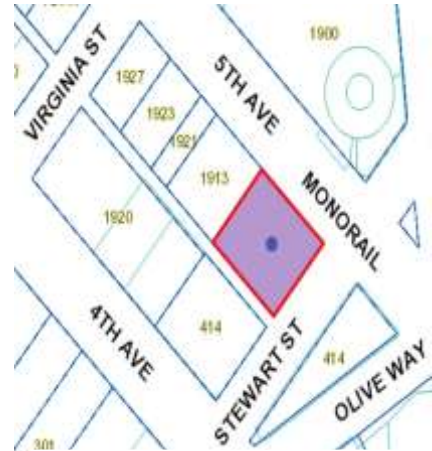
Project: 3018037 **Zone:** ZONING SPECIAL ST WITHIN 100 FT.,
LANDMARK, DOWNTOWN OFC CORE2-500/300-500', DOWNTOWN
FIRE DISTRICT, ARTERIAL WITHIN 100 FT., AIRPORT HEIGHT
DISTRICT, SCENIC VIEW WITHIN 500 FT., URBAN VILLAGE
OVERLAY

Notice Date: 09/14/2017

Contact: TED CALOGER - (206) 962-6472

Planner: MICHAEL DORCY - (206) 615-1393

Revised Project Description: Land Use Application to allow a 54-story building with 275 hotel rooms, 280 apartment units and 3,000 sq. ft. of street level retail. Parking for 150 vehicles will be located above and below grade. An Addendum to the Downtown Height and Density Environmental Impact Statement has been prepared. This revision does not require further review by the Design Review Board. (The original project was noticed as a 49 story building with 209 hotel rooms, 236 residential units, 3,250 sq. ft. of street level retail and parking for 149 vehicles located above and below grade.)



The top of this image is north.
This map is for illustrative purposes only. In the
event of omissions, errors or differences, the
documents in SDCI's files will control.

Pursuant to SMC 25.05.360, the Director of the Seattle Department of Construction and Inspections (SDCI) has determined that the referenced proposal is likely to have probable significant adverse environmental impacts under the State Environmental Policy Act (SEPA) on the land use, environmental health, energy/greenhouse gas emissions, aesthetics (height, bulk and scale, light, glare and shadows, views), wind, historic and cultural resources, transportation and parking and construction elements of the environment.

SDCI has identified and adopts the City of Seattle's Final Environmental Impact Statement (FEIS) Downtown Height and Density Changes, dated January 2005. This FEIS meets SDCI's SEPA responsibilities and needs for the current proposals and will accompany the proposal to the decision-maker.

The Addendum has been prepared by the Applicant to add specific information on the land use, environmental health, energy/greenhouse gas emissions, aesthetics (height, bulk and scale, light, glare and shadows, views), wind, historic and cultural resources, transportation and parking and construction elements of the environment from the proposal and discusses changes in the analysis in the referenced FEIS. Pursuant to SMC 25.05.625-630, this addendum does not substantially change analysis of the significant impacts and alternatives in the FEIS.

The FEIS and the Addendum to the FEIS, along with the plans and other project related documents are available and may be reviewed at SDCI's electronic library at <http://web6.seattle.gov/dpd/edms/> (enter project number 3018037) or at SDCI's Public Resource Center, 700 – 5th Ave, Suite 2000. (The Public Resource Center is open 8:00 a.m. to 4:00 p.m. on Monday, Wednesday, Friday and 10:30 a.m. to 4:00 p.m. on Tuesday and Thursday.)

WRITTEN COMMENTS

Written comments on the addendum may be submitted through September 27, 2017. Comments may be emailed to PRC@Seattle.gov or mailed to:

Seattle Department of Construction and Inspections
Attn: PRC
PO Box 34019
Seattle, WA 98104-4019

Please include the project number, project address and a return address with your comment. All comments will be posted to our electronic library.

3018037 – EDG Report sent 12-23-14 bk 2nd
EDG Mtg sent 9/10/15 bg 2nd EDG Report sent-
10/13/15 km 3rd EDG Mtg sent 11/30/15 drn Notice
of Application sent 3/21/16 rgc Revised Notice of
Application sent 3/24/16 bg Rec Mtg sent 7/28/16
drn Rec report sent 9/23/16 ei Revised Rec Report
sent 10/6/16 **/Others Revised Notice of
Application, Adoption of Final Environmental Impact
Statement & Availability of Addendum CD &
Revised Notice of Application, Adoption of Final EIS
& Availability sent to Downtown Height & Density
EIS on 9/14/17 drn

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REGION 10 EIS COORDINATOR
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SEATTLE WA 98101

US ARMY CORPS OF ENGINEERS
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SEATTLE WA 98124-3755

US FISH & WILDLIFE SERVICE
PACIFIC REGION FIELD OFFICE
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LACEY WA 98503

US DEPT OF HOUSING & URBAN
DEVELOPMENT,
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SEATTLE WA 98104-1000

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SEPA UNIT
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OLYMPIA WA 98504-7703

WA DEPT OF COMMUNITY
DEVELOPMENT
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PO BOX 48300
OLYMPIA WA 98504-2525

WA DEPT OF TRANSPORTATION
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SEATTLE WA 98104-2887

WA DEPT OF FISH & WILDLIFE
600 CAPITOL WAY N
OLYMPIA WA 98501-1091

WA DEPT OF SOCIAL & HEALTH
SERVICES
LANDS & BUILDINGS DIVISION
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OLYMPIA WA 98504-5848

WA DEPT OF NATURAL RESOURCES
DNR SEPA CENTER
1111 WASHINGTON STREET
PO BOX 47015
OLYMPIA WA 98504-7015

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KING ST CENTER MS KSC-TR-0431
SEATTLE WA 98104-3856

KING COUNTY DEPT OF
TRANSPORTATION
201 S JACKSON ST KSC-TR-0815
SEATTLE WA 98104-3856

KING COUNTY DEPT OF PERMITTING
AND ENVIRONMENTAL REVIEW
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SNOQUALMIE WA 98065

KING COUNTY OFFICE OF REGIONAL
POLICY AND PLANNING KING COUNTY
COURTHOUSE
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SEATTLE WA 98104

KING COUNTY EXECUTIVE
401 5TH AVE #800
SEATTLE WA 98104

KING COUNTY DEPT OF
ASSESSMENTS
500 FOURTH AVE STE ADM-AS 0708
SEATTLE WA 98104

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SEATTLE WA 98106

SUQUAMISH TRIBE
PORT MADISON INDIAN
RESERVATION
PO BOX 498
SUQUAMISH WA 98392

TULALIP TRIBES
6700 TOTEM BEACH ROAD
TULALIP WA 98271

MUCKLESHOOT INDIAN TRIBE
39015 172ND AVE SE
AUBURN WA 98092
ATTN: PLANNING STAFF

WA DEPT OF ARCHAEOLOGY AND
HISTORIC PRESERVATION
PO BOX 48343
OLYMPIA WA 98504-8343

CITY OF SEATTLE SCHOOL DISTRICT
ATTN: PLANNING SECTION
PO BOX 34165
SEATTLE WA 98124-1165

PORT OF SEATTLE
ATTN: GERI POOR
PO BOX 1209
SEATTLE WA 98111

WASHINGTON STATE PUBLIC
FACILITIES DISTRICT
SAFECO FIELD
PO BOX 94445
SEATTLE WA 98124

WASHINGTON PUBLIC STADIUM
AUTHORITY
ATTN: ANN KAWASAKI
800 OCCIDENTAL AVENUE S #700
SEATTLE WA 98134

PUGET SOUND REGIONAL COUNCIL
ATTN: IVAN MILLER
1011 WESTERN AVENUE STE 500
SEATTLE WA 98104

PUGET SOUND CLEAN AIR AGENCY
ATTN: PAUL CARR
1904 3RD AVE SUITE 300
SEATTLE WA 98101

SOUND TRANSIT
ATTN: STEVE KENNEDY
401 S JACKSON ST
SEATTLE WA 98104

SEATTLE HOUSING AUTHORITY
120 SIXTH AVENUE N
PO BOX 19028
SEATTLE WA 98109-1028

SEATTLE CITY COUNCIL
LEGISLATIVE DEPT
CH – 02-10

CITY OF SEATTLE
FIRE DEPT
FD – 44-04

ATTN: RICK HOOPER
CITY OF SEATTLE OFFICE OF HOUSING
SMT – 57-00

CITY OF SEATTLE
DEPARTMENT OF NEIGHBORHOODS
ATTN: DIRECTOR
CH-04-02

CITY OF SEATTLE
POLICE DEPT CHIEF OF POLICE
JC -05-01

CITY OF SEATTLE
DEPT OF TRANSPORTATION
SMT – 39-00

CITY OF SEATTLE
PUBLIC UTILITIES DIRECTOR'S
OFFICE RECEPTION AREA
SMT- 49 FLOOR

CITY OF SEATTLE CITY LIGHT
SMT- 28-22

CITY OF SEATTLE
SPU
ATT: TOM FAWTHROP
SMT-49-00

CITY OF SEATTLE DEPT OF PARKS
AND RECREATION
ATTN: DAVID GRAVES
PK-01-01

PUBLIC REVIEW DOCUMENTS
QUICK INFORMATION CENTER
SEATTLE PUBLIC LIBRARY
LB-03-01

CITY OF SEATTLE
HUMAN SERVICES
SMT-58 FLR

CITY OF SEATTLE OCPD
PLANNING COMMISSION
CH-05-02

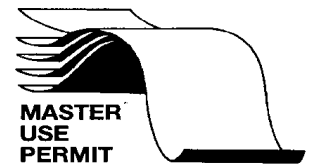
SEPA/PIC

MICHAEL DORCY, LAND USE PLANNER
SDCI, 31ST FLOOR

EXHIBIT B

Seattle Department of Construction and Inspections

Nathan Torgelson, Director
October 9, 2017



RE-NOTICE OF REVISED APPLICATION, ADOPTION OF FINAL ENVIRONMENTAL IMPACT STATEMENT AND AVAILABILITY OF ADDENDUM

This renote is only to provide a new comment period. Nothing else from the notice of September 14, 2017 has changed.

Area: DOWNTOWN/CENTRAL **Address:** 1903 5TH AVE
Project: 3018037 **Zone:** ZONING SPECIAL ST WITHIN 100 FT.,
LANDMARK, DOWNTOWN OFC CORE2-500/300-500', DOWNTOWN
FIRE DISTRICT, ARTERIAL WITHIN 100 FT., AIRPORT HEIGHT
DISTRICT, SCENIC VIEW WITHIN 500 FT., URBAN VILLAGE
OVERLAY

Contact: TED CALOGER - (206) 962-6472

Planner: MICHAEL DORCY - (206) 615-1393

Revised Project Description: Land Use Application to allow a 54-story building with 275 hotel rooms, 280 apartment units and 3,000 sq. ft. of street level retail. Parking for 150 vehicles will be located above and below grade. An Addendum to the Downtown Height and Density Environmental Impact Statement has been prepared. This revision does not require further review by the Design Review Board. (The original project was noticed as a 49 story building with 209 hotel rooms, 236 residential units, 3,250 sq. ft. of street level retail and parking for 149 vehicles located above and below grade.)

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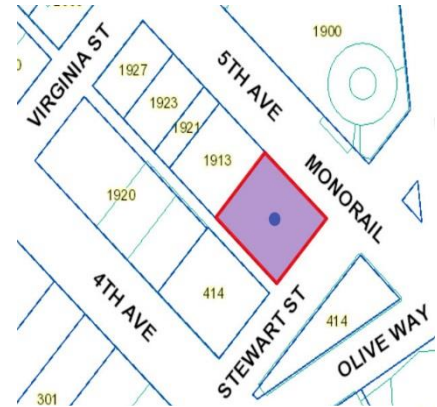
The FEIS and the Addendum to the FEIS, along with the plans and other project related documents are available and may be reviewed at SDCI's electronic library at <http://web6.seattle.gov/dpd/edms/> (enter project number 3018037) or at SDCI's Public Resource Center, 700 – 5th Ave, Suite 2000. (The Public Resource Center is open 8:00 a.m. to 4:00 p.m. on Monday, Wednesday, Friday and 10:30 a.m. to 4:00 p.m. on Tuesday and Thursday.)

WRITTEN COMMENTS

Written comments on the addendum may be submitted through **October 24, 2017**. Comments may be emailed to PRC@Seattle.gov or mailed to:

Seattle Department of Construction and Inspections
Attn: PRC
PO Box 34019
Seattle, WA 98104-4019

Please include the project number, project address and a return address with your comment. All comments will be posted to our electronic library.



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documents in SDCI's files will control.

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rhirschberg@comcast.net
RIgerth@hotmail.com
rlaycock@icloud.com

tmckenzie64@hotmail.com
TNorwalk@visitseattle.org
TomGoeltz@DWT.COM
ty@tyrice.net
upwind@frontier.com
usbosintang@gmail.com

Undeliverable:
Salanth@lenvinus.com
Stefan@unitehere8.org
Elizabeth_b_bennet@comcast.net
abby@8.unitchere.org
Yejohn@hyahoo.com

US ENVIRONMENTAL PROTECTION
AGENCY
REGION 10 EIS COORDINATOR
1200 SIXTH AVENUE MS ECO-088
SEATTLE WA 98101

US DEPT OF HOUSING & URBAN
DEVELOPMENT,
909 FIRST AVENUE SUITE 200
SEATTLE WA 98104-1000

WA DEPT OF TRANSPORTATION
401 2ND AVE S SUITE 300
SEATTLE WA 98104-2887

WA DEPT OF NATURAL RESOURCES
DNR SEPA CENTER
1111 WASHINGTON STREET
PO BOX 47015
OLYMPIA WA 98504-7015

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mccoyemichael@aol.com

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nick.etheredge@gmail.com
numbersman7957@comcast.net
nywalters@me.com
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rob@manorhardware.com
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Mbk@chandellegroup.com
j.reilly206@gmail.com
rpavalunas@aol.com

US ARMY CORPS OF ENGINEERS
PO BOX 3755
SEATTLE WA 98124-3755

WA DEPT OF ECOLOGY
SEPA UNIT
PO BOX 47703
OLYMPIA WA 98504-7703

WA DEPT OF FISH & WILDLIFE
600 CAPITOL WAY N
OLYMPIA WA 98501-1091

KING COUNTY METRO TRANSIT
201 S JACKSON ST
KING ST CENTER MS KSC-TR-
0431
SEATTLE WA 98104-3856

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Tcsullivan180@yahoo.com

jenkins.p2@gmail.com
rmpavalunas@gmail.com
lyricforge@gmail.com
larrykmc2@gmail.com

RETURNED MAIL:
JOSEPHINE LIAN
4021 117TH AVE SE
BELLEVUE, WA 98008

US FISH & WILDLIFE SERVICE
PACIFIC REGION FIELD
OFFICE
510 DESMOND DRIVE SE
SUITE 102
LACEY WA 98503

WA DEPT OF COMMUNITY
DEVELOPMENT
906 COLUMBIA ST SW
PO BOX 48300
OLYMPIA WA 98504-2525

WA DEPT OF SOCIAL &
HEALTH SERVICES
LANDS & BUILDINGS DIVISION
PO BOX 45848
OLYMPIA WA 98504-5848

KING COUNTY DEPT OF
TRANSPORTATION
201 S JACKSON ST KSC-TR-
0815
SEATTLE WA 98104-3856

KING COUNTY DEPT OF PERMITTING
AND ENVIRONMENTAL REVIEW
35030 SE DOUGLAS ST #210
SNOQUALMIE WA 98065

KING COUNTY OFFICE OF
REGIONAL POLICY AND PLANNING
KING COUNTY COURTHOUSE
516 3RD AVENUE ROOM 402
SEATTLE WA 98104

KING COUNTY EXECUTIVE
401 5TH AVE #800
SEATTLE WA 98104

KING COUNTY DEPT OF
ASSESSMENTS
500 FOURTH AVE STE ADM-AS 0708
SEATTLE WA 98104

DUWAMISH TRIBE
4717 W MARGINAL WAY SW
SEATTLE WA 98106

SUQUAMISH TRIBE
PORT MADISON INDIAN
RESERVATION
PO BOX 498
SUQUAMISH WA 98392

TULALIP TRIBES
6700 TOTEM BEACH ROAD
TULALIP WA 98271

MUCKLESHOOT INDIAN TRIBE
39015 172ND AVE SE
AUBURN WA 98092
ATTN: PLANNING STAFF

WA DEPT OF
ARCHAEOLOGY AND
HISTORIC PRESERVATION
PO BOX 48343
OLYMPIA WA 98504-8343

CITY OF SEATTLE SCHOOL DISTRICT
ATTN: PLANNING SECTION
PO BOX 34165
SEATTLE WA 98124-1165

PORT OF SEATTLE
ATTN: GERI POOR
PO BOX 1209
SEATTLE WA 98111

WASHINGTON STATE PUBLIC
FACILITIES DISTRICT
SAFECO FIELD
PO BOX 94445
SEATTLE WA 98124

WASHINGTON PUBLIC STADIUM
AUTHORITY
ATTN: ANN KAWASAKI
800 OCCIDENTAL AVENUE S #700
SEATTLE WA 98134

PUGET SOUND REGIONAL
COUNCIL
ATTN: IVAN MILLER
1011 WESTERN AVENUE STE 500
SEATTLE WA 98104

PUGET SOUND CLEAN AIR
AGENCY
ATTN: PAUL CARR
1904 3RD AVE SUITE 300
SEATTLE WA 98101

SOUND TRANSIT
ATTN: STEVE KENNEDY
401 S JACKSON ST
SEATTLE WA 98104

SEATTLE HOUSING AUTHORITY
120 SIXTH AVENUE N
PO BOX 19028
SEATTLE WA 98109-1028

SEATTLE CITY COUNCIL
LEGISLATIVE DEPT
CH – 02-10

CITY OF SEATTLE
FIRE DEPT
FD – 44-04

ATTN: RICK HOOPER
CITY OF SEATTLE OFFICE OF
HOUSING
SMT – 57-00

CITY OF SEATTLE
DEPARTMENT OF
NEIGHBORHOODS
ATTN: DIRECTOR
CH-04-02

CITY OF SEATTLE
POLICE DEPT CHIEF OF POLICE
JC -05-01

CITY OF SEATTLE
DEPT OF TRANSPORTATION
SMT – 39-00

CITY OF SEATTLE
PUBLIC UTILITIES
DIRECTOR'S
OFFICE RECEPTION AREA
SMT- 49 FLOOR

CITY OF SEATTLE CITY LIGHT
SMT- 28-22

CITY OF SEATTLE
SPU
ATT: TOM FAWTHROP
SMT-49-00

CITY OF SEATTLE DEPT OF
PARKS AND RECREATION
ATTN: DAVID GRAVES
PK-01-01

PUBLIC REVIEW DOCUMENTS
QUICK INFORMATION CENTER
SEATTLE PUBLIC LIBRARY
LB-03-01

CITY OF SEATTLE
HUMAN SERVICES
SMT-58 FLR

CITY OF SEATTLE OCPD
PLANNING COMMISSION
CH-05-02

SEPA/PIC

MICHAEL DORCY, LAND USE
PLANNER
SDCI, 31ST FLOOR

EXHIBIT C



**REVISED NOTICE OF AVAILABILITY OF ADDENDUM FOR PROPOSED PROJECT
LOCATED AT 1903 5TH AVE**

Project Number: 3018037-LU
Address: 1903 5TH AVE
Area: DOWNTOWN/CENTRAL
Zone: DOC2 500'/300'-550'

Contact: TED CALOGER - 206-962-6472
Planner: CRYSTAL TORRES - (206) 684-5887

PROJECT DESCRIPTION

Land Use Application to allow a 54-story hotel building with 233 apartment units and retail. Parking for 140 vehicles proposed. Addendum to Downtown Height and Density Environmental Impact Statement has been prepared.

This public notice corrects information contained in the October 9, 2017, 2017 "Re-Notice of Revised Application, Adoption of Final Environmental Impact Statement and Availability of Addendum" by replacing the words "is likely to" with "could", as shown using strike through and underline below:

Pursuant to SMC 25.05.360, the Director of the Seattle Department of Construction and Inspections (SDCI) has determined that the referenced proposal (~~is likely to~~) could have probable significant adverse impacts under the State Environmental Policy Act (SEPA) on 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.

An Addendum was prepared (dated September 14, 2017). The Addendum has not been modified since that date.

The September 14, 2017 Addendum along with the proposed plans and other project documents are available and may be reviewed at SDCI's electronic library at <http://web6.seattle.gov/dpd/edms/> (enter record number 3018037-LU).

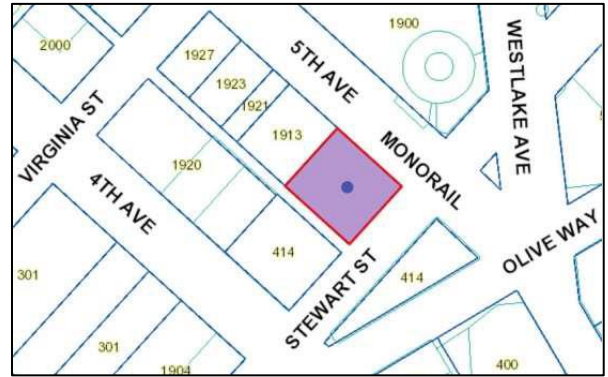
The documents are also available for review at the SDCI Public Resource Center, 700 5th Avenue, Suite 2000. The Public Resource Center is open 8:00 a.m. to 4:00 p.m. on Monday, Wednesday, Friday and 10:30 a.m. to 4:00 p.m. on Tuesday and Thursday.

WRITTEN COMMENTS

Written comments on the Addendum and checklist may be submitted to SDCI through **August 19, 2019**. Comments may be emailed to prc@seattle.gov or mailed to:

Seattle Department of Construction and Inspections
Attn: PRC
700 5th Avenue, Suite 2000
PO Box 34019
Seattle, Washington 98124-4019

Please include the record number, project address and a return address with your comment. All comments will be posted to our electronic library.



The top of this image is north.
This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in SDs files will control.

XX

If you wish to file written comments and/or receive a notice of the decision, please return this completed form with any written comments you have to: Department of Construction & Inspections, 700 Fifth Ave., Suite 2000, P.O. Box 34019, Seattle, WA 98124-4019 or e-mail PRC@seattle.gov

Project: #3018037-LU Crystal Torrez, (206) 684-5887 Floor SMT 19

Name: _____

Address: _____

_____ Zip: _____

Email Address: _____

Comment: _____
