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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 5th Avenue, Project 3018037

NO. MUP-19-031 (DD, DR, S, SU,W)

APPELLANT’S WITNESS AND
EXHIBIT LIST

Appellant Escala Owners Association hereby submits its witness and exhibit list for the above-captioned appeal.

I. WITNESS LIST

Appellant may call the following witnesses to testify at the appeal hearing. The general subject matter of their expected testimony is noted below.

1. John Sosnowy is a resident of Escala who may testify as a lay witness to provide background and context for Appellant’s exhibits (including photographs and videos) and may tesfify about the impacts of the Altitude Proposal on the alley, Escala alley operations and use, and his involvement in and knowledge about the City of Seattle’s research process concerning alley impacts. Mr. Sosnowy may also testify about changes and new information about environmental impacts that have occurred since the programmatic FEIS was published in 2005 for the “Downtown Seattle Height

1 and Density Changes.” Appellant anticipates that Mr. Sosnowy’s direct testimony may take
2 approximately 30 minutes.

3 2. Ross Tilghman is a transportation planner and owner of the Tilghman Group. Mr.
4 Tilghman will testify as an expert witness about the traffic, transportation, loading berth, and public
5 facility (alley) issues that are presented in appellant’s Notice of Appeal. The Curriculum Vitae of
6 Ross Tilghman is included as an exhibit on the exhibit list below. Appellant anticipates that Mr.
7 Tilghman’s direct testimony may take approximately 90 minutes.

8 3. Megan Kruse may testify as a lay witness to provide background and context for some
9 of Appellant’s exhibits and may provide testimony concerning alley impacts caused by the Altitude
10 Proposal, her involvement in and knowledge about research and data that exists concerning alley
11 impacts, and her knowledge about efforts by the City of Seattle and others to assess and address issues
12 that are presented by impacts to alleys. Ms. Kruse may also testify about changes and new information
13 about environmental impacts that have occurred since the programmatic FEIS was published in 2005
14 for the “Downtown Seattle Height and Density Changes.” Appellant anticipates that Ms. Kruse’s
15 direct testimony may take approximately 90 minutes.

16 4. Ken Erickson, owner of Dauntless Security, supervised dockmaster operations and
17 reporting of the use of the Escala loading berths in the alley at issue in this matter. Mr. Erickson may
18 provide testimony as a lay witness concerning alley impacts, the existing conditions in the alley, and
19 current issues associated with use of the alley that inform the assesement of impacts of the Altitude
20 Proposal. Appellant anticipates that Mr. Erickson’s direct testimony may take approximately 30
21 minutes.

22 5. Frank Rose is a former downtown driver, truck deliveries router, and Freight Board
23 member who works at Western Peterbilt LLC. He may provide testimony either as a lay witness or
24

1 expert witness concerning impacts that the Altitude Proposal will have on the alley, particularly related
2 to his knowledge about trucks, downtown deliveries, and truck drivers. Appellant anticipates that Mr.
3 Rose's direct testimony may take approximately 30 minutes.

4
5 6. Peter Steinbrueck is an architect, owner of Steinbrueck Urban Strategies, and past
6 Seattle City Council member with particular knowledge about the history of City of Seattle land use
7 policy. Mr. Steinbrueck will testify as a lay witness or an expert witness about changes and new
8 information about environmental impacts of the Altitude Proposal that have occurred since the
9 programmatic FEIS was published in 2005 for the "Downtown Seattle Height and Density Changes."
10 Mr. Steinbrueck may also testify as an expert witness on design issues associated with the alley
11 impacts of the Altitude Proposal. Appellant anticipates that Mr. Steinbrueck's direct testimony may
12 take approximately 30 minutes.

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14 7. Mike McCoy is a resident of Escala who may testify as a lay witness to provide context
15 and authenticate certain photographs and measurements that are being relied on as exhibits. Appellant
16 anticipates that Mr. McCoy's direct testimony may take approximately 5 minutes.

17 Appellant reserves the right to call any witness identified by any other party, to call additional
18 rebuttal witnesses, to call additional witnesses to the extent that it is allowed by the City of Seattle
19 Hearing Examiner Rules, and to call substitute witnesses if any of the witnesses identified above
20 become unavailable.

21 22 II. EXHIBIT LIST

23 Appellant identifies the following exhibits it may use at the hearing in this matter:

- 24 1. Curriculum Vitae of Ross Tilghman.
25 2. Analysis and Decision of the Director of SDCI (Oct. 10, 2019).
26 3. DEIS for Downtown Height and Density Changes (Nov. 2003).

- 1 4. FEIS for Downtown Height and Density Changes (Jan. 2005).
- 2 5. Addendum to the FEIS for Downtown Height and Density Changes EIS (Sep. 14,
- 3 2017).
- 4 6. City of Seattle Freight Master Plan (Sep. 2016).
- 5 7. Seattle City Council Res 31706 (Sep. 2016).
- 6 8. City of Seattle Comprehensive Plan (Seattle 2035) (2019)
- 7 <https://www.seattle.gov/opcd/ongoing-initiatives/comprehensive-plan#projectdocuments>
- 8 9. Notice of Revised Application, Adoption of FEIS, Addendum (Sep. 14, 2017)
- 9 10. Notice of Availability of SEPA Addendum (Nov. 18, 2019)
- 10 11. Revised Notice of Availability of Addendum (Aug. 5, 2019)
- 11 12. Alley Photographs.
- 12 13. Turning Movement Analysis (Dec. 2019).
- 13 14. Escala Loading Berth Graphic
- 14 15. Birds Eye View Google graphics
- 15 16. Center City Connector website excerpt.
- 16 17. City of Seattle Major Truck Streets Map.
- 17 18. SDOT Alley Congestion Response to Statement of Legislative Intent 56-1-A-1.
- 18 19. Seattle City Council Statement of Legislative Intent 56-1-A-1.
- 19 20. Alley Infrastructure Inventory and Occupancy Study 2018, UW Supply Chain
- 20 Transportation & Logistics Center.
- 21 21. Commercial Vehicle Parking in Downtown Seattle: Insights on the Battle for the Curb,
- 22 Journal of the Transportation Research Board (2019).
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- 1 22. Developing Design Guidelines for Commercial Vehicle Envelopes on Urban Streets,
2 Int. J. Transp. Dev. Integr., Vol. 3, No. 2 (2019).
- 3 23. Cracking the Freight Data Nut (Oct. 17, 2019).
- 4 24. Alley, Loading Berth, & Solid Waste Standards Escala (Aug. 5, 2019).
- 5 25. Alley, Loading Berth, & Solid Waste Standards DSA (July 11, 2019).
- 6 26. The Final 50 Feet of the Urban Goods Delivery System: Tracking Curb Use in Seattle
7 (Jan. 2019).
- 8 27. From the Last Mile to the Last 800 Ft.
- 9 28. Heffron 2018 Downtown Off-Street Parking Study (Jan. 15, 2019).
- 10 29. Bicycle and Pedestrian Safety Analysis (Sep. 30, 2016).
- 11 30. Transportation Correction Response (Sept. 10, 2019)
- 12 31. Letter from David Markley, TSI, to Second Avenue: Union Street to Lenora Street,
13 Condominium Owners (Mar. 9, 2016).
- 14 32. Letter from Ross Tilghman to Michael Dorcy (Sep. 26, 2017).
- 15 33. Memo from Ross Tilghman to John Shaw, SDCI (Sep. 12, 2019).
- 16 34. Letter from Claudia Newman, Bricklin & Newman, to SDCI (Aug. 8, 2019).
- 17 35. Letter from Claudia Newman, Bricklin & Newman, to SDCI (Oct. 23, 2017).
- 18 36. Letter from Claudia Newman, Bricklin & Newman, to SDCI (Sep. 27, 2017).
- 19 37. Letter from Claudia Newman, Bricklin & Newman, to Michael Dorcy, SDCI (Oct. 5,
20 2016).
- 21 38. Letter from Claudia Newman, Bricklin & Newman, to Michael Dorcy, SDCI (Apr. 15,
22 2016).
- 23 2016).
- 24 2016).
- 25 2016).
- 26 2016).

- 1 39. Letter from Claudia Newman, Bricklin & Newman, to Michael Dorcy, SDCI (Dec. 3,
2 2015).
- 3 40. Letter from Megan Kruse to Crystal Torres, PRC (Apr. 8, 2019).
- 4 41. Letter from Megan Kruse to Shelley Bolser, SDCI (May 18, 2018).
- 5 42. Letter from Escala Condominium to Crystal Torres (June 21, 2019).
- 6 43. Letter from Escala Condominium to Shelley Bolser (Oct. 24, 2018).
- 7 44. Letter from Escala Condominium to Shelley Bolser (Jan. 28, 2019).
- 8 45. Sosnowy Comments on 1st DRB Rec Meeting (Aug. 15, 2016).
- 9 46. Escala Comments (Apr. 14, 2016).
- 10 47. Escala Comments on EIS Addendum (Sep. 26, 2017).
- 11 48. Sosnowy Comments on EIS ReNotice of Addendum (Aug. 14, 2019).
- 12 49. TNC Quarterly Numbers from SDOT.
- 13 50. Cordon Data Collection for Trucks and Cars Summary.
- 14 51. SDCI Correction Letter for Project 3031140.
- 15 52. EDG Power Point (Sep. 29, 2015).
- 16 53. EDG Power Point (Dec. 15, 2015).
- 17 54. DRB Recommendation Meeting Power Point (Aug. 16, 2016)
- 18 55. Early Design Guidance Report (Dec. 16, 2014) (1st Report).
- 19 56. Early Design Guidance Report (Sep. 29, 2015) (2nd Report).
- 20 57. Early Design Guidance Report (Dec. 15, 2015) (3rd Report).
- 21 58. Recommendation of the DRB (Aug. 16, 2016).
- 22 59. Addendum to DRB Recommendation (Aug. 16, 2016).
- 23 60. Draft Loading Dock Management Plan 1903-5th Avenue (Sep. 6, 2019).
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- 1 61. 2018 SDOT Traffic Report
- 2 62. 2019 SDOT Traffic Report
- 3 63. SDCI Zoning Review Comments, email from Naomi Mason to Ted Caloger dated
- 4 May 1, 2019.
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- 6 64. Heffron Memorandum (Apr. 5, 2019)
- 7 65. Heffron Memorandum (May 8, 2019)
- 8 66. Range of Vehicle Types Graphic
- 9 67. Tilghman Steinbrueck Alley Code Letter (Aug. 31, 2017).
- 10 68. 2012 Seattle Traffic Flow Map.
- 11 69. 2018 Seattle Traffic Flow Map.
- 12 70. Cumulative Impact Diagram.
- 13 71. Universal Turn Radius Diagrams
- 14 72. Impediments to Alley Circulation.
- 15 73. Trucks Using Loading Bays.
- 16 74. Virginia St. Tower Cluster
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- 18 75. Curb Allocation Change Project UW Urban Freight Lab (June 14, 2019).
- 19 76. City of Seattle Ordinance 122054 (2006) excerpts.
- 20 77. City of Seattle Ordinance 22235 (2006) excerpts.
- 21 78. Rodriguez Residential Parcel Deliveries Abstract.
- 22 79. SDOT Parking Map.
- 23 80. Heffron Memorandum on Tommie (Jan. 17, 2019).
- 24 81. Tommie Correction letter (March 22, 2019).
- 25 82. Tommie Letter with Heffron Memorandum (Dec. 20, 2019).
- 26

- 1 83. Tommie SEPA Transportation (Feb. 2019).
- 2 84. Truck Turning Diagrams for SU-30.
- 3 85. Contractor Vehicles Parking at 5th/Stewart.
- 4 86. Escala Loading Experience (Dec. 2019).
- 5 87. Curriculum Vitae of Peter Steinbrueck.
- 6 88. All documents that are listed on the City of Seattle Dept. of Construction and
- 7 Inspections Permit and Property Records website (the project portal) for the Altitude Proposal that is
- 8 being appealed. (Screenshot showing all of the documents was printed on January 14, 2020).
- 9
- 10 89. City of Seattle Design Review Guidelines for Downtown Development.
- 11 90. City of Seattle Design Review Guidelines for Belltown Urban Center Village.
- 12 91. Are Cities' Delivery Spaces in the Right Places.
- 13 92. Center City Connector, Seattle Streetcar (Sep. 9, 2019).
- 14 93. Final 50 Feet Executive Summary.
- 15 94. Final 50 Feet Overview.
- 16 95. First-of-its-kind study to analyze truck traffic in Seattle downtown core (2018-11-01).
- 17 96. List of Vendors.
- 18 97. MetroFreight Residential Parcel Deliveries (March 2017).
- 19 98. One Center City Action Plan.
- 20 99. Seattle Excerpt from new ITE Curbside Management.
- 21 100. The New Automobility (July 25, 2018).
- 22 101. Fifth and Virginia TIA (Oct. 2016).
- 23 102. Portland BOT Reasearch Report (Dec. 2019)
- 24 103. Alley Encroachments Graphic
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- 1 104. Chart of Escala Vehicles Parking in Alley
- 2 105. Escala Loading Log Data
- 3 106. Escala Loading Berth Usage
- 4 107. Escala Loading Experience (Dec. 2019)
- 5 108. U Haul 15' Truck Test Graphics
- 6 109. List of Garage Vehicle Height Limits
- 7 110. Photographs of Existing Parking, Trucks, and Loading Mechanisms
- 8 111. Downtown Seattle Pedestrian count data and mapping at the following link:
- 9
- 10 [https://public.tableau.com/views/SDOTDowntownSeattlePedestrianCounts/PedestrianCount](https://public.tableau.com/views/SDOTDowntownSeattlePedestrianCounts/PedestrianCounts?embed=y&:showVizHome=no&:display_count=y&:display_static_image=y&:bootstrap)
- 11 [s?:embed=y&:showVizHome=no&:display_count=y&:display_static_image=y&:bootstrap](https://public.tableau.com/views/SDOTDowntownSeattlePedestrianCounts/PedestrianCounts?embed=y&:showVizHome=no&:display_count=y&:display_static_image=y&:bootstrap)
- 12 [WhenNotified=true](https://public.tableau.com/views/SDOTDowntownSeattlePedestrianCounts/PedestrianCounts?embed=y&:showVizHome=no&:display_count=y&:display_static_image=y&:bootstrap)
- 13
- 14 112. 2018 Traffic Flow count data at the following link:
- 15 <https://data-seattlecitygis.opendata.arcgis.com/datasets/2018-traffic-flow-counts>
- 16 113. 2018 Traffic Volume – Flow Count mapping at the following link:
- 17 [https://www.arcgis.com/home/webmap/viewer.html?panel=gallery&suggestField=true&url=](https://www.arcgis.com/home/webmap/viewer.html?panel=gallery&suggestField=true&url=https%3A%2F%2Fgisdata.seattle.gov%2Fserver%2Frest%2Fservices%2FSDOT%2FSDOT)
- 18 [https%3A%2F%2Fgisdata.seattle.gov%2Fserver%2Frest%2Fservices%2FSDOT%2FSDOT](https://www.arcgis.com/home/webmap/viewer.html?panel=gallery&suggestField=true&url=https%3A%2F%2Fgisdata.seattle.gov%2Fserver%2Frest%2Fservices%2FSDOT%2FSDOT)
- 19 [Traffic Volume%2FMapServer%2F11](https://www.arcgis.com/home/webmap/viewer.html?panel=gallery&suggestField=true&url=https%3A%2F%2Fgisdata.seattle.gov%2Fserver%2Frest%2Fservices%2FSDOT%2FSDOT)
- 20
- 21 114. Seattle Parking Map information at the following link:
- 22 <http://web6.seattle.gov/SDOT/seattleparkingmap/>
- 23 115. SDOT maps and data at the following link:
- 24 [https://www.seattle.gov/transportation/projects-and-programs/programs/parking-](https://www.seattle.gov/transportation/projects-and-programs/programs/parking-program/maps-and-data)
- 25 [program/maps-and-data](https://www.seattle.gov/transportation/projects-and-programs/programs/parking-program/maps-and-data)
- 26 116. ROW Traffic Control Base Map Tool at the following link:

1 <https://seattlecitygis.maps.arcgis.com/apps/webappviewer/index.html?id=222bec6f9d0d43fd>
2 [a51bc731c70cd41f](#)

3 In addition to the exhibits identified above, appellant reserves the right to introduce exhibits
4 identified by any other party, to introduce additional exhibits as allowed by the City of Seattle Hearing
5 Examiner Rules, and to introduce additional exhibits during cross-examination or rebuttal.
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7 Dated this 14th day of January, 2020.

8 Respectfully submitted,

9 BRICKLIN & NEWMAN, LLP

10
11 By:



12 Claudia M. Newman, WSBA No. 24928
13 Attorneys for Escala Owners Association
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