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BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeal of:)	Hearing Examiner File:
)	
ESCALA OWNERS ASSOCIATION,)	MUP -19-031 (DD, DR, S, SU, W)
)	
Appellants.)	
)	DEPARTMENT OF CONSTRUCTION
from a decision issued by the Director, Seattle)	AND INSPECTIONS' FINAL WITNESS
Department of Construction and Inspections)	AND EXHIBIT LIST
)	

The Seattle Department of Construction and Inspections (“Department” or “SDCI”) submits the following witness and exhibit list in the present appeal.

I. WITNESS LIST

The Department may call the following witnesses in this matter:

- Shelley Bolser, SDCI Land Use Planning Supervisor.** Ms. Bolser may testify regarding issues related to the proposal associated with Project No. 3018037-LU for the mixed-use development at 1903 5th Avenue (hereafter “Project”) and the SDCI review process under State Environmental Policy Act (“SEPA”) for this project and the substantive SEPA analysis, including lay and expert testimony. Ms. Bolser may testify regarding the application of the criteria of RCW 43.21C.500(1)(a) and (b) to the Project. Ms. Bolser may respond to testimony offered by Appellant relating to the SEPA process

1 and SEPA analysis for the Project. SDCI estimates Ms. Bolser’s direct testimony may
2 take approximately 60 minutes.

3 2. **John Shaw, SDCI Senior Transportation Planner.** Mr. Shaw may testify regarding
4 transportation issues relating to the Project, including but not limited to application of the
5 criteria of RCW 43.21C.500(1)(a) and (b) to the Project; SEPA review of the Project as it
6 relates to transportation; and the transportation review of the design and operation of the
7 Project including but not limited to loading, access, and deliveries including lay and
8 expert testimony. Mr. Shaw may also testify about the Project’s compliance with
9 development standards, including but not limited to those relating to access and loading.
10 Mr. Shaw may respond to testimony offered by Appellant Escala Owners Association
11 (“Appellant”) relating to transportation. Respondent SDCI estimates Mr. Shaw’s direct
12 testimony may take approximately 60 minutes.

13 3. **Crystal Torres, SDCI Senior Planner.** Ms. Torres may testify about the Design Review
14 process and the Project’s consistency with the Design Review Guidelines; SEPA review of
15 the Project as it relates to the Project design including lay and expert testimony. Ms.
16 Torres may respond to testimony offered by Appellant relating to the Design Review
17 process and Guidelines. SDCI anticipates that Ms. Torres’ direct testimony may take
18 approximately 30 minutes.

19 4. **Lindsay King, SDCI Senior Planner.** Ms. King may testify about the interpretation
20 request made by Appellant challenging SDCI’s construction and application of provision in
21 SMC 23.54.035 for Project No. 3018037 for this Project, SDCI’s interpretation process and
22 the interpretation determination (Land Use Code Interpretation No. 19-004, SDCI
23 Interpretation), including lay and expert testimony. Ms. King may respond to testimony

1 offered by Appellant relating to the SDCI Interpretation. SDCI anticipates that Ms.
2 King's direct testimony may take approximately 45 minutes.

3 **5. Trevor Partap, SDOT Transportation Planner.** Mr. Partap may testify regarding
4 transportation issues relating to the Project including transportation review of the design
5 and operation of the Project including but not limited to loading, access, and deliveries
6 including lay and expert testimony. Mr. Partap may also testify about the Project's
7 compliance with development standards, including but not limited to those relating to
8 access and loading. Mr. Partap may respond to testimony offered by Appellant relating
9 to transportation including loading, deliveries and access. Respondent SDCI estimates
10 Mr. Partap's direct testimony may take approximately 30 minutes.

11 Respondent SDCI reserves the right to call any witness identified by any other party, to call
12 additional rebuttal witnesses, to call additional witnesses to the extent that it is allowed by the City
13 of Seattle hearing Examiner Rules, and to call substitute witnesses if any of the witnesses identified
14 above become unavailable.

15 **II. EXHIBIT LIST**

- 16 1. Resume of Shelley Bolser.
- 17 2. Resume of John Shaw.
- 18 3. Resume of Crystal Torres.
- 19 4. Resume of Lindsay King.
- 20 5. Resume of Trevor Partap.
- 21 6. All exhibits identified on Appellant's or Applicant's exhibit lists. Exhibits listed by
22 Appellant or City.
- 23 7. Rebuttal exhibits that address Appellant's testimony or evidence.

1 The Department reserves the right to submit additional exhibits for purposes of rebuttal or
2 impeachment and to submit additional exhibits to the extent allowed by the Hearing Examiner
3 Rules.

4 DATED this 21st day of January 2020.

5 PETER S. HOLMES
6 Seattle City Attorney

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16 *Seattle Department of Construction & Inspections*

1 **CERTIFICATE OF SERVICE**

2 I certify that on this date, I electronically filed a copy of Respondent’s Final Witness and
3 Exhibit List with the Seattle Hearing Examiner using its e-filing system.

4 I also certify that on this date, a copy of the same document was sent via email to the
5 following parties listed below:

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15 DATED this 21st day of January 2020.

16 *s/Alicia Reise*
17 ALICIA REISE, Legal Assistant