

BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In Re: Appeal by

ESCALA OWNERS ASSOCIATION

Of Decisions Re Land Use Application
for 1933 5th Avenue, Project 3019699

Hearing Examiner File: MUP-20-012 (W)

CITY OF SEATTLE'S WITNESS AND
EXHIBIT LIST

The City of Seattle ("City") submits the following witness and exhibit list in the present appeal.

I. WITNESS LIST

The City may call the following witnesses in this matter:

1. **Shelley Bolser, SDCI Land Use Planning Supervisor.** Ms. Bolser may testify regarding issues raised in this appeal related to the proposal currently under appeal including the Department's Revised Decision and the associated environmental review.

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

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CITY OF SEATTLE'S WITNESS AND EXHIBIT LIST

- 1

Peter S. Holmes
Seattle City Attorney
701 5th Avenue, Suite 2050
Seattle, WA 98104-7095
(206) 684-8200

II. EXHIBIT LIST

1. Resume of Shelley Bolser.
2. Land Use Correction Notice #1 (June 28, 2018).
3. Addendum to the FEIS for the Downtown Height and Density Changes EIS prepared for 5th and Virginia Development (Updated EIS Addendum) (November 18, 2019).
4. Assessment of the Impact of the Douglaston Tower Construction on the Residents of the Escala Tower, Horacio O. de la Iglesia (February 27, 2020).
5. Impacts of the Proposed Douglaston Tower on the Circadian Daylight Resource for Escala Condominium Residents, CIRCA DIES LLC (February 2020).
6. Response to Addendum to FEIS, Horacio O. de la Iglesia (March 3, 2020).
7. Response to Addendum to FEIS, CIRCA DIES LLC (March 4, 2020).
8. Public comment letter from John Sosnowy (March 5, 2020).
9. Public comment email from Stephen Roberts (December 3, 2019).
10. Public comment email from John Sosnowy (April 28, 2019).
11. Response to correction notice dated 1/8/2020 (February 18, 2020).
12. Response to Potech correction notice dated 5/27/2017 (February 18, 2020).
13. Response to Land Use Correction Notice #5 dated 7/31/2017 (February 18, 2020).
14. MUP Plan Set, Cycle 2.
15. MUP Plan Set, Cycle 3.
16. Public comment email from Dave Bricklin (March 5, 2020).
17. Public comment email from John Sosnowy (March 5, 2020).
18. Public comment letter from John Sosnowy (December 3, 2019).
19. Public comment email from Megan Kruse (April 23, 2010).

1 20. Email from Shelley Bolser responding to 4/28/2019 comment letter from John
2 Sosnowy (dated April 29, 2019).

3 21. Notice of Availability of SEPA Addendum (November 18, 2019).

4 22. Revised Analysis and Decision of the Director of SDCI for Project No. 3019699 (April
5 23, 2020).

6 23. Notice of SDCI Director's Revised Analysis and Decision (April 23, 2020).

7 24. Hearing Examiner Order on Motion to Dismiss and for Summary Judgment (May 2,
8 2018).

9 25. Preliminary Zoning Opinion Letter (February 12, 2020).

10 26. Public comment letter from Joyce Rogers (November 22, 2019).

11 27. Land Use Correction Notice #5 (January 8, 2020).

12 28. Incentive Zoning Correction Notice #1 (March 25, 2020).

13 The City reserves the right to submit additional exhibits for purposes of rebuttal or
14 impeachment and to submit additional exhibits to the extent allowed by the Hearing Examiner
15 Rules.

16 DATED this 7th day of August 2020.

17 PETER S. HOLMES
18 Seattle City Attorney

19 By: *s/Elizabeth E. Anderson*, WSBA #34036
20 Assistant City Attorney
21 Seattle City Attorney's Office
22 701 Fifth Ave., Suite 2050
23 Seattle, WA 98104-7095
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 Email: liza.anderson@seattle.gov
 Attorneys for Respondent
 Seattle Department of Construction & Inspections

1 **CERTIFICATE OF SERVICE**

2 I certify that on this date, I electronically filed a copy of City of Seattle's 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:

6 Claudia M. Newman
7 David Bricklin
8 Bricklin & Newman, LLP
9 1424 Fourth Avenue, Suite 500
10 Seattle, WA 98101
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12 Legal Assistants Peggy Cahill & Ann Bricklin
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15 *Attorneys for Appellant*

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Attorneys for Applicant

11 DATED this 7th day of August 2020.

12 *s/Alicia Reise*
13 ALICIA REISE, Legal Assistant

Shelley Bolser ACP, LEED AP

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Seattle, WA 98117
Phone: (206) 459-4107 (cell)
E-mail: skbolser@gmail.com

Work Experience

City of Seattle Department of Construction and Inspections (Nov 2005 – present) Seattle, WA

Land Use Planning Supervisor (Land Use Planner IV) (May 2014-present):

- Create and edit written technical documents related to land use and urban design including:
 - SEPA Environmental Impact Studies and Addenda
 - Rezone evaluations and recommendations
 - Design review meeting summaries
 - Master Use Permit decisions
 - Permit tracking software (Accela and Hansen)
 - Other reference and review documents for Land Use Planning
- Create and deliver presentations to the Hearing Examiner, Design Review Boards, Land Use Planners, the development community, at professional conferences, and to the community
- Review and edit draft legislation related to the Land Use Code
- Coordinate with other departments on permits, Seattle Municipal Code updates, legislative actions, and appeals related to Master Use Permits
- Conduct public meetings for design review and environmental review
- Provide technical and process expertise to SDCI, other departments, applicants and public:
 - Environmental review (SEPA, Addendum, EIS, and related technical studies)
 - Environmentally critical areas
 - Design review (training; process; drafting and reviewing new Design Review Guidelines and Land Use Code changes)
 - Land Use actions such as variances, rezones, and conditional use permits
- Supervise a team of planners:
 - Day to day management, schedules, project assignments, performance evaluations
 - Hiring and training of new planners
- Resolve controversial or complex land use and environmental issues associated with urban development proposals
- Race and Social Justice SDCI Workforce Equity Committee (Committee Chair 2007-present; SDCI Change Team member 2011-2013)

Senior Land Use Planner (2008- 2014); Land Use Planner (2005-2008):

- Coordinated with other City Departments on design guidelines and Code requirements
- Conducted public meetings for design review and environmental review
- Coordinated with Design Commission for projects with public benefit components
- Provided technical review, technical expertise, and project management of Master Use Permits for Design Review and other land use decisions:
 - Environmental review (SEPA/EIS, Environmentally Critical Areas, technical studies)
 - Design review (training, process, and work related to any Code changes)
 - Land Use actions such as variances, rezones, and conditional use permits
 - Green building (LEED, Living Building Pilot projects, Deep Green)
- Public outreach, including responses to public and media inquiries

- Race and Social Justice DPD Workforce Equity and Public Outreach Committees Chair (2007-present) and Race and Social Justice DPD Change Team member (2010-2013)
- Provided guidance and training for Land Use Planners and Design Review Board members

Design Review Program Manager (out of class position 2011-2012):

- Provided policy and technical leadership on issues of architecture and urban design as well as land use and environmental regulations and policies
- Worked with City Council and the Mayor's office to appoint Board members and make improvements to the Design Review Program
- Conducted the annual DRB recruitment and appointments for 7 Design Review Boards (DRB) with 36 members: public outreach, training, coordination with City Council and Mayor
- Provided expert level leadership associated with politically sensitive, controversial and complex land use and environmental issues, particularly identification and resolution of architectural and urban design issues
- Advised the Principal Land Use Planner, management, Department Director, and City Council on issues of urban design and design review of proposed development

Urban Design and Planning Consultant (2005-2008) SK Bolser Consulting Seattle, WA

- Owned and operated consulting business assisting governmental entities and private interests with design review, land use planning review, long range planning, and feasibility studies
- Assisted with Comprehensive Plan updates for Mercer Island and Walla Walla
- Land use and zoning reviews for local jurisdictions (Mercer Island, Walla Walla, and Issaquah)
- Design review for local jurisdictions and master planned communities (Mercer Island, Issaquah)
- Feasibility studies and permit assistance for private development (Renton, Walla Walla)

Associate Planner (2004- 2005) City of Mercer Island Mercer Island, WA

- Presented staff reports to Design Commission and City Council
- Coordinated Design Commission meetings
- Reviewed designs for conformance with Code requirements (environmental review/SEPA, shoreline reviews, variances, subdivisions, conditional use permits)
- Conducted public outreach and worked with stakeholders on long range planning and Code changes
- Managed Mercer Island's affordable housing requirements: A Regional Coalition for Housing (ARCH), King County's Consortium of Cities, formation of North/East CDBG Subregion

Planning Internship (1999-2004) City of Kirkland Kirkland, WA

- Researched and assisted with Comprehensive Plan updates, environmental plans, economic development, urban design reports, and GIS research
- Wrote reports/responses to City Council and residents

Utility Person (1999- 2002) City of Kirkland Kirkland, WA

- Read and evaluated maps and plans; customer service; utility maintenance and installation (water system)

Maintenance Worker (1996-1999) City of Kent Kent, WA

- Community outreach programs; customer service; utility maintenance (sewer/stormwater)

Education

Master of Urban Planning and Certificate of Urban Design (2003)

University of Washington

Bachelor of Arts in Social Sciences (2002)

University of Washington

Water/Wastewater Treatment/Distribution/Collection Certificates (1996)

Green River College

Extracurricular

University of Washington Urban Planning and Design Professionals Council member