

Description	Minutes for MUP-20-026		
Date	1/26/2021	Location	LargeHearingRoom

Time	Speake	Note
9:03:23 AM		On the record. The Examiner opens the Hearing.
9:03:40 AM		Naomi E. Ruden is present for the Appellant
9:03:46 AM		Jessica Clawson and Rachel Mazur are present for the Applicant.
9:04:05 AM		Brandon Cummings is present for the Department.
9:04:20 AM		Examiner delivers preliminary remarks.
9:05:32 AM		Ruden requests clarification concerning exhibits production.
9:06:03 AM		Examiner responds.
9:06:37 AM		Clawson requests Applicant presentation preceeds the City's.
9:07:17 AM		Examiner swears-in Ruden.
9:07:40 AM		Ruden delivers Appellant opening statement.
9:11:08 AM		Ruden concludes opening statement.
9:11:16 AM		Ruden begins Appellant presentation and testimony.
9:12:57 AM		Ruden offers City of Seattle Analysis and Decision of the Director of the Seattle Department of Construction and Inspections - Project Number 3035728-LU (Appellant Exhibit 1), it is marked as Exhibit 1.
9:14:18 AM		Ruden offers SEPA Environmental Checklist - Prepared by Capitol Hill Housing (now known as Community Roots Housing) - Project Number 3035728-LU (Appellant Exhibit 2), it is marked as Exhibit 2.
9:21:46 AM		Ruden offers Community Roots Housing Design Recommendation Submittal - Project 3035728-LU (Appellant Exhibit 3), it is marked as Exhibit 3.
9:31:43 AM		Ruden offers Helen V and Neighboring Property Photos - from Google Maps (Appellant Exhibit 4), it is marked as Exhibit 4.
9:36:07 AM		Ruden offers King County Department of Assessments Property Tax Records - Parcel 2254501275 - Helen V Apartments (Appellant Exhibit 5), it is marked as Exhibit 5.
9:37:20 AM		Ruden offers Community Roots Housing Website - Helen V Building Information (Appellant Exhibit 6), it is marked as Exhibit 6.
9:39:06 AM		Ruden offers HUD Records, Portfolio of Active Section 8 Contracts, p. 860, Contracts #WA19L000040 (Appellant Exhibit 7), it is marked as Exhibit 7.
9:39:44 AM		Clawson objects; relevance.
9:39:51 AM		Ruden responds.
9:40:36 AM		Examiner responds. Overruled, but weighted.
9:41:12 AM		Ruden offers DON Seattle Historical Sites Survey - Parcel 2254501275 - Helen V Apartments (Appellant Exhibit 8), it is marked as Exhibit 8.

<u>9:42:29 AM</u>	Ruden offers National Archives Identifier 75611176, Washington MPS Seattle Apartment Buildings 1900-1957, National Register of Historic Places and National Historic Landmarks Program Records: Washington 1/1/1964-12/30/2013 (Appellant Exhibit 9), it is marked as Exhibit 9.
<u>9:45:13 AM</u>	Ruden offers HUD Records, Programmatic Agreement Between U.S. Department of Housing and Urban Development, the City of Seattle, the Washington State Department of Archaeology and Historic Preservation, and the Advisory Council for Historic Preservation for the Administration of Certain HUD-Funded Activities (Appellant Exhibit 10), it is marked as Exhibit 10.
<u>9:51:27 AM</u>	Ruden offers King County Document Code No.: LUD 16-1. Cultural Resources Procedures (Appellant Exhibit 11), it is marked as Exhibit 11.
<u>9:52:11 AM</u>	Clawson objects; relevance.
<u>9:52:22 AM</u>	Ruden responds.
<u>9:52:46 AM</u>	Examiner responds. Overruled, but weighted.
<u>10:06:47 AM</u>	Examiner provides clarifying instructions for the Appellant.
<u>10:16:05 AM</u>	Breaking until 10:31 a.m. Off the record.
<u>10:31:54 AM</u>	Ruden resumes presentation of evidence.
<u>10:32:26 AM</u>	Ruden offers In the Matter of the Appeals of Wallingford Community Council, et al., of the Adequacy of the FEIS Issued by the Director, Seattle Office Planning and Community Development. Hearing Examiner Files W-17-006 through W-17-014. Findings and Decision of the Hearing Examiner for the City of Seattle. (Appellant Exhibit 12), it is marked as Exhibit 12.
<u>10:34:08 AM</u>	Ruden offers City of Seattle Office of Planning and Community Development Mandatory Housing Affordability Final Environmental Impact Statement Historic Resources Addendum 2/7/2019. P. 1-36 (Appellant Exhibit 13), it is marked as Exhibit 13.
<u>10:38:15 AM</u>	Examiner provides further instructions for the Appellant.
<u>10:46:59 AM</u>	Ruden offers City of Seattle and Seattle Housing Authority Joint Assessment of Fair Housing 2017 Report. (a) Table of Contents, (b) II. Executive Summary p. 3-25, and (c) V. Fair Housing Analysis C. Publicly Supported Housing Analysis p. 246-327 (Appellant Exhibit 14), it is marked as Exhibit 14.
<u>10:55:01 AM</u>	Examiner admits all Appellant Exhibits to the record.
<u>10:55:32 AM</u>	Ruden responds to Examiner's enquiry regarding Exhibits she wishes to incorporate.
<u>10:56:00 AM</u>	Ruden offers Draft Construction Management Plan, including construction staging plan (Applicant Exhibit 5), it is marked as Exhibit 15 and admitted to the record.
<u>11:03:10 AM</u>	Ruden concludes the Appellant's presentation.
<u>11:03:25 AM</u>	Clawson begins cross-examination of Ruden.
<u>11:04:14 AM</u>	Clawson concludes cross-examination of Ruden.

11:04:24 AM	Cummings begins cross-examination of Ruden.
11:04:48 AM	Cummings concludes cross-examination of Ruden.
11:05:33 AM	Clawson calls William Silva as witness.
11:06:17 AM	Examiner swears-in Silva.
11:06:34 AM	Clawson begins direct examination of Silva.
11:07:26 AM	Clawson refers Silva to Resume of William P. Silva (Applicant Exhibit 4), it is marked as Exhibit 16.
11:08:43 AM	No objections to the admission of Exhibit 16. It is admitted to the record.
11:11:26 AM	Clawson refers Silva to Exhibit 15.
11:18:06 AM	Silva responds to Clawson's enquiries regarding ADA requirements.
11:18:45 AM	Silva responds to Clawson's enquiries regarding drainage.
11:22:09 AM	Silva provides testimony concerning hours of construction with respect to noise code.
11:24:23 AM	Silva responds to Clawson's enquiries regarding adverse construction impacts.
11:24:50 AM	Clawson concludes direct examination of Silva.
11:25:03 AM	Ruden begins cross examination of Silva.
11:25:20 AM	Silva responds to Ruden's enquiry regarding alternative routes to Union during construction.
11:28:11 AM	Ruden concludes cross examination of Silva.
11:28:14 AM	Clawson begins redirect of Silva.
11:28:53 AM	Silva responds to Clawson's enquiries regarding SDOT construction site pedestrian pathway requirements.
11:30:00 AM	Silva is dismissed.
11:30:10 AM	Clawson calls AP Hurd.
11:30:19 AM	Examiner swears-in Hurd.
11:30:36 AM	Clawson begins direct examination of Hurd.
11:31:58 AM	Clawson concludes direct examination of Hurd.
11:32:05 AM	Ruden waives cross-examination of Hurd.
11:32:49 AM	Cummings responds to Examiner's enquiry regarding witness order.
11:32:59 AM	Examiner swears-in Cummings.
11:33:10 AM	Cummings begins City presentation.
11:38:06 AM	Cummings offers SDCI Geocortex Map of Nearby Historic Landmarks and SEPA Scenic Routes (Department Exhibit 5), it is marked as Exhibit 17 and admitted to the record.
11:41:10 AM	Cummings begins testimony regarding the second appeal issue.
11:45:18 AM	Cummings concludes the Department's presentation.
11:45:24 AM	Ruden begins cross examination of Cummings.
11:46:12 AM	Examiner provides instructions to the Appellant.
11:49:08 AM	Ruden concludes cross examination of Cummings.
11:50:42 AM	Examiner enquires about closing statements.
11:50:59 AM	All parties agree to oral closing statements.

11:51:17 AM	Ruden delivers the Appellant's Closing Statement.
11:55:00 AM	Clawson delivers the Applicant's Closing Statement.
11:58:12 AM	Cummings delivers the Department's Closing Statement.
12:00:00 PM	Hearing adjourned.
12:00:27 PM	Off the record.