

<b>Description</b>	<p>Minutes for MUP-21-016, Day 3  Magnolia Community Council and Others  2500 W Marina Place  Wednesday, September 8, 2021</p> <p>Time: 9:00 a.m.  Examiner: Susan Drummond  Assistant: Galen Edlund-Cho</p> <p>Party Representatives:</p> <p>Pat Schneider, Counsel for Appellant</p> <p>Ted Coulson, for Appellant</p> <p>Courtney Kaylor, Counsel for Applicant</p> <p>Michael Houston, for Department</p>
<b>Date</b>	<div>9/21/2021</div> <div><b>Location</b></div> <div>LargeHearingRoom</div>

Time	Speake	Note
<a href="#">9:00:43 AM</a>		On the record. Schneider and Coulson present for Appellant. Kaylor present for Applicant. Houston present for Department.
<a href="#">9:01:50 AM</a>		Examiner informs parties of site visit.
<a href="#">9:02:27 AM</a>		Examiner clarifies ruling on Moehring testimony.
<a href="#">9:04:26 AM</a>		Examiner swears in Michael Houston.
<a href="#">9:04:35 AM</a>		Houston begins Department's direct testimony.
<a href="#">9:11:24 AM</a>		Houston concludes direct testimony.
<a href="#">9:11:33 AM</a>		Schneider begins cross examination of Houston.
<a href="#">9:11:49 AM</a>		Schneider refers Houston to Public Comments Moehring dated 10-2-19 (Appellant Exhibit 26), Exhibit 51.
<a href="#">9:20:54 AM</a>		Houston responds to Schneider's enquiries regarding SMC 25.09 and SMC 23.42.042.
<a href="#">9:24:12 AM</a>		Houston responds to Schneider's enquiries regarding ECA.
<a href="#">9:25:36 AM</a>		Schneider refers Houston to Renderings (Applicant Exhibit 12), Exhibit 68.
<a href="#">9:27:25 AM</a>		Houston responds to Houston's enquiry regarding Zoned Height Roofs rendering found in Renderings (Applicant Exhibit 12), Exhibit 68.
<a href="#">9:30:33 AM</a>		Schneider concludes cross examination of Houston.
<a href="#">9:30:49 AM</a>		Kaylor begins cross examination of Houston.
<a href="#">9:36:52 AM</a>		Kaylor refers Houston to photo titled View of Cruise Ship at Terminal 91.
<a href="#">9:37:51 AM</a>		Schneider objects; prior objection regarding illustrative exhibits.
<a href="#">9:38:07 AM</a>		Kaylor responds; rebuttal exhibit and exhibit not fabricated.
<a href="#">9:39:26 AM</a>		Schneider responds.
<a href="#">9:40:11 AM</a>		Examiner responds; will reserve ruling.
<a href="#">9:40:57 AM</a>		Houston responds to Kaylor's enquiries regarding photo titled View of Cruise Ship at Terminal 91.
<a href="#">9:44:23 AM</a>		Kaylor moves to admit View of Cruise Ship at Terminal 91, it is marked as Exhibit 71.
<a href="#">9:44:52 AM</a>		Schneider does not object.
<a href="#">9:46:05 AM</a>		Examiner admits View of Cruise Ship at Terminal 91, it is marked as Applicant Exhibit 13 and Exhibit 71.
<a href="#">9:46:40 AM</a>		Kaylor refers Houston to photo View from Columbia Tower.
<a href="#">9:46:59 AM</a>		Schneider objects; scope.
<a href="#">9:47:46 AM</a>		Kaylor responds; Houston testimony regarding lawn issue.
<a href="#">9:48:52 AM</a>		Schneider responds.
<a href="#">9:49:18 AM</a>		Kaylor responds.
<a href="#">9:49:32 AM</a>		Examiner responds; sustained.
<a href="#">9:51:05 AM</a>		Houston responds to Kaylor's enquiries regarding stairs and legal access.
<a href="#">9:51:38 AM</a>		Kaylor concludes cross examination of Houston.
<a href="#">9:51:47 AM</a>		Schneider begins recross examination of Houston.

<a href="#"><u>9:52:18 AM</u></a>		Houston responds to Schneider's enquiries regarding MUP approval process.
<a href="#"><u>9:55:08 AM</u></a>		Houston responds to Schneider's enquiries regarding proposed plantings.
<a href="#"><u>9:57:08 AM</u></a>		Schneider concludes recross examination of Houston.
<a href="#"><u>9:57:16 AM</u></a>		Kaylor begins recross examination of Houston.
<a href="#"><u>9:57:38 AM</u></a>		Houston responds to Kaylor's enquiries regarding proposed plantings and landscaping.
<a href="#"><u>9:57:58 AM</u></a>		Kaylor concludes recross examination of Houston.
<a href="#"><u>9:58:10 AM</u></a>		Houston calls Cristy Carr as witness.
<a href="#"><u>9:58:22 AM</u></a>		Examiner swears in Cristy Carr.
<a href="#"><u>9:58:34 AM</u></a>		Houston begins direct examination of Carr.
<a href="#"><u>10:01:20 AM</u></a>		Houston refers Carr to ECA Report Revised dated September 2020 (Department Exhibit 7), Exhibit 7.
<a href="#"><u>10:02:54 AM</u></a>		Carr responds to Houston's enquiries regarding ECA requirements.
<a href="#"><u>10:03:53 AM</u></a>		Houston concludes direct examination of Carr.
<a href="#"><u>10:04:03 AM</u></a>		Coulson begins cross examination of Carr.
<a href="#"><u>10:04:30 AM</u></a>		Coulson refers Carr to page 34 of Plan Set dated January 18, 2021 (Department Exhibit 4), Exhibit 4.
<a href="#"><u>10:08:57 AM</u></a>		Carr responds to Coulson's enquiries regarding tree topping.
<a href="#"><u>10:11:11 AM</u></a>		Carr responds to Coulson's enquiries regarding ECA Report Revised dated September 2020 (Department Exhibit 7), Exhibit 7 and Revegetation and Mitigation Planting Plan Addendum dated November 26, 2019 (Department Exhibit 17), Exhibit 17.
<a href="#"><u>10:12:52 AM</u></a>		Kaylor objects; asked and answered and scope.
<a href="#"><u>10:13:20 AM</u></a>		Coulson responds; laying foundation.
<a href="#"><u>10:13:29 AM</u></a>		Examiner responds; overruled.
<a href="#"><u>10:17:00 AM</u></a>		Carr responds to Coulson's enquiries regarding conditional use permit.
<a href="#"><u>10:17:20 AM</u></a>		Coulson refers Carr to page 11 of Plat Set dated January 18, 2021 (Department Exhibit 4), Exhibit 4.
<a href="#"><u>10:19:45 AM</u></a>		Kaylor objects; scope.
<a href="#"><u>10:19:59 AM</u></a>		Coulson responds.
<a href="#"><u>10:20:15 AM</u></a>		Examiner responds; overruled.
<a href="#"><u>10:21:19 AM</u></a>		Kaylor objects; asked and answered and scope.
<a href="#"><u>10:21:33 AM</u></a>		Coulson responds.
<a href="#"><u>10:21:42 AM</u></a>		Examiner responds; overruled.
<a href="#"><u>10:22:08 AM</u></a>		Carr responds to Coulson's enquiries regarding buffer trees and slope stability.
<a href="#"><u>10:25:46 AM</u></a>		Coulson reiterates enquiry regarding view impact.
<a href="#"><u>10:26:04 AM</u></a>		Carr responds.
<a href="#"><u>10:26:20 AM</u></a>		Coulson refers Carr to page 19 of Plat Set dated January 18, 2021 (Department Exhibit 4), Exhibit 4.
<a href="#"><u>10:30:59 AM</u></a>		Coulson concludes cross examination of Carr.

<a href="#">10:31:12 AM</a>	Kaylor begins cross examination of Carr.
<a href="#">10:35:23 AM</a>	Carr responds to Kaylor's enquiries regarding cultivars.
<a href="#">10:37:35 AM</a>	Kaylor concludes cross examination of Carr.
<a href="#">10:37:46 AM</a>	Coulson begins recross of Carr.
<a href="#">10:38:34 AM</a>	Carr responds to Coulson's enquiry regarding planting plan.
<a href="#">10:39:03 AM</a>	Kaylor objects.
<a href="#">10:39:17 AM</a>	Coulson responds; by rephrasing
<a href="#">10:39:32 AM</a>	Kaylor objects; asked and answered.
<a href="#">10:39:47 AM</a>	Examiner responds; overruled.
<a href="#">10:40:04 AM</a>	Carr responds to Coulson's enquiry regarding adverse impacts on views.
<a href="#">10:40:40 AM</a>	Examiner responds; sustained.
<a href="#">10:40:55 AM</a>	Coulson concludes recross examination of Carr.
<a href="#">10:43:20 AM</a>	Examiner reiterates agreement regarding closing arguments and briefing.
<a href="#">10:44:56 AM</a>	Mid morning break. Returning at 11:00 a.m.
<a href="#">11:00:42 AM</a>	On the record.
<a href="#">11:00:57 AM</a>	Coulson begins Appellant closing arguments.
<a href="#">11:15:23 AM</a>	Coulson concludes Appellant closing arguments.
<a href="#">11:15:33 AM</a>	Kaylor begins Applicant closing arguments.
<a href="#">11:29:14 AM</a>	Kaylor concludes Applicant closing arguments.
<a href="#">11:29:30 AM</a>	Houston begins Department closing arguments.
<a href="#">11:32:10 AM</a>	Houston concludes Department closing arguments.
<a href="#">11:32:21 AM</a>	Coulson continues Appellant closing arguments on rebuttal.
<a href="#">11:33:16 AM</a>	Coulson concludes Appellant closing arguments on rebuttal.
<a href="#">11:38:24 AM</a>	All parties agree to October 5, 2021, deadline for closing briefs.
<a href="#">11:39:21 AM</a>	All parties agree to page limits.
<a href="#">11:40:08 AM</a>	All parties agree to October 12, 2021, deadline for replies.
<a href="#">11:42:50 AM</a>	Coulson moves to admit Appellant Exhibits 27, 28, and 29.
<a href="#">11:43:05 AM</a>	Kaylor objects; scope and close of case.
<a href="#">11:43:36 AM</a>	Coulson responds.
<a href="#">11:43:52 AM</a>	Kaylor responds.
<a href="#">11:44:10 AM</a>	Examiner responds; sustained.
<a href="#">11:44:45 AM</a>	Hearing adjourned off the record.