

BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

In the Matter of the Appeal of:

Hearing Examiner File:

**W-21-007**

TreePAC Environmental Impact Review  
(TEIR) and Greenwood Exceptional  
Trees (GET) of the November 15, 2021  
Determination of Non-Significance by  
Brennon Staley, Office of Planning and  
Community Development (OPCD).

APPELLANTS' REQUEST FOR  
SUBPOENAS of CITY OF SEATTLE  
STAFF AND CONSULTANTS

**Subpoena of Mentioned Parties**

Pursuant to Hearing Examiner Rules HER 3.12 Subpoenas, Richard Ellison, Vice President of TreePAC and Chair of TreePAC Environmental Impact Review (TEIR) hereafter the 'Appellant', respectfully requests to subpoena identified herein. The objective is to provide testimony relative to City Core Document exhibits received and pending relative to Appellant Interrogatories 1 to 8. Following the City's response to Discovery requested this day, January 14, 2022, this request for a subpoena will the person's name and address, and relevance of that person's testimony, and demonstrates the reasonableness of the scope of the subpoena sought. This request may include from those listed within the subpoena for evidence to be produced if relevant to the matter of the subpoenaed to the issues on appeal and the reasonableness thereof.

It is assumed, unless objected to and sustained by the Deputy Hearing Examiner (hereafter "Examiner"), that Brennon Staley and Geoffrey Wentlandt of the Office of

1 Planning and Community Development, are already Parties to the appeal and they will be  
2 asked to testify without the need for a subpoena.

3 The Appellants reserve the right to withdraw one or more subpoenas if the Applicant or  
4 Department also intends on using any of these parties or entity representatives within  
5 their testimony.  
6

7 As TreePAC Environmental Impact Review (TEIR) are an Appellant *pro se*, we  
8 respectfully ask for the Office of Hearing Examiner to prepare several subpoenas relative  
9 to testimony and evidence in the case. Henceforth, the Appellant is requesting the  
10 subpoenas to the following individuals to testify and provide or review evidence for those  
11 materials that they have knowledge. This list will be formalized within two working days  
12 from the receipt of a response to our Interrogatory No 1 submitted this day.  
13

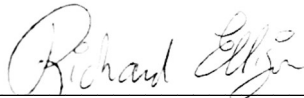
14 In addition, we request the subpoena of  
15

- 16 1. Director of the Seattle Office of Planning and Community Development, Seattle  
17 Municipal Tower at 700 Fifth Ave. Testify: The Director will be asked to clarify,  
18 as the Department's Director, the undocumented policy of using lot segregation  
19 practices to circumvent density limits and rowhouse development rules for this  
20 decision's Core Documents assumptions in contrast with SMC 23.84A.032(R),  
21 and other variances from the Subdivision requirements of Chapter 23.24, 23.45,  
22 23.53, and related code sections. Expected testimony duration of 45 minutes.  
23

24 By the rules of the Hearing Examiner, each of these subpoenas is for the purpose to require these  
25 persons to appear and testify at the hearing on February 28 through March 2, 2022. The  
26 Appellant will ask questions of each person relative to the adequacy of their assessment behind  
27  
28

1 the decisions made. These persons are necessary to establish the rightfulness and relevance of the  
2 Appellant's appeal.  
3  
4  
5

6 Signed this 14<sup>th</sup> day of January 2022 in Seattle, Washington.

7   
8

Richard Ellison, appellant rep pro se  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## Certificate of Service

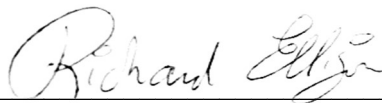
I, Richard Ellison, certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies, via e-mail, of the **Appellant's Request for Subpoenas** to the person listed below, in the matter of the Determination of Non-Significance issued by the Director, Office of Planning and Community Development, Hearing Examiner File No. W-21-007. I also certify that on this date, a copy of the same document was sent via email to the following parties:

Department:  
Geoffrey Wentlandt  
Office of Planning and Community Development  
Email: [geoffrey.wentlandt@seattle.gov](mailto:geoffrey.wentlandt@seattle.gov)

Department Legal Counsel:  
Daniel Mitchell  
Seattle City Attorney's Office  
Email: [daniel.mitchell@seattle.gov](mailto:daniel.mitchell@seattle.gov)

Co-Appellant:  
Ivy Durslag  
Greenwood Exceptional Trees  
512 N. 82nd Street Seattle, WA 98103  
Email: [ivyhaley@msn.com](mailto:ivyhaley@msn.com)

I declare under the penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct to the best of my knowledge and belief.  
Signed this 14<sup>th</sup> day of January 2022 in Seattle, Washington.



Richard Ellison, appellant rep pro se