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OFFICE OF
HEARING EXAMINER

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8 **BEFORE THE HEARING EXAMINER**
9 **FOR THE CITY OF SEATTLE**

10 In the Matter of the Appeals of

11 **AVALON BAY COMMUNITIES, INC.**
12 **THE RICHMARK COMPANY**

13 From a Determination of Nonsignificance issued
14 by the Director, Department of Planning and
15 Development.

Hearing Examiner File Nos.

W-13-005

W-13-006

STIPULATION STAYING APPEAL

16 **I. STIPULATION**

17 Appellants AvalonBay Communities and The Richmark Company and Respondent City
18 of Seattle, Department of Planning and Development, by and through their respective attorneys
19 of record, are engaged in settlement discussions related to this appeal. Although not a party to
20 this appeal, the Pike/Pine Urban Neighborhood Council ("PPUNC") is also an active participant
21 in these settlement discussions. The goal of the discussions is to develop revised Pike/Pine
22 Overlay regulations to present to City Council for consideration. The parties and PPUNC are
23 working expeditiously and in good faith, but it is difficult to predict how long this process will
24 take.
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MCCULLOUGH HILL LEARY, P.S.

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Seattle, WA 98104

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1 In light of the ongoing settlement discussions, the parties have agreed that this appeal
2 should be stayed until such time as the appeal can be dismissed, or until it appears that settlement
3 cannot be achieved and this appeal should proceed.

4 **II. ORDER**

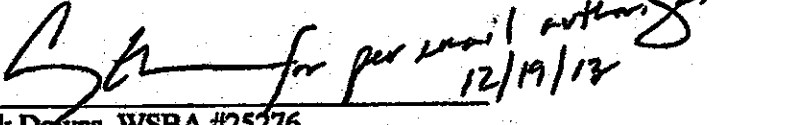
5 This matter having come before the Hearing Examiner on the parties' stipulation, it is
6 ORDERED that this matter shall be stayed until the parties notify the Hearing Examiner that
7 settlement discussions have ceased. If the parties determine a settlement will not occur they
8 shall, when notifying the Hearing Examiner of that result, present a revised stipulated hearing
9 schedule.
10

11
12 DATED this 19th day of December, 2013. *23rd day*

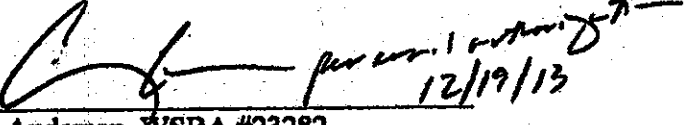
13
14 
15 Anne J. Watanabe
16 Seattle Deputy Hearing Examiner

17 Stipulation agreed to by:

18 PETER S. HOLMES
19 Seattle City Attorney

20
21 By  *for per email authorization 12/19/13*
22 Patrick Downs, WSBA #25276
23 Assistant City Attorney

24 STOEL RIVES LLP

25
26 By  *for per email authorization 12/19/13*
27 Erin L. Anderson, WSBA #23282
28 Ramona L. Monroe, WSBA #23752

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1 Attorneys for The Richmark Company

2 MCCULLOUGH HILL LEARY, PS

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By 

Courtney Flora, WSBA #29847

Attorneys for Appellant AvalonBay Communities

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**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies of the attached STIPULATION STAYING APPEAL to each person listed below, or on the attached mailing list, in the matter of Hearing Examiner File HEARING EXAMINER FILES W-13-005 AND W-13-006 in the manner indicated.

Party	Method of Service
Romona L. Monroe, rmonroe@stoel.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Dennis Meier, dennis.meier@seattle.gov	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input checked="" type="checkbox"/> Inter-office Mail <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Jack McCullough, jack@mhseattle.gov	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Courtney Flora, cflora@mhseattle.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger

Dated: December 23, 2013

Jody Sisson

Name: Jody Sisson
Title: Admin Spec II