1 2 3 4 5 6 7 8 BEFORE THE HEARING EXAMINER FOR THE CITY OF SEATTLE 9 In Re: Appeal by 11 12 13 14 15 16 17 18 19 11 12 13 5 14 15 16 17 18 19 14 15 15 16 17 18 19 10 11 12 13 14 15 15 16 17 18 19 10 11 12 13 14 1			
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5 6 7 BEFORE THE HEARING EXAMINER FOR THE CITY OF SEATTLE 9 In Re: Appeal by 11 SEATTLE MOBILITY COALITION from a Determination of Nonsignificance by the Seattle City Council Central Staff. 12 Hearing Examiner File: W-23-001 13 Appellant Seattle Mobility Coalition ("Appellant") submits the following list of witnesses and exhibits in the above-referenced appeal ("Appeal"). 16 I. WITNESS LIST 17 The following are witnesses that Appellant may call in this matter: 19 I. Richard Weinman, Owner, Weinman Consulting LLC. Mr. Weinman may testify 19 regarding the Determination of Nonsignificance ("DNS") issued for the 2023 Amendments to the Seattle 's ("City's") procedural and substantive State Environmental Policy Act ("SEPA") 10 seattle 's ("City's") procedural and substantive State Environmental Policy Act ("SEPA") 13 ompliance relating to the Proposal. The estimated time of Mr. Weinman's testimony is approximately 1.5 hour.	3		
6 7 BEFORE THE HEARING EXAMINER 8 FOR THE CITY OF SEATTLE 9 In Re: Appeal by Hearing Examiner File: W-23-001 11 SEATTLE MOBILITY COALITION from a Determination of Nonsignificance by the Seattle City Council Central Staff. Hearing Examiner File: W-23-001 12 from a Determination of Nonsignificance by the Seattle City Council Central Staff. Appellant's WITNESS AND EXHIBIT LIST 14 Appellant Seattle Mobility Coalition ("Appellant") submits the following list of witnesses and exhibits in the above-referenced appeal ("Appeal"). 16 I. WITNESS LIST 17 The following are witnesses that Appellant may call in this matter: 19 I. Richard Weinman, Owner, Weinman Consulting LLC. Mr. Weinman may testify 10 regarding the Determination of Nonsignificance ("DNS") issued for the 2023 Amendments to the 12 Seattle 's ("City's") procedural and substantive State Environmental Policy Act ("SEPA") 13 oppliance relating to the Proposal. The estimated time of Mr. Weinman's testimony is 14 approximately 1.5 hour.	4		
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8 FOR THE CITY OF SEATTLE 9 In Re: Appeal by 10 Hearing Examiner File: 11 SEATTLE MOBILITY COALITION 12 from a Determination of Nonsignificance by the 13 SEATTLE MOBILITY COALITION 14 Appellant Seattle Mobility Coalition ("Appellant") submits the following list of witnesses 15 and exhibits in the above-referenced appeal ("Appeal"). 16 I. WITNESS LIST 17 The following are witnesses that Appellant may call in this matter: 19 1. Richard Weinman, Owner, Weinman Consulting LLC. Mr. Weinman may testify 17 regarding the Determination of Nonsignificance ("DNS") issued for the 2023 Amendments to the 18 Seattle Comprehensive Plan Related to Transportation Impact Fees ("Proposal") and the City of 12 Seattle's ("City's") procedural and substantive State Environmental Policy Act ("SEPA") 13 compliance relating to the Proposal. The estimated time of Mr. Weinman's testimony is 14 approximately 1.5 hour.	7	BEFORE THE HEARING EXAMINER	
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14Appellant Seattle Mobility Coalition ("Appellant") submits the following list of witnesses15and exhibits in the above-referenced appeal ("Appeal").16I. WITNESS LIST17The following are witnesses that Appellant may call in this matter:191. Richard Weinman, Owner, Weinman Consulting LLC. Mr. Weinman may testify20regarding the Determination of Nonsignificance ("DNS") issued for the 2023 Amendments to the21Seattle Comprehensive Plan Related to Transportation Impact Fees ("Proposal") and the City of22Seattle's ("City's") procedural and substantive State Environmental Policy Act ("SEPA")23compliance relating to the Proposal. The estimated time of Mr. Weinman's testimony is25approximately 1.5 hour.			EXHIBIT LIST
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 compliance relating to the Proposal. The estimated time of Mr. Weinman's testimony is approximately 1.5 hour. 			
 approximately 1.5 hour. 26 27 		compliance relating to the Proposal. The estimated time of Mr. Weinman's testimony is	
26 27		approximately 1.5 hour.	
27			
	28		McCullough Hill Pllc
APPELLANT'S WITNESS AND EXHIBIT LIST - 1 701 Fifth Avenue, Suite 6600 Seattle, WA 98104 206.812.3388 206.812.3389 fax		APPELLANT'S WITNESS AND EXHIBIT LIST - 1	Seattle, WA 98104 206.812.3388

2. Morgan Shook, Senior Policy Advisor, ECONorthwest. Mr. Shook may testify regarding the DNS for the Proposal, the Proposal's impacts relating to housing and housing affordability and potential mitigation measures to address these impacts. The estimated time of Mr. Shook's testimony is approximately 1.5 hours.

3. Benjamin Maritz, Founder and President, Great Expectations LLC. Mr. Maritz may testify regarding the DNS for the Proposal, the Proposal's impacts relating to housing and housing affordability and potential mitigation measures to address these impacts. The estimated time of Mr. Maritz's testimony is approximately 1 hour.

4. Meredith Holzemer, Managing Director of Development, Mill Creek Residential. Ms. Holzemer may testify regarding the DNS for the Proposal, the Proposal's impacts relating to housing and housing affordability and potential mitigation measures to address these impacts. The estimated time of Ms. Holzemer's testimony is approximately 1 hour.

5.

Witnesses listed by any other party.

6. Witnesses in rebuttal to testimony or evidence introduced by any other party. If any of these witnesses becomes unavailable for hearing, the Appellant reserves the right to substitute with another witness with similar qualifications, expertise, or familiarity with the issues on review.

II. EXHIBIT LIST

The following are exhibits that Appellant may introduce in this matter:

Exhibit 1: Resume of Richard Weinman

Exhibit 2: Resume of Morgan Shook

Exhibit 3: Ben Maritz Bio

APPELLANT'S WITNESS AND EXHIBIT LIST - 2

MCCULLOUGH HILL PLLC

701 Fifth Avenue, Suite 6600 Seattle, WA 98104 206.812.3388 206.812.3389 fax Exhibit 4: Meredith Holzemer Bio

Exhibit 5: Determination of Non-significance (DNS) for 2023 Amendments to the Seattle Comprehensive Plan Related to Transportation Impact Fees and the Adoption of Existing Environmental Documents, dated February 13, 2023 Exhibit 6: Fehr & Peers' DRAFT Seattle Impact Fee Study, dated January 2023 Exhibit 7: SEPA Environmental Checklist, dated February 7, 2023 Exhibit 8: Draft Comprehensive Plan Amendments Legislation, dated February 2023 Exhibit 9: Draft Map of Proposed Projects, dated February 2023 Exhibit 10: Seattle Mobility Coalition DNS Comment Letter, dated February 27, 2023 Exhibit 11: Seattle for Everyone Transportation Impact Fees Comment Letter, dated March 16, 2023 Exhibit 12: Excerpts from Draft Environmental Impact Statement for the Seattle Comprehensive Plan Update, dated May 4, 2015 **Exhibit 13:** Excerpts from Final Environmental Impact Statement for the Seattle Comprehensive Plan Update, dated May 5, 2016 Exhibit 14: Order on Motion for Reconsideration in Hearing Examiner File W-18-013, dated October 24, 2019 Exhibit 15: Amended Findings and Decision of the Hearing Examiner for the City of Seattle in Hearing Examiner File W-18-013, dated October 24, 2019 Exhibit 16: Impact Fee Housing Impacts, Analysis of Seattle Proposal for Transportation Impact Fees on Housing Production, August 11, 2021, ECONorthwest.

> <u>MCCULLOUGH HILL PLLC</u> 701 Fifth Avenue, Suite 6600 Seattle, WA 98104 206.812.3388 206.812.3389 fax

APPELLANT'S WITNESS AND EXHIBIT LIST - 3

Exhibit 17: Comparison of 2019-2020 TIF Base Rates in 74 Cities and 5 Counties in Western Washington, dated November 2019 Exhibit 18: Email thread between C. Hall and B. Staley re: Development Impact Fees, dated December 19, 2019 Exhibit 19: Email thread between B. Staley and B. LaBorde re: Impact Fee meeting with MO, dated December 19, 2019 Exhibit 20: Email thread between K. Freeman and C. Chow re: Impact fees deliberative with attachment Impact Fee Review Estimate Model, dated March 13, 2020 **Exhibit 21:** Email from K. Freeman to P. Dawson re: Deliberative – Transportation Impact Fees, dated July 7, 2020 Exhibit 22: Email thread between K. Freeman, L. Herbold, A. Clardy, N. Aldrich, and C. Chow re: Impact Fees – Deliberative, dated July 10, 2020 Exhibit 23: Memorandum on Transportation Funding and Revenue Sources, dated August 19, 2022 **Exhibit 24:** Email thread between K. Freeman and A. Clardy re: Deliberative – RE: Transportation Benefit District Impact Fee Study – Consultant Contract, dated September 8,2022 Exhibit 25: Presentation – Deliberative Process: Impact Fees – Current Posture and Potential Future Council Action, dated September 21, 2022 Exhibit 26: Email thread between R. Dacany, B. Staley, J. Valencia, and J. Lewis re: Transportation Impact Fees – 6/2021 Rate Study – FOLLOW UP, dated October 26, 2022

APPELLANT'S WITNESS AND EXHIBIT LIST - 4

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Exhibit 27: Requested E-Team Pipeline Briefing regarding Impact Fees, dated November 11, 2022 Exhibit 28: Email thread between M. Hubner, G. Wentlandt, R. Quirindongo, and J. Kelly re: Draft Impact Fee eTeam Briefing memo, dated November 15, 2022 **Exhibit 29:** Presentation – Impact Fees – E-Team Discussion, dated November 16, 2022 Exhibit 30: Email thread between B. Noble, D. Juarez, and C. Sachs re: Funding public infrastructure in Seattle, dated November 15, 2022 Exhibit 31: Email thread between B. Staley and C. Parker re: Impact Fees Discussion – Please Help!, dated November 15, 2022 Exhibit 32: Email thread between K. Freeman, N. Aldrich, and C. Chow re: Deliberative: Transportation Impact fees, dated December 2, 2022 Exhibit 33: Email from K. Freeman to L. Herbold, C. Chow, and N. Aldrich re: Deliberative – Transportation Impact Fee Rate study, dated January 11, 2023 Exhibit 34: Calendar Invitation and Email from K. Freeman to C. Chow, L. Whiston, Y. Ho, L. Anderson, E. Handy, and A. Pennucci re: Deliberative - Transpo Impact Fees and SEPA, dated January 20, 2023 **Exhibit 35:** Email thread between L. Whitson and C. Chow re: Deliberative – Transportation Impact Fee SEPA Work, dated January 31, 2023 Exhibit 36: Email thread between C. Chow, K. Freeman, and L. Whitson re: Deliberative - TIF SEPA Checklist, dated February 6, 2023 Exhibit 37: Draft SEPA Environmental Checklist (version Impact Fees 2023 – SEPA Checklist – Draft v.1a), dated February 2023

APPELLANT'S WITNESS AND EXHIBIT LIST - 5

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1	Exhibit 38: Draft SEPA Environmental Checklist (version Impact Fees 2023 – SEPA		
2	Checklist – Draft) with L. Whitson edits and comments, dated February 2023		
3	Exhibit 39: Presentation – Transportation Impact Fees – 2023 Comprehensive Plan		
4 5	Amendments		
6	Exhibit 40: Email thread between J. Kelly and C. Parker re: Impact Fees, dated February		
7	21, 2023		
8	Exhibit 41: Email thread between G. Wentlandt, M. Podowski, G. Clowers, N.		
9	Torgelson, and C. Postlewait re: Transpo Impact Fees, dated February 21, 2023		
10	Exhibit 42: Pages from Appendix A to the Accessory Dwelling Units Final		
11 12	Environmental Impact Statement, October 4, 2018.		
13	Appellant reserves the right to offer exhibits listed by any other party. Appellant reserves		
14	the right to supplement this exhibit list. Appellant reserves the right to offer other exhibits in		
15	rebuttal.		
16	DATED this 11th day of August 2023.		
17 18	s/Courtney A. Kaylor, WSBA #27519		
19	s/David Carpman, WSBA #54753 McCULLOUGH HILL PLLC		
20	701 Fifth Avenue, Suite 6600 Seattle, WA 98104		
21	Tel: 206-812-3388 Fax: 206-812-3398		
22	Email: courtney@mhseattle.com Email: dcarpman@mhseattle.com		
23	Attorneys for Appellant		
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28	APPELLANT'S WITNESS AND EXHIBIT LIST - 6 APPELLANT'S WITNESS AND EXHIBIT LIST - 6 MCCULLOUGH HILL PLLC 701 Fifth Avenue, Suite 6600 Seattle, WA 98104 206.812.3388 206.812.3389 fax		