

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

**NOTICE OF APPEAL HEARING
Hearing Examiner File: MUP-14-017(DD,W)**

On Tuesday, January 6, 2015 beginning at 1:30 p.m., the City Hearing Examiner will hold a public hearing at the Office of Hearing Examiner, Room 4000, 700 Fifth Avenue (Seattle Municipal Tower, 40th Floor), Seattle Washington, to consider the following matter:

The appeal of SEATTLE COMMITTEE TO SAVE SCHOOLS from a decision by the Director, Department of Planning and Development, regarding a Land Use Application to allow a three-story 89,000 square foot structure in an environmentally critical area at 3701 SW 104th STREET (Arbor Heights Elementary School).

The authority for the hearing and the jurisdiction of the Hearing Examiner are derived from Seattle Municipal Codes 23.76 and 25.05, and the hearing will be conducted in accordance with procedures for hearing contested cases in Chapter 3.02 of the Seattle Municipal Code and the Hearing Examiner Rules. The hearing is open to the public, but only persons qualifying as parties or called by the parties as witnesses will have the opportunity to testify.

Consistent with applicable rules, the parties will each have an opportunity at the hearing to offer testimony and to present witnesses and other evidence that they believe supports their view. To be admitted, evidence must be relevant, come from a reliable source, and have some value toward proving the point of the party who offers it. If a party intends to refer to any exhibits (documents, photographs, etc.) at the hearing, the party must bring copies of the exhibits for the other parties and for the Hearing Examiner.

DATE OF NOTICE: November 14, 2014

Office of Hearing Examiner
P.O. Box 94729
Seattle, Washington 98124-4729
Telephone: (206) 684-0521
Fax: (206) 684-0536



November 14, 2014

**IMPORTANT
 APPEAL INFORMATION**

The Department of Planning and Development decision regarding PROJECT #3016830, (11530 12th Ave NE [Pinehurst Elementary]) has been appealed by SEATTLE COMMITTEE TO SAVE SCHOOLS. An appeal hearing on this matter (**HEARING EXAMINER FILE MUP-14-017(DD,W)**), is scheduled for Tuesday, January 6, 2015, beginning at 1:30 p.m., in the Office of Hearing Examiner, Suite 4000, on the 40th Floor of the Seattle Municipal Tower, 700 5th Avenue. This hearing is open to the public, but only the parties to the appeal and persons called as witnesses will have an opportunity to testify.

Prior to hearing, the parties are encouraged to acquaint themselves with the hearing process and the issues being appealed. The Hearing Examiner can base a decision only on the facts presented at hearing, in light of what the City's laws require or allow. You need to be prepared to present information that supports your view. The Office of Hearing Examiner has a booklet entitled "**Public Guide to Appeals and Hearings Before the Hearing Examiner**" that explains the hearing process and provides helpful information and suggestions for those participating in hearings. Please contact the Office or visit our website to get this booklet and to get the **Hearing Examiner Rules**, which govern the conduct of hearings. The Hearing Examiner website is www.seattle.gov/examiner/.

When a party writes to the Hearing Examiner requesting something, (these requests are also called "motions"), it is important that the other parties comment in writing to the Hearing Examiner. If the Hearing Examiner does not receive a response from the other parties within 7 days of the date the Examiner receives the motion, it can be assumed that they agree with the request. (The Public Guide explains this and other procedural items.)

Whenever you write to the Hearing Examiner about the appeal, you must also send a copy of that correspondence to each of the other parties. Party representatives in this matter are:

<u>Appellant</u>	<u>Applicant</u>	<u>Department</u>
Chris Jackins, Coordinator	G. Richard Hill	Holly Godard
Seattle Cmte to Save Schools	McCullough Hill Leary	DPD
P.O. Box 84063.	701 Fifth Ave, Ste. 6600	P.O. Box 34019
Seattle, WA 98124	Seattle, WA 98104	Seattle, WA 98124-4019

Please contact this Office (684-0521) if you have any questions regarding the appeal process.

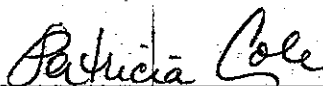
**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

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 NOTICE OF HEARING AND IMPORTANT APPEAL INFORMATION LETTER, to each person listed below, or on the attached mailing list, in the matter of SEATTLE COMMITTEE TO SAVE SCHOOLS, HEARING EXAMINER File MUP-14-017(DD,W), in the manner indicated.

Party	Method of Service
Chris Jackins, Coordinator Seattle Committee to Save Schools P.O. Box 84063 Seattle, WA 98124	<input checked="" type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input type="checkbox"/> E-mail <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Seattle School District c/o G. Richard Hill McCullough Hill Leary P.S. 701 5 th Avenue, Suite 6600 Seattle, WA 98104 <u>rich@mhseattle.com</u> Laura Counley <u>laura@mhseattle.com</u>	<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
Holly Godard DPD <u>holly.godard@seattle.gov</u>	<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: November 14, 2014


 Name: Patricia A. Cole
 Title: Executive Assistant