

1 SEATTLE HEARING EXAMINER

2
3 In the Matter of the Appeal by
4 QUEEN ANNE COMMUNITY COUNCIL
5 From a determination of non-significance
6 issued by the Office of Planning and
Community Development

Hearing Examiner File
No. W-16-004

APPELLANT'S LIST OF PROPOSED
WITNESSES AND EXHIBITS

7
8 The appellant identifies the witnesses and exhibits listed below:

9 Witnesses

10 1. Martin Henry Kaplan,

11 Mr. Kaplan is a Seattle Architect and the chair of the Land Use Committee of the
12 Queen Anne Community Council. Mr. Kaplan will testify on Appellant's interests
13 in bringing the appeal, on land use and housings impacts of the proposal, and on
14 incompleteness of the City's responses to questions on the Environmental
Checklist.

15 By way of background, as an architect Mr. Kaplan received his Bachelor of
16 Architecture degree in 1972 from the University of Washington and since 1980
17 has practiced architecture in the Seattle area, in Washington, and throughout the
18 western US. His professional resume is included within the listed exhibits. In
19 addition to his architectural practice, Mr. Kaplan has served on boards and
20 commissions including the Seattle Planning Commission from 2005-2012 and
helped author the current Backyard Cottage legislation and regulations. Among
21 others, he participated as a stakeholder during the South Lake Union EIS
22 process and currently serves as a stakeholder on the Uptown Urban Design
23 Framework study and just released EIS.

24 2. William Reid,

25 Mr. Reid is an economist by education, background, training and work. His
resume is included within the listed exhibits. Mr. Reid would be called to testify
regarding the proposal's direct, indirect, and cumulative impacts upon land use,
housing, infrastructure and existing and estimated populations and the adequacy
of the responses to the Environmental Checklist on those topics.

1 3. Sou Souvanny,

2 Ms. Souvanny is a land use and economic development consultant with the
3 international firm of Cardno, which has offices around the world, including Seattle
4 and Portland. Her resume is included within the exhibits. Ms Souvanny will be
5 called to testify regarding the proposal's direct, indirect and cumulative impacts
6 upon land use, housing, infrastructure and existing and estimated populations
7 and the adequacy of the responses to the Environmental Checklist on those
8 topics. She will also testify on the proposal's impact upon lower cost owner-
9 occupied housing and its impacted populations.

10 4. Thomas Marshall,

11 Mr. Marshall is a Seattle architect with over 35 years of experience in
12 architecture. He received his Bachelor and Masters degrees in architecture from
13 Syracuse University and has been an Assistant Professor of Architecture at
14 Kansas State University. His resume is included within the exhibits. Mr. Marshall
15 will be called to testify as to the proposal's impacts upon housing, urban design,
16 neighborhood character, and aesthetics.

17 5. Gregory Hill,

18 Mr. Hill is a Seattle architect and a resident of the Wallingford neighborhood. Mr.
19 Hill has a degree in Architecture from the University of Washington, has spent
20 much of his professional career designing residential housing in the Seattle area.
21 Over his career, he has been very active in land use issues in Seattle and
22 particularly within the Wallingford community. His resume is included within the
23 exhibits. He will be called to testify on the proposals impact's upon land use,
24 housing, neighborhood character, aesthetics and demographics.

25 6. Toby Thaler,

Mr. Thaler is an attorney in Washington State, admitted to bar 1978. He has
extensive practice and expertise in SEPA. He has been active in land use
planning in Fremont since the early 1980s. He has served on the Fremont
Neighborhood Council (FNC) team that negotiated zoning issues with DLCU and
other interested parties in the mid 1980s. He has served (including as co-chair)
on Fremont Urban Neighborhood Coalition that developed mid-1990s plan for
Fremont neighborhood (adopted as a component of City Comprehensive Plan).
He isa long-time board member of FNC, and for the past few years has served
as the chair of its land use committee. He has direct experience with accessory
dwelling units (ADU), lives in single-family house with ADU, is familiar with
detached ADUs in vicinity, is familiar with construction and impacts of tear-down
and replacement of single-family housing and the impacts of "backyard" houses
and infill development in residential zones. Mr. Thaler will be called to testify

1 regarding the impacts of the proposed legislation upon land use, housing,
2 aesthetics, neighborhood character and populations.

3 7. Nicolas Welch,

4 Mr. Welch is the identified author of the Environmental Checklist and will be
5 called to testify regarding his responses to the Checklist questions, the scope of
6 his review and consideration given to the elements of the environmental
7 potentially impacted by the proposal.

8 8. Geoff Wentland,

9 Mr. Wentland is the author of the DNS and will be called to testify regarding the
10 basis for his determination.

11 9. Any witness listed by any other party.

12 10. Any additional witnesses necessary to rebut those offered by the City or any
13 other party.

14 Exhibits

15 1. Environmental Checklist

16 2. Director's Report; Removing Barriers to Backyard Cottages

17 3. Determination of Non-Significance

18 4. Notice of Appeal

19 5. Resume, Martin Henry Kaplan

20 6. Resume, William Reid

21 7. Resume, Sou Souvanny

22 8. Resume, Gregory Hill

23 9. Resume, Thomas R. Marshall

24 10. Illustrations of building designs with before and after implementation of
25 challenged amendments, prepared by Thomas Marshall (by agreement between
parties to be provided by noon on August 22, 2016)

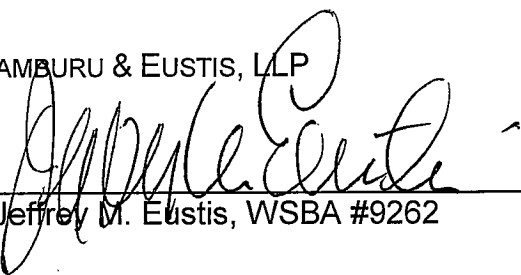
11. Determination of Significance for Mandatory Housing Affordability (offer of proof)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

12. Proposed scope for EIS for Mandatory Housing Affordability (offer of proof)

Appellant reserves the right to offer any exhibit listed by any other party and to supplement this list with exhibits necessary to rebut or refute exhibits offered by the City or any other party.

Dated this 18th day of August, 2016.

ARAMBURU & EUSTIS, LLP
By 
Jeffrey M. Eustis, WSBA #9262

DECLARATION OF SERVICE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

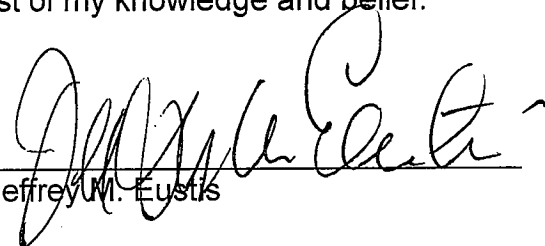
I am a partner in the law offices of Aramburu & Eustis, LLP, over eighteen years of age and competent to be a witness herein. On the date below, I served copies of the foregoing document upon parties of record, addressed as follows:

Nick Welch
City of Seattle Office of Planning and Community Development
Nicolas.Welch@seattle.gov
 first class postage prepaid,
 email facsimile
 hand delivery / messenger

Geoff Wentlandt
City of Seattle Office of Planning and Community Development
Geoff.Wentlandt@seattle.gov
 first class postage prepaid,
 email facsimile
 hand delivery / messenger

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

DATED: August 18, 2016.



Jeffrey M. Eustis