

**Description**

Monday March 6, 2017

Minutes

MUP-16-024 (ECAV)

SCI# 3021625

Scott Francis

1706 Alki Ave SW

Time: 9:00 AM

Examiner: Anne Watanabe

Assistant: Tiffany Ku

Party Representatives:

Scott Francis, Appellant

1710 Alki Ave SW

Seattle, WA 98116

Katie Kendall, for Applicant

McCullough Hill Leary, P.S.

701 5th Ave, Suite 6600

Seattle, WA 98104

Daniel Mitchell, for Department SDCI

Assistant City Attorney

701 5th Ave, Suite 2050

Seattle, WA 98104

**Date**

3/6/2017

**Location**

Large Hearing Room

<u>Time</u>	<u>Speaker</u>	<u>Note</u>
<a href="#">8:59:36 AM</a>		Examiner opens hearing. Parties are introduced.
<a href="#">9:06:18 AM</a>		Respondent's Notice of Objections is discussed.
<a href="#">9:14:32 AM</a>		Appellant, Scott Francis begins open statement.
<a href="#">9:18:18 AM</a>		City and Department waive opening statements.
<a href="#">9:18:27 AM</a>		Scott Francis is sworn in and begins testimony.
<a href="#">9:25:00 AM</a>		Objection by Katie Kendall for Applicant, relevance. Francis continues.
<a href="#">9:29:18 AM</a>		Objection by Kendall, relevance. Francis responds.
<a href="#">9:29:58 AM</a>		Examiner responds.
<a href="#">9:36:05 AM</a>		Objection by Kendall, relevance to ECAV. Francis continues.
<a href="#">9:45:09 AM</a>		Francis concludes.
<a href="#">9:45:14 AM</a>		Kendall begins cross examination of Francis.
<a href="#">9:47:47 AM</a>		Kendall concludes. No questions of Department.
<a href="#">9:48:17 AM</a>		Applicant presentation. Kendall calls David Neiman as witness and he is sworn in.
<a href="#">9:48:39 AM</a>		Kendall begins direct examination of Neiman and offers Exhibit 13, Resume of David Neiman.
<a href="#">9:51:17 AM</a>		Kendall offers Exhibit 3, Aerial photo of project site.
<a href="#">9:53:03 AM</a>		Exhibit 13 and 3 are admitted.
<a href="#">9:53:13 AM</a>		Kendall offers Exhibit 4, Final MUP Application.
<a href="#">10:00:27 AM</a>		Kendall offers Exhibits 1 and 2.
<a href="#">10:01:02 AM</a>		All exhibits are admitted.
<a href="#">10:03:38 AM</a>		Kendall offers Exhibit 11, Plat map of Alki Beach Addition.
<a href="#">10:17:39 AM</a>		Kendall concludes and Exhibit 11 is admitted.
<a href="#">10:18:09 AM</a>		Francis begins cross examination of Neiman.
<a href="#">10:23:08 AM</a>		Objection by Kendall, outside scope of testimony.
<a href="#">10:31:09 AM</a>		Francis concludes. Kendall on redirect.
<a href="#">10:32:23 AM</a>		Kendall calls James Strange as witness and he is sworn in.
<a href="#">10:32:59 AM</a>		Kendall begins direct examination of Strange and offers Exhibit 14, Resume of James Strange.
<a href="#">10:34:49 AM</a>		Kendall offers Exhibits 6 - 9, 14 all admitted.
<a href="#">10:44:53 AM</a>		Kendall concludes.
<a href="#">10:44:59 AM</a>		Francis begins cross examination of Strange.
<a href="#">10:45:19 AM</a>		Objection by Kendall.
<a href="#">10:56:56 AM</a>		Francis concludes. Kendall on redirect.
<a href="#">10:57:46 AM</a>		15 minute break.
<a href="#">11:10:11 AM</a>		Back on the record.
<a href="#">11:12:00 AM</a>		Daniel Mitchell for Department, calls Carly Guillory as witness and she is sworn in. Mitchell begins direct examination.
<a href="#">11:13:57 AM</a>		Mitchell offers Department Exhibit 12 and it is admitted.
<a href="#">11:17:08 AM</a>		Mitchell offers Department Exhibit 24, 28, 34. All admitted.
<a href="#">11:20:54 AM</a>		Mitchell concludes.
<a href="#">11:21:14 AM</a>		Kendall asks question of Guillory. Francis begins cross examination of Guillory.

<a href="#">11:22:59 AM</a>	Objection by Mitchell. Francis continues.
<a href="#">11:28:41 AM</a>	Objection by Mitchell, asked and answered.
<a href="#">11:35:52 AM</a>	Examiner provides clarification.
<a href="#">11:37:45 AM</a>	Francis concludes. Examiner asks question of Guillory.
<a href="#">11:40:51 AM</a>	Mitchell on redirect.
<a href="#">11:42:17 AM</a>	Kendall on cross examination of Guillory.
<a href="#">11:44:47 AM</a>	Kendall concludes. Francis on recross.
<a href="#">11:50:55 AM</a>	Francis concludes.
<a href="#">11:51:39 AM</a>	Mitchell calls Rob McIntosh and he is sworn in.
<a href="#">11:52:06 AM</a>	Mitchell begins direct examination of McIntosh.
<a href="#">11:56:03 AM</a>	Mitchell concludes. Kendall asks question of McIntosh.
<a href="#">11:56:23 AM</a>	Francis on cross examination on McIntosh.
<a href="#">12:02:46 PM</a>	Francis concludes.
<a href="#">12:04:08 PM</a>	Examiner will grant Applicant's Notice of Objection.
<a href="#">12:08:55 PM</a>	Appellant will provide exhibits in accordance to the Notice of Objection.
<a href="#">12:09:05 PM</a>	Francis provides closing statement.
<a href="#">12:12:07 PM</a>	Kendall provides closing statement.
<a href="#">12:16:04 PM</a>	Mitchell provides closing statement.
<a href="#">12:17:21 PM</a>	Hearing is adjourned.