

**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

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OFFICE OF  
HEARING EXAMINER

In the Matter of the Appeals of

**LIVABLE PHINNEY**

From a Decision and Interpretation by  
the Director, Seattle Department of  
Construction and Inspections

) **Hearing Examiner Files:**  
) **MUP-17-009 (DR, W)**  
)  
)

Department References:  
Decision 3020114,  
Interpretation No. 17-002

) **SDCI List of Witnesses and Exhibits**  
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As requested by the Hearing Examiner in the Prehearing Order of March 14, 2017, the Seattle Department of Construction and Inspections (SDCI) provides the following final list of exhibits and witnesses. SDCI reserves the right to call additional witnesses and submit additional exhibits at hearing in rebuttal to testimony or other evidence offered by the appellant. Copies of the exhibits, except for Land Use Code sections referenced, have been provided to the appellants' representatives.

The Department lists the following exhibits:

NO.	DOCUMENT	DATE
1.	Interpretation 17-002	3/30/2017
2.	Previous version of 23.47A.014.B.3	9/3/2015
3.	Final Design Review Board Final Recommendation Report Version 2	9/26/2016
4.	Director's Report and Recommendations for the 2015 Omnibus Ordinance	4/28/2015
5.	Neighborhood and Commercial Areas Land-Use Policies, Draft 1, p. 97	12/1/1981
6.	Clerestory Definition per SMC 23.84A.006	4/1/2017

SDCI List of Exhibits and Witnesses

NO.	DOCUMENT	DATE
7.	SMC 23.47A.012	4/1/17
8.	Sheets A3.01, A3.03, A3.04, Project # 3020114	2/20/2017
9.	Shadow Diagram, Sheet G0.02B, Project # 3020114	2.20/2017
10.	Definition of "property," per Webster's New Collegiate Dictionary	6/1/1975
11.	Sheet A3.22, Building Section, Project #3020114	2/20/2017
12.	Mezzanine Definition per Building Code 505.2	6/1/2015
13.	Interior Space Dimension per Building Code 1208.2	6/1/2015
14.	Frequent Transit Service Definition per SMC 23.84A.038	4/1/2017
15.	Metro Bus Schedules	3/11/17
16.	Sheet A1.00, Project #3020114	2/20/2017
17.	Findings and Decision of the Hearing Examiner for the City of Seattle, MUP-14-022 (W)	4/15/2015
18.	Sheet A1.2, Project #3026592	4/14/2017
19.	City of Seattle Analysis and Decision of the Director of the Department of Construction and Inspections (Project Number 3020114)	1/23/2017
20.	SEPA Checklist for Project 3010114	11/1/2016
21.	Environmental assessments, Riley Group, Inc.: Phase 1 ESA, Phase 11 ESA, Memorandum	3/26/2015; 5/23/2016;10/28/2016
22.	Traffic Impact Analysis, Gibson Traffic Consultants; Correction Notice response, GTC	11/2015; 6/24/2016

SDCI List of Exhibits and Witnesses

NO.	DOCUMENT	DATE
23.	Design Review proposal packets for two EDG meetings and two Recommendation meetings, and SDCI meeting reports	10/19/2015; 1/11/, 8/1, and 9/26/2016
24.	Plan sets, correction notices and applicant responses	Various
25.	Application materials, public notices, comments; all materials in SDCI project file for 3010114	Various


The Department lists the following witnesses:


1. Michael Dorcy, Senior Land Use Planner, will testify regarding the Design Review Board's review and recommendations of the applicant's proposal and the Director's analysis and decision on application #3020114.
2. David G. Graves, Senior Land Use Planner, will testify regarding the facts and analysis of Interpretation No. 17-002
3. John G. Shaw, Senior Transportation Planner, will testify regarding the facts and analyses of Traffic and parking analyses prepared for the proposal.

The Department analyzed the following Seattle Municipal Code Sections for the Interpretation:

- 23.84A.002
- 23.84A.032
- 23.84A.036
- 23.42.030.A
- 23.47A.032.B.4

Entered this 25<sup>th</sup> day of April, 2017.

  
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Michael Dorcy, Senior Land Use Planner  
Seattle Department of Construction and Inspections

  
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David Graves, Senior Land Use Planner  
Seattle Department of Construction and Inspections

DECLARATION OF SERVICE

I am a Land Use Planner employed by the City of Seattle, Department of Construction and Inspections, over eighteen years of age and competent to be a witness herein. On the date below, I served copies of the foregoing document via email upon parties of record, addressed as follows:

Jeffrey M. Eustis  
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Attorney for the Appellants

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Assistant City Attorney

David Graves  
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Department of Construction and Inspections

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: April 25, 2017

  
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Michael M. Dorcy  
Department of Construction and Inspections