

**Description**

Minutes  
May 2, 2017  
MUP-17-009 (DR, W)  
SCI# 3020114  
6726 Greenwood Ave N

Time: 9:00 AM  
Examiner: Ryan Vancil  
Assistant: Tiffany Ku

**Party Representatives:**

Jeff Eustis, for Appellant Livable Phinney  
Aramburu & Eustis, LLP  
720 Third Ave, Suite 2000  
Seattle, WA 98104

Jessica Clawson and Katie Kendall, for Applicant Johnson & Carr, Inc.  
McCullough Hill Leary, P.S.  
701 Fifth Ave, Suite 6600  
Seattle, WA 98104

Michael Dorcy and David Graves, for Department  
SDCI

**Date**

5/2/2017

**Location**

Large Hearing Room

<u>Time</u>	<u>Speaker</u>	<u>Note</u>
<a href="#">9:02:45 AM</a>		Examiner opens hearing and parties are introduced.
<a href="#">9:20:45 AM</a>		Jeff Eustis for Appellant Livable Phinney begins opening statement.
<a href="#">9:27:08 AM</a>		Eustis concludes. No opening from Applicant and City.
<a href="#">9:27:28 AM</a>		Eustis calls Andrew Brick as witness and he is sworn in. Eustis begins direct examination of Brick.
<a href="#">9:36:44 AM</a>		Eustis offers Appellant Exhibits 27-28, and they are admitted. Eustis concludes direct examination.
<a href="#">9:37:08 AM</a>		Michael Dorcy, for SDCl on cross examination of Brick.
<a href="#">9:37:33 AM</a>		Jessica Clawson for Applicant on cross examination of Brick.
<a href="#">9:47:31 AM</a>		Objection by Eustis, beyond scope. Clawson responds.
<a href="#">9:48:08 AM</a>		Objection sustained.
<a href="#">9:48:17 AM</a>		Clawson concludes.
<a href="#">9:48:29 AM</a>		Eustis on redirect.
<a href="#">9:50:54 AM</a>		Objection by Clawson, asked and answered. Objection sustained.
<a href="#">9:52:34 AM</a>		Eustis concludes. Eustis calls Dr. Roberto Altschul as witness.
<a href="#">9:52:59 AM</a>		Altschul is sworn in. Eustis begins direct examination.
<a href="#">9:57:57 AM</a>		Eustis offers Exhibit 20 and it is admitted.
<a href="#">10:23:05 AM</a>		Eustis concludes. Dorcy on cross examination.
<a href="#">10:25:13 AM</a>		Dorcy concludes. Clawson begins cross examination of Altschul.
<a href="#">10:32:06 AM</a>		Clawson concludes. Eustis on redirect.
<a href="#">10:32:48 AM</a>		Eustis concludes. Break.
<a href="#">10:50:44 AM</a>		Back on the record.
<a href="#">10:50:56 AM</a>		Eustis offers Exhibits 18-19 and they are admitted. Eustis calls Dave Crippen as witness and he is sworn in.
<a href="#">10:51:21 AM</a>		Eustis begins direct examination of Crippen.
<a href="#">10:57:38 AM</a>		Eustis offers Exhibit 26 and it is admitted.
<a href="#">11:48:37 AM</a>		Objection by Clawson, cumulative impacts not part of appeal.
<a href="#">11:52:38 AM</a>		Examiner will allow question.
<a href="#">12:01:27 PM</a>		Eustis offer Exhibits 1, 5, 25, 34, 35, 43 and they are admitted.
<a href="#">12:02:59 PM</a>		Eustis concludes.
<a href="#">12:03:05 PM</a>		Examiner asks question of Crippen.
<a href="#">12:06:31 PM</a>		Dorcy asks question of Crippen.
<a href="#">12:08:23 PM</a>		Clawson begins cross examination of Crippen.
<a href="#">12:37:36 PM</a>		Clawson concludes. Eustis on redirect.
<a href="#">12:39:38 PM</a>		Objection by Clawson.
<a href="#">12:39:59 PM</a>		Objection by Clawson, lack of foundation.
<a href="#">12:44:24 PM</a>		Eustis concludes. Lunch break.
<a href="#">2:01:06 PM</a>		Back on the record.
<a href="#">2:01:41 PM</a>		Eustis calls Elizabeth Johnson as witness and she is sworn in. Eustis begins direct examination of Johnson.
<a href="#">2:20:00 PM</a>		Eustis offers Exhibit 44.
<a href="#">2:32:42 PM</a>		Eustis concludes direct examination. No questions of City and Appellant.

<a href="#">2:33:09 PM</a>	Eustis offers Applicant Exhibits 45-46. Exhibits 44-46 are admitted.
<a href="#">2:35:25 PM</a>	Eustis calls Marcel Bodsky as witness and he is sworn in.
<a href="#">2:52:22 PM</a>	Eustis offers Exhibits 21-24 and they are admitted.
<a href="#">2:52:41 PM</a>	Eustis concludes. Clawson begins cross examination of Bodsky.
<a href="#">2:53:46 PM</a>	Clawson concludes. Examiner ask questions of Bodsky.
<a href="#">2:59:08 PM</a>	Eustis calls Henry Brandis as witness and he is sworn in. Eustis begins direct examination of Brandis.
<a href="#">3:11:50 PM</a>	Eustis offers Exhibits 6 and 31 and they are admitted.
<a href="#">3:12:34 PM</a>	Eustis concludes. Examiner asks question of Brandis.
<a href="#">3:14:07 PM</a>	Eustis calls Jan Weldin as witness and she is sworn in. Eustis begins direct examination of Weldin.
<a href="#">3:45:37 PM</a>	Eustis offers Exhibit 30, 32, 47 and they are admitted.
<a href="#">4:00:29 PM</a>	Back on the record.
<a href="#">4:01:25 PM</a>	Eustis calls Michael Richards as witness and he is sworn in. Eustis begins direct examination of Richards.
<a href="#">4:11:43 PM</a>	Eustis concludes.
<a href="#">4:12:07 PM</a>	Clawson on cross examination of Richards.
<a href="#">4:13:20 PM</a>	Clawson concludes.
<a href="#">4:14:08 PM</a>	Eustis calls Laura Reymore as witness and she is sworn in. Eustis begins direct examination of Reymore.
<a href="#">4:33:17 PM</a>	Eustis offers Exhibit 3.
<a href="#">4:49:56 PM</a>	Objection by Clawson, relevance.
<a href="#">4:54:04 PM</a>	Eustis concludes.
<a href="#">4:54:25 PM</a>	Exhibits 3, 7, 29, 48 are admitted.
<a href="#">4:56:26 PM</a>	Hearing adjourned, to be continued 5/3.