

BEFORE THE HEARING EXAMINER  
City of Seattle

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OFFICE OF  
HEARING EXAMINER

In the Matter of the Appeal of ) Hearing Examiner File:  
 )  
**Safe and Affordable Seattle** ) **MUP-17-037 (CU,W)**  
 )  
of a decision issued by the Director, Seattle ) Department reference:  
Department of Construction and Inspections, ) Project 3029047  
regarding a Temporary Use Permit and SEPA )  
determination for property at 336 W Bertona ) **SDCI MOTION TO DISMISS**  
Street )

The Seattle Department of Construction and Inspections (SDCI) respectfully requests that, pursuant to Hearing Examiner Rules (HER) 2.16 and 3.02 (c), the Hearing Examiner dismiss the appeal by Safe and Affordable Seattle and Elizabeth Campbell in the above-captioned matter. Under HER 3.02 (c), the Examiner shall dismiss an appeal without a hearing if the decision or action being appealed is withdrawn by the issuing Department. In that situation, the appeal becomes moot.

The subject land use decision, Project 3029047, has been withdrawn by SDCI. A copy of the relevant information from SDCI's Hansen project tracking system is attached for your reference.

The project applicant Seattle Pacific University, a private organization, elected to enter into a lease agreement with a religious organization, First Free Methodist Church, giving the religious organization control of the property on which the use, a transitional encampment for homeless persons, is proposed to be located. Under Seattle Municipal Code (SMC) Section 23.42.054, no permit or other approval from SDCI is required for transitional encampments locating on property controlled by a religious organization.

Entered this 22<sup>nd</sup> day of November 2017.

  
\_\_\_\_\_  
William K. Mills, Land Use Planner Supervisor  
SDCI

cc. Elizabeth Campbell, for appellant Safe and Affordable Seattle  
Gib Dammann, for applicant Seattle Pacific University

**SDCI**

700 5th Ave Ste 2000, PO Box 34019  
 Seattle, WA 98124-4019  
 (206 ) 684 -8600

**LAND USE Application**

**Report Date** 11/22/2017 02:29 PM

**Submitted By**

Page 1

**A/P #** 3029047 **DISCRETIONARY LAND USE ACTION**

Review Activities Review # Comments	Review Type	#	Status	Waived	Issued	Started	Completed	Comp By
554827 Approved WAC 20170962 Jeb	WATER	1	Approved	<input type="checkbox"/>	08/04/2017 08:42	08/04/2017 09:39	09/01/2017 00:00	BARRETMW
569850	SUPERVISOR	1	Approved	<input type="checkbox"/>	10/27/2017 13:50	10/27/2017 13:50	10/27/2017 13:52	MILLS
573446	ADDR FINAL	1	Approved	<input type="checkbox"/>	11/17/2017 08:15	11/17/2017 08:18	11/17/2017 11:46	MONTGOME
570625	FINAL	1	Incomplete	<input type="checkbox"/>	11/02/2017 07:36	11/17/2017 08:18		
564080	LAND USE	1	Approved	<input type="checkbox"/>	09/26/2017 17:03	10/02/2017 13:57	10/27/2017 13:50	MILLS
564081	ZONING	1	Approved	<input type="checkbox"/>	09/26/2017 17:03	09/29/2017 00:00	10/27/2017 13:05	SWALLOW
564082 Encampment site. Waived address review. Shown correctly on plans. slm	ADDRESSING	1	Incomplete	<input checked="" type="checkbox"/>	09/26/2017 17:03	09/26/2017 17:04		

Template Type	A/P #	A/P Type	Status	Stage
No children exist for this project				

Employee ID	Last	First	MI	Comments
No Employee Entries				

Log Action	Description	Entered By	Start	Stop	Hours
STOP	A/P STATUS STOP WORK From ACTIVE To STOP WORK - CANCELLED	PUTNAM	11/22/2017 11:58		0.00
REINST	A/P STATUS REINSTATE From STOP WORK To ACTIVE -	PUTNAM	11/22/2017 11:57		0.00
STOP	A/P STATUS STOP WORK From ACTIVE To STOP WORK - CANCELLED	PUTNAM	11/22/2017 11:57		0.00
E-MAIL	ELECTRONIC MAIL no fees owing for publication	HERBAUM	10/31/2017 13:46		0.00

**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

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<b>Safe and Affordable Seattle</b>	)	<b>MUP-17-037 (CU, W)</b>
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of a decision issued by the Director, Seattle	)	Department reference:
Department of Construction and Inspections,	)	Project 3029047
regarding a Temporary Use Permit and SEPA	)	
determination for property at 336 W Bertona	)	<b>Certificate of Service</b>
Street	)	

The undersigned certifies the following:

1. I am a Land Use Planner Supervisor at Seattle Department of Construction and Inspections (SDCI), representing SDCI in the above-entitled appeal proceeding; I am over the age of majority and am able to testify as to the matters stated herein;
2. On Wednesday, November 22, 2017, I delivered a Motion to Dismiss in this matter, with attachment, by e-mail only, to the following named parties:

Via E-Mail Only

Elizabeth Campbell,  
for appellant Safe and Affordable Seattle  
4027 21<sup>st</sup> Avenue West  
Seattle, WA 98199  
Ph: (206) 769-8459  
E-mail: [neighborhoodwarrior@gmail.com](mailto:neighborhoodwarrior@gmail.com)

Via E-Mail Only

Gib Dammann, for applicant Seattle Pacific  
University  
PO Box 406  
Vashon, WA 98070  
Ph: (206) 919-3546  
E-mail: [gibd@comcast.net](mailto:gibd@comcast.net)

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 22<sup>nd</sup> day of November 2017.



William K. Mills, Land Use Planner Supervisor  
SDCI

cc. Elizabeth Campbell, for appellant  
Gib Dammann, for applicant