

<b>Description</b>	<p>Minutes for MUP-17-035 (DR, W)  Wednesday, March 7, 2018  Escala Owners Association  1933 5th Avenue</p> <p>Time: 9:00 a.m.  Examiner: Ryan Vancil  Assistant: Alayna Johnson</p> <p>Party Representatives:</p> <p>Claudia Newman and David Bricklin, Counsel for Appellant</p> <p>John C. McCullough and Ian S. Morrison, Counsel for Applicant</p> <p>Liza Anderson, Counsel for Seattle Department of Construction and Inspections</p>
<b>Date</b>	<div>3/7/2018</div> <div><b>Location</b></div> <div>Large Hearing Room</div>

Time	Speake	Note
<a href="#">8:59:34 AM</a>		Hearing Examiner opens day 3 of the hearing. Procedural discussion.
<a href="#">9:00:51 AM</a>		Morrison calls Terry McCann as a witness and he is sworn in.
<a href="#">9:01:15 AM</a>		Morrison begins direct examination of McCann.
<a href="#">9:01:42 AM</a>		Morrison offers McCann's resume as an exhibit. It is marked and admitted as Exhibit 68.
<a href="#">9:04:00 AM</a>		Morrison offers letter from Douglaston Development to Garry Papers dated 12/29/2015 and it is marked as Exhibit 69.
<a href="#">9:04:38 AM</a>		Morrison moves to admit Exhibit 69 and it is admitted.
<a href="#">9:07:51 AM</a>		Morrison asks about Exhibit 24.
<a href="#">9:10:27 AM</a>		Morrison asks about Appendix B of Exhibit 24.
<a href="#">9:18:56 AM</a>		Morrison offers the Land Use Review Correction Notice #4 from 3/21/17 and it is marked and admitted as Exhibit 70.
<a href="#">9:22:22 AM</a>		Morrison asks about Exhibit 28.
<a href="#">9:27:18 AM</a>		Morrison asks about Appendix F of Exhibit 28.
<a href="#">9:50:47 AM</a>		Morrison concludes.
<a href="#">9:51:43 AM</a>		Newman begins cross examination of McCann.
<a href="#">9:54:30 AM</a>		Morrison objects; asking for legal conclusion. Question rephrased.
<a href="#">9:56:07 AM</a>		Newman will submit hard copies of excerpts from the Department of Ecology SEPA handbook.
<a href="#">10:01:31 AM</a>		Newman asks about the draft EIS.
<a href="#">10:06:43 AM</a>		Newman submits the draft EIS for Horeseman's Trail / Forgnal Estates from Snohomish County, dated 7/14, and it is marked as Exhibit 71.
<a href="#">10:15:32 AM</a>		Break. Back at 10:30.
<a href="#">10:30:26 AM</a>		Back on the record.
<a href="#">10:30:31 AM</a>		Administrative matters.
<a href="#">10:30:49 AM</a>		Newman continues cross examination of McCann.
<a href="#">10:34:00 AM</a>		Newman asks about Appendix D of the final EIS.
<a href="#">10:39:41 AM</a>		Morrison objects; multiple questions. Sustained.
<a href="#">10:45:02 AM</a>		Newman moves to admit Exhibit 71.
<a href="#">10:46:27 AM</a>		Exhibit 71 is admitted.
<a href="#">10:53:59 AM</a>		Morrison objects; calls for speculation. Sustained.
<a href="#">10:55:27 AM</a>		Newman offers excerpts from the final EIS for the Horseman's Trail project, dated 9/13/15, and it is marked as Exhibit 72.
<a href="#">10:56:45 AM</a>		Newman moves to admit Exhibit 72 and it is admitted.
<a href="#">10:58:31 AM</a>		Newman offers the FEIS for the Alaskan Way Promenade and Overlook Walk, dated 10/2016, and it is marked as Exhibit 73.
<a href="#">11:00:05 AM</a>		Newman offers more pages to go with Exhibit 73.
<a href="#">11:02:07 AM</a>		Newman moves to admit Exhibit 73 and it is admitted.
<a href="#">11:13:34 AM</a>		Newman concludes.
<a href="#">11:13:40 AM</a>		Hearing Examiner asks questions of McCann.
<a href="#">11:23:02 AM</a>		Hearing Examiner concludes.
<a href="#">11:23:06 AM</a>		Morrison begins redirect examination of McCann.
<a href="#">11:26:26 AM</a>		Morrison offers section 2.7 of the EIS handbook for reference.

<a href="#">11:31:49 AM</a>	Morrison concludes.
<a href="#">11:32:31 AM</a>	McCullough offers Mott's notes from his testimony and they are marked as Exhibit 74.
<a href="#">11:33:08 AM</a>	Exhibit 74 is admitted.
<a href="#">11:33:27 AM</a>	McCullough calls Blaine Weber as a witness and he is sworn in. McCullough begins direct examination of Weber.
<a href="#">11:34:25 AM</a>	McCullough offers Weber's CV and it is marked as Exhibit 75.
<a href="#">11:38:17 AM</a>	McCullough asks questions regarding the Downtown Design Review Guidelines.
<a href="#">11:44:16 AM</a>	McCullough asks questions regarding the Belltown Design Review Guidelines.
<a href="#">11:46:29 AM</a>	McCullough refers to photos from Exhibit 3.
<a href="#">11:56:54 AM</a>	McCullough concludes.
<a href="#">11:57:05 AM</a>	Bricklin begins cross examination of Weber.
<a href="#">12:07:20 PM</a>	Bricklin concludes.
<a href="#">12:07:24 PM</a>	Hearing Examiner asks questions of Weber.
<a href="#">12:12:04 PM</a>	Hearing Examiner concludes.
<a href="#">12:12:29 PM</a>	Newman offers the excerpts from the SEPA handbook used by both the Appellant and the Applicant. It is marked and admitted as Exhibit 76.
<a href="#">12:13:39 PM</a>	Break for lunch. Back at 1:30.
<a href="#">1:31:12 PM</a>	Back on the record.
<a href="#">1:31:17 PM</a>	Morrison calls Matthew Jones as a witness.
<a href="#">1:31:40 PM</a>	Jones is sworn in.
<a href="#">1:31:46 PM</a>	Morrison begins direct examination of Jones.
<a href="#">1:32:14 PM</a>	Morrison offers Jones's resume and it is marked as Exhibit 77.
<a href="#">1:33:07 PM</a>	Morrison moves to admit Exhibit 77 and it is admitted.
<a href="#">1:34:07 PM</a>	Morrison asks about the transportation analysis in Appendix K of Exhibit 28.
<a href="#">1:37:28 PM</a>	Morrison asks about Appendix F of Exhibit 28.
<a href="#">1:42:37 PM</a>	Newman objects; foundation.
<a href="#">1:42:45 PM</a>	Withdrawn and rephrased.
<a href="#">1:51:42 PM</a>	Morrison asks questions regarding Exhibit 50.
<a href="#">1:53:57 PM</a>	Newman objects; foundation.
<a href="#">1:54:12 PM</a>	Overruled.
<a href="#">1:55:50 PM</a>	Newman objects; foundation. Morrison responds.
<a href="#">1:56:19 PM</a>	Overruled.
<a href="#">2:04:50 PM</a>	Morrison offers turning scenario for rebuttal to Tilghman's turning analysis.
<a href="#">2:04:58 PM</a>	Newman objects; Tilghman's documents were submitted in advance of the hearing.
<a href="#">2:05:58 PM</a>	Sustained.
<a href="#">2:07:49 PM</a>	Newman withdraws objection. Morrison re-offers document and it is marked as Exhibit 78.
<a href="#">2:09:25 PM</a>	Morrison offers another AutoTurn analysis and it is marked as Exhibit 79.

<a href="#">2:11:25 PM</a>	Morrison moves to admit Exhibits 78 and 79 and they are admitted.
<a href="#">2:11:46 PM</a>	Morrison concludes.
<a href="#">2:11:51 PM</a>	Newman begins cross examination of Jones.
<a href="#">2:31:59 PM</a>	Newman concludes.
<a href="#">2:32:04 PM</a>	Hearing Examiner asks questions of Jones.
<a href="#">2:40:11 PM</a>	Hearing Examiner concludes.
<a href="#">2:40:20 PM</a>	Morrison calls Michael Swenson as a witness.
<a href="#">2:40:59 PM</a>	Swenson is sworn in.
<a href="#">2:41:17 PM</a>	Morrison begins direct examination of Swenson.
<a href="#">2:41:23 PM</a>	Morrison offers Swenson's resume and it is marked as Exhibit 80.
<a href="#">2:42:05 PM</a>	Morrison moves to admit Exhibit 80 and it is admitted.
<a href="#">2:44:51 PM</a>	Morrison asks questions regarding the Transportation Impact Analysis of Exhibit 28.
<a href="#">2:58:58 PM</a>	Morrison asks questions regarding Exhibit 49.
<a href="#">3:21:19 PM</a>	Morrison offers letter from Marni Pierce of Greystar to Mike Swenson and it is marked as Exhibit 81.
<a href="#">3:22:08 PM</a>	Morrison moves to admit Exhibit 81 and it is admitted.
<a href="#">3:23:06 PM</a>	Morrison offers the Delivery and Loading Dock Management Plan (Draft) and it is marked as Exhibit 82.
<a href="#">3:30:25 PM</a>	Morrison moves to admit Exhibit 82 and it is admitted.
<a href="#">3:30:52 PM</a>	Morrison offers the SDCI Analysis and Decision of the Director and it is marked and admitted as Exhibit 83.
<a href="#">3:31:54 PM</a>	Break. Return at 3:45.
<a href="#">3:45:14 PM</a>	Back on the record.
<a href="#">3:45:20 PM</a>	Morrison continues direct examination of Swenson.
<a href="#">4:01:47 PM</a>	Morrison concludes.
<a href="#">4:01:52 PM</a>	Newman begins cross examination of Swenson.
<a href="#">4:12:37 PM</a>	Newman asks about the Transportation Impact Analysis of Exhibit 28.
<a href="#">4:19:17 PM</a>	Morrison objects to form of question. Rephrased.
<a href="#">4:38:23 PM</a>	Newman concludes.
<a href="#">4:38:27 PM</a>	Hearing Examiner asks questions of Swenson.
<a href="#">4:40:28 PM</a>	Hearing Examiner concludes.
<a href="#">4:40:34 PM</a>	No redirect.
<a href="#">4:40:41 PM</a>	Morrison calls Jeff Schramm as a witness and he is sworn in.
<a href="#">4:41:22 PM</a>	Morrison begins direct examination of Schramm.
<a href="#">4:41:37 PM</a>	Morrison offers Schramm's resume and it is marked as Exhibit 84.
<a href="#">4:42:29 PM</a>	Morrison moves to admit Exhibit 84 and it is admitted.
<a href="#">4:44:00 PM</a>	Newman objects; duplicative testimony.
<a href="#">4:44:23 PM</a>	Morrison responds. Objection withdrawn.
<a href="#">4:52:37 PM</a>	Morrison concludes.
<a href="#">4:52:42 PM</a>	Newman begins cross examination of Schramm.
<a href="#">4:56:22 PM</a>	Newman concludes.
<a href="#">4:56:25 PM</a>	Hearing Examiner asks questions of Schramm.
<a href="#">4:56:39 PM</a>	Hearing Examiner concludes.

<a href="#">4:56:48 PM</a>		Procedural discussion.
<a href="#">5:00:17 PM</a>		Closing briefs will be due around March 20th or 21st.
<a href="#">5:00:35 PM</a>		Hearing Examiner closes day 3 of the hearing.