BEFORE THE HEARING EXAMINER OF THE CITY OF MERCER ISLAND

In Re The Appeal of: Development Code Interpretation No. 22-004

APL No. 22-004

CITY OF MERCER ISLAND'S FILE PRODUCED UNDER HEARING EXAMINER RULE 224

The City of Mercer Island submits the following exhibits in the above-referenced matter, currently set for hearing on January 25, 2023:

Exhibit No.	Description	Date
1	DCI 22-004	Nov. 21, 2022
	(Bates Nos. 0001 – 0008)	
2	Notice of Decision	Nov. 21, 2022
	(Bates Nos. 0009 – 0010)	
3	Permit Bulletin	Nov. 21, 2022
	(Bates Nos. 0011 – 0018)	
4	Ordinance 17C-15	Sept. 19, 2017
	(Bates Nos. 0019 – 0113)	
5	City Council Regular Meeting Minutes	Sept. 19, 2017
	(Bates Nos. 0114 – 0121)	
6	City Council Regular Meeting Packet	Sept. 19, 2017
	(Bates Nos. 0122 – 0268)	
7	City Council Special Meeting Minutes	July 5, 2017
	(Bates Nos. 0269 – 0274)	
8	City Council Special Meeting Packet	July 5, 2017
	(Bates Nos. 0275 – 0431)	

CITY OF MERCER ISLAND'S FILE PRODUCED UNDER HEARING EXAMINER RULE 224 - 1



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Exhibit No.	Description	Date
9	Planning Commission Regular Meeting	May 3, 2017
	Minutes	
	(Bates Nos. $0432 - 0435$)	
10	City of Mercer Island Comprehensive Plan	
	Introduction	
	(Bates Nos. 0436 – 0444)	
11	City of Mercer Island Comprehensive Plan	
	Land Use Element	
	(Bates Nos. 0445 – 0473)	
12	City of Mercer Island Comprehensive Plan	
	Housing Element	
	(Bates Nos. 0474 – 0486)	
13	Appeal Form	Dec. 5, 2022
	(Bates No. 0487)	
14	Notice of Appeal	Dec. 5, 2022
	(Bates Nos. 0488 – 0611)	
15	Declaration of Service of Notice of Appeal	Dec. 5, 2022
	(Bates Nos. 0612 – 0613)	
16	Public Notice of Appeal	Dec. 15, 2022
	(Bates Nos. 0614 – 0615)	
17	Declaration of Public Noticing	Jan. 9, 2023
	(Bates Nos. 0616 – 0619)	
18	Staff Report	Jan. 13, 2023

The City reserves the right to seek admission of rebuttal exhibits after review of the Appellants' exhibits. The City further reserves the right to utilize documents identified by Appellants, and to rely on and elicit testimony concerning any provision of the Revised Code of Washington, Washington Administrative Code, or Mercer Island City Code.

DATED this 11th day of January, 2023.

MADRONA LAW GROUP, PLLC

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CITY OF MERCER ISLAND'S FILE PRODUCED UNDER HEARING EXAMINER RULE 224 - 2



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CITY OF MERCER ISLANDOFFICE OF THE CITY ATTORNEY

By: <u>/s/ Bio Park</u>

Bio Park, WSBA No. 36994

9611 SE 36th Street

Mercer Island, WA 98040

Telephone: (206) 275-7652 Email: bio.park@mercerisland.gov

Attorneys for the City of Mercer Island



1	DECLARATION OF SERVICE
2	I, Tori Harris, declare and state:
3	1. I am a citizen of the State of Washington, over the age of eighteen years, not a party
4	to this action, and competent to be a witness herein.
5	2. On the 11th day of January, 2023, I served a true copy of the foregoing City of
6	Mercer Island's File Produced Under Hearing Examiner Rule 224 on the following parties
7 8	using the method of service indicated below:
9 10 11	Jessica M. Clawson, WSBA No. 36901 ☐ First Class, U.S. Mail, Postage Prepaid McCullough Hill Leary, P.S. ☐ Legal Messenger 701 Fifth Avenue, Suite 6600 ☐ Overnight Delivery Seattle, WA 98104 ☐ Facsimile ☐ E-Mail: jclawson@mhseattle.com
12	jessica@mhseattle.com Counsel for Appellants
13 14	I declare under penalty of perjury under the laws of the State of Washington that the
15	foregoing is true and correct.
16	DATED this 11th day of January, 2023, at Seattle, Washington.
17 18	<u>/s/ Tori Harris</u> Tori Harris
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