

BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeals of:

NEIGHBORS TO MIRRA HOMES
DEVELOPMENTS,

from decisions issued by the Director, Seattle
Department of Construction and Inspections.

Hearing Examiner Files:

MUP-19-019 (P), MUP 19-020 (P) &
MUP 19-021 (P)

Department References:

3032834-LU, 3032833-LU &
3032857-LU

DECLARATION OF BROOKE
FRIEDLANDER IN FURTHER
SUPPORT OF APPLICANTS' AND
OWNER'S MOTION TO DISMISS
LAND USE APPEAL AND FOR
SUMMARY JUDGMENT

I, Brook Friedlander, declare and state as follows:

1. I am over the age of eighteen and am a citizen of the United States. I have personal knowledge of the facts set forth herein and am competent to testify.

2. I am employed by Mira 111 LLC ("Mirra"), the entity that owns the property located at 3410, 3416 and 3422 23rd Avenue West in the Magnolia neighborhood of Seattle (the "Property"). I am also one of the applicants for the Short Subdivisions.

3. SDCI approved Short Subdivision No. 3032833-LU which seeks to subdivide the single parcel located at 3410 23rd Avenue West into two separate lots. There is an existing 26" non-exceptional Douglas Fir on the abutting property to the south that will be

DECLARATION OF BROOKE FRIEDLANDER IN FURTHER
SUPPORT OF APPLICANTS' AND OWNER'S MOTION TO
DISMISS LAND USE APPEAL AND FOR SUMMARY
JUDGMENT - 1

HELSELL
FETTERMAN


Helsell Fetterman LLP
1001 Fourth Avenue, Suite 4200
Seattle, WA 98154-1154
206.292.1144 WWW.HELSELL.COM

1 retained. While the MUP and Construction Permit have no merit in the consideration of the
2 appeal, Exhibit A emphasizes the 26" non-exceptional Douglas Fir remains retained in both
3 proposals. Attached as Exhibit A is a true and correct copy of the proposed development
4 landscaping plan of 3410 23rd Avenue West and 3412 23rd Ave West that demonstrates the
5 proposed building's minimal encroachment into the Douglas Fir's dripline (TH2).

6 4. Mirra commissioned a second arborist report for the MUP and Building
7 Permit from Tony Shoffner to discuss the proposed development's potential impacts to the
8 Douglas Fir. Attached as Exhibit B is a true and correct copy of Mr. Shoffner's arborist
9 report dated June 27, 2019. The arborist report details the recommended tree protection
10 measures during construction and concludes that: "The health of the tree is such that it
11 should be well capable of recovering in time." Mirra will be following the recommended
12 tree protection plan during construction resulting in the retention of the Douglas Fir tree.

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

15 SIGNED this 19th day of July, 2019, in Bellevue, Washington.

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19 Brooke Friedlander
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