

BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeal of

SMART GROWTH SEATTLE
from a determination of non-significance
by the Director, Department of Planning and
Development

HEARING EXAMINER FILE NO.:
W-14-001

DECLARATION OF NANCY BAINBRIDGE
ROGERS

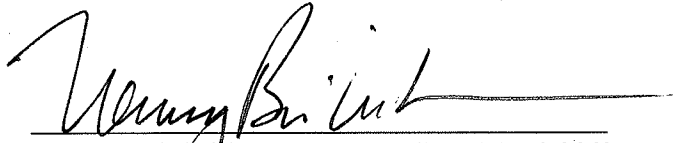
I, Nancy Bainbridge Rogers, declare as follows:

1. I am over the age of eighteen (18), am competent to be a witness, and all statements herein are of my own personal knowledge, and I make this declaration based on my own personal knowledge, unless otherwise indicated.
2. I am counsel for the Appellants in this matter.
3. A true and correct copy of an email dated June 25, 2014, forwarded to me on July 9, 2014, is attached as Exhibit A, together with a copy of the Harris SEPA comment which was attached to that email.
4. Exhibit A states that DPD treated the Harris letter as a “received” “SEPA comment[].”

I DECLARE UNDER THE PENALTY OF PERJURY, UNDER THE LAWS OF THE
STATE OF WASHINGTON, THAT THE FOREGOING IS TRUE AND CORRECT.

DATED this 15th day of August, 2014, at Seattle, Washington.

CAIRNCROSS & HEMPELMANN, P.S.

A handwritten signature in black ink, appearing to read "Nancy Bainbridge Rogers", is written over a horizontal line.

Nancy Bainbridge Rogers, WSBA No. 26662

524 Second Ave., Ste. 500

Seattle, WA 98104

Tel: (206) 587-0700

Fax: (206) 587-2308

E-Mail: nrogers@cairncross.com

Certificate of Service

I, Kristi Beckham, certify under penalty of perjury of the laws of the State of Washington that on August 15, 2014, I caused a copy of the document to which this is attached to be served on the following individual(s) via email:

Geoffrey Wentlandt
Department of Planning and Development
PO Box 34019
Seattle, WA 98124-4019
Email: geoffrey.wentlandt@seattle.gov

DATED this 15th day of August, 2014, at Seattle, Washington.



Kristi Beckham, Legal Assistant
CAIRNCROSS & HEMPELMANN, P.S.
524 Second Avenue, Suite 500
Seattle, WA 98104-2323
Telephone: (206) 254-4494
Facsimile: (206) 254-4594
E-mail: kbeckham@cairncross.com

EXHIBIT A

Nancy Rogers

From: Mills, William <William.Mills@seattle.gov>
Sent: Wednesday, July 09, 2014 10:11 AM
To: roger@smartgrowthseattle.org; Nancy Rogers
Cc: Wentlandt, Geoffrey
Subject: FW: SEPA Comments Received
Attachments: BruceHarris DPD letter dated 5_28_2014.pdf; Jeffrey_Cook.pdf; Livable Ballard Comments on LR Code Adjustments_06-12-14.pdf; MarkGriffin.pdf; Mike_Karrs.pdf; Suzanne_Ferris.pdf

Hello Roger – Pursuant to your e-mail request from yesterday afternoon, the comment letters received by DPD on the Lowrise amendments are attached.

Sincerely – Bill Mills, Land Use Planner Supervisor, DPD

From: Wentlandt, Geoffrey
Sent: Wednesday, June 25, 2014 8:23 AM
To: Mills, William
Subject: SEPA Comments Received

Bill,

For the record, attached are all of the SEPA comments I received. Plus a phone call discussion with Cindi Barker, and a follow up phone call discussion with Mark Griffin and a follow up meeting with Bruce Harris (on dates I can document).



Geoffrey Wentlandt AICP LEED ap
Senior Planner
City of Seattle [Department of Planning and Development](#)
P.O. Box 34019, Seattle, WA 98124-4019
O: 206.684.3586 | Geoffrey.Wentlandt@seattle.gov



From: harristis@comcast.net
To: [Wentlandt, Geoffrey](#)
Cc: [Mills, William](#)
Subject: DPD letter dated 5/28/2014
Date: Monday, June 16, 2014 8:29:08 AM

Gentlemen,

I own LR2 rental property in Eastlake that I purchased in April of 2008 as a duplex. The land is 5,443 s.f. allowing for five total units. In 2009 I added a fully ADA accessible unit with plans to add two more units. Current zoning allows to round up at 0.50 to determine maximum number of units. Your decision to change the rounding point to 0.85 severely impacts the value of my land and my plans to create future retirement income from the property.

It seems odd that DPD didn't contact land owners directly regarding these major changes, and that such a short time was allotted to appeal these changes. I only learned of these changes from a friend who is in the land development business. Is there a way to save existing LR2 zoning for my property, as it impacts not only future income but also the land value is cut by 20% by contemplated changes to LR2 zoning. It seems I should be able to maintain current five unit status. Please advise.

Bruce Harris
206 300 6566

property address:
2733 Franklin Ave. E.
98102