

BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

In the Matter of the Appeals of) Hearing Examiner File:
) **MUP-18-001**
DAVID MOEHRING, NEIGHBOR)
TO 3641 22ND AVE W)
) AMENDMENTS to APPELLANT'S FINAL
Of the SHORT PLAT SUBDIVISION) WITNESS AND EXHIBIT LIST
to Create Two Parcels of Land from)
the Lot at 3641 22nd Ave West)
)

Pursuant to the Prehearing Order dated January 31, 2018, Appellant David Moehring, Neighbor to 3641, the Appellant's Final Witness and Exhibit List was issued on March 29, 2018. Digital files of Exhibits 1 to 27 was issued to the SDCI and the Applicant's legal representative the same day. It has come to my attention, however, that the Exhibit List that was issued was missing five (5) exhibits from the list that were included in the email distribution. Those missing from the list include:

Appellant Exhibit 4 Zoning Maps for Area (Attachment 1)
Appellant Exhibit 5 Recent Photographs from March 25, 2018 (Attachment 1),
Appellant Exhibit 16 Street Tree Requirements (Attachment 2),
Appellant Exhibit 19 Financial Responsibility Form (Attachment 3), and
Appellant Exhibit 24 Director's Rule 2008-16 for Exceptional Protection. (Attachment 3)

AMENDMENTS to APPELLANT'S EXHIBIT LIST - 1

DAVID MOEHRING
APPELLANT REPRESENTATIVE,
3444 23RD AVE WEST, SEATTLE, WA 98199

For consideration of the Hearing Examiner per HER 3.04 Clarification and HER 3.05 Amendment, the Appellants hereby moves the acceptance of list clarification to make the list complete and understandable. Given the information has already been provided to the Applicant and the Department, this request for clarification has been made in a timely manner so that other parties have a reasonable opportunity to respond before hearing. The list being synchronized with the documents previously issued will allow a fair hearing opportunity of other parties.

CORRECTED APPELLANT EXHIBIT LIST

<u>Exhibit #</u>	<u>Description</u>
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Appellant Exhibit 1	2018 Jan 7 Appeal as Amended
Appellant Exhibit 2	3641 Decision Recommendation
Appellant Exhibit 3	3641 22nd Ave W SDCI Index Oct 2017
Appellant Exhibit 4	Zoning Maps for Area
Appellant Exhibit 5	Recent Photographs from March 25, 2018
Appellant Exhibit 6	Photo Doc 5 30 2017
Appellant Exhibit 7	3641 22ND AVE W Plan Set V
Appellant Exhibit 8	3641 Site Intent May2017
Appellant Exhibit 9	- Applicant as Appellant Exhibit A of SMC 23.88A.024
Appellant Exhibit 10	Vehicle Access Easement Standards
Appellant Exhibit 11	Maps of Short Plat Examples
Appellant Exhibit 12	Eight examples of Short Plats
Appellant Exhibit 13	Moehring Comments August 3, 2017
Appellant Exhibit 14	SMC Reference LR comparison
Appellant Exhibit 15	Arborist Report.pdf
Appellant Exhibit 16	Street Tree Requirements
Appellant Exhibit 17	Tips 213A

AMENDMENTS to APPELLANT'S EXHIBIT LIST - 2

Appellant Exhibit 18 Geotechnical Report July 15 2017

Appellant Exhibit 19 Financial Responsibility Form

Appellant Exhibit 20 Owner's Authorization

Appellant Exhibit 21 Applicant's Answers to Appellant's 1st Rogs and RFPs

Appellant Exhibit 22 Dictionary definition of exclusive

Appellant Exhibit 23 Resume of Michael Oxman, Certified Arborist

Appellant Exhibit 24 Director's Rule 2008-16 for Exceptional Protection

Appellant Exhibit 25 January 16, 2015 Lowrise Multifamily Code Adjustment

Appellant Exhibit 26 Profile of David Moehring, Architect

Appellant Exhibit 27 Excerpts from SMC 23.49 to 23.53

EXPANDED APPELLANT EXHIBIT 4

Finally, an amended Appellant Exhibit 4 "Zoning Maps for Area" serves to clarify Figure 5 within the "Amended Notice of Appeal" dated January 2, 2018 as well as to properly and fully address the "Applicant's Reply to Appellant's Response to Motion to Dismiss" dated February 13, 2018. Pages 3 to 6 of the aforementioned Applicant's Reply reference access to public and emergency vehicles. The Hearing Examiner has authorized this matter to be heard at the hearing. The intent of Applicant's Exhibit 4 issued on March 29, 2018 is to provide further clarification to the zoning and the issue of the access easement within the immediate block of the Subject Property. The Exhibit 4 included a 5-page Seattle Zoning map at increasing levels of detail from the city level to the properties immediately adjacent to Subject Property. The amended Appellant Exhibit 4 adds to this SDCI platting permit information for each of these sites. This modified exhibit may be provided to the Hearing Examiner in advance of the April 12th hearing if desired.

Dated: April 4, 2018

By:

David Moehring

Authorized Representative for Appellant



Certificate of Service

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies, via e-mail, of the attached David Moehring, the Neighbor to 3641 22nd Ave West, **amendments to Appellant's Final Exhibit's List** to every person listed below, in the matter of the **LAND USE DECISION APPEAL** to the Short Subdivision to create two parcels of land from 3641 22nd Avenue West lot, Hearing Examiner File No. MUP-18-001.

Department:

Joseph Hurley
Seattle Department of Construction & Inspections
Email: joseph.hurley@seattle.gov

Applicant:

Loren Landerholm
PO Box 99173
Seattle, WA 98139-0173
Email: soundequitiesinc@gmail.com

Applicant Legal Counsel:

Brandon Gribben
Email: bgribben@helsell.com

Office of the Hearing Examiner:

City of Seattle
Seattle, WA 98124
hearing.examiner@Seattle.gov

Dated April 4, 2018



David Moehring
Appellant, Neighbor to 3641 22nd Avenue West
3444 23rd Ave West
Seattle WA 98199

AMENDMENTS to APPELLANT'S EXHIBIT LIST - 4

DAVID MOEHRING
APPELLANT REPRESENTATIVE,
3444 23RD AVE WEST, SEATTLE, WA 98199



ATTACHMENT 1

MUP-18-001 exhibit 4 and 5

From: "David Moehring" <dmoehring@consultant.com>
To: "Gonzalez, Kyna D." <kgonzalez@helsell.com>, "Hurley, Joseph" <Joseph.Hurley@seattle.gov>
Date: Mar 29, 2018 3:43:57 PM

Exhibits 4, 5

Sent: Thursday, March 29, 2018 at 3:32 PM
From: "Gonzalez, Kyna D." <kgonzalez@helsell.com>
To: "'dmoehring@consultant.com'" <dmoehring@consultant.com>
Cc: "Gribben, Brandon S." <BGribben@helsell.com>
Subject: RE: MUP-18-001 exhibits

Good afternoon:

Please email them to me if possible. Thank you.

Kyna D. Gonzalez
Legal Assistant
Helsell Fetterman LLP
1001 Fourth Avenue, Suite 4200
Seattle, WA 98154
(206) 689-2480

From: dmoehring@consultant.com [mailto:dmoehring@consultant.com]
Sent: Thursday, March 29, 2018 3:30 PM
To: Gonzalez, Kyna D. <kgonzalez@helsell.com>
Subject: MUP-18-001 exhibits

Please let me know on behalf of Brandon,

Thank you

David Moehring
312-965-0634



ATTACHMENT 2

MUP-18-001 exhibits 16, 17, 18

From: "David Moehring" <dmoehring@consultant.com>
To: "Gonzalez, Kyna D." <kgonzalez@helsell.com>, "Hurley, Joseph" <Joseph.Hurley@seattle.gov>
Date: Mar 29, 2018 3:50:39 PM

Exhibits 16, 17, 18

Sent: Thursday, March 29, 2018 at 3:32 PM
From: "Gonzalez, Kyna D." <kgonzalez@helsell.com>
To: "'dmoehring@consultant.com'" <dmoehring@consultant.com>
Cc: "Gribben, Brandon S." <BGribben@helsell.com>
Subject: RE: MUP-18-001 exhibits

Good afternoon:

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Kyna D. Gonzalez
Legal Assistant
Helsell Fetterman LLP
1001 Fourth Avenue, Suite 4200
Seattle, WA 98154
(206) 689-2480

From: dmoehring@consultant.com [mailto:dmoehring@consultant.com]
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To: Gonzalez, Kyna D. <kgonzalez@helsell.com>
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Thank you

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312-965-0634



ATTACHMENT 3

MUP-18-001 exhibits 19, 20, 21

From: "David Moehring" <dmoehring@consultant.com>
To: "Gonzalez, Kyna D." <kgonzalez@helsell.com>, "Hurley, Joseph" <Joseph.Hurley@seattle.gov>
Date: Mar 29, 2018 3:51:30 PM

Exhibits 19, 20, 21

Sent: Thursday, March 29, 2018 at 3:32 PM
From: "Gonzalez, Kyna D." <kgonzalez@helsell.com>
To: "'dmoehring@consultant.com'" <dmoehring@consultant.com>
Cc: "Gribben, Brandon S." <BGribben@helsell.com>
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To: Gonzalez, Kyna D. <kgonzalez@helsell.com>
Subject: MUP-18-001 exhibits

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Thank you

David Moehring
312-965-0634



ATTACHMENT 4

MUP-18-001 exhibits 22, 23, 24

From: "David Moehring" <dmoehring@consultant.com>
To: "Gonzalez, Kyna D." <kgonzalez@helsell.com>, "Hurley, Joseph" <Joseph.Hurley@seattle.gov>
Date: Mar 29, 2018 3:52:24 PM

Exhibits 22, 23, 24

Sent: Thursday, March 29, 2018 at 3:32 PM
From: "Gonzalez, Kyna D." <kgonzalez@helsell.com>
To: "'dmoehring@consultant.com'" <dmoehring@consultant.com>
Cc: "Gribben, Brandon S." <BGribben@helsell.com>
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