

Concerned Neighbors of Swedish Cherry Hill
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HEARING EXAMINER

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Friday, May 15, 2015

**Concerned Neighbors of Swedish Cherry Hill
Response to Motion to Dismiss**

RE: Swedish Cherry Hill - 500 17th Ave

File Numbers: **CF311936, MUP 15-10 (W) — MUP 15-015 (W)**

DPD Project Number: **3012953**

Concerned Neighbors of Swedish Cherry Hill respectfully states our opposition to the respondent's joint motion to dismiss. For the reasons set forth below, we request that this motion be denied outright:

While the movants correctly acknowledge that we have identified a procedural issue in our assertion that the Environmental Impact Statement (EIS) is inadequate, they then go on to incorrectly attempt to negate it by categorizing our supporting, illustrative statements as purely substantive to the State Environmental Protection Act (SEPA).

The fact that we point out that the items are incompatible with the policies of the City of Seattle and the Environmental Protection Act does not relegate them to being purely substantive SEPA issues or only relevant to the MIMP – it actually goes to the heart of adequacy. Had we not provided that detail, they surely would be calling us out, as Washington CAN! has been, on page 2 of the motion, our "appeal statement for vagueness or failure to provide a more definitive statement." Each of those 10 items **is** and should be addressed in the EIS.

Concerned Neighbors of Swedish Cherry Hill are disappointed that Swedish and Sabey Corp. have rejected every opportunity to engage in discussions with the community to identify a suitable development that would strengthen the neighborhood we *all* call home. We are extremely troubled that a process that purports to "*balance the needs of the institution with the needs of the*

neighborhood" failed to produce an environmental impact statement that accomplishes the statutory goals, and is, therefore, not adequate.

As stated in our appeal, the decision of the Director that the EIS is adequate is in error. The EIS failed to adequately present and analyze significant adverse environmental impacts and to present and analyze reasonable alternatives that would inform a legally sufficient decision in areas including A. 1-10 from our appeal.

It is our understanding that items not addressed in the respondents' joint motion to dismiss are not challenged by them and shall stand as stated.

We are prepared to fully show the errors in the EIS, how it fails to correctly identify impacts, and does not provide appropriate mitigation for those impacts. We are confident and respectfully submit that following a review of facts and data the Examiner will conclude that an adequate Environmental Impact Statement must be prepared and that the current Major Institution Master Plan should be rejected.

Concerned Neighbors of Swedish Cherry Hill are very appreciative of the fair opportunity provided by the City of Seattle and the Hearing Examiner in allowing our voices to be heard without bias via this administrative appeal process.

For the reasons stated above Concerned Neighbors of Swedish Cherry Hill respectfully requests that the Examiner deny the Motion to Dismiss filed by Swedish Medical Center, Sabey Corp. and The City of Seattle Department of Planning and Development.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Troy Meyers", with a long horizontal flourish extending to the right.

Troy Meyers, on behalf of Concerned Neighbors of Swedish Cherry Hill