

BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

In the matter of the Appeal of: C F 311936  
*Washington Community Action* DPD Project No 3012953  
*Network, et al.*

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HEARING EXAMINER

**Appellant Squire Park Community  
Council's Response to Motion to  
Dismiss**

The Appellant Squire Park Community Council submits this response to the Motion of Swedish Medical Center and the Sabey Corporation.

Swedish and Sabey have asked the Hearing Examiner to: (1) dismiss the appeal of Washington Community Action Network or, (2) in the alternative, to dismiss parts of the appeals of all appellants including the Squire Park Community Council.

In accordance with the Hearing Examiner's Rules of Procedure, Squire Park Community Council (SPCC) states for the record that it does not agree with any of the requests of joint motion and asks that the requests be denied.

In the event that the Hearing Examiner's decision on the first request of the Motion causes consideration of the alternative requests stated in the Motion, SPCC replies that the alternative requests should be denied.

Specifically regarding the Appeal of SPCC, the Motion asks only that Paragraphs B. and C. be dismissed. That request should be denied for the following reasons.

SMC 23.76.052 D Appeal of Environmental Determination, states as follows:

*"Scope of Review. ... The Hearing Examiner shall entertain only those issues cited in the written appeal that relate to compliance with the procedures for Type IV Council land use decisions as required in this Chapter 23.76 and the adequacy of the environmental documentation upon which the environmental determination was made," SMC 23.76.052 D 4.*

The procedures for Type IV Council land use decisions include the preparation by the Director of the Department of Planning and Development of a written report and recommendations, SMC 23.76.050.

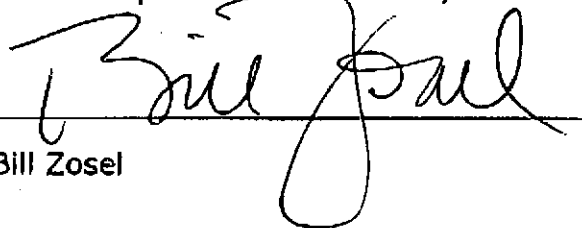
In its Notice of Appeal, SPCC intended to give notice that it will present at the hearing evidence and argument that will show, among other things, that the report and recommendation favorable to the proposed Major Institution Master Plan of Swedish did not comply with the procedures for Type IV Council land use decisions and should be rejected.

If, based on the Motion of Swedish and Sabey the Hearing Examiner concludes that clarification of the Appeal of SPCC is appropriate, the following alternative language by way of clarification of paragraphs B and C in the Appeal document is proposed:

*B. The Seattle Municipal Code and the Seattle Comprehensive Plan require the Major Institution Master Plan to minimize the adverse impacts associated with the development of the institution, and to balance the institution's ability to change and the public benefit derived from change with the need to protect the livability and vitality of adjacent neighborhoods. The Report and Recommendation of the Director of Planning and Development fails to comply with these requirements and should be rejected.*

May 15, 2015

For the Squire Park Community Council



Bill Zosel