

Laurelhurst Community Club

Serving Seattle's Laurelhurst Community since 1920

March 10, 2009

Ms. Sue Tanner
Hearing Examiner
700 Fifth Avenue, Suite 4000
Seattle Washington 98104

RE: Children's Proposed Master Plan and Response to David Miller

Dear Hearing Examiner Tanner:

The Laurelhurst Community Club ("LCC") Board of Trustees reviewed the statement submitted by David C. Miller during the master planning hearing at its March 9th trustee meeting. We are sorry to have to address these issues, but given the many inaccuracies, LCC felt it was important to set the record straight.

First of all, Mr. Miller does not live in Laurelhurst. He is listed on the "membership" list of Friends of Children's Hospital, an advocacy group supporting Children's proposed master plan with no changes. A September 13, 2003 article that appeared in the *Puget Sound Business Journal* notes Mr. Miller's position at the time as principal and the director of brand strategy at Phinney/Bischoff Design House. The website for this company lists Seattle Children's Hospital as a client. Recently, a local weekly newspaper in the area stated that Mr. Miller is a former president of the Seattle Rugby Club upset with LCC because of its position on sports fields at Magnuson Park. So, this is the background we have learned about Mr. Miller.

Below are issues and allegations that Mr. Miller raised in his written statement.

Standing: Although Mr. Miller does not live in Laurelhurst as he stated at the hearing, he questions LCC's standing to represent the Laurelhurst community. As stated in its SEPA appeal, LCC's standing to represent the interests of the community's 2800 households and businesses has been previously recognized by the Seattle Hearing Examiner in proceedings concerning earlier Seattle Children's Hospital proposals, extending back over two decades and in other matters.

Membership: Mr. Miller does not think it is appropriate that LCC's membership is defined by its geographic boundaries. That is how LCC was established in 1920. As *A History of Laurelhurst* states, (a popular published history book available at Miller Pollard for \$18): "In the fall of 1920, the Laurelhurst Improvement Club was formed by the fewer-than-seventy homes in the platted areas south of Northeast 45th Street and east of 42nd Avenue Northeast... In 1926, the name was

changed to the Laurelhurst Community Club, and over the years the boundaries changed to include the more than 1600 homes south of Sand Point Way, west of Windermere, and east of Union Bay.”

As Laurelhurst grew over the years, the boundaries changed. Today, LCC’s membership is defined by its bylaws but remains geographically based.

If you live in the neighborhood, you are automatically a member regardless of whether you pay dues. As the Laurelhurst history book states, “When founded, the club had no dues. However, when the officers found that the Secretary was paying for incidental expenses from his own pocket, they decided that voluntary dues of a dollar per household would be in order. The dues were raised to two dollars in 1925.” The dues were cut in half during the early years of the Depression, and increased in subsequent years, but remain voluntary to this day.

LCC does its best to represent the neighborhood. LCC is involved in community projects, provides representatives to other organizations and studies many parks, land use and transportation issues of interest to the community. There are many avenues for neighbors to get involved to share their views. LCC trustees are elected each year by neighbors at the Annual Neighbors Meeting to represent the interests of the community.

Representing the Community: Mr. Miller asserts that LCC “represents a small strain of private interests in the community.” On the contrary, LCC is responsive and accountable to the entire community and does its best to involve and inform neighbors in everything that it does—through its website, monthly community newsletter mailed to all households and businesses, periodic email newsletter, a segment at each trustee meeting devoted to “calls and concerns” from neighbors and at its annual meeting.

LCC has worked hard to get the community engaged on the Seattle Children’s master plan issues by providing notice of CAC and other meetings in its newsletter and featuring representatives from Children’s at annual neighbors meetings. LCC’s views on the various issues have been publicized in its monthly community newsletter and on its website (www.laurelhurstcc.com).

Despite these efforts, over the past 18 months, LCC has heard from few neighbors with views different than LCC, other than at this hearing and the hearing on the DEIS. There have been neighbors who support Children’s expansion plans as proposed at some of the CAC meetings, but for the most part those individuals have not directly contacted LCC. When they do, they receive courteous responses and their concerns are reviewed and discussed at trustee meetings.

Election of LCC’s Board of Trustees: Mr. Miller claims that neighbors have no say in election of its Board of Trustees. This is not true. Neighbors directly elect trustees at the Annual Neighbors Meeting in May or June. Each year, notice is provided about trustee elections and neighbors are encouraged to participate by nominating themselves or others. Because LCC is a working board, each prospective trustee is asked to contribute about 20 hours a month in service to the board and the community. If there are vacancies on the board, the board is allowed to fill them, as is typical of the bylaws of most any other group. The person would then stand for election by the community at the following Annual Neighbors Meeting.

LCC's Land Use Policies: Mr. Miller cites one of LCC's land use policies adopted in the 80's as being a part of LCC's charter. The "Land Use Goals for Laurelhurst" document is not a part of LCC's charter or bylaws. That document and the policy cited within the document was adopted almost three decades ago. Mr. Miller incorrectly states this as a "goal," whereas it is a policy to implement a broader goal. The policy he cites states: "Nonresidential development (public or private) should be prohibited in all areas of Laurelhurst where existing development is predominantly residential."

Mr. Miller fails to acknowledge the broader goal which states:

"As a result of its location, diversity and physical characteristics, Laurelhurst expresses a particular residential character. To support this attribute, a program should be established to guide land development in a manner that will protect and strengthen its characteristics. Land use policy should assure that new development will enhance the community and recognize the need to protect the single family stability against the increasing pressures of intensive land use. Laurelhurst supports the "Goals for Seattle 2000" report stated goal: "The City of Seattle shall protect community uniqueness and identification with local landmarks and facilities." The "Goals for Seattle 2000" report was developed by a citizens' committee and adopted by the Seattle City Council in 1973. "

LCC does not oppose the expansion of Children's boundaries to include the 136-unit Laurelon complex. This seems to be what Mr. Miller is implying as the policy he cites out of context would lead to that conclusion. But, the facts are not on his side.

My declaration in support of LCC's opposition to intervene by Laurelon Terrace is attached. While LCC supports expansion of Children's boundaries to include Laurelon, LCC felt that the intervention would be inappropriate in part because the interests of Laurelon are more than adequately represented by Children's Hospital in concert with the City.

Mr. Miller is incorrect in stating that LCC is motivated by "a blatant attempt to frustrate any growth." LCC supports reasonable expansion of Seattle Children's consistent with the City's Comprehensive Plan, the Major Institutions Code and other laws.

Children's Action Coalition: Mr. Miller asserts that LCC has "marketed a Web site related to this process: www.childrensaction.com." LCC has nothing to do with this website. Among other information, the site provides a listing of CAC members to facilitate neighbor communications with the CAC. As the major stakeholder in the process, LCC asked that it be added to that contact list as LCC wants to hear from neighbors and understand the concerns and positions of neighbors.

Mr. Miller claims that messages sent to CAC members are confidential. This is not true. The Department of Neighborhoods representative, Steve Sheppard, is included on the listing. Everything submitted to the City is a matter of public record.

Financial Accountability: Each spring, LCC hosts an Annual Neighbors Meeting to provide an annual report—updating the community on important issues, projects, and activities throughout the year and providing a financial report. Sometimes these reports are verbal, sometimes written, and sometimes the financial report is a part of the program that is distributed at the meeting. LCC’s treasurer provides periodic financial reports to the board. In all ways, LCC complies with its own bylaws.

LCC’s Funding Sources: In what appears to be convoluted reasoning, Mr. Miller asks that the independent reports commissioned by LCC not be considered by the Hearing Examiner as a “fair and objective reflection of Laurelhurst’s concerns.” Although not a member of LCC, Mr. Miller claims that it is unclear where the funds came from. Well, he didn’t ask LCC about this, and in fact, has never been in touch with LCC. Funds come from voluntary member dues and the contributions added onto dues, and from the advertising in LCC’s monthly newsletter.

Twice in the past decade, LCC has sent out a “special appeal” to raise funds to protect the 18-acre Talaris (Battelle) property and to enforce a Settlement Agreement preserving the open space and other amenities on that site for our community.

LCC’s meeting minutes (going back many years), bylaws, etc. are available on its website. Financial reports are also distributed at Trustee meetings, which are generally open to members except when lawsuit issues are discussed. Our principal source of funding is members’ voluntary dues: they are what support our participation in the proceedings over which you have presided. LCC’s critics do not offer the same transparency.

Administrative Accountability: Mr. Miller complains that LCC is not always prompt about approving minutes and posting them on its website. Well, for goodness sakes, we are volunteers and do a pretty good job. Generally, minutes from the prior meeting are approved at the following meeting. On rare occasions, the secretary has to miss a meeting or he is tied up with work matters and approval of the minutes is delayed. The CAC went months and months without minutes from its meetings and that group had the assistance of paid city staff.

Constituent Input: Once again, Mr. Miller is incorrect in stating that LCC does not have an effective mechanism for input from its members. As stated earlier, neighbors are invited to monthly trustee meetings and a special “calls and concerns” segment is dedicated to listening to neighbors. LCC has a website, a monthly community newsletter and distributes a period e-newsletter to neighbors.

Mr. Miller, although not a Laurelhurst resident, objects to the occasional “executive session” held at the end of LCC meetings to discuss legal matters. There is no basis for this objection as it is common practice for any group, including the Seattle City Council and Seattle Children’s to convene into executive session.

Support from other Community Groups: Mr. Miller objects to the fact that LCC has a representative on the Northeast District Council (NEDC) and the Seattle Community Council Federation. There are many, many other groups that have representatives to these groups and to

other groups such as the North Precinct Advisory Council and the City University Community Advisory Committee (CUCAC).

The district councils are an important arena to influence funding decisions for neighborhood transportation and parks projects through the City's Neighborhood Street Fund/Cumulative Reserve Fund. It is also an opportunity for member organizations to take their issues to a broader group for support. Mr. Miller incorrectly states that I am co-chair of NEDC. I am not although held that position a few years ago.

I am president of the Seattle Community Council Federation, a coalition of community groups throughout the city as Mr. Miller states. The Federation has supported LCC on issues relating to Seattle Children's. This is because the Major Institutions Code impacts many neighborhoods and what Children's has proposed would set a precedent. Laurelhurst is only one vote on this group and the Federation's vice president has assumed responsibilities on this issue.

LCC's Efforts on Other Issues: Mr. Miller takes issue with LCC's positions on various issues claiming that "LCC has sought to block or subvert the goodwill of people in Seattle." Of course, the issues cited have no relevance to Children's Master Plan, other than the last issue he lists about Seattle Children's, but it is important to correct the record. LCC's positions on the issues are reasoned and balanced.

- Outdoor playfields at Magnuson Park: In its March 2002 letter to the Laurelhurst neighbors, LCC stated that it recognized the sore lack of playing fields in the city and said that it would like to see additional fields installed at Magnuson Park as many in the neighborhood are sports enthusiasts or have children who play on organized teams. LCC reiterated its long standing position that it favors renovation and development of the ball fields within the constraints of good traffic management and consideration for the environment. Mr. Miller implies that LCC opposes the playfields at Magnuson.

Mr. Miller likely objects to the fact that LCC has endorsed Friends of Magnuson Park (FOMP). This group is dedicated to protecting the natural habitat and beauty of Magnuson Park and ensuring that future development of the Park for recreational or other purposes is consistent with these goals. This group has been involved with issues relating to playfield development at Magnuson Park. Other groups endorsing FOMP include: 46th Legislative District Democrats, Magnuson Environmental Stewardship Alliance, Citizens Sand Point Planning Association, Sand Point Community Liaison Committee, Hawthorne Hills Community Council, View Ridge Community Council, Windermere North Community Association, Moss Bay Neighborhood Association of Kirkland, Market Neighborhood Association of Kirkland, Paisley Place Homeowners Association, Northeast District Council, Seattle Community Council Federation, Resource Alliances, Dark Skies Northwest and Seattle Astronomical Society.

- Indoor Soccer Facility Renovations: It is unclear what Mr. Miller is referring to. It is possible that he is referring to the UW's indoor practice facility. This facility originally designed to be 81 feet above street level and the length of three football fields was designated to be sited along Montlake Boulevard. When this issue surfaced in 1999,

LCC did not oppose the project, rather raised questions with the Declaration of Nonsignificance and siting of the facility along a scenic route. To its credit, the University moved the development to a more appropriate location.

It is possible that Mr. Miller is referring to the lease of Hangar 27 at Magnuson Park for indoor soccer use to Arena Sports. At the time, Arena Sports already had use of most of another building at the park. LCC was concerned about the loss of Hangar 27 for community uses and the siting of a commercial facility on the waterfront. Hangar 27 had become a gathering spot for the neighborhoods at such events as the Arboretum Sale, Best of the Northwest, Lakeside Rummage Sale, Cascade Bicycle's expo and other events such as the arrival of the Native American canoes at the end of their voyage. It is also home on the west side to our celebrated and federally protected colony of Cliff Swallows. LCC along with neighborhoods throughout northeast Seattle supported community use of the facility.

- Retirement and low income housing (Talaris): Several years ago, ERA Care purchased the 18-acre Battelle property in Laurelhurst with the intent of converting it into senior housing or an assisted living facility. Initially, ERA Care proposed cottages throughout the site, an approach that LCC and its neighbors supported. Because ERA Care could not make this design "pencil out," ERA Care then sought a rezone (which at the time would have been the largest in the history of Seattle) to construct two towers of assisted living to provide 250 units. This was inconsistent with a settlement agreement to which LCC is a party which says that the property can only be used as an institute for advanced study or single-family housing. ERA Care ultimately sold the property.

LCC has a long history of support for low income and affordable housing levies. LCC supported these levies in 1981, 1986, 1995 and 2002.

- UW Stadium and Driving Range: In February 2008, LCC wrote to state legislators supporting funding for renovating Husky Stadium. LCC recently reaffirmed this support as funding will be addressed in the current legislative session. After nearly 90 years, there has been massive deterioration of Husky Stadium posing grave safety risks to those attending events at the stadium. The additional funding would also ensure ADA compliance.

Regarding the golf driving range, LCC has always supported renovation of the UW's dilapidated golf driving range facility. Upgrading the facility is and continues to be long overdue. The question was always how will this be accomplished while addressing the impact of the tall fencing on the 131 species of birds in the area and the likelihood of bird fatalities, lack of consistency with height, bulk and scale of the natural amenities in this section of the campus, environmental and aesthetic concerns and other issues. Due to concerns raised by LCC (and others), the University revised the project. In March 2005, LCC endorsed the project due to the changes made and because the revised project incorporated a number of benefits to correct existing environmental problematic conditions such as storm water runoff and offsite light spillage from the landing area.

- Historic Preservation (Laurelon): LCC took no position on the landmark nomination of the Laurelon site before the Landmarks Board contrary to what Mr. Miller has implied.
- Public Safety (medical helicopters): LCC has never opposed use of Children’s helipad for delivery of sick children for treatment. The siting criteria for a helistop accessory to a major institution allows permitting as a conditional use if the helistop is needed to save lives, is located so as to minimize impacts upon surrounding residential property and its use will be restricted to occurrences involving life-threatening emergencies. Records indicate that the only objection from LCC was use of the helipad to deliver non-emergency supplies, take doctors to and from work and lunches, advertising, etc. as there is another nearby helipad and no impacts upon the surrounding community.
- Transportation (520 Bridge and Tacoma Narrows Bridge): For over a decade, LCC has worked with other affected communities, the state and the city on SR 520 to develop consensus on replacement issues. Along with many other communities, LCC has had representatives on the various committees and work groups set up in this seemingly never ending process. And, there has been progress.

Regarding the Tacoma Narrows Bridge, in 1991, LCC wrote to its state legislators opposing a bill that would have eliminated and bypassed the protections and public input afforded under the law at the time which said that only the Washington State Transportation Commission (WSDOT) has the right to set and collect tolls. The bill would have delegated this authority to private entities under a Public Private Initiative Project. The bill was introduced due to a state supreme court ruling that said that the contract between WSDOT and the private developer of the Tacoma Narrows Bridge project was illegal because it allowed tolls on a bridge that has already been paid for and allows a private entity to set the tolls and use them for maintenance and operation costs.

LCC was concerned about the issue at the time due to the inevitable tolling of SR 520, its desire to have maximum citizen involvement and public oversight and accountability to minimize cost to taxpayers. Many others involved in the SR 520 TransLake Washington Project at the time also opposed the bill.

- Economic Development (U-Village): For over a decade, LCC along with other northeast Seattle community councils and Northeast District Council has worked on issues related to University Village expansion. This has been important to LCC because the traffic, pedestrian safety and parking issues have consistently been a major concern to our neighbors. The concern has always been the piecemeal development that has taken place over the years with no environmental review as each project was classified as a “remodel.” In the early days U Village was a quiet community shopping center attracting about 500,000 to 700,000 shopper a year. By 2001, with the many expansions (or “remodels”), the shopping center was attracting close to seven million shoppers each year. LCC’s concern is that there be appropriate mitigation for the impacts of the expansion.

LCC participated in the design review process in 2001 for a proposal to add a six-story garage and 105,000 square feet of additional retail space at University Village. Along with the Ravenna-Bryant Community Association (RBCA), LCC appealed DCLU's Declaration of Non-Significance and design review issues on this project. This Hearing Examiner appeal was ultimately settled and dismissed to the benefit of University Village, RBCA and LCC. U Village contributed to creation of Blakeley Crescent Park located on the backside of the Village and to funding for sidewalks on 30th, a street that had become increasingly used by Village shoppers due to traffic on 25th.

LCC supported a City Council resolution in 2002 that called for development of an ordinance requiring a master plan for U Village, a critical element identified in the University Community Urban Center Plan. There are many, many other examples of LCC's involvement in U Village expansion.

The purpose has never been to oppose economic development of U Village as Mr. Miller states, rather to ensure mitigation of the impacts of the many expansions.

- Healthcare (Seattle Children's Hospital): As has been repeatedly stated, LCC supports the mission of Children's Hospital, its important work and reasonable expansion consistent with the City's Comprehensive Plan, Land Use Code and other laws. LCC seeks changes in the proposed plan and conditions to ensure that the balance required in the Major Institutions Code between the public benefit from the proposed expansion and the need to protect the livability and vitality of the surrounding neighborhoods is met.

Mr. Miller fails to address virtually all of the substantive issues relating to Children's proposed master plan. For example, he does not consider the cumulative impacts of other development in the area:

- University Village is planning an addition that will expand its shopping center by approximately 26 percent. The proposal, now in the environmental scoping phase of the process, calls for three buildings totaling 81,142 square feet of retail and 23,858 square feet of restaurant and new structured parking for 702 vehicles. (See attachment).
- QFC is planning redevelopment on its University Village site—31,000 square feet of new retail, 350 residential units, structured parking for 700 vehicles and tenant improvements to the existing grocery store. (See attachment).
- Development of the Talaris (Battelle) property in Laurelhurst calls for 97,600 square feet in Phase 1. The existing building to be demolished has 7485 square feet. The net "new" square footage attributable to new vehicle trips would be 90,115 square feet. The project trip generation is shown on page 12 of the MUP decision: a new increase of 1250 trips per day, including 163 in the AM peak hour and 157 in the PM peak hour. Additional traffic analysis is provided in the decision beginning on page 12.

Neither the City nor Children's addressed the cumulative impacts of these developments.

Mr. Miller similarly did not address issues relating to expansion of Children's institutional boundaries, height, bulk and scale and other matters.

Thank you for considering these comments from the Laurelhurst Community Club in setting the record straight about the written statement submitted by David Miller.

Sincerely,

Jeannie Hale

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Enclosures:

1. Declaration of Jeannie Hale in support of LCC's opposition to motion to intervene by Laurelon (with attached exhibit)
2. Information from DPD about U Village project #3008972
3. Information from DPD's Land Use Information Bulletin about QFC project #3009681
4. DPD's decision on Talaris property development, application #2104047