

Replies to the Responses to Resolution 31839

University of Washington Master Plan

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11/9/2018

Lish Whitson, Legislative Analyst
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Via email to lish.whitson@seattle.gov

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Dear Mr. Whitson,

I am writing on behalf of the University District Community Council to respond to the letter from the University of Washington Board of Regents dated 10/26/2018 regarding the City Council's initial Recommendations for the UW 2018 Campus Master Plan.

Notwithstanding the UW's assertions to the contrary on page 10 of the attachment they provided, the University did NOT modify height limits on "many development sites" in response to CUCAC or other community concerns. While some heights were lowered from 240' to 200' in the West Campus, this was not in response to requests CUCAC or the community made and was evidently done for the convenience of the UW (as I recall, they stated that they were stepping down heights as they went toward the water, which is ironic considering their stated position that Site 37W can be increased to double the height of the zoning to the immediate north and this is somehow "consistent" because it's downhill from it).

Indeed, CUCAC requested that some of the heights along the frontage of Pacific Avenue in the South Campus be reduced and that in exchange some heights further south be increased, and this did not occur. The UDCC requested a height reduction from the 130' proposed for the East Campus along the full length of Montlake Boulevard, which is an unprecedented height increase for that stretch (the closest non-UW properties have 65' height limits), and the UW was not responsive to this either.

The only significant height reductions made in the plan were those along University Way NE, and that is because they were so egregiously out of keeping with the existing 'Ave zoning that even DPD/SDCI recommended they be lowered after CUCAC pointed out how inconsistent they were with the rest of the area. The UDCC (and, for that matter, CUCAC) remain adamant that the height limits at 22W and 37W must be reduced to protect the public interest and consistency with surrounding zoning – while the UW is certainly a public institution, there are other areas of public concern that it ought not be able to simply roll over because it finds it inconvenient to do so.

We take serious issue with the UW's characterization of the 240' building proposed for Site 22W as a suitable gateway to our neighborhood. You can put some architectural lipstick on that pig, but at the end of the day it is still a 240' tall pig across the street from a brand new 65' building, and is of a height and scale that will present a virtual wall to those entering the neighborhood from the south. There is a 20+ year history of both City and UW plans that call for this to be a key gateway location to the neighborhood, and a few setbacks and signs are not going to be sufficient to achieve that goal.

With regard to site W37, the U of W's assertion on page 11 of its 10/26/18 letter that grade changes somehow make a building that has twice the zoned height of a midrise building "consistent" doesn't pass the straight face test – there are doubtless dozens of would-be developers who would love to be granted heights double those of their neighbors because they are at the bottom of a hill, but that is not how zoning works or ought to work. Regardless, this is simply irrelevant to the larger argument that CUCAC and the UDCC made that a building double the height of the existing one will block a panoramic public view that now exists from the sidewalks on both sides of the street at the north end of the University Bridge. The UW has taken a very (and literally) narrow view of what comprises the existing public view that ought to be protected, and the UDCC strenuously objects to their attempt to define the current panoramic view out of existence.

CUCAC and the UDCC have already documented the long history of neighborhood and campus plans that identified this site as a gateway, and we are including them again to provide a convenient reference along with other parts of the rationale for reducing the height at this location. We also note for the record that both groups pointed out factual errors made by SDCI and not corrected by the Hearing Examiner, who is held to a standard of granting "extraordinary deference" to SDCI's opinions. This standard is why land use appellants with resources are often forced to take faulty decisions to court in order to prevail- most recently in the finding that the EIS for Accessory Dwelling Units which SDCI and the Hearing Examiner upheld was in fact inadequate.

Similarly, the City Council is not bound by the analysis of SDCI either. It would be nice to think that it can represent the interests of citizens who are seriously out gunned in this process by the UW's fulltime cadre of lawyers and planners, but perhaps that is naïve.

The UDCC also continues to support the recommendations of the U-District Alliance as previously noted, and trust that they will provide additional analysis as to why the City Council can and should take action even if the U of W finds it burdensome.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Fox". The signature is written in a cursive, flowing style.

Matt Fox,
President

From CUCAC's presentation to the Hearing Examiner.

Site W22 should be reduced to 160' per CUCAC's original recommendation

- SDCI's rejection of CUCAC's recommendation that this building site be reduced from 240 to 160 feet is based on factual errors and a misreading of the zoning recently adopted for the surrounding neighborhood.
- SDCI rejected CUCAC's recommendations based on the statement that "Site W22, although not actually on the campus boundary, is proximate to Seattle Mixed-University 75-240', which would allow buildings up to 240'. Given the location and nearby zoning, SDCI is not recommending a reduction in the requested height increase of Site W22."
- SDCI's assertion that CUCAC's recommendation that the height at this site be reduced is not germane because it isn't at the campus boundary is erroneous.
- As a practical matter – this location is most definitely on the campus boundary at Roosevelt Way. This building will be seen as the entrance to the West Campus by the thousands of drivers, bicyclists, and pedestrians who come north across the University Bridge every day.

Planning Context

There is a long history with regard to the need to ensure that this site – which sits a critical juncture between the UW and surrounding neighborhood - is designed to serve a gateway to the neighborhood. The 2003 Campus Master Plan acknowledged this on page 108, where this site was then called 30W, and which promised that the UW would "Develop site as a gateway to the neighborhood and the University. Gateway locations shall include visual enhancements, such as improved landscaping, signage, artwork, or other features that signify entries into the communities. The triangle shaped lot west of Eastlake Ave NE shall be incorporated into the design of the gateway feature and enhanced with the development of Site 30W. While the site may include other permitted uses, the University will consider retaining the entire site as a gateway."

The University Community Urban Center Plan of 1998 also identified this location as a gateway to the community on page III-10, which describes "suggestions for upgrading the 11th Ave NE entry into the Community and the University" There is a long planning history that identifies this site as a critical gateway into the neighborhood.

- CUCAC's comments on the Draft CMP also echoed the concern that these building sites at this boundary between the West Campus and the neighborhood needed to reflect the role they will play at this critical juncture, and made the following recommendations:
- A recognizable gateway into campus is needed at the west end of Campus Parkway.
- Add sidewalks between building sites W-24 & 25 to address pedestrian and bike safety.
- W-24: lower to 160'
- W-25 development site should be carefully planned so that it is a gateway to the campus. Sites that are potential gateways should be designed as such.

And, as we previously noted, there is a brand new privately owned apartment building across the street that was recently completed and was built to the 65' limit that was in place until the SM75/240 height limit was adopted. This building is unlikely to be replaced under the newly adopted zoning in the life of the proposed Campus Master Plan and/or its successor

With regard to Site W37, CUCAC stated that:

- *The reduction in height at this location (Site W37) from 200 to 130 feet is not sufficient to protect the existing panoramic views to the west that would be blocked by the building proposed for Site W-37 and should be further reduced.*
- SDCI asserts that the existing views across W37 should be protected; this can be accomplished by view corridor review of future permits (see p. 251-253, View Corridor #8). CUCAC believes this statement is not accurate.

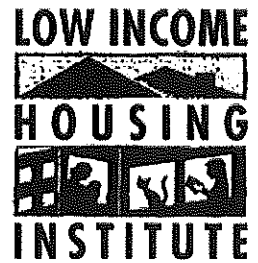
160' or even 130' height at Site 37W is also not consistent with adjacent zoning

- Site 37W is across the street from the Shoreline Overlay Zone to the south, which is limited to 30'/37' (CMP, P. 123)
- Site 37W is directly abutted to the north by Midrise Zoning with a 65' or lower height limit (CMP, p.123)

A small sliver of Site 37W is bordered by a SM 75/240' zone (CMP, p.123) , which is not consistent with this height for the reasons outlined in the discussion of Site 22W above.

November 13, 2018

Response to City to Seattle Council Resolution 31839
Low Income Housing Institute



Dear City Council,

The Low Income Housing Institute is a member of the U District Alliance for Equity and Livability and a 27 year provider of affordable housing, shelter, and hygiene services.

We concur with the Alliance's proposed amendments to City Council resolution 31839 regarding the UW Master Plan. The Master Plan will have a significant impact on housing affordability and quality of life for thousands of people who work or go to school at the UW or who live in the University District and other communities. While benefiting the UW enormously, we believe that given the impact this plan will have on so many who are already struggling in this increasingly unaffordable city, the UW has an obligation to address the housing and homelessness needs of their low wage or homeless students and workers.

While it is a good first step that the Resolution will increase the requirement of the UW to create affordable housing from 150 to 450 units, this unfortunately does not come close to addressing the actual housing supply needed for the numbers of current or future low wage UW workers. We agree with the Alliance's proposal to increase this to 944 total affordable units (622 @ 80% AMI and 322 @ 50% AMI) which will provide adequate housing for the numbers of UW employees who will need it. Furthermore, it will not force UW employees to live together and disrupt their household or family living arrangements in order to qualify for affordable housing.

The high number of homeless students in Seattle is unconscionable, and we are concerned the expansion may exacerbate this crisis even further. To address the problem of homeless UW students, the UW should create 75 units of housing for homeless students and 75 units of housing for homeless young adults living in the U District. Furthermore, the UW should provide low-cost commercial space for social service organizations that provide for the services, health, and hygiene needs of homeless students and young adults. This includes organizations such as Roots and our organization which can provide crucially needed hygiene services through our Urban Rest Stops. Our three URSs serve up to 800 individuals a day who are experiencing homelessness, and for many this is a lifeline to get ready for work or school. The U District URS is unfortunately losing its home as the University Temple United Methodist Church is redeveloping the site. The continuation of these hygiene services, providing bathrooms, showers, and laundry to homeless students and young adults, should be included in the Master Plan.

We urge you to strongly consider these proposed improvements to the Master Plan to help meet the housing and hygiene needs of the many low wage or homeless students and workers who will be significantly impacted by this plan.

Sincerely,

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U District Alliance Reply on University of Washington Master Plan – Nov. 2018

The U District Alliance for Equity and Livability (UDAEL) offers the following comments to the Seattle City Council in reply to the response filed by the University of Washington (UW) on October 26, 2018, on the proposed Campus Master Plan (CMP).

Affordable Housing

The UW states that it is only bound by the exact language of the City University Agreement (CUA), and that it never agreed to language in the City's Comprehensive Plan requiring that major institutions provide affordable housing when they plan employment growth. The CUA itself states that the review and recommendation of the project shall be based on, among other things, "neighborhood plans and policies adopted by ordinance" and "other applicable land use policies and regulations of the City."¹ Nowhere in the CUA is the UW exempted from City policies adopted after the agreement was signed. As a matter of law, the City is required to base the decision on adopted comprehensive plan policies, including Policy H 5-19. Regardless of whether the UW specifically agreed to this policy, it has been on the books for over 10 years, and it is relevant to a review of the UW's policies for the next 10 years.

The UW claims that the number of its employees earning below 60% and 80% of Area Median Income (AMI) is irrelevant—instead it wants to inject the issue of how it would verify household income into the debate as a smokescreen to obscure the primary issue—the failure of the University to mitigate the impact of its expansion on housing costs, and the large number of current and future employees who are housing cost-burdened. The UW is claiming that since it cannot verify the household income of its employees, they can pretend the problem effectively doesn't exist. This argument, if accepted, would relive the University of its responsibility to make sure its employees are earning living wages on their own, and don't need to take in roommates, relatives or partners in order to afford to live in Seattle.

The Alliance developed its estimate of housing cost burden based on the UW's payroll databases. While some employees might have additional household income, they likely have additional costs of living in a high-cost city, including child care and transportation costs that the "household income" metric doesn't take into account.

Further, the Alliance introduced evidence to the Hearing Examiner² that an estimated 13,387 of the 26,318 current UW classified and professional employees workers earned less than 80 percent of Area Median Income (AMI), and about one-sixth (4,574) earn less than 50 percent of the AMI, according to UW's 2015 payroll databases data. While our proposed housing conditions on the UW have been based on new employees to simplify the issue, the UW's expansion will impact all housing-cost-burdened employees—existing and new, according to the Hearing Examiner's findings:

¹ (City University Agreement Section II.B.8.c and d.)

² U District Alliance Comments on UW Master Plan, submitted to Hearing Examiner 12/12/17

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Generally, increased housing demand has the potential to displace low-income households which find it difficult to compete in an increasingly competitive housing market...City planning documents conclude that current and anticipated City regulations will not fully mitigate the affordable housing impacts of anticipated growth.³

Thus, the larger impacted population is an estimated 14,000+ current and future UW employees who will be further cost-burdened by the UW's employment growth, and this larger metric certainly justifies the Alliance's demand that the City place a condition of creating at least 944 new affordable housing units even if some subset of 14,000 have "additional household income."

To accept the UW's argument, the City Council would be ignoring the plain language of Comp Plan Policy H 5-19, "*Consider requiring provision for housing, including rent/income-restricted housing, as part of major institution master plans ...when such plans would lead to housing demolition or employment growth.*" The policy clearly calls for requiring employee housing, but not solely income-restricted housing, where household income might be an issue.

City Council members might be under the impression that the UW was actually planning to spend its own funds to meet its voluntary commitment of building 450 units of affordable housing. The UW has to date specifically offered only one land parcel in the U District, and even then they have not been forthcoming to the Hearing Examiner or the Council as to whether they intend to require a ground lease that would require rent paid to the UW.⁴ They have not announced or committed any actual funding for any housing construction or operations. We have to assume, given no evidence of a UW funding commitment, that any UW affordable housing would be financed by sources secured by the developer. The only possible public sources for such a project are the Seattle Housing Levy and federal/state investor tax credit programs. In other words, there is no evidence that the UW is offering to spend any of its own funds to solve the housing problem its expansion is creating, and in fact, would be making use of funds that would otherwise be used by affordable housing developers in Seattle.

This brings up an even more important basic problem with the UW's commitment. In testimony to the Hearing Examiner, Sally Clark acknowledges that the UW is "precluded from screening out non-UW employees" from their proposed housing because they are using non-UW funds to finance the project.⁵ Thus, while they promise to market the housing to UW employees, anyone meeting the income guidelines can apply and live in these units. When you look at the fine print of the UW's voluntary commitment, the UW is not guaranteeing housing for even a single employee, even though their Oct. 26 response claims the housing will be for staff and faculty.

For this reason alone, the Council must require the UW to use its own funds to make a net contribution to affordable employee housing, not just work with Seattle Housing Authority to use existing funds for housing that was already going to be built anyway. The Council must

³ HE's Correcting Findings and Recs. p. 15-16, Finding 65, based on the EIS and statements by the City.

⁴ Testimony of Sally Clark to Hearing Examiner, Dec. 11, 2017

⁵ Testimony of Sally Clark to Hearing Examiner, Dec. 11, 2017

require, as a condition of CMP, that the UW provide sufficient affordable housing exclusively available for low-wage UW employees.

The Alliance reiterates its call for the Council to require the following CMP conditions related to housing:

1. To increase the requirement from 450 to 944 total affordable units (622 @ 80% AMI and 322 @ 50% AMI) set aside specifically for UW employees without the assumption that UW employees will double up in each unit, based on student living arrangements.⁶
2. To require the UW housing to include a mix of housing sizes to accommodate families, and to provide childcare onsite for housing.
3. UW affordable housing production should be linked to campus expansion benchmarks. The UW says they will build the housing “over the life of the plan,” not by any date certain. The last plan was passed in 2003 and is still in effect in 2018, 15 years later. The Council should require 1/3rd of the housing be built at 2 million sf, another 1/3rd at 4 million sf, and the final 1/3rd 2 million sf at 6 million sf of campus expansion. This is consistent with other housing requirements the Council has made on master planned projects in the past. Finally, the Council should cease issuing further master use or building permits if the respective benchmarks are not achieved.
4. To require that employees and residents be represented in decisions on where to locate housing, and how housing should be constructed, maintained and administered.
5. The housing must be non-profit or publicly owned so rents are held affordable in perpetuity (not just 12 to 15 years, or the term of the loan). This prevents for-profit developers from raising rents to market rates after their investors are paid off and in the case of transferring public land under HB 2382, reaping private equity from land that was previously in public hands.
6. The UW told the Hearing Examiner their “voluntary” commitment to 150 units of housing in the U District would include some units for the homeless,⁷ but their response to the Council no longer mentions the homeless. To address the problem of homeless UW students, the Council should require the UW to create 75 units of housing for homeless students and 75 units of housing for homeless young adults living in the U District, and provide low-cost commercial space for social service organizations serving homeless students and young adults, including the Urban Rest Stop and Roots.

⁶ The UW EIS (3.8-27) assumes that students will average two per household. The Resolution uses a similar assumption for staff without evidence that staff can or will live together.

⁷ Testimony of Sally Clark to Hearing Examiner, Dec. 11, 2017

Transportation

The University's response (Section 2.2) states: *There is no basis for the proposed 12% SOV rate goal in the CUA, the City's conditioning authority pursuant to SEPA, or the record. The CUA is quite clear:*

"The fulfillment of the University's mission may also have adverse impacts on the City and surrounding communities by such things and the generation of additional vehicular traffic.....where necessary mitigating actions can be taken to maximize positive impacts and minimize adverse impacts."⁸(Emphasis added)

The EIS projects the proposed growth will create an additional 6,195 SOV trips. The *EIS Transportation Development Report (TDR) Table 10.1 (SOV Sensitivity Analysis at Key Impacted Intersections)* clearly establishes that even if the UW achieves a 15% SOV rate by 2028, the University District will suffer unreasonable increased congestion created by those 6,195 additional SOV trips.

Table 10.1

SOV SENSITIVITY ANALYSIS AT KEY IMPACTED INTERSECTIONS

Intersection	Existing (2015)		No Action		Alternative 1 at 15% SOV	
	LOS ⁹	Delay ¹⁰	LOS	Delay	LOS	Delay
16. 9th Ave NE (South)/NE 45th St	E	38	E	41	F	65
29. Montlake Blvd NE/Mary Gates Memorial Dr. NE	D	54	D	50	D	55
30. Roosevelt Way NE / NE 43rd St (East) ¹¹	D	28	F	793	F	950
31. Roosevelt Way NE / NE 43rd St(West)	E	36	F	74	F	109
32. 11th Ave NE/ NE 43rd St	B	14	E	72	F	102
47. 12th Ave NE / NE 41st St	E	41	F	52	F	532
49. University Way NE / NE 41st St	F	* ¹²	F	*	F	>180
51. 7th Ave NE / NE 40th St	E	37	E	44	F	55
57. 6th Ave NE / NE 40th St	F	60	F	107	F	102
63. 6th Ave NE / NE Northlake Way	C	25	E	38	F	67
67. 15th Ave NE / NE Pacific St	D	38	D	37	E	60
69. 15th Ave NE / NE Boat St	B	15	C	18	E	76
72. Montlake Blvd NE/ IMA exit	D	34	D	34	E	41
Source: Transpo Group, 2016						
<i>Note: Column Headed "Alternative 1 at 20% SOV" has been eliminated for clarity</i>						

⁸ City/University Agreement, as amended 2004, Recital (4)

⁹ Level of service

¹⁰ Delay in seconds

¹¹ Volume exceeds capacity and Synchro could not calculate the delay.

¹² Evaluated in HCS because Synchro could not calculate the delay.

In the “no action alternative,” 5 out of 13 key intersections are at level of service (LOS) “F”. At the 15% SOV goal level, that number jumps to 9 out of 13 with an additional 3 intersections at LOS “E”! Under the plan 12 out of 13 intersections reach unacceptable levels of congestion. This delay level at the 13 intersections would jump to 75% with the 15% SOV level in effect.

FEIS Table 5.13, Comparison of Transit Speeds compares transit speeds between a “no action alternative” and the TMP with a 15% SOV goal.¹³ The delay will range from 6% to 63% with an average delay of 21% in 6 of 7 transit corridors. This transit delay creates an unacceptable alternative to attract new riders or retain existing riders. Growth in transit ridership is an essential element to mitigate traffic growth.

Table 5.13
COMPARISON OF TRANSIT SPEEDS

Corridor	Existing Transit Speed (mph)	No Action Transit Speed (mph)	Alternative 1 Transit Speed (mph)
NE 45th Street Eastbound	5.2	4.8	4.0
NE 45th Street Westbound	5.2	4.0	3.2
NE Pacific Street Eastbound	14.7	12.3	4.6
NE Pacific Street Westbound	7.3	18.3	13.8
11th Avenue NE Northbound	5.9	5.1	4.3
Roosevelt Way NE Southbound	12.6	4.9	4.6
15th Avenue NE Northbound	7.8	14.1	11.3
15th Avenue NE Southbound	5.8	6.8	4.4
Montlake Boulevard NE Northbound	20.0	15.1	11.3
Stevens Way NE Eastbound	6.8	8.8	8.0
Stevens Way NE Westbound	2.7	3.0	3.0

Also, there is the problem of the peak hour. 81% of staff commute during the morning peak compared to only 41% of students. The number and location of peak hour trips significantly affect intersection LOS and transit reliability. Almost half (46%) of the growth will be staff increases. 36% of current staff drive alone compared to 5.7% of students. A major effort will be required to attract staff to Transit. The 15% SOV goal is a performance measure for the entire UW population over the entire day and doesn't address the peak hour problem!

This unacceptable peak hour delay caused by the additional 6,195 SOV trips is the basis for our recommendation that the SOV goal be lowered to 12%. We support the decision by the City Council to require a 12% SOV goal.

The University's response (Section 2.2.2) states: *SEPA mitigation must be tied to an impact, and it must be reasonable and capable of being accomplished. There is no evidence that any significant adverse impacts will remain after accounting for the transportation conditions the University has already accepted and the 15% SOV goal in the Plan.*

¹³ Table 5.13 *Comparison of Transit Speeds* (TDR P. 5-16)

Contrary to the evidence provided above in our response to 2.2, we found no specific data from the proposed UW plan that clearly establishes that the 15% SOV goal is reasonable. We also could find no indication in the record that SDCI required specific data to justify the conclusion that a 15% SOV goal would satisfy the SEPA requirement that mitigation be tied to an impact. We believe that SDCI was in error in not requiring specific data to justify the 15% SOV goal.

We also note that the Hearing Examiner did find that *“the suggestion that the Master Plan be amended to reduce the University’s SOV rate to 12 percent by 2024 has some merit, particularly in light of the facts that the SOV rate is presently 17%, and dropped after the opening of a new light rail station, access to light rail is planned to improve significantly through both new University light rail stations and system improvements, the University proposes to replace parking lost in demolition under the Master Plan rather than reducing the parking cap, and the University commits only to consider revising its payment system for parking to reduce demand.”*¹⁴

Examiner Tanner made the above finding after 12 hours of University testimony and the allowable 20 minutes of Alliance testimony. The Hearing Examiner noted a promise that UW would seek funding from the Legislature for a fully subsidized transit pass as her rationale not to require a 12% SOV goal for the UW.¹⁵

The University’s response (Attachment 2 Sec. 3.2) states: *History shows that the U-Pass system and its subsidies have been the primary incentives for changes in student travel modes, and increased subsidies for the employee and faculty U-Pass would significantly increase their access to affordable transportation options and reduce the University’s SOV rate. The University has committed to going to the state legislature to seek inclusion of the state’s higher education employees in the existing program that grants all other state employees (sic. Living) working in King County a fully subsidized transit pass. A successful outcome in that forum would do more to reduce the University’s SOV rate than mandating in the Master Plan that it achieve a 12% SOV rate by 2024.*

We agree wholeheartedly with all by the final sentence! In fact, the Hearing Examiner chose not to condition the UW with a free transit pass in 2017 because of this promise...yet to be fulfilled. The UW presents no evidence in their Oct. 26 response or any other statement on the record in 2018 that they have made UPass funding a priority or sought any funding from the State Legislature.

In fact, a City of Seattle mandate of a performance measure of 12% would strengthen the University’s ability to get Legislative funding. If however, the UW is not successful in the Legislature in 2019 or beyond, it must still be mandated to meet the 12% goal in order to

¹⁴ Footnote 106 by Examiner Tanner to Findings and Recommendations CF-314346, Other Conclusions 31, page 24

¹⁵ Footnote 106, page 24

guarantee the City of Seattle and its residents that the traffic congestion and transit delay caused by the new development will be fully mitigated.

The University's response (Section 2.2.3) states: *The record shows that a 15% goal is far ahead of goals for other major institutions. It is also less than half of the goal recently set for Seattle University and Swedish Cherry Hill, with respective goals of 35% and 32%.*

As pointed out in our testimony before the PLUZ Committee on 7/31/18, we are concerned about mitigating the impacts of 20% growth over a 10 year period in the University District. We note that both SCDI and the University are considering this growth in the context of other institutions with more modest projected rates of growth and without the traffic impacts which are articulated in our response to UW's Response Section (2.2) above.

Also, the 15% SOV goal takes advantage of the impressive 5.7% SOV of UW students who have voted to tax themselves to cover the cost of a UPass whereas the Staff rate of 36% SOV reflects the \$150 quarterly cost of a UPass.

The University's response (Section 2.3) states: *The University has the best SOV rate in the City.* While the University has consistently made this assertion, it fails to note that there are a number of other employers in the city who have lower rates. Nowhere in the record has the UW documented that claim with evidence on all other major employers in the City, in fact all evidence says the opposite.¹⁶

A 12% SOV rate achieved by one year after the opening of the Lynnwood station is, in fact, quite reasonable. With the addition of Light Rail to Northgate, Lynnwood, Federal Way, Bellevue and Redmond, linked with BRT improvements on the 405 Corridor and the 522/145th Corridor plus improvements in Rapid Ride on Roosevelt, Eastlake and 23rd plus parking management improvements and pedestrian and bike improvements that the University indicates it will "consider," it is quite reasonable for the UW to reduce the faculty/staff SOV rate from 36% to 22% making a 12% total SOV rate quite achievable even with no improvement in the student rate particularly if they provide a free UPass to faculty and staff. We support the City Council's decision to require a 12% SOV goal.

The University's response (Section 3.2) states: *There is no basis to lower the vehicle parking cap to 9,000 stalls in the CUA, SEPA or the record.*

The supply and price of parking has long been established in Transportation Planning as a key determinant in the generation of vehicle trips. "Build it and they will come." Determining parking supply is a specific power of City of Seattle land use law.

¹⁶ If we separate the SOV rate for students, the faculty/staff rate of 36% SOV is higher than the average employer rate of 23.9% for areas of comparable transit service in Seattle. Source: Commute Seattle, <https://commuteseattle.com/wp-content/uploads/2018/02/2017-Commuter-Mode-Split-Survey-Report.pdf>

The Alliance's Bill Roach, speaking as a former transit planner, long experienced in transportation demand management and originator of the first U-Pass program, testified to the Hearing Examiner¹⁷ and the PLUZ committee that one of four keys to the success of the U-Pass program has been the management and pricing of the UW's parking supply. In his opinion, establishing a cap of 9,000 spaces is an appropriate "right sizing" of the parking cap which was first established at 12,500 to fit the demand of the 1980's. He testified that an adjustment in the parking cap to 9,000 over the next 10 years will be a key to constrain parking supply to assist the University to constrain SOV trips and meet the 12% SOV goal. He testified that this requirement is needed to help mitigate the 6,195 SOV trips which will cause a 75% increase in traffic in the University District and a 20% increase in transit delay with a 15% SOV goal.

The University's transportation plan contemplates that as surface lots on campus are eliminated for new development, the spaces lost will be converted to structured parking on a one for one basis. The reduction of the cap will save the University the cost of over \$100,000 per space for new structured parking can help fund other traffic mitigation programs. The University should also be counting the 750 spaces which support the UW Tower as a part of the parking supply.

The University's response (Section 3.2.2) states: *Conditions imposed under SEPA must be reasonable and capable of being accomplished. A reduction in the parking cap would be unreasonable and cumulative when combined with the University's other efforts to mitigate traffic impacts.*

The use of the word "cumulative" is critically important when discussing an effective employee transportation program. As we commented above in our reply to UW Response Section 2.2, the University is not adequately mitigating the traffic impacts with its 15% SOV goal. In order to develop an adequate and effective mitigation program there must be a combination of increased and improved light rail and bus service, elimination of a user charge for that service, parking supply constraints, parking management strategies and price increases will all work together to enable the University to meet a performance goal of 12% SOV.

The University's response (Section 3.2.1) states: *There is no CUA policy that requires reduction of the University's parking space cap. In fact, the CUA's policies suggest the opposite. That parking must be maintained on campus to prevent impacts to off-campus street parking and adjacent neighborhoods.*

In fact, the University has long supported financially a neighborhood parking program to protect adjacent neighborhood parking for residents as a part of earlier City/University settlements. The University should expand its support of neighborhood parking programs where there is a demonstrated problem to further enable it to help meet its 12% SOV goal rather than maintain additional parking which will attract additional vehicle traffic.

¹⁷ Bill Roach comments to Hearing Examiner, 12/12/17.

Zoning – the Alliance supports CUCAC’s position on height limits for two UW parcels (W22 and W37) at the north end of the University Bridge. The University did NOT modify height limits on “many development sites” from the draft to the final version of the CMP in response to CUCAC or other community concerns. While some heights were lowered from 240’ to 200’ in the West Campus, this was not in response to requests CUCAC or the community made and was apparently done for the convenience of the UW.

Indeed, CUCAC requested that heights along Pacific Avenue in the South Campus be reduced and this did not occur. The UDCC requested a height reduction from the 130’ proposed for the East Campus along the full length of Montlake Blvd., and the UW was not responsive to this either. The only major height reductions made in the plan were along University Way NE because they were out of line with the existing Ave zoning. The Alliance supports UDCC and CUCAC’s request that the height limits at W22 and W37 must be reduced to protect the public interest and consistency with surrounding zoning.

There is a 20+ year history of both City and UW plans that call for this to be a key gateway location to the neighborhood, and a few setbacks and signs are not going to be sufficient to achieve that goal. A 240’ building creates a visual wall, not a suitable gateway to the neighborhood.

We agree with UDCC that the UW’s assertion that grade changes somehow make building that has twice the zoned height of a midrise building on site W37 “consistent” doesn’t make sense and goes against all zoning protocols. CUCAC and the UDCC’s argument that a building double the height of the existing one will block a panoramic public view that now exists from the sidewalks on both sides of the street at the north end of the University Bridge is still true. CUCAC and the UDCC have already documented the long history of neighborhood and campus plans that identified this site as a gateway.

Child Care Vouchers – the UW did not respond to the Alliance requests that the Council include goals for a joint City-University study and program to institute a child care voucher program for UW employees.

Resolutions on Childcare, Priority Hire, Local and Minority/Women-owned businesses and Renegotiating City-University Agreement (CUA). The UW did not respond to the Alliance requests for an addition to these recitals:

“Whereas the City requests that the University of Washington include a report on progress towards the goals of the above resolutions on City of Seattle priority areas of Childcare, Priority Hire, Local and Minority/Women-owned businesses and the renegotiation of the City-University Agreement in its annual report to the City of Seattle (required by the existing City-University Agreement), and that the UW and the City should widely publicize the annual progress report each year.”

At the request of several Alliance members and petitioners—the District Council #5 of the Painters and Allied Trades, Feet First, and Matt Weatherford, we are appending their additional comments—see attached Appendices.

*Submitted by David West and Bill Roach
On behalf of the U District Alliance
November 13, 2018*

Appendix 1:

Matt Weatherford's Reply on UW Campus Master Plan – November 2018

Seattle City Council's Resolution 31839 is an important first step towards mitigating environmental, livability and equity impacts of the University of Washington's (UW) Campus Master Plan (CMP). I ask that the Council, in balancing the UW's institutional needs with those of the employees and neighborhoods consider the additional changes listed below to clarify and strengthen the CMP resolution.

#1: Burke Gilman Trail

First of all, I support the UW's objection to the language "construct separate user pathways" in Oct 30, 2018 Comment section 6.3 - Grade separating users with the rolling curb, as has already been done in some sections of the BG is sufficient. But the University Administration seeks a non-binding, completion-date-free agreement for finishing the grade separation of the Burke Gilman trail - wanting to instead tie it to a development site with an unclear future.

The Burke Gilman trail is a critical component in Seattle's mobility infrastructure and its completion must be conditioned in the UW Master plan separate from any building sites. Furthermore, it must be conditioned that the trail be widened and the mode separation features installed along pacific be extended to the entire UW portion of the trail from under the 45th street viaduct west to the section under I-5.

#2: Lower the Parking Cap

The UW Administration's last comment (10/30/2018, section 3.2.3) states "The council has failed to account for future demand"- Apparently the administration is unaware of its own efforts as detailed in UW's initial comment phase. They describe amazing new programs at UW Transportation Services that make better use of the existing parking spaces. These include tiered rate parking (incentivizing fewer SOV trips per week) and Pay-per-use parking which replaces all day by default. The UW must aggressively fund and pursue any and all alternatives to driving to campus. Reducing the parking cap is a solid step in this direction.

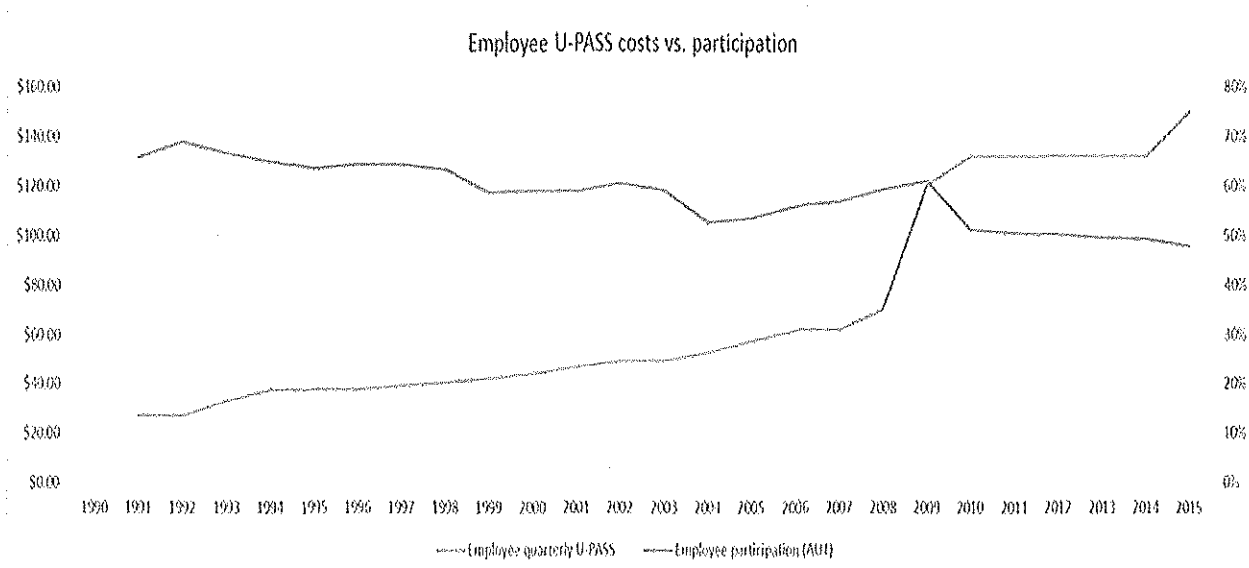
#3: 12% SOV rate

The following figures are not new information—they are a combination of the numbers we've been talking about in the CMP process for the last two years and were included in my testimony at both the Hearing Examiner and the City council.

The University's assertion that a 15% SOV mode split goal will be sufficient to prevent gridlock is not borne by the facts in the UW EIS Transportation Discipline Report (TDR). At current drive alone rates, the projected new population in the master plan would generate at least 1660 additional SOV trips to the campus and result in a service Level "F" for several U-District intersections.

Sally Clark testified in open hearing that "12% is Hard" and that there is "no evidence it is doable" - gridlock in the U-District is also hard. The University Administration claims "it is hard to get from 15% to 17%"- I still maintain that this is not about the combined number, it is about **UW Employee work trips** and lowering that rate from 36% to 22%.

There is ample evidence that increasing investments in employee transit passes will increase their use. As shown and stated in my oral testimony at the SDCI hearing, UPASS participation was 20% higher during its lowest cost period - see the graph below (Also submitted at SDCI hearing) for numbers from a UW Transportation Services FAC/STAFF subcommittee on which I was a co-chair: (This graph was also included in first comment on Draft CMP way back in 2016)



From University Transportation Committee Faculty/Staff UPASS subcommittee circa 2015, submitted to Hearing Examiner in the written comments of the U District Alliance, 12/12/17

I want to respond to the UW Administration's comment (10/30/2018 page 51, section 2.3) that "The University has the best SOV rate in the city." This is a disingenuous measurement because it includes Students (over half of whom live within a mile of campus) in the calculation. Most other Seattle employers cannot do this.

As I stated in open hearing this August, the Seattle Comprehensive plan sets a "SOV Work Trip Target of 15%": (which is the same as other than driving alone = Non-SOV of 85%)

In response to UW's assertion (Oct 30 2018 Comment, section 2.2.2) that "no evidence supports the assumption that a 12% SOV rate goal is reasonable and capable of being accomplished," please remember that the Seattle mandated "Work Trips" are not a combined student/employee rate - "Work trips" means **employees** going to work. The UW Work trip (**employee**) rate is currently 36%.

Transportation Figure 1
Mode Share Targets for Work Trips to Seattle and Its Urban Centers
 Percentage of work trips made by travel modes other than driving alone

Area	2014	2035 Target
Downtown	77%	85%
First Hill/Capitol Hill	58%	65%
Uptown/Queen Anne	67%	75%
South Lake Union	48%	55%
University District	73%	85%
Northgate	20%	40%
Seattle	57%	65%

(The following numbers are not new, they are simple math using existing numbers from the record and are in response to the UW's math and assertions in their 10/30/2018 section 2.2.2 comment)

What the UW Employee SOV rate will be at the proposed combined targets, assuming that the student rate holds steady at 5.7% is this:

Combined/Aggregate UW SOV Rate:	17.30% Current	15% UW Proposed	12% Coalition proposed
UW Employee SOV rate	36.3 %	30.3 %	22.5 %
UW Student SOV rate	5.7 %	5.7 %	5.7%

At the University proposed 15% SOV rate, the Employee rate will be 30 %. At the coalition proposed 12% SOV rate, the Employee rate will be 22.5 %.

If we don't practice "UW Exceptionalism" here and calculate like few other employers, then no - the UW definitely does not have the best Work Strip SOV rate in Seattle. What is true is that even at the City Council's 12% combined rate, the Employee rate of 22.5% still falls short of the Seattle Growth Management Plan U-District goals of 15% for non-Seattle residents and 10% for Seattle residents.

In summary:

- 1) The Burke-Gilman trail bed must be widened, and the mode separation features used along pacific be extended to the entire trail from under the 45th street viaduct all the way to the section under I-5 to the west by a specific date. Remove contingency on any specific building site.
- 2) Parking Cap reduction from 12,500 (of which only 10K are currently in use) to 9000 including the UW tower spaces.

- 3) Retain the condition on the UW Combined SOV rate to 12% (Which is a 22.5% employee rate) to align with the Seattle Comprehensive plan's Work Trip goals.
- 4) Child Care Vouchers – I renew the reasonable request that the Council include goals for a joint City-University study and program to institute a child care voucher program for UW employees.
- 5) Support the full recommendations of the U District Alliance on housing, zoning, child care, priority hiring, small business, transportation, and re-negotiating the City-University Agreement.

Matt Weatherford

University of Washington Class of 1992

University Transportation Committee, PSO Representative 2004 - present

University of Washington Professional Staff Organization Board Member 2016 - present

Appendix 2.

November 13, 2018

Members of the Seattle City Council,

IUPAT District Council 5, with over 2,100 members in Seattle and King County supports the comments submitted this month by the U District Alliance for Equity and Livability (UDAEL). While the City Council has begun to place important conditions on the UW to help mitigate the serious impacts of the University of Washington's (UW) Campus Master Plan (CMP), the Council should take further actions to address unanswered questions.

The UW is the only major public institution in the region that has not embraced a priority or targeted hiring policy for construction jobs. The City Council should pass a strong resolution on targeted hiring and then require annual reports from the UW on its progress and publicize those reports.

The Council should increase the affordable housing requirements to cover all low wage workers at the UW, and should further require family units and childcare in the housing it builds. The Council should set an intermediate goal for the UW of producing at least 450 housing units by 2023.

We support a provision to require that employees and residents be represented in decisions on where to locate housing and how housing should be constructed, maintained, and administered. The UW needs to contribute more than just low-cost land to the effort; they should actually provide the housing.

Finally, IUPAT DC 5 supports the positions of the UDAEL on transportation, childcare, local and Minority/Women-owned businesses, and renegotiating City-University Agreement (CUA).

Thank you,

Denis Sullivan
Business Manager/Secretary-Treasurer
Painters and Allied Trades District Council 5

Appendix 3.

November 13, 2018

Dear City Council,

RE: Comments on UW CMP and Burke-Gilman Trail

The University's response (Section 6.2) states: *City Council Condition 69 states that the University will "construct separate pathways," which is a larger scale undertaking than separation of users, and though part of the University's long-range plan, is not achievable in the 2024 timeframe.*

Resolution 31839 fails to adequately mitigate the safety impacts of increased traffic on the Burke-Gilman Trail arising from the expansion of the UW campus. The City Council conditions only require the UW to widen and separate users on the trail conditional on when development adjacent to the trail occurs, and in the interim requires the University to simply separate users by 2024.

This is inadequate. Trail use on campus is expected to triple by the year 2030, thereby increasing the potential for collisions at the many conflict points along the trail. The UW's own analysis has identified specific adverse impacts on the Burke-Gilman Trail, notably the fact that under all development scenarios unimproved segments of the Burke-Gilman trail will drop to LOS level F. Simple separation of trail users, as called for as an interim measure in city council condition 69, is insufficient as it would still leave the trail at its current width of 12'-14' (full build out of the trail would widen it to 22' or more).

To fully mitigate associated impacts on the trail, the University must be held to specific and timely dates for completion of Burke-Gilman Trail Improvements. Therefore, we call on the city council to delete conditions 69 and 70, and to replace them with the following language:

The University shall widen and separate users on the Burke-Gilman Trail throughout campus by 2021.

Submitted by

James Davis
Feet First
November 13, 2018



Councilmember Rob Johnson
Seattle City Council
Chair, Planning, Land Use, and Zoning Committee

c/o City Clerk
600 5th Avenue
Seattle, WA 98124-4728

November 13, 2018

Councilmember Johnson:

SDCI has reviewed the 20 written comments submitted in response to the City Council's preliminary decisions (Resolution 31839) regarding the University of Washington 2018 Seattle Campus Master Plan (CMP). We provide the following response to the University's Board of Regents comments, dated October 26, 2018, to suggest clarity and or refinement to conditions regarding 1) housing; and 2) transportation mitigation.

1. Housing

Council Resolution 31839

SDCI proposes the following edits to the University's alternative language to the conditions regarding affordable faculty and staff housing:

Condition 1: Amend page 276 of the Housing section to include the statement, "The University commits to voluntarily construct no fewer than 150 affordable housing units for faculty and staff households earning less than 60% AMI and no fewer than 300 additional affordable housing units for faculty and staff households earning less than 80% AMI within the MIO boundary, Primary Impact Zone, Secondary Impact Zone, or within the City of Seattle within ¼ mile of light rail stations, measured as the walking distance from the station lot line, prior to the completion of 6 million net new gross square feet authorized by the CMP."

Condition 2: A condition of the Master Plan shall state: "The University commits to voluntarily construct no fewer than 150 affordable housing units for faculty and staff households earning less than 60% AMI and no fewer than 300 additional affordable housing units for faculty and staff households earning less than 80% AMI within the MIO boundary, Primary Impact Zone, Secondary Impact Zone, or within the City of Seattle within ¼ mile of light rail stations, measured as the walking distance from the station lot line, prior to the completion of 6 million net new gross square feet authorized by the CMP."

The intent of these edits is to clarify the meaning of the word "near" for the purpose of permit review and general implementation of the condition, and to refine the locational constraints to those areas which are in the areas most directly and indirectly affected by the CMP development. Thus, SDCI believes that inclusion

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of proximity to “frequent transit routes” as a locational factor should not be considered, as this factor will not necessarily provide convenient access to the University.

2. Transportation

There are two key transportation elements in the letter from the UW Board of Regents that SDCI would like to address: (1) Condition 52 and (2) 12% SOV rate, parking cap, and UPass advocacy.

Condition 52: SDCI recommends that UW fund SDOT capital improvements that facilitate transit performance within the Primary and Secondary Impact Zones. potentially including but not limited to the following, up to but not exceeding \$12.7 million dollars payable upon completion of the following development increments:

- The completion of 500,000 net new gross square feet or by January 2, 2023 = \$2.5 million;
- The completion of 1 million net new gross square feet or by January 2, 2026 = \$2.5 million;
- The completion of 1.5 million net new gross square feet or by January 2, 2029 = \$2.5 million;
- The completion of 2 million net new gross square feet or by January 2, 2032 = \$2.5 million;
- The completion of 2.5 million net new gross square feet or by January 2, 2035 = \$2.7 million.

In each case, payment shall be made by the earlier of the completion of the specified square footage or the specified date. Payment amounts are in 2017 dollars and will be adjusted upward by 3.5 percent on January 2 of each year to account for inflation. The proposed payment schedule is expected to increase the timing and certainty of transit mitigation payments for both the UW and the City of Seattle.

During the University of Washington testimony before the Hearing Examiner, the University committed to advocating for increased funding at the State Legislature to increase the UPass subsidy for both represented and professional staff. Since that hearing, the University has taken positive steps toward fulfilling that commitment which could lead to a 100% UPass subsidy by the 2021-2023 biennium for over 27,000 employees. Given this commitment, SDCI is recommending that the Council maintain the 15% SOV recommended by the Hearing Examiner and the existing 12,300 stall parking cap, also recommended by the Hearing Examiner.

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November 13, 2018

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Seattle City Council
Attn: Rob Johnson, Chair
Planning, Land Use, and Zoning Committee
C/o City Clerk
600 4th Avenue, 3rd Floor
Seattle, Washington, 98124

Re: *Reply to Comments on City Council Preliminary Decision for University of Washington 2018
Campus Master Plan*

Dear Councilmember Johnson,

Pursuant to the process in the City-University Agreement, the University submits the following comments in response to comments by other Parties of Record (“Parties of Record” or “Parties”) on the City Council’s Preliminary Decision (Resolution 31602). Under the Agreement, this is the final comment period for Parties.

The University’s position on the Preliminary Decision is contained in the letter from the University of Washington Board of Regents to the City Council dated October 26, 2018 (the “Regents Letter”). The Regents Letter sets out specific objections to aspects of the Preliminary Decision and proposes alternatives. This letter provides supplemental comments clarifying the University’s position in the Regents Letter in response to certain issues raised by Parties of Record. To the extent there are issues raised by Parties of Record that are not addressed in this letter, the University relies on its position in the Regents Letter and its other, previously-filed briefs in this matter. Those documents define the scope of the Plan and conditions supported by the University.

As stated in the Regents Letter, the University continues to concur with the majority of the Preliminary Decision and accepts the majority of the more than 70 conditions on the Plan proposed by stakeholders including the City-University Community Advisory Committee, the Seattle Department of Construction and Inspections (“SDCI”), the Hearing Examiner, and the City Council. Those accepted conditions represent resolution on almost all of the issues raised during the more than three-year process for development and review of the Plan. The accepted conditions also represent significant commitments by the University in response to stakeholder feedback. Funding for those significant commitments will be from the University’s constrained funding sources—student tuition and legislative appropriations. Despite this, Parties of Record ask the City Council to require additional conditions on the Plan. As discussed below, with one exception, none of the additional conditions sought are appropriate. The University Administration can support the condition language proposed in SDCI’s reply letter dated November 13, 2018, for the University’s share of transit investments in the University District (Council Condition 65) with minor clarifications. The University Administration

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will recommend approval of the Plan by the Regents with the language reflecting that condition with the minor clarifications noted below. The University Administration believes the revised condition language represents a proportionate, reasonable and achievable transit investment.

A. Employer Housing

The University agrees that housing affordability is an important issue. In recognition of this, the Regents support approval of the Plan with a voluntary commitment by the University to construct 450 units of affordable faculty and staff housing, the amount requested by Council, even though this is an unprecedented commitment by a public institution and a stretch figure for the University to meet. Page 7 of the Regents Letter contains the acceptable condition language. The University's intention is that the housing provided will be affordable for the life of any projects it is a part of.

Parties of Record request the University construct 944 to 1,000 units for affordable faculty and staff housing, more than double the agreed-upon number, arguing that it is unreasonable to assume two-person employee households. Neither the law nor the record support this request. As detailed in the Regents Letter and elsewhere in the record, the City does not have legal authority to condition the Plan on affordable housing. Further, at every step in the review process for the Plan, the University has objected to Parties' claims regarding employee housing needs because they provided no quantitative basis for them and never provided an original source. Parties' continued reliance on unfounded claims and their latest arguments underscore the lack of applicable data. The accepted measurement for housing affordability is *household* income, not *individual* income. See, e.g., SMC 5.73.020; SMC 23.84A.016. This presents a problem for Parties of Record because they have only ever alleged certain numbers of individual employees are cost-burdened. The City Council properly recognized this issue and tried to correct it by dividing the Parties' numbers by two, the average household size in the University District. Parties' claim that this was an inappropriate step only further underscores the fact that there is no data in the record on employee household income.

Parties of Record also request several limits on the University's construction and operation of affordable faculty and staff housing related to its location, oversight, and ownership structure. Neither the law nor the record supports these requests. The University does not support any of the suggested limits because it needs flexibility to be able to successfully achieve its voluntary commitment.

Last, Parties of Record request the University reserve additional affordable housing for students experiencing homelessness. While this is an important issue, it is not an appropriate Plan condition. The record shows that the University is taking steps to address homelessness outside the Plan through programmatic efforts like the Doorway Project.

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B. SOV Rate

The Regents support approval of the Plan with a 15% SOV rate goal. Pages 8-9 of the Regents letter address this topic. The record shows that the University is committed to achieving the 15% SOV rate goal through a strong Transportation Management Plan that relies on the strategies outlined in the Plan. Parties of Record request a 12% SOV rate goal, claiming that this was the rate “recommended by the Hearing Examiner,” and that a lower SOV rate goal is necessary to incentivize the University to make collective bargaining commitments on UPASS. Neither rationale supports Parties’ request.

Parties’ misquote the Hearing Examiner’s decision related to the SOV rate goal. The Hearing Examiner did not “recommend” the 12% SOV rate goal. The Hearing Examiner noted that rate “had some merit,” but ultimately recommended the 15% SOV rate goal because it is “reasonable and capable of being accomplished.” There is no evidence in the record that a 12% SOV rate goal is similarly reasonable and capable of being accomplished.

Parties’ arguments related to collective bargaining commitments on UPASS are similarly inappropriate. The University’s collective bargaining commitments are outside the record. The City Council must rely on the record already established in making its decision. The University looks forward to sharing its efforts to improve UPASS with the City Council after the Plan approval process is complete.

C. Parking

The Regents support approval of the Plan with a 12,300-stall parking space cap that includes residence hall parking. Pages 9-10 of the Regents Letter address this topic. Parties of Record request a 9,000-stall parking space cap that includes parking on property owned by the University outside the Major Institution Overlay (“MIO”). Neither request is appropriate. The Plan is the University’s guide to development within the MIO. Parties’ request would place a restriction on property outside the MIO in the Plan, which would be beyond the scope of the Plan. Further, the University does not support reducing the parking cap to 9,000 stalls because this cap level would not accommodate the future parking demand for campus under the Plan and could cause off-campus parking impacts, contrary to the University’s historic commitments to its neighbors.

Parties also request expansion of the University’s “Residential Parking Zone” commitments. This is a new request that was not a basis of an appeal and was not raised at the City Council hearing. It is also not supported by the law or the record in this matter. The record shows that the University’s existing commitments to the RPZ program are successful, supported by SDCI, and that the University will maintain this commitment in the Plan. No further conditioning on this topic is appropriate.

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D. Bike Improvements

The Regents support improvements to the segments of the Burke-Gilman Trail through the MIO. Pages 13-14 of the Regents Letter address the achievable timeline for the improvements. Parties of Record request completion of the improvements by 2021. There is no evidence in the record that this alternative timeline is reasonable and capable of being accomplished, a finding required for such a condition to be imposed under the State Environmental Policy Act.

E. Height Limits

The Regents support the height limits for sites W37 and W22 proposed in the Plan. Pages 10-11 of the Regents letter address why the heights are appropriate. Both SDCI and the Hearing Examiner supported the proposed heights that reflect the urban environment in the University District and appropriate density near future light rail. Chapter 4.2 of the FEIS describes in detail the height changes between the draft and final Plan.

F. Childcare

Parties of Record request conditions related to providing childcare in affordable housing projects and for lower wage employees, and creating a childcare voucher program. Neither the law nor the record support these requests. As recognized by SDCI and the Hearing Examiner, childcare is a topic outside the scope of the Plan. Although outside the Plan, the University President explained in her testimony at the Hearing Examiner hearing that expanding childcare opportunities for University employees is a key priority and that the University has separate commitments to expand access to childcare during the life of the Plan.

G. Open Space

The Regents support the University's commitments in the Plan to significantly expand the amount of designated public open space within the MIO. Parties of Record request a condition requiring the University to commit \$1 million a year toward the creation of a City-administered open space fund for the University District outside the MIO. Neither the law nor the record supports this request. Development fees are prohibited by state law. See RCW 82.02.020.

H. Information Outside the Record

This is a quasi-judicial proceeding wherein the City Council must make its decision on information in the record. To the extent Parties' comments cite and rely on information outside the record like the University's 2015 Bike Collision Report, the University District Mobility Plan, and the University District Small Business study, such information must be disregarded.

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I. Transit Investment (Council Condition 65):

The University Administration will recommend the Regents approve the following SDCI-proposed condition language with the modifications noted (via underline):

Recommended Condition 65: “The University shall fund SDOT capital improvements, as such improvements are identified by SDOT and agreed to by the University, that facilitate transit performance within the Primary and Secondary Impact Zones, up to but not exceeding \$12.7 million dollars payable upon completion of the following development increments:

1. Occupancy of 500,000 net new gross square feet or by January 1, 2023 - \$2.5 million
2. Occupancy of 1 million net new gross square feet or by January 1, 2026 - \$2.5 million
3. Occupancy of 1.5 million net new gross square feet or by January 1, 2029 - \$2.5 million
4. Occupancy of 2 million net new gross square feet or by January 1, 2032 - \$2.5 million
5. Occupancy of 2.5 million net new gross square feet or by January 1, 2035 - \$2.7 million

In each case, payment shall be made by the earlier of the occupancy or the specified date. Payments are in 2017 dollars, and will be adjusted upward by 3.5 percent on January 2 of each year to account for inflation. In the event the University develops significantly less than the square footage predicted by the time when payments are due for any phase, the University and the City shall negotiate in good faith to delay payments or credit previous payments in excess of developed square footage.”

In sum, the University would like to thank the City Council for its attention to the University’s comments and for the time spent on the Campus Master Plan so far. We look forward to successfully completing the joint approval process for the Plan. We truly believe the Plan strikes the right balance between University growth necessary to meet the higher education needs of the State of Washington and mitigation of the local impacts of such growth, and we look forward to implementing it.

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Sincerely,

A handwritten signature in black ink, appearing to read "L. Cariello". The signature is written in a cursive, somewhat stylized font.

Lou Cariello

Vice President of Facilities

cc: Board of Regents

University President