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BEFORE THE CITY COUNCIL

CITY OF SEATTLE

In the matter of the Application of

SWEDISH MEDICAL CENTER

For approval of a Major Institution Master Plan C F 311936

NOTICE OF APPEAL BY
DEAN PATON, CAC REPRESENTATIVE

Introduction

I was appointed to the Swedish Medical Center Cherry Hill Campus Citizens Advisory Council on August 8, 2014, and continue to serve in this capacity. I live at 733 16th Avenue, one block north of the Swedish Cherry Hill campus. My primary occupation is journalist; I am Seattle Correspondent for *The Christian Science Monitor.*

I am appealing the decision of the city's Hearing Examiner that recommends approval of this Major Institution Master Plan proposed by Swedish Medical Center. While it seems clear to me that the Hearing Examiner erred in multiple judgments, I will not go point by point through what I believe were her mistaken conclusions; others appellants have done that with assiduous documentation, and I encourage you to read those appeals carefully. In fact, I am a signatory to the appeal filed by Katie Porter, Dylan Glysecki and other individual members of the Citizens Advisory Committee.

Instead, I want to provide the City Council with some backstory, with some context that I believe bolsters the case for a council rejection, or at minimum a modification, of the Hearing Examiner's recommendations.

Things Worth Knowing

First, know that in more than 30 meetings of the Citizens Advisory Council stretching back almost three years, in what amounted to almost one hundred hours of public testimony about this MIMP, not one resident that lived in the neighborhoods surrounding the Cherry Hill Campus rose to speak in favor of the Swedish/Sabey MIMP. Not one person. Ever. The CAC's official notes confirm this.

I am told such unanimity is unprecedented in the history of Seattle's Major Institution Master Plan processes. And it shows more than just unanimous opposition by hundreds of neighbors to this MIMP; it indicates a process in which Swedish Medical Center and Sabey Corporation showed almost no willingness to work with an historic and fragile neighborhood to find compromises and solutions that might have made this MIMP acceptable—and also brought it into compliance with the city's Land Use Code and its Master Plan.

This isn't simply my opinion. Steve Sheppard was the Department of Neighborhoods' staff member assigned to "shepherd" the Swedish Medical Center MIMP through the Citizens Advisory Committee Process. Mr. Sheppard, now retired, had worked for the city's Department of Neighborhoods for 40 years, and likely has managed more MIMP reviews than anyone else in or connected with city government. If we're looking for a MIMP expert, Mr. Sheppard is that person. I held numerous conversations with Mr. Sheppard on the subject of the MIMP, both immediately following CAC meetings and on the telephone. Like a good reporter, I kept notes.

"In all my years of doing this," Mr. Sheppard told me, "I have never seen a major institution so unwilling to work with the neighborhood, so unwilling to discuss options and to negotiate with the neighbors."

He shook his head. He recounted his initial meeting with Andy Cosentino, the executive appointed by Swedish, part way through the the Citizens Advisory Committee process, to take over the Swedish effort to win approval of the MIMP. "When Andy first came on board, I met with him," Sheppard said. "Because he wasn't here when the whole process started, I tried to explain to him where it had gone wrong. I told him that if Swedish had sat down with

the neighbors in the beginning and said, 'This is what we'd like to do. What do you think?'—a the whole process could have been different."

Instead, Mr. Sheppard told me, Swedish and Sabey had simply announced plans for an overlarge, out-of-scale campus, a kind of take-it-or-leave-it proposition. And, of course, the neighbors as well as community organizations balked. Swedish and Sabey then offered a string of "alternative" proposals that differed only slightly from the original MIMP. Not surprisingly, each of these encountered swift and vocal opposition from the community.

"I told Andy there was still time to maybe patch things up with the neighbors—to get a fresh start," Mr. Sheppard said. "Swedish could still sit down and say, 'Okay, let's see if we can all figure out, together, ways to make this work for all of us.' But they just never did it."

Tellingly, Mr. Sheppard's analysis of what Swedish and Sabey are asking for in this MIMP—an analysis that he was never asked to present in any of the CAC meetings—seems a vital perspective now. In direct contradiction to both the Department of Planning and Development and the Hearing Examiner's recommendations, Mr. Sheppard said: "What they (Swedish) are trying to do is to put something way too big in a neighborhood that can't handle it. Where it just simply shouldn't be. Given the zoning and the Land Use Code, the only place this could really fit is downtown. Cherry Hill," he said, "is not First Hill, and you can't put development here of this scale."

And yet, for reasons none of the appellants can understand, the Hearing Examiner has approved this MIMP, a project whose scale is too big, a project that, code-wise, belongs in a designated Urban Village and not a residential neighborhood, a project that can never attain what the city code requires: that the needs of the institution be balanced with the needs of the neighborhood.

So now it comes to the City Council, the citizens' court of last resort. I'll conclude with what, for me, is the most important outcome at stake today. And I'll do so with another story:

If there was a single most shocking moment during the almost two years I was on the CAC, it was the evening the committee's representative from the

Department of Planning and Development announced that DPD had essentially recommended that the city grant Swedish and Sabey all they had demanded.

As she read through the DPD report, point by point, you could feel the energy in the room turn upside down. There were quiet gasps from around the table. CAC members would look around at each other and make eye contact—that kind of eye contact you make quietly, when you have to check with others to make sure what you're hearing—is really what you're hearing.

After the meeting, neighbors as well as a lot of the CAC's members were shaking our heads and rolling their eyes in disbelief. How could DPD do that when it was obvious to most of us—and I mean all but a couple of CAC members—that this MIMP as written couldn't possibly fly, was vastly out of scale, and was such a flagrant violation of the city's codes, statutes, and sensibilities?

From that moment onward, there was a new cynicism at CAC meetings. Neighbors threw around wild charges: The process was fixed. Swedish somehow "got" to DPD. The whole process was rigged.

Of course, there's no evidence for any of those suspicions. And that's not my contention, or my concern.

My point is, when a decision gets made that seems on its face illogical and flat-out wrong—in terms of both common sense and also our laws, statutes and codes—people lose faith. They lose trust in their government. They give up and quit participating.

In the case of the Swedish MIMP, I believe there has been an overwhelming case for sending this MIMP back for drastic revision and re-conceptualizing. The CAC thinks so. Numerous planners, consultants and other experts think so. And every one of those surrounding neighbors who testified in person at those 30-plus meetings thinks so.

What I want to say here, Honorable Councilmembers, is that your decision can either fan flames of public cynicism, or inspire hundreds of people who have believed in this process to *continue* believing in the idea of democracy. In remaining engaged participants in the city's life as well as in the world they inhabit.

Of all the major "isms"—cobweb communism, Mussolini fascism, rampant capitalism—none is worse for society than cynicism. Cynicism, too often created by unjust government decision making—as in "You can't beat City

Hall"—is a key step toward a city's decay. Yet nothing fosters healthy democracy better than participation by the public on a large scale.

I am convinced that if you uphold the recommendations of the Department of Planning and Development as approved by the Hearing Examiner, the result will not just be the slow devastation of the neighborhoods surrounding Swedish Cherry Hill, but it will foster even more cynicism than we already struggle against in today's world. It will send the worst possible message to those hundreds of neighbors that testified: "You really *can't* beat City Hall. Even when you know the facts support you."

If you look at the majority CAC report as well as the minority CAC report, you will see documents, crafted thoughtfully throughout the Citizens Advisory Committee process, that pose wise, workable solutions—compromises that do as our Land Use Code insists: balance the wants of the institution with the health and vitality of the surrounding neighborhood.

I have filed my appeal and laid out this backstory because the stakes here go beyond granting or denying a MIMP revision. The stakes go even beyond the destruction of an old and noble Seattle neighborhood. As I've said, the stakes also include the public's faith in its government, and the processes that government has put in place to guarantee fairness as well as equity across the city's neighborhoods.

I hope you'll find in favor of the low-rise neighborhoods surrounding the Cherry Hill Campus—and for the very idea of democracy, right here in Seattle. Please reject, or at least recommend significant revisions to, the Swedish Medical Center's Cherry Hill MIMP.

Thank you very much for your time.

Yours truly,

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