

FINDINGS AND RECOMMENDATION
OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE

In the Matter of the Application of

SEATTLE PACIFIC UNIVERSITY

FILE NO. 8402774
C.F. NO. 294426

for Major Institution Master
Plan Approval pursuant to
Chapter 23.81, Seattle
Municipal Code

Introduction

Seattle Pacific University (the "University" or "SPU") has requested Major Institution Master Plan approval.

For purposes of this recommendation, all section numbers refer to the Seattle Municipal Code unless otherwise indicated.

The Director's report, submitted by the Department of Construction and Land Use ("DCLU report"), recommended that the petition be conditionally granted.

This matter was heard before the Deputy Hearing Examiner ("Examiner") on June 7 and 8, 1990. The record was held open until June 15 to allow a site visit by the Examiner and the submission of written closing arguments.

The public hearing on the recommendation was consolidated with an appeal from the adequacy of the EIS prepared in conjunction with the Master Plan. The File numbers of that appeal is W-90-005. While the Examiner's decision on the adequacy appears in a separate decision, both decisions are based on a common record. The Examiner found the EIS to be adequate.

The parties to the proceedings were represented as follows: Applicant Seattle Pacific University by attorney Thomas M. Walsh, Foster Pepper & Shefelman; the Department of Construction and Land Use by Arthur Lee, land use specialist, and Margaret Klockars, Assistant City Attorney.

After due consideration of the evidence presented by applicant, the information provided by the DCLU report, the clarification and stipulations of record, and all evidence from the public hearing, the following shall constitute the findings of fact, conclusions, and recommendation of the Examiner on this application.

Findings of Fact

1. The subject applicant is Seattle Pacific University, which proposes a major institution master plan.

2. Seattle Pacific University is located on the north slope of Queen Anne Hill overlooking the Lake Washington Ship Canal. The campus is approximately 40 acres including 37 acres within the existing Major Institution zoned boundaries and 2.7 acres outside the zone. There are several noncontiguous "satellites": a student housing facility located a few blocks south of the main campus and a crew-dock located a few blocks north on the Ship Canal. The boundaries of the main campus are West Nickerson on the north, Queen Anne Avenue and 3rd Avenue on the east, West Barrett and West Dravus on the south, and 7th and 6th Avenues on the west. Those boundaries were established in 1982 with the adoption of the Major Institution Ordinance.

3. Seattle Pacific University is bordered to the west and south by residential land uses, to the east by mixed residential and commercial uses, and to the north by commercial uses. Vicinity zoning includes I-1 (Institution 1), I-2 (Institution

2), I-3 (Institution 3), L-1 (Lowrise 1), L-2 (Lowrise 2), L-3 (Lowrise 3), NC1-40 (Neighborhood Commercial 1-40' height), C2-40 (Commercial 2-40' height), and IG2-U-85 (Industrial General 2, 85' height limit on nonindustrial uses). The shoreline environment designations along the Ship Canal include UD (Urban Development), US (Urban Stable), CM (Conservancy Management), and CN (Conservancy Navigation).

4. Seattle Pacific University was founded under the auspices of the Free Methodist Church of North America in 1891 as the Seattle Seminary. At that time, the school's sole purpose was missionary training for its 12 students. However, by 1915, the need for diversity and quality resulted in renaming the institution "Seattle Pacific College".

5. It was in 1977 that further growth resulted in the institution being renamed Seattle Pacific University. Today, with a full-time enrollment of over 3,000 students, Seattle Pacific University provides a broad array of courses. The University remains firmly committed to its original Christian mission, and its student body represents more than 40 Christian denominations.

6. Involvement in the community is an important aspect of the school's mission. Examples of that involvement include student participation in the work of various youth groups and assistance to nursing homes. Examples also include the work of faculty on a wide range of projects, including the work of one Seattle Pacific University anthropologist with a Washington State Indian Tribe in helping to document its history and culture.

7. In the late 1970's, the University saw the need to develop an overall master plan. Though at that time there were no official guidelines or standards for institutional master plans, an effort was made to solicit community, university, and City participation in the planning process. The result, the University's first "Second Century Master Plan", was completed in 1980. Subsequent to the publication of that plan, the City adopted its Major Institution Ordinance prescribing in detail master planning processes for institutions. Because the procedures followed in development of the 1980 plan were different from those prescribed on the new code, Seattle Pacific University undertook a new planning process.

8. Formal application for Master Plan approval was made in July 1985. A Citizens Advisory Committee (CAC) was appointed and began regular meetings in early 1986. After the Department of Construction and Land Use (DCLU) issued a Determination of Significance in March, 1986, work began on an environmental impact statement (EIS). The draft EIS was issued on August 27, 1987 and a joint public hearing with the CAC on both the Proposed Master Plan and the draft EIS was held September 17, 1987. The Final EIS was published November 17, 1988.

9. The initial plan has been modified a number of times to reflect City and community concerns. The most recent revision is dated May 1990 and was introduced at hearing as Exhibit 13.

10. Underlying the proposed plan are the purposes and educational goals of the University. These goals are set forth on pages 3, 4 and 5 of the Master Plan. Broadly, the University seeks to promote the intellectual, spiritual and social growth of all members of its community, contribute to and transmit knowledge in many disciplines within a framework of Christian faith, thought and action, and serve church and society through learning and scholarship.

11. The planning assumptions utilized in the development of the Master Plan are found on page 12 of the Plan. Among those assumptions are the following:

1. The Master Plan time period will be ten years. (While the Plan states that those ten years will be from 1986 to 1996, given

the delay in the development and approval of the Plan, the ten year period will instead be from 1990 to the year 2000).

2. The University's student population will grow from 3,000 to 3,657 by the end of the ten year period.
3. The Full Time Equivalent (FTE) population will grow from 2,280 to 2,560.
4. Significant expansion of the University's boundaries is not anticipated.

12. The University's proposed master plan is entitled Second Century Master Plan 1986-1996. The purposes of the plan, as set out in that document, are as follows:

- ° to develop a balanced Master Plan in accordance with the City's guidelines and which will accommodate the University's needs and guide the University's future development for the next ten years;
- ° to maximize current University resources (including property and existing buildings), revitalize the central campus, provide a vital pedestrian link between the upper and lower districts of the campus, and between the central campus and those sectors of the campus lying to the north across West Bertona Street and/or West Nickerson Street, and to the east of Third Avenue West;
- ° to accommodate change with a minimum of disruption and/or duplication of services and to lay out an orderly process for change;
- ° to provide the City and the surrounding community with a clear statement of intent regarding the University's plans for future development; and,
- ° to define a physical framework that will enable the University to pursue its educational and religious mission and to continue providing quality services to the public.

13. In furtherance of its physical goals, the plan calls for the creation of new University facilities, a better defined campus core, improved parking availability, and improved athlete facilities. To attain these objectives, the plan calls for numerous street and alley vacations and for minor alterations to the existing institutional boundaries.

14. The Master Plans divides the campus into five major land use areas or zones. A diagram reflecting those areas is on page 13 of the Master Plan. The zones consist of a campus core zone, an academic zone, an athletic/recreation zone, a housing zone, and a plant services zone.

15. The campus core zone contains those activities that serve all members of the University community. The core contains the library, major classrooms, administrative offices, the student union, the dining commons, and the bookstore. These common use spaces are located along a pedestrian circulation mall that links them together and which defines the campus center. The plan seeks to make the University campus a pedestrian oriented district and to develop a hierarchy of pathways and outdoor spaces linking all activities on campus. The mall will

revitalize the central traditional core of the campus and will shift the current major pedestrian route from along West Bertona into a safer and more central corridor. The mall will also create a link between the upper and lower campus. A number of street and alley vacations will be necessary to create this campus core. The streets and alleys to be vacated include:

- Fifth Avenue West, between West Dravus Street and West Bertona Street;
- West Cremona Street, between Fifth Avenue West and Sixth Avenue West;
- Fourth Avenue West, north of West Dravus Street;
- Alley between Fourth Avenue West and Fifth Avenue West, extending north of West Dravus Street;
- Alley between Third Avenue West and Fourth Avenue West, extending north of West Dravus Street;
- Alley between Fifth Avenue West and Sixth Avenue West between West Cremona Street and West Dravus Street;
- Alley between West Nickerson Street and West Emerson/Bertona Street between Sixth Avenue West and West Bertona Street; and
- Alley between Third Avenue West and West Nickerson Street/Queen Anne Avenue North between West Bertona Street and West Cremona Street.

16. The Master Plan at page 25 discusses the partial demolition of Marston Hall and the construction of a new library on that site. However, testimony by Mr. Allison at the hearing indicated that the University now plans to retain Marston Hall and move the library to 5th and Cremona. The DCLU memo of May 30, 1990 acknowledged that change of plans.

17. The Academic zone accommodates the offices of each school and provides some specialized classrooms and laboratory spaces. The liberal arts, sciences, and fine arts are clustered around the academic quadrangle. Academic uses are concentrated south of West Nickerson Street to reduce pedestrian-vehicular conflicts. The proposal for this zone calls for the expansion of Crawford Hall and Beegle Hall to include the art center, additional student parking at 5th Avenue West and West Dravus Street, the expansion of Green Hall, and the construction of a continuing education building. The proposal also calls for the expansion of the bookstore and the construction of an Alumni/Fellows center to provide a location for campus-associated organizations.

18. The Athletic-Recreation zone is split between two locations. Intercollegiate sports program and indoor spectator events would be located at the Brougham Pavilion-Wallace Field site north of Nickerson, while physical education and recreation facilities would be located adjacent to the Queen Anne Bowl area of Rogers Park. The proposal calls for the expansion and renovation of Royal Brougham Pavillion, the maintenance of the crew dock on the Lake Washington Ship Canal adjacent to the Metro Water Quality Laboratory, and an expansion of Wallace Field. The proposed master plan calls for expansion of the institutional boundary to include the crew dock area. The plan also calls for an extension of the institutional boundary along the north side of Wallace Field to allow expansion of the field. The intent behind this expansion is to allow Wallace field to accommodate a regulation soccer field.

19. The Housing zone is located in the southwest quadrant of the campus. Eighty-six residential housing units are planned for the area immediately adjacent to the existing housing facilities between 5th and 6th Avenues West and between Cremona and Dravus. These units will be built on an as needed basis during the life of the master plan and are intended to replace

existing student housing at various locations on the campus which is proposed to be demolished. SPU's original proposal showed the new units being housed in four buildings, but the University now proposes three buildings.

20. The Plant Services zone will be consolidated in one location west of Queen Anne Avenue North between Dravus and Cremona. Services currently spread throughout the campus will be relocated into the facilities vacated when the art center is relocated into the Academic zone.

21. The inclusion of the the crew dock referenced above would add 1,370 sq. ft. to the campus size. Expansion of Wallace field would add about 20,700 sq. ft. The crew dock is located on Metro property and is secured through an easement. The Wallace field expansion area is presently owned by Burlington Railroad, and is part of the South Ship Canal Railroad right-of-way. The right-of-way is presently about 60 to 75 ft. wide along Wallace field.

22. SPU proposes to demolish or convert to non-residential use approximately 60 current residential structures, containing 96 housing units. Most of these are single family residences, some are duplexes, triplexes and apartments. With the exception of a few units, the units are already owned by SPU and are occupied by persons affiliated with the University. Of these, 71 residential units will be demolished for parking. Additionally, 65 to 108 dormitory units will be demolished or converted. There will be a total of up to 86 new residential apartment or lowrise units developed on an as needed basis near Ashton Hall, at 6th and West Dravus.

23. Regarding future student housing demand, demand should decrease as SPU shifts toward serving more commuter students. The EIS notes there are approximately 1,150 students currently housed in SPU facilities, representing 40% of the student population. All unmarried undergraduate full-time students must live in SPU facilities or at home. As costs of higher education increase, more students choose to live at home and commute to school rather than live on campus. Therefore, demand for student housing has significantly decreased in recent years. In January 1987 there were 891 occupied dormitory rooms out of 1,087 available, and 219 occupied apartment units out of 264 units available despite a rental rate of 40% below fair market rents, despite high enrollment on the campus.

24. No changes are proposed to the underlying non-institutional zoning.

25. The Major Institution zones would be replaced by the MP designation upon approval of the Master Plan. Seattle Pacific University proposes that the development standards of the Major Institution Code, Sections 23.40.006 through 23.40.020 apply to the Master Plan with some exceptions regarding height and parking. Pursuant to Section 23.81.040A.4, unless specific development standards are proposed, the development standards, the Institutional zone designations and non-institutional zone designations shall remain the same as those provided in Chapter 23.48 and Sections 23.30.010, 23.34.058 through 23.34.068, 23.54.030 and 23.86.012, relating to Major institutions. The Seattle Pacific University Master Plan proposes to incorporate these applicable sections of the Land Use Code with the exceptions listed on page 13 of the Director's report (Exhibit 14).

26. An important goal of the Master Plan is to increase the amount of off-street parking. Under the Plan, Seattle Pacific University proposes to increase the amount of on-campus parking from 665 to 1,027 spaces. New parking facilities will be located at 6th Avenue West and West Nickerson Street, 3rd Avenue West and West Bertona Street, and 5th Avenue West and West Dravus Street.

27. As noted at Finding No. 21, the creation of the proposed parking lots will result in the demolition of 71 existing

residential units. However, the DCLU report after considering a number of alternatives recommends approval of the proposed parking under the Master Plan.

28. Existing total vehicle trip generation at Seattle Pacific University is 6,600 trips, with a peak hour generation of 600 trips. This is projected to increase by 22 percent by 1996, to a total of 8,046 daily trips with a peak hour generation of 730 trips.

29. The Plan also calls for an expanded transportation management plan (TMP). According to the DCLU report, this Plan should be complimented by the creation of a residential parking zone (RPZ) in the neighborhood.

30. The DCLU Report (Exhibit 14), which has already been referred to on a number of occasions, is 106 pages in length. The report basically recommends adoption of the Master Plan, but includes 12 pages of conditions (Page 90-102). A memo to the Hearing Examiner's office from DCLU dated May 30, 1990, included some corrections and revisions to those conditions. An additional memo dated May 31, 1990, included one more change. None of the conditions imposed by DCLU were challenged by the University at the public hearing, but the Hearing Memorandum (Exhibit 5) presented by the University does take issue with Condition F.1 at page 96 of the Report. The first paragraph of that condition reads as follows:

F.1. Street improvements for individual projects shall be provided per Chapter 23.54 Seattle Municipal Code and the standards of the Seattle Street Design Manual, or subsequent regulations.

The Memorandum argues that the condition should be limited to require improvements only to the extent the street improvements is reasonably related to the individual projects.

31. Testimony at the public hearing centered on five main issues:

- 1) Demolition of housing;
- 2) The height and type of housing that should be allowed in the southwest portion of the campus;
- 3) Dedication of two parcels, one at Third and Barrett and the other on Ewing adjoining the ship canal;
- 4) Use of the crew Dock; and
- 5) The expansion of Wallace field.

32. Speaking against the demolition of any housing and against any further expansion of Seattle Pacific University were Marjorie Fielder and Jim Fielder. The Fielder's are related the Probstfeld family which as lived on North Queen Anne Hill since the late 1800's. As the college has grown, the Fielder's have suffered having to witness the demolition of homes constructed and resided in by family members.

33. Testimony in regard to the development of housing on the southwest portion of the campus was offered by Eric Richter. The Director's Report included a condition numbered I.4 that read as follows: "additional institutional housing may be permitted as a minor revision to Master Plan." Mr. Richter argued that recommendation I.4 was inconsistent with recommendations I.2 and I.3 and that it should therefore be modified to permit development only of single family housing on the hillside overlooking Ashton Hall. Mr. Richter also argued that recommendation I.2 should be strengthened to permit only single family housing on the elevated and regraded level part of the

area adjacent to West Barrett Street (Block 2, Hill's Queen Anne Park Addition). The representative from the Department responded to this testimony by noting that the May 30, 1990, memorandum from DCLU to the Hearing Examiner called for the deletion of Condition I.4. The Department representative noted in reference to Condition I.2 that the height limit of the underlying Lowrise 2 zoning is more strict than exists in single family zones.

34. Members of the Citizens Advisory Committee testified in favor of having SPU dedicate to the City a half-block parcel on the west side of Third Avenue West between West Barrett Street and West Fulton Street and a small parcel abutting the ship canal next to the West Ewing Street Mini-Park in partial exchange for the street vacations (See also P. 18 of Director's Report). The representative for SPU was amenable to the dedication of the Barrett Street property, but indicated that the University did not want to dedicate the Ewing Street property except as mitigation for the expansion of Wallace Field.

35. The Director's Report at page 66, indicates that the Seattle Engineering Department (SED) was concerned about linking the vacation of the streets to the dedication of the specific SPU property. At the hearing, the DCLU representative elaborated on this point, indicating that SED felt that the vacation process and the acquisition of open space are two different functions, and that the City, if paid for the vacations, could use the money for the acquisition of parks or open spaces at other locations. For that reason, DCLU did not specifically recommend the swap, but at Condition G.2 "memorialized the CAC request" that the half block on the west side of third between Barnett and Fulton be acquired in exchange for some vacated street right-of-way.

36. The DCLU Report, as modified by the May 30, 1990 memorandum, calls for the dedication of the Ewing Street parcel only in connection with the expansion of Wallace Field.

37. Testimony was received from a number of people concerning difficulty in gaining access to the crew dock facility on the Ship Canal. At this time, the gate to the dock is locked. To obtain access, one must call campus security. The phone number for security is posted next to the gate, but there is no immediately available telephone. The testimony indicated there had been problems with this arrangement and the Seattle Pacific University needed to make changes that would allow for easier use of the dock.

38. The crew dock was permitted in 1982 through a shoreline revision of the Substantial Development Permit for the Metro Water Quality Laboratory. The crew dock was allowed as a public recreation facility, but would be primarily used and controlled by SPU for their crew program, with access to be provided to the public. The crew dock became a non-conforming use after adoption of the 1986 Shoreline Master Program, which disallowed public recreation uses in the CN (Conservancy Navigation) environment. The crew dock is outside of SPU's boundaries.

39. As noted above, the Plan calls for an expansion of the institutional boundary along, the north side of Wallace Field in order to accommodate expansion of the field. The strip would be approximately 45 feet wide and 415 feet long (See P.20 of the Master Plan, Exhibit 13). SPU wants the expansion in order that it might have a full size soccer field. Expansion of the field would also allow increased use of the field for other sports.

40. SPU has a very successful soccer program that has won a number of national championships. However, it does not have a practice field for soccer. Currently, soccer practice takes place at Memorial Stadium and at Queen Anne Bowl. Because the stadium is owned by the school district and Queen Anne Bowl is a public park, neither facility is freely available for SPU use. The stadium, because it is well removed from campus, also triggers the need to transport students to and from the site. Queen Anne Bowl is not a well-maintained field and has inadequate dimensions for a full-sized soccer field. The use of off-site

facilities for soccer and other sports costs SPU \$15,000 year. Transportation to off-site locations is inconvenient for students and generally precludes any ability to have practices in the middle of the day. (Testimony of Keith Phillips).

41. Wallace Field is the only sports field on the SPU campus. The field provides for less than the amount of sports field space generally called for at a college or university. Other Northwest schools including the University of Washington, the University of Puget Sound, Pacific Lutheran, and Seattle University have far more in the way of fields available for their students.

42. Wallace Field is heavily used by local Little League teams and other community teams.

43. SPU has conducted a search for alternative sites for its athletic fields, particularly in the Interbay area. Specifically, it has looked at the city-owned property at Interbay, Burlington Northern property, and the National Guard Armory. Testimony at the hearing indicated that none of those sites is available for development of an athletic field.

44. A number of residents spoke of a vision on the part of the Queen Anne Community of a linear park along the ship canal and expressed concern that expansion of Wallace Field would seriously intrude into that park. This concern is reflected in the CAC's recommendation opposing the expansion of the field.

45. Underlying the vision of a park is the Burlington Northern right-of-way which runs along the south side of the ship canal. A 1980 report prepared by Parks Department envisioned eventual city acquisition of the right-of-way and development of a park, and the concept of a linear park was included in the 1981 Pro Parks bond issue.

46. The City - Burlington Northern agreement formalized by Resolution 27933 gives the City the right to a 30-foot wide corridor along the right-of-way should BN decide to vacate it, and gives the City the right of first refusal to property in excess of the 30-feet.

47. Changes to institutional boundaries require a major revision to an institution's master plan.

48. The Army Corps of Engineers controls a 15-foot wide strip of property along the south edge of the ship canal. A document prepared by the Corps in 1977 entitled the "Lake Washington Ship Canal Master Plan" proposed a linear park, including a 4-foot wide trail within the Corps property. At page 8-13, the document discusses "Potential Development by Others," and notes that:

Use of non-Federal lands along Fremont Cut by either public agencies or private landowners in the area could be developed in conjunction with the theme presented here. Specific areas along the Fremont Cut where such development is desirable are as follows:

- (1) In coordination with Metro, the minipark at the Metro syphon station at East (sic) Ewing and Third Avenue North could be redeveloped to relate this small pleasant space to the trail and waterway.
- (2) The athletic fields of Seattle Pacific College, presently being developed jointly with the Seattle Parks and Recreation Department, provide a broad expanse of open green space directly adjacent to the waterway.
- (3) A proposed restroom and parking area at the foot of Third Avenue could be incorporated into the project by Seattle Pacific College or the

Seattle Parks and Recreation Department.

- (4) Improved pedestrian facilities at the Fremont Bridge could be developed by the Seattle Engineering Department.
- (5) The cooperation of Burlington Northern Incorporated or the city of Seattle would be sought in the construction of major additional trail portions on railroad right-of-way or city property.

49. Expansion of the field would result in the strip of property between the Corps property and the field being narrowed to as little as 19-feet at the eastern edge of the field; at the western edge the strip would exceed 30-feet in width. A trail could still be developed in the corridor, but would provide little space for other parklike amenities.

50. The Parks Department did not comment on the EIS prepared in conjunction with the Master Plan. A memo from the Superintendent of Parks and Recreation to the Director of DCLU dated January 5, 1990, supported the expansion of Wallace Field subject to the conditions proposed by DCLU. That memo indicated that expansion of the field was compatible with a public trail. However, at the public hearing, Don Harris of the Parks Department testified that if the community wanted more of a park, that the Parks Department should try and accommodate that desire.

51. The property between Wallace Field and the ship Canal, and a portion of the field itself, is within an Urban Stable (US) environment.

52. Institutional uses are permitted on upland lots in the UH environment (23.60.608).

53. Non-water dependent institutional uses are prohibited on Waterfront lots in the US environment (23.60.606(H)).

54. "Waterfront Lot" and "upland lot" are defined as follows at 23.60.924.

"Lot, upland" means a lot wholly or partly within the shoreline district which is separated as of March 17, 1977, from the water by a street, arterial, highway, railroad right-of-way or government-controlled property which prevents access to and use of the water.

"Lot, waterfront" means a lot any portion of which is offshore of or abuts upon the ordinary high water mark or mean high water mark and any other lot or parcel partially or entirely within the Shoreline District which is not separated as of March 17, 1977, from the water by a street, arterial, highway, railroad right-of-way or government-owned or controlled property which prevents access to and use of the water. Vacation or relocation of a legal right-of-way after March 17, 1977, shall convert a lot which was an upland lot because of the existence of such right-of-way into a waterfront lot.

For purposes of determining the appropriate use and development standards applicable to developments in railroad or street right-of-way shall be considered to be a waterfront lot unless separated from the water by another railroad or street right-of-way.

55. Expansion of Brougham Pavilion was permitted under MUP 8801715. That project included the following condition:

Prior to Issuance of Use Permit:

1. Seattle Pacific University shall execute and

deliver an equitable servitude restricting development on the eastern playfield (Wallace Field). The duration of the equitable servitude shall be as follows:

- 1.1 For the life of the expanded Royal Brougham Pavilion facility; or,
- 1.2 Until such time as the Shoreline Master Program may be revised to allow said facility outright as built; or,
- 1.3 Until such time as an eastward expansion of the existing Royal Brougham Pavilion facility, or development or other new facility in the playfield, is regulated under an adopted Major Institution Master Plan.

Conclusions

1. The Hearing Examiner has jurisdiction over this matter pursuant to Chapter 23.81 of the Code. Section 23.81.50(f) authorizes the Hearing Examiner to review the Director's report and recommendation and all proposals for changes, alternatives, mitigating measures and conditions, and issue a recommendation to the Council.

2. The Major Institutions Policies (Resolution 26579, as modified by Ordinance 111100) are codified at Section 23.16.10. Their purpose is there succinctly stated:

...to balance the need for institutional growth and change with the need to protect the livability of neighborhoods adjacent to institutions.

3. The proposed Plan contains all elements required by Section 23.81.040, with the exception of the site plan required under subsection (3). This site plan was submitted during the hearing and complies with the Code requirements (Exhibit 44). All master plan elements are adequately addressed in the proposed Plan.

4. Overall, the proposed plan presents an orderly scheme to accommodate the University's need to improve its facilities, while respecting the needs of the surrounding neighborhood. Testimony at the public hearing indicated that the Plan, as modified by DCLU's conditions, reflects a substantial level of consensus.

5. The proposed change to the location of the library is acceptable so long as it is the same size as that reviewed in the original proposed Master Plan and is subject to conditions and recommendations included in the Department Report.

6. As noted in the Findings, with one exception, the University did not contest the conditions and recommendations proposed by DCLU. Testimony on the part of the public also touched on only a few of the conditions. Therefore, the DCLU conditions, as modified by the memos of May 30 and 31, 1990 are adopted subject to the changes noted below. The revised conditions appear at the end of this recommendation.

7. As noted at Finding #27, the University takes issue with the condition that street improvements for individual projects satisfy the Seattle Street Design Manual. However, there is no reason to modify the DCLU condition on this point. For one thing, the second paragraph of that condition specifically notes the waiver provisions of the Design Manual. For another, given that the Plan is setting forth a comprehensive framework to accommodate growth and a larger percentage of commute students, it is not clear that it is reasonable to require that the street improvements be tied to the traffic created by a specific new building. Rather, there is a need for some flexibility to

address the individual project as part of an overall scheme.

8. The amount of demolition of existing housing (96 units) proposed under the plan is worrisome, especially given that 71 units are to be demolished to make way for parking. However, it is noteworthy that almost all of that housing is already owned by the University and occupied by persons affiliated with SPU and that the University foresees a continuing decrease in the amount of on-site housing it will require. It also cannot be ignored that provisions of more off-street parking for the University is a high priority for the neighborhood as well as for the school. For these reasons the Examiner concurs with the DCLU report that allows the demolition, subject to some conditioning.

9. To say that the loss of housing stock is acceptable on the basis of declining University need for housing and increasing demand for parking does not answer the pleas of the Fielders (Finding 29) and their desire that the growth of the University be arrested and the demolition of housing be prohibited. Sadly, it is not clear that their demands can be addressed. That SPU has changed the neighborhood in the past and, with adoption of this plan will do so again, is beyond question. Yet, just as the Fielders and the Probstfelds are no newcomers to Queen Anne Hill, neither is SPU. The University has been at its current location since before the turn of the century. Like most institutions that have managed to survive so long, it has grown, and because it was surrounded by residential neighborhoods, it has grown into those neighborhoods, sometimes at the cost of housing. While the Fielders see SPU as voracious, a campus of only 40 acres is not large for a school of this enrollment. Under the proposed plan, the University does not expand its boundaries at all south of Nickerson, but puts to new use property that it already owns. The loss of old structures is a tragedy to those who love an older Seattle and who have the sense of roots and of tradition so eloquently expressed by Mr. Fielder, but given recent court decisions regarding the Housing Preservation Ordinance and the long ownership of much of the property by SPU, it is plain that the City would exceed its grasp to try and stop all demolition. Moreover, it is clear that the expansion of SPU can have benefits for Seattle and society generally as well as having costs.

10. The concerns expressed by Mr. Richter appear to be generally addressed with the revised conditions adopted by DCLU. Under the plan, the University proposes the construction of 86 dormitory units between Dravus and Cremona, 5th and 6th Avenues. No new development other than a parking lot is shown on the campus south of Dravus and west of 5th, but the DCLU condition I2 provides that new single family housing can be allowed as an alternative to the 86 dormitory units on a one-for-one basis, as a minor revision to the Master Plan. Therefore, it is necessary only to modify condition I2 to state that new single family homes may not exceed the height permitted by the underlying zoning.

11. The dedication of the half-block along 3rd Avenue between Fulton and Barrett in partial payment for the various street vacations proposed under this Plan is a good idea and is recommended by the Examiner. The property is desirable open space and is well located. Acquisition of this property will also have the distinct benefit of mitigating the City's loss of some open space through the vacations. The Department's Condition G.2 is therefore modified.

12. The DCLU conditions B.1 through B.4 appear generally sufficient to guarantee the public's ability to use the crew dock, and the Examiner adopts the DCLU recommendation that the institutional boundaries be increased to include the dock. However, an additional condition discussed in the DCLU report at page 41, but missing from its list of conditions, is necessary - namely, the provision of a free telephone next to the gate so that the public can call campus security for access. A condition B.5 is therefore added.

13. There is a plain need for an expanded Wallace Field. The testimony regarding SPU's and the community's need for a

larger field was compelling. SPU has a legitimate and understandable desire to have an on-campus field that is better capable of accommodating its students' needs. Moreover, it is clear that SPU has been generous in sharing its existing resource with the community, and there is an apparent willingness to also share the enlarge field.

14. Expansion of the field would have the beneficial effect of assuring the preservation of an open spaces as SPU is willing to accept restrictions on development in the field in exchange for approval of the expansion.

15. There is, however, a downside to expansion of the field. As testified to by a number of persons, and as witnessed by the Examiner during an on-site inspection, the railroad right-of-way south of the Ship Canal is a wonderful space which could form the basis of a fine linear park. The strip of land requested for the Wallace Field expansion would come out of that right-of-way and thereby diminish the potential park.

16. It is worth remembering that at this point neither SPU nor the City owns the railroad right-of-way, Burlington Northern does. Accordingly, both the desires of SPU and those of the linear park supporters hang on the contingency that Burlington Northern will vacate the right-of-way. If Burlington Northern vacates the right-of-way, the questions will become whether the City will exercise its rights to secure the entire right-of-way and whether the City will sell any of the property to SPU, for SPU to use for expansion of Wallace Field.

17. Changes to institutional boundaries require major revisions to institution master plans. Therefore, if the boundary is not changed as part of this proceeding, to change it in the future to allow an expanded Wallace Field would require a major revision.

18. Wallace Field is currently on an upland lot as that term is defined by the Seattle Shoreline Master Program. Should the railroad right-of-way be vacated by Burlington Northern, the Field will continue to be an upland lot so long as the City or some other branch of government controls property between the Field and the Ship Canal. Therefore, the athletic field as accessory to an institution is a permitted use today, and acquisition of the right-of-way by the City of Seattle will not change that status.

19. Expansion of Wallace Field to accommodate a regulation soccer field will require a use permit and a shoreline permit.

20. In light of the above, the Examiner recommends that the Institutional boundary be expanded to accommodate an expansion of Wallace Field. It must, however, be made clear that expansion of the boundary does not commit the City to some future sale of the necessary property to SPU. Changing the institutional boundary now merely avoids forcing SPU through the major revision process should the City decide to sell the land to SPU. The University has been straightforward in its request, and there is nothing to be gained by forcing it to initiate a revision process in the future. When and if the property becomes available from the railroad, the burden will be on the City to decide how it wants to develop the right-of-way. By that time it is to be hoped that the Parks Department will have worked with the community and have developed more coherent plans for the park/trail along the Ship Canal. If the plan ultimately developed by Parks is inconsistent with the expansion of Wallace Field, the City will be fully within its rights to refuse to sell the necessary property.

21. Condition A.3 as proposed by DCLU required an equitable servitude over Wallace Field "after adoption of the Master Plan but prior to boundary expansion for Wall Field." Because the change of institutional boundary would occur with the adoption of the plan, the condition should be revised to clarify that it applies to the actual expansion of the Field, not the "boundary expansion." The wording should be changed to say that the

condition applies "prior to expansion of Wallace Field".

Recommendation

The Examiner recommends that the Seattle Pacific University Master Plan be adopted subject to the following modifications and conditions:

Prior to Adoption by City Council

The Proposed Seattle Pacific University Major Institution Master Plan shall be revised in accordance with the following conditions.

The revised master plan shall be printed and presented in loose-leaf catalogue form for ease of reference and update.

Conditions of Approval for Inclusion in Master Plan

A. Wallace Field: The SPU proposal to expand its boundaries for Wallace Field should be approved, subject to the satisfaction of the conditions below.

- A.1 The equitable servitude over Wallace Field required under the Master Use Permit for expanding Brougham Pavilion (Project #8801715) shall be maintained until expansion of Wallace Field or the end of the Master Plan, whichever occurs first.
- A.2 The expansion of Wallace Field may not occur until the following Conditions are met: A.3, A.4, A.5, A.7, A.8, A.9, A.10, A.11.
- A.3 Development of any building in Wallace Field, beyond the expansion proposed for Brougham Pavilion as shown in the Master Plan, is prohibited. SPU shall provide the City with an equitable servitude over Wallace Field after adoption of the Master Plan but prior to expansion of Wallace Field.
- A.4 SPU shall provide public access to Wallace Field, to the satisfaction of DCLU and the Parks Department, allowing the public use of the field when the facilities are not in institutional use. A public access plan outlining the general timeframe and procedures for public use of the facilities shall be submitted to DCLU and the Parks Department for review and approval prior to acquisition of right of way for the expansion of Wallace Field. The public access plan shall provide for advisory committee or advisory board oversight to ensure that public access to Wallace Field remains available.
- A.5 A community representative shall be appointed to the advisory committee or board, as provided in the public access plan stipulated in condition 3 above.
- A.6 The expansion area shall be designated I-MP (Institution Master Plan).
- A.7 Any negotiated agreement between SPU and the community on the expansion of Wallace Field, or for compensation of the same, shall be attached to the Master Plan as an exhibit.
- A.8 At the time Wallace Field is expanded, SPU shall contribute \$50,000 toward the cost of improving the Ship Canal Trail. The money shall be deposited in a reserve account to be

established by the City for trail improvements.

The \$50,000 for the trail improvements shall be required separate from any other costs or dedications to be borne by SPU as the result of agreements between SPU and the community and/or City of Seattle.

The \$50,000 shall be supplementary to any agreements between SPU and the community and/or City of Seattle.

During the 5 year timeframe after expansion of Wallace Field, the City may use part or all of the \$50,000 towards trail improvements along the Ship Canal, in the vicinity of the field.

After 5 years, any residual amount from the \$50,000 which is not committed by construction contract award to a planned trail improvement project will be returned to SPU.

A.9 Any view obscuring structure or accessory shall be prohibited on Wallace Field. Small, short bleachers on the end zones may be permitted for spectators, subject to the review and approval of DCLU and the Parks Department.

A.10 Sensitive edge treatment (fencing, landscaping, signage, etc.) shall be required along the trail, to mitigate visual impacts, contain sports activities, and secure the perimeter, subject to the review and approval of the Parks Department, SED and DCLU. The treatment shall be provided within 6 months of the field expansion.

A.11 The SPU triangle property along the Ship Canal adjacent to West Ewing Street Park shall be dedicated to the City for park purposes.

B. Crew Dock: The SPU proposal to expand the institutional boundaries to the existing dock should be approved subject to the conditions below.:

B.1 The I-MP (Institutional - Master Plan) designation should apply to the crew dock site.

B.2 DCLU standard shoreline public access signs to indicate the location of the crew dock and that it is public access shall be provided.

B.3 Signs shall indicate the location of Campus Security, provide a 24-hour information number, and show the weekly schedule for crew dock use. The weekly schedule shall indicate when the crew dock is available for public use, and shall be updated on a quarterly basis.

B.4 The continued operation of the crew dock shall be conditional upon the above improved signs, provision of a child-proof self-closing gate and latch, a warning sign that people using the crew dock do so at their own risk and that SPU is protected from any liability under the State Recreational Property Act (RCW 4.24.210).

B.5 SPU shall provide a free telephone next to the gate to allow members of the public to contact Campus Security.

C. Parking Facilities: The SPU proposal should be approved subject to the following conditions:

C.1 Housing demolition for non-code required parking is allowed only after the exclusion in Section 23.40.006A, on SEPA-required parking as replacement use, expires.

C.2 Additional underground parking within the campus core will be allowed, subject to additional conditions.

- ° The underground parking is subject to the 135% maximum limit over code-required parking. (Section 23.48.018.A.2)
- ° The underground parking is subject to a minor revision process to the Master Plan to identify the parking facility, review and mitigate resulting adverse impacts.
- ° The underground parking is restricted to the campus core area, defined as the campus between West Nickerson and West Dravus Streets, and 3rd and 6th Avenues West.
- ° A parking facility approved as part of the Master Plan may include additional underground or stacked parking, but shall be subject to minor revision review and approval by DCLU.
- ° The additional parking shall be incorporated into the MP.
- ° The TMP shall be subject to revision with any new underground building parking facility.

D. RPZ: The following conditions for a Restricted Parking Zone (RPZ) should be applied to the proposed Master Plan:

D.1 An RPZ shall be formally included in the Transportation Management Plan (TMP).

D.2 SPU shall fund annual RPZ permit fees.

D.3 SPU shall pay SED for the costs of the RPZ study within 6 months of the adoption of the Master Plan, estimated by SED to not exceed \$3,000. The RPZ study should be initiated within one year following adoption of the Master Plan to determine boundaries, timing, participation, costs and coordination with the MP.

D.4 The RPZ shall be subject to approval by the community as determined by the SED/RPZ citizen approval process.

D.5 The RPZ, if approved by the community, shall be phased in as determined by SED, Police Department and SPU based on the RPZ study, and coordinated with the TMP. Consideration shall be given to phasing with construction of campus parking facilities and the 3-year timeframe for 50% SOV ridership in the TMP. However, unless an alternative timeframe is mutually agreed upon among SED, Police Department, SPU and DCLU, the RPZ shall be completely phased in by the beginning of Phase 2, or the sixth year of the adopted Master Plan, whichever occurs first.

D.6 Change to the terms of the RPZ as stipulated above will require a revision to the Master Plan.

E. TMP: The proposed Transportation Management Plan (TMP) should be adopted subject to the following conditions:

- E.1 The Master Plan shall be revised to acknowledge specific numbers of planned parking spillover into the surrounding neighborhood and planned mitigation efforts. This acknowledgment shall be included under the heading "Sensitivity to the Neighborhood" (TMP pages 17-18).
- E.2 SPU shall enter into a Memorandum of Agreement (MOA) with DCLU, SED and Metro implementing the Transportation Management Program within six months of adoption of the Master Plan. The MOA shall be consistent with the program elements required by Director's Rule 24.88. After the first six months, if no MOA is adopted, no additional building permit shall be issued for additional floor area that generates vehicles trips.
- E.3 The duties and qualifications of the Transportation Coordinator shall be specified in the TMP, and the qualifications of the position of Transportation Coordinator shall be subject to review and approval by DCLU and SED.
- E.4 After adoption of the Master Plan, development shall be subject to SEPA review for conditioning consistent with the Master Plan, the mitigation measures of the Master Plan, and substantive SEPA authority. After the MOA is adopted, development permitted under this section shall be brought into compliance with the MOA retroactively where appropriate.
- E.5 A ten-year timeframe is adopted for the TMP, with an intermediate 3-year target for achieving the 50% Single Occupancy Vehicle (SOV) goal for peak period traffic for employees and students, with the student goal being non-mandatory.
- Lack of achievement of SOV goals among staff shall require reevaluation of the TMP and modifications as appropriate to the Memorandum of Agreement. Any such modifications shall be accomplished with a revised Memorandum of Agreement signed by all parties, within six months after the identification of the lack of achievement of SOV goals among staff.
- E.6 The SED recommendations (see Exhibit A, in project file) for monitoring, a copy of all TMP annual reports submitted by SED, or as determined by a Memorandum of Agreement, shall be submitted to DCLU for attachment to the Master Plan as an exhibit.
- E.7 Adopt daily parking fee and coupon permits.
- To control abuse, the daily parking fee shall be at least equal to the market rate, with discounts given for carpools.
- The coupon permit may be incorporated into the parking options allowed for students and staff for advance purchase.
- E.8 Phasing in of market rate fees for SOV parking shall be considered as appropriate based on MP monitoring and evaluation.
- E.9 Initiate a bicycle needs study immediately upon

approval of the Master Plan in order to determine the level of on-site bicycle facilities for the campus.

- E.10 Based on the results of the bicycle needs study, bicycle racks shall be in place within one year of Master Plan approval. The location of bike racks shall be determined in the first part of the study, to be submitted to SED in 6 months. The remainder of the study, including analysis of additional bike facilities, shall be completed in 12 months.
- E.11 SPU shall commit to a fair share cost of providing additional bicycle facilities (i.e. campus bicycle paths, signage, street markings, etc.) as an element of the TMP, based on the bicycle needs study, subject to review and approval as part of the TMP, by SED and DCLU.
- E.12 To ascertain the potential demand, utilization, and space needs for a student commuter lounge, a commuter survey shall be undertaken among students prior to architectural program development for the Student Union Building expansion. The survey may be undertaken in conjunction with use of a trial commuter lounge facility of minimum size (approximately equal to a classroom, or approximately 500 sq. ft.)
- E.13 Alternative commuter lounge sizes shall be considered, depending on the probable demand indicated by the survey. The commuter lounge space, if provided on a permanent basis, shall be allowable up to a maximum of 1,000 sq. ft. (size of two classrooms) without need for revision to the Master Plan. The lounge may be a multipurpose facility.

A space larger than 1,000 sq. ft. could be provided without need for a revision to the Master Plan providing there is an equal offsetting decrease in other space in the Student Union Building.

A space larger than 1,000 sq. ft. could be provided as a minor revision without penalty to other space in the Student Union Building, but the additional floor area would have to be justified by commuter demand.

Special Events TMP

- E.13 A Special Events TMP shall be incorporated into the general TMP for events at Brougham Pavilion, Commencement, Chapel, and other large events. The TMP related conditions of the Brougham Pavilion Master Use Permit approval under project number 8801715 are incorporated by reference into the Special Events TMP, and shall be attached to the Master Plan as an exhibit.

F. Circulation

The proposed Master Plan circulation proposals are approved subject to the following conditions:

- F.1 Street improvements for individual projects shall be provided per Chapter 23.54 Seattle Municipal Code and the standards of the Seattle Street Design Manual, or subsequent regulations.

Waiver provisions from Street Design Manual standards may apply, but the entire blockface shall be considered in the design modification.

The specific improvements included in the Master Plan and the EIS shall be included in the consideration of street improvements, subject to the review and approval by SED according to City standards, then the alternatives may be considered as substitutes.

- F.2 The traffic signal at 6th and Nickerson proposed as mitigation shall be subject to additional analysis to determine whether the signal warrant(s) are met, as reviewed and approved by SED.

SPU shall submit traffic analysis data to SED for signal warrant determination prior to Master Use Permit application for constructing the garage structure at 6th and Nickerson.

Under Noise condition L.3 below, redirection of 6th Avenue West shall be considered along with the analysis to determine the appropriateness of a traffic signal for the intersection of 6th and Nickerson.

If a signal is warranted, SPU shall pay a fair share cost as determined by SED for the signal improvements.

- F.3 SPU shall pay for pedestrian signals and north/south detection at 3rd Avenue West and West Nickerson Street. Payment shall be made upon development within a one block radius of the intersection, including expansion of Brougham Pavilion.

- F.4 SPU shall conduct studies for signalized left turn lanes at West Nickerson Street and Third Avenue West. Results of the study shall be submitted to SED within one year after approval of the Master Plan. The study shall be subject to the review and approval of SED and shall determine whether improvements are warranted. If improvements are warranted, the study shall determine the timing of improvements and SPU's fair share costs.

- F.5 Traffic circles shall be provided on Fifth Avenue West subject to the review and approval of SED and the Fire Department. The traffic circle at Fifth and Raye may be denied without compensation to the Master Plan street improvement plan, i.e. no additional project would be needed as compensation.

The approved traffic circles shall be installed in the first phase (5 years) of the Master Plan.

G. Street and Alley Vacations

- G.1 The Phase I and Phase II street vacation concept should be approved as proposed, subject to mitigation and approval through the street vacation process.
- G.2 The half-block of open space located on the west side of 3rd Avenue West between West Barrett and West Fulton Streets should be dedicated to the City in exchange for some vacated street right-of-way.
- G.3 Parking Lot D. shall be designed to allow snow route

access for residents using the alley between West Nickerson Street and West Emerson Street, opening onto 6th Avenue West. Snow route access through Parking Lot D shall be provided to those who use the existing alley.

G.4 SPU shall provide a minimum of 5 free visitor parking spaces among Lots A, D and J.

G.5 Parking facilities at the Lot A location shall be available for use prior to any other vacation-related facility which will remove on-street parking. The number of spaces provided at the Lot A location shall meet or exceed the number of spaces lost from vacation of affected streets.

G.6 Lot J should be constructed in Phase I to provide parking for Brougham Pavilion and future SPU projects.

H. Land Use Plan: The proposed Land Use Plan should be approved, subject to the following conditions and allowances, without need for further revision to the Master Plan, except as noted:

H.1 The SPU triangle property along the Ship Canal adjacent to West Ewing Street Park shall be dedicated to the City for Park purposes if Wallace Field is expanded. If Wallace Field is expanded, the dedication must occur before the expansion.

H.2 The demolition of housing that is no longer economical for SPU to maintain, and provision of landscaped open space as a replacement institutional use, shall be permitted, subject to the provisions of condition I.1, below.

Student Union Building: Leadership Offices,
Daycare, Food Service expansion

H.3 In order to provide additional space for Student Leadership Offices, daycare, and/or food service, the Student Union Building may be expanded an additional 880 square feet over the 4,000 square feet proposed without need for minor revision to the Master Plan.

H.4 Additional expansion of the Student Union Building for a commuter lounge is permitted subject to the MP conditions on the lounge (E.12, herein).

H.5 If daycare is provided, the facility shall be for preschool aged children. Additional parking for the daycare shall be provided on the campus meeting the requirements for daycare centers, Chapter 23.54 of the Land Use Code, and incorporated into the proposed parking facilities. Primary grades in the daycare shall not be allowed except as:

- a. A latchkey program; or,
- b. A limited instructional resource for a degree in teaching; or,
- c. As a major revision to the Master plan for a private primary school.

Library Expansion: 24-hour study area

H.6 Up to 10 percent increase in the expansion area

for the Library may be allowed for a 24-hour study area. Additional area may be provided with an equal corresponding reduction in other library space without need for revision to the Master Plan.

Recycling

- H.7 A recycling center for bottles, cans, paper and plastic shall be included in the Master Plan, in a location subject to the review and approval of DCLU, and provided within two years of adoption of the Master Plan, or completion of the first major parking lot project (A, J or K), whichever occurs first.
- H.8 The recycling center shall be open to the public. Signs shall be posted indicating availability of the recycling center with sign wording and location(s) subject to the review and approval of DCLU.
- H.9 The recycling center shall be located and screened to minimize adverse visual impact, noise, and odors.

Design for Crime Prevention

- H.10 The Master Plan shall be revised to acknowledge utilization and commitment to Crime Prevention through Environmental Design techniques under the heading "Planning Assumptions" (Master Plan page 12).

Modifications to Development Standards

- H.11 Major Institution Zoning: The Institution ("I") zoning designation are replaced with the Institution - Master Plan (I-MP) designation. Development standards including height limits under the I-MP designation shall correspond with those under the original "I" zoning unless modified herein.
- H.12 Section 23.55 of the Land Use Code shall be adopted by reference, as the controlling sign regulation for the Master Plan.
- H.13. Section 23.48.18E.4 shall be modified to allow structured (stacked) parking facilities without internal landscaping, subject to the condition that the internal landscaping should be relocated to the perimeter of the stacked parking facilities.
- H.14 The SPU modification to Section 23.48.18B.4 standards for bicycle parking shall be approved, with the modification that within one year of the adoption of the Master Plan, the current deficit calculated, a plan subject to SED review and approval shall be developed to make up the difference, and bike racks shall be installed per approved plan.
- H.15 SPU may lease, on a two-year renewable basis, up to 5,000 sq. ft. of off-campus office space for temporary housing of campus facilities, during the life of the Master Plan. The 5,000 sq. ft. of temporary office space shall be exempt from the 300 ft. dispersion requirement of Section 23.60.022.A.2 (page 71, Ordinance 115002), but shall be included in the 40,000 sq. ft. limitation on major institution use within 2,500 ft. of the institutional

boundaries."

H.16 SPU shall amend the Master Plan to identify all existing off-campus institutional uses, including address, size and use.

H.17 SPU shall amend the Master Plan to identify all existing off-campus institutional uses within 2500 feet of the campus boundaries. New major institutional uses within 2500 feet of the campus boundaries shall be subject to the provisions of Section 23.69.022A, SMC.

H.18 Monitoring:

To facilitate orderly monitoring of the Master Plan, annual reports shall be submitted to DCLU and SED on the anniversary of the adoption of the Master Plan or the fiscal year end, at the choice of SPU.

The annual report shall give basic information on campus enrollment, campus population, building inventory changes, projects pending and completed, TMP status, Master Plan goals and objectives achieved, conditions met, revisions, and other information as appropriate to the monitoring of the progress of the Master Plan.

The reports shall be in a form thematically compatible with the Master Plan, and attachable as exhibits to the Master Plan. The reports shall also be compatible with TMP reports as determined in the Memorandum of Agreement.

I. Housing: The proposed housing demolition and replacement housing should be allowed, subject to the following conditions:

I.1 Demolition of housing for parking spaces that are not required by the Land Use Code may be allowed only after the expiration of the prohibition in the Land Use Code Section 23.40.006A. In the event Section 23.40.006A is not modified or repealed to allow SEPA required parking as replacement use, the Master Plan shall be revised through the major revision process.

I.2 New single family housing shall be permitted in the unused southwest portion of the campus on the hillside overlooking Ashton Hall, as an alternative to the 86 replacement housing units, on a one-for-one basis, as a minor revision to the Master Plan. Such housing may not exceed the height permitted by the underlying Multifamily Zoning.

I.3 A replacement dormitory may be built in the central campus area, as a minor revision to the Master Plan.

I.4 (deleted)

I.5 SPU shall retain single-family housing not immediately needed for development of the Master Plan, unless no longer economically feasible for SPU to maintain for residential use. Report of infeasibility in the form of a letter stating reasons, including costs, shall be submitted to DCLU for review and inclusion in the Master Plan as supplementary data.

- I.6 The Master Plan shall be revised to include crime prevention design as a principle of the Master Plan.

J. Energy

- J.1 The lifecycle electrical costs of the Proposed Master Plan projects shall be given in the Master Plan.

- J.2 The Master Plan shall also acknowledge limitations on landscaping and agency maintenance requirements, as noted in the City Light comments, in order to better describe proposed open spaces and landscaping. In particular, trees in the sections of Third Avenue West and Queen Anne Avenue North north of West Nickerson street shall be maintained at 28 feet or less.

- J.3 The Master Plan should also provide for coordination with City Light on changes or expansions to electrical service, to facilitate development of infrastructure to meet demand. Therefore, SPU should coordinate with the Customer Service Division as plans for demolition and construction are developed.

K. Air

- K.1 The air quality mitigation measures of the EIS as they relate to local actions are appropriate and are imposed.

L. Noise

- L.1 The noise mitigation measures of the EIS are appropriate and imposed where feasible to minimize disruption to nearby residential and commercial uses during construction and over the long term.

- L.2 Conditions to control construction noise impacts, when imposed, shall be posted at the site facing the street to inform the public and workers.

- L.3 Any redirection of 6th Avenue West shall be subject to review and approval of the Seattle Engineering Department in conjunction with analysis to determine the appropriateness of a traffic signal for the intersection of 6th and Nickerson.

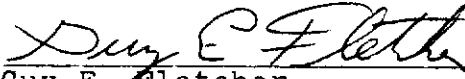
M. Light and Glare

- M.1 The light and glare mitigation measures of the EIS are appropriate and adequate to minimize disruption to nearby residential and commercial uses during construction and over the long term. These conditions are imposed where feasible.

N. Historic and Cultural Resources

N.1 The mitigation measures of the EIS are imposed where feasible.

Entered this 16th day of July, 1990.


Guy E. Fletcher
Deputy Hearing Examiner

NOTICE OF RIGHT TO PETITION
FOR FURTHER CONSIDERATION

Pursuant to Seattle Municipal Code Section 23.76.054, as amended, any person substantially affected by a recommendation of the Hearing Examiner may submit a petition in writing to the City Council requesting further consideration. The petition must be submitted within fifteen days after the date of mailing the recommendation of the Hearing Examiner and addressed to: City Council, Urban Redevelopment Committee, Municipal Building, Seattle, Washington 98104. The request for further reconsideration shall clearly identify specific objections to the Hearing Examiner's recommendation, facts missing from the record, and the relief sought.

Pursuant to Seattle Municipal Code Section 23.76.054(D), if there is no request for further consideration Council action shall be based on the record established by the Hearing Examiner.

The City Council Urban Redevelopment Committee should be consulted for further information on the Council review process.