



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3005560
Applicant Name: Eric Leland for Sabey Corporation
Address of Proposal: 548 15th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for a four story, 35,000 square foot medical office building (Swedish Medical Center / Cherry Hill Campus). Parking for 50 vehicles will be provided in adjacent garage. The request requires the approval of two Minor Amendments to a Major Institution Master Plan, as required under SMC 23.69.035. Grading of approximately 2,175 cubic yards will be required.

The following approvals are required:

Request for a Minor Amendment, SMC 23.69.035

SEPA - Environmental Determination - Chapter 25.05 SMC

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction

BACKGROUND

Site and Vicinity

The proposed clinic is located within the Swedish Medical Center / Cherry Hill campus (aka Providence). The campus and Master Plan area encompass an approximate ten block area bounded by East Cherry Street, East Jefferson Street, 15th Avenue and mid block between 18th and 19th Avenues. The proposed Northwest Kidney Center would be located along the perimeter

of the campus at the corner of 15th Avenue and East Cherry Street. Zoned Major Institution Overlay (MIO) with a 65 foot height limit for buildings developed by the hospital within this overlay, the site has an underlying zoning of Lowrise Three (L 3), applicable only to those projects not developed by the institution.

Properties immediately to the south and east are within the MIO. Nearby medical campus facilities include the Phoenix Rehab Center and a parking garage at 15th Avenue and E. Jefferson St. Seattle University's physical education building lies to the west across 15th Ave. The university possesses its own major institutional overlay (MIO 65) with an underlying L3 zone. Across E. Cherry St. to the north, the zoning shifts to Lowrise Three without a major institutional overlay.

Currently, a temporary 19 space surface parking lot occupies the site's two parcels which form an "L" shape extending 120 feet along 15th Ave. and 64 feet on E. Cherry St. From the west to the east, the subject property ascends by approximately 18 feet.

The MIMP approved a temporary surface parking lot and the eventual relocation of the Family Medicine Clinic in a 10,000 square foot, two-story (30 foot) structure with ten parking spaces. Required setbacks stated in the MIMP stipulate 20 feet on E. Cherry St. and 10 feet on 15th Ave. The overall parking requirements in the approved MIMP were based on ranges described in the city of Seattle land use code that are based on development standards.

Proposal

The applicant proposes a 35,000 square foot, four-story (57 feet high) medical clinic specializing in kidney dialysis. Due to a proposed increase in square footage and height, an amendment to the adopted Major Institutional Master Plan (MIMP) is required. The applicant requests that the additional 25,000 square feet would be transferred from Project III, a 75,000 sq. ft. medical office building and physical plant northwest corner of E. Jefferson St. and 18th Avenue. In addition, a second amendment is required for a proposed entrance canopy to extend nine feet into a ten foot setback along 15th Ave.

The City Council approved MIMP (July 1994) imposed several general conditions for new construction. These conditions (pages 35 and 52-54 of the MIMP) seek redress of loss of open space (Council Condition #1), input from Citizen Advisory Committee (Council Conditions #2 and 3), address un-modulated blank facades (Council Condition #7), mechanical penthouses and other rooftop features (Council Condition #8), lighting and glare impacts (Council Condition Council Condition #18-19), noise impacts (Council Condition #20), electrical service (Council Condition #22), crime prevention (Council Condition #23), the availability of a recycling area (Council Condition #24), construction impacts (Council Conditions #25-30), and landscape maintenance (Council Condition #40). The city council also imposed setbacks on E. Cherry St. (20 feet) and on 15th Ave. (10 feet).

ANALYSIS - AMENDMENT TO MASTER PLAN

The proposal for this project requires a determination by the Director on compliance with SMC 23.69.035, changes to master plan. Specifically, this code section requires *"a proposed change to an adopted master plan shall be reviewed by the Director and determined to be an exempt change, a minor amendment, or a major amendment."*

Swedish Medical Center / Cherry Hill Campus adopted a Major Institution Master Plan in July, 1994. The plan outlines the development program for the medical campus, establishes development standards for new buildings and provides for a transportation management program to reduce the number of single occupancy trips to the hospital.

Underlying development approved in MIMP

The adopted Major Institutional Master Plan establishes a 20 foot setback on East Cherry St. and a ten foot setback on 15th Ave. The MIMP's distinguishes numerous conditions stipulated by the City Council (Section V of the Final Compiled Major Institution Master Plan) and three conditions agreed upon by Cherry Hill and the Squire Park Community Council (Section VI of the Final Compiled Major Institution Master Plan). The Council Conditions are organized by those to be completed during the master use permit process, prior to issuance of a building permit, during construction, and for the life of the project.

Proposed Minor Amendment

The applicant requests two minor amendments: to place the Northwest Kidney Center, a dialysis clinic, on the site designated in the MIMP as a relocated Family Medical Clinic and to extend a canopy nine feet into a ten foot setback on 15th Avenue. The MIMP describes a two-story (30 foot) 10,000 square foot clinic (5,000 square foot per level) with ten parking spaces on two parcels forming an "L" shape at the southeast corner of 15th Avenue and E. Cherry St. The proposed kidney dialysis clinic would be 35,000 square feet, and four-stories (57 feet high). The applicant proposes to compensate for the added 25,000 square feet on the site by reducing the amount of development by an equal amount for future project III, a 75,000 square foot building housing a Medical Office Building at 18th Avenue and East Jefferson St. that would replace the 1910 Building and Boiler and Annex.

In order to accommodate patients of the Northwest Kidney Center who would be dropped-off for their several hour treatments, the applicant proposes a circular driveway and associated building canopy to assist entrance into the facility. Parking could be accommodated in the nearby garage. The proposed canopy would extend nine feet into the MIMP approved ten foot setback on 15th St.

Accordingly, the proposed modifications to the MIMP in density at Project II and setback requires a determination as to the nature of the change, detailed above and if the change is subject to an amendment, as required in SMC 23.69.035. A formal request was made to the Director by Sabey Corporation for Swedish Medical Center / Cherry Hill on September 22, 2006. The project was noticed on January 22, 2007 and re-noticed on February 8, 2007.

Review Process

As part of the Amendment process, SMC 23.69.035C and rules governing Notices of Interpretation under SMC 23.88.020D requires that the Citizen's Advisory Committee, or CAC, receive both notice of the request and, subsequently, make a recommendation on the type of Amendment as either an Exempt, Minor or Major Amendment. The Advisory Committee is also given an opportunity to recommend what conditions (if any) should be imposed if the

recommendation is that the project qualifies as a Minor Amendment. The Director then determines whether the amendment is minor or major according to subsections D and E of this code section. Swedish Medical Center / Cherry Hill made a request on September 21, 2006 to find that the development proposal that is the subject of this review is interpreted as a minor amendment. The following analysis is a review of the criteria for Minor Amendments, as reflected in SMC 23.69.035

Minor Amendments.

1. The amendment will not result in significantly greater impacts than those contemplated in the adopted master plan; or

The applicant proposes that 25,000 square feet of medical office space allowed in the MIMP would be transferred, in essence, from one side of the medical campus to another. Both facilities would house medical clinics. The transference of square footage has height, bulk and scale implications to neighboring land uses. Certainly, the increase in bulk can be documented by the two-story difference in height between the intended two-story family medical clinic and the four-stories of the proposed kidney dialysis clinic.

The kidney clinic's larger footprint than the earlier proposal (8,700 sq. ft. in contrast to 5,000 sq. ft.) will have a greater impact on campus open space. Arguably construction of the proposed Northwest Kidney Center would reduce the potential open space (possibly at the corner) where the smaller clinic would have preserved more space for landscaping. Council Condition #2 which states, "For corners of the campus at public rights-of-way where new development is proposed, building designs and plantings shall emphasize both the corner and the Providence campus", suggests the MIMP's sensitivity to campus open spaces at the edges. The MIMP provides only general direction in terms of open space quantity or quality. Condition # 1 creates an approach to mitigating displaced open space. Given what appears to be the high quality of landscaping proposed by the applicant and their need to fulfill Council Condition #1, the impact does not seem significant.

The proposed circular driveway suggests that increased traffic would occur on 15th Ave. and the nearby intersection due to the special circumstances of the clinic's patients. The traffic consultant, David Johnson of TSI, Inc, stated at the January 18, 2007 CAC meeting that the Level of Service at both the 15th Ave. / Cherry St. and the 16th Ave. / Cherry St. intersections are "B", an acceptable level. Although the TSI traffic analysis does not review conditions on 15th Ave., Mr. Johnson noted at the same meeting that, "volumes on 15th are undoubtedly significantly lower than on 16th. Even on the 16th, the peak hour volumes are about 100 spread over an hour. This is very low and would allow ample opportunities for movement out onto Cherry St."

With an estimate of 90 patients per weekday over a period of 18 hours (6 a.m. to 12 a.m.), the peak hour contribution is minimal. Approximately 75 percent of the patients have some sort of impairment that precludes them from operating a motor vehicle and would use alternatives transportation such as "ambulances, taxi cabs, or carpools" to travel to the facility. The Northwest Kidney Center will use vans to bring some of its patients to and from its clinic.

In contrast, a smaller family clinic would likely generate more traffic to and from the facility were it to have a driveway and drop-off at 15th Ave. Mr. Johnson noted at the CAC meeting that an “out patient clinic generates between three and six trip per hour for each 1,000 square feet so that the clinic might generate up to 45 trips per hours vs. five or at the maximum 10 trips for this facility (Northwest Kidney Center)”. The MIMP allows ten parking spaces for the Family Medical Clinic.

The proposed canopy would likely increase the desirability among users and care givers to drop off patients at the front entrance. Other than a potential increase in vehicular traffic at this location as opposed to use of other parking facilities, contemplated in the MIMP, there does not appear to be a significant impact. In any case, vehicles using Cherry Hill campus parking facilities would likely use the nearby parking garage entrance on 15th Ave.

2. The amendment is a waiver from a development standard or master plan condition, or a change in the location or decrease in size of designated open space, and the proposal does not go beyond the minimum necessary to afford relief and will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity in which the Major Institution is located; or

The shift of hospital services from one area of the campus to another does not expand services described in the MIMP. The proposed relocation of square footage is not a waiver from a development standard. It suggests a waiver from a master plan condition (Council Condition # 1) because it potentially reduces open space at the corner of 15th Ave. E. and Cherry St. However, Council Condition #1 (p. 35) states that with reductions in open space on the campus, the quality of landscaping in remaining open space areas shall be increased.” Based on this council condition, the applicant would need to increase “the quality of landscaping in a remaining open space equal in size to the size of the open space being reduced in a particular phase of development.” The proposed would not go beyond what is minimally necessary to afford relief and would not be detrimental to the public welfare or to surrounding properties.

The extension of the canopy would waive the setback requirements only at this specific location along 15th Ave. It does ensure any other changes to the ten foot setback along 15th Ave. The extension of the canopy into the ten foot setback, a gesture to provide weather protection for the clinic’s patients, inserts a raised horizontal plane whose only impact maybe visual. The proposed changes would not be materially detrimental to the general welfare or surrounding property.

3. The amendment is a proposal by the Major Institution to lease space or otherwise locate a use at street level in a commercial zone outside an MIO District, and within two thousand five hundred feet (2,500') of the MIO District boundary, and the use is allowed in the zone for but not permitted pursuant to Section 23.69.022.

This does not apply.

In making the determination whether the amendment is minor, the Director shall consider the following factors:

a. Whether an adequate supply of commercially zoned land for business serving neighborhood residents will continue to exist, and

The proposed change has no impact on the supply of commercially zoned land for business. Lowrise zoning represents the underlying zone on the subject property.

b. Whether the use will maintain or enhance the viability or long term potential of the neighborhood-serving character of the area, and

The use as a medical clinic has been previously approved in the MIMP. The elimination of a surface parking lot along with the attending increase in building height and square footage does not diminish the viability of the neighborhood in spite of the perceived loss in scale at this intersection.

c. Whether the use will displace existing neighborhood-serving commercial uses at street level or disrupt a continuous commercial street front, particularly of personal and household retail sales and service uses, and

The proposed change has no impact on existing neighborhood-serving commercial uses. The property is currently used as a temporary surface parking.

d. Whether the use supports neighborhood planning goals and objectives as provided in a Council-approved neighborhood plan.

The Central Area Neighborhood Plan includes the Providence campus. No provisions, however, directly address the Cherry Hill campus. Chapter HD-8.71.2 Crime Prevention Through Environmental Design (CPTED) states, "Incorporate CPTED principals in all new construction. This should include lighting for streets, public buildings, and land use spaces." Adequate lighting of the exterior of the clinic and its grounds as well as adequacy of campus security should deter crime and encourage pedestrian use of the adjacent streets.

In summary, the proposed amendment would not result in significantly greater impacts than those contemplated in the adopted master plan. An amendment is a waiver from a development standard; however, the proposal does not go beyond the minimum necessary to afford relief and will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity in which the Major Institution is located.

CAC recommendation

In its approval and adoption of the MIMP, the City Council included a condition that seeks the input of the Citizen Advisory Committee related to issues of height, bulk and scale impacts on surrounding residential properties. (Council Condition #3) The CAC met several times to discuss the proposed Northwest Kidney Center, and an opportunity for public testimony was provided at Meeting # 15 on January 18, 2007. Public comments focused on the following themes:

- A discrepancy exists between the rendering of the front façade and the elevation.
- Careful consideration should be given to the loading dock's location and its actual size, presence, character, and materials of the garage door and the entrance.
- Pedestrian character under the canopy is lacking.

- More design development should occur on the front door. It appears to get lost in the continuation of the façade.
- Fenestration adds to the proposal's design; however, the overall the design is monotonous particularly at the first level. The treatment of the upper floors is better.
- The west façade has differentiation and modulation which softens the façade. These treatments are not carried over to the north façade. The north façade is too brutal in appearance.
- CAC guidance appears quite different than that of the Design Review Boards. DPD has more discretion with the CAC to accept them or not.
- Traffic flow is an issue.

Swedish Medical Center / Cherry Hill Campus Citizen Advisory Committee (CAC) reviewed the project on the following dates: November 16, 2006, January 18, 2007, February 15, 2007, and March 21, 2007.

During Meeting #16 (February 15, 2007), the CAC passed a motion recommending a minor amendment subject to the following conditions: 1) that a pedestrian plaza be included within the green space along the north façade of the building; 2) that the south façade of the building be set back a minimum five feet from, at least, the west 50 percent of that façade sufficient to allow both landscaping and fenestration; and 3) that the fourth floor of the building be set back 15 feet along the north façade for one structural bay.

A representative from Sabey Corporation responded at the March 21st meeting (#17) to the earlier CAC recommended conditions. She showed a proposed redesign of the northwest corner plaza (item #1). She indicated that Sabey had "entered into an agreement" with the property owner to the south to allow intensive landscaping of the strip adjacent of the façade and that "changes would be made to the facade to soften it with more detail" (item #2). (Draft Meeting Notes, Meeting #17, Wednesday, March 21, 2007.) The representative from Sabey also stated that the Northwest Kidney Center staff had rejected the CAC recommended condition to set back a portion of the upper most floor facing E. Cherry St. and 15th Ave. corner.

A letter followed from Timothy Hicks dated March 22nd to DPD Director Diane Sugimura explaining that the three conditions were tied in the minds of the CAC members to their recommendation of a minor amendment. He concluded by requesting that "you and staff deem the previous recommendation to be invalid and send the process back to the CAC for further debate. Either that or rule the proposed design to be a 'major amendment' under the existing MIMP."

Conclusions

The Seattle Municipal Code (SMC 23.69.035) directs DPD as to the process for determining major and minor amendments. The CAC reviews and comments upon whether the amendment should be minor or major and what conditions, if any, should be imposed if it is minor. Determination of a minor amendment is not necessarily linked to the conditions that the CAC would recommend. Based on a review of the Land Use Code, DPD agrees that the two proposed amendments qualify as minor amendments.

The following discusses the three conditions recommended by the CAC. The proposed plaza to be included within the green space along the north façade of the building meets one of the general open space concepts articulated in the MIMP. “Campus edges around the periphery of the MIO district include open space buffers, building setbacks, and streetscaping (sic) improvements. The edge is a transition to the adjacent neighborhood and also distinguishes the Providence campus. It also provides open spaces that are visually accessible to the public.” (MIMP p.20) The Director recommends this condition.

The second CAC endorsed condition stipulated that the south façade of the building be set back a minimum of five feet along, at least, the west 50 percent of that façade sufficient to allow both landscaping and fenestration. The applicant’s representative responded by indicating that Sabey had entered an agreement with the property owner to the south. Since the representative’s statement, the applicant’s attorney has clarified the earlier statement by stating that an easement is being negotiated. (email from Jessica M. Clawson, May 3, 2007).

In the underlying Lowrise 3 zone, normally there would be a side setback between properties. The MIMP states, “Finally, there would be no setbacks from the internal lot lines within the campus” (p. 26). The MIMP further equates the “Providence” campus with the MIMP boundaries including all parcels not controlled by Swedish Medical Center Cherry Hill campus and Sabey (p. 5). The two separately owned properties could both have buildings at the shared property line. Until the adjacent property owner improves the parcel, DPD agrees that a five foot side yard easement with plantings and landscaping to screen the blank wall along 50 percent of the south façade would adequately mitigate the exposed blank wall. The applicant has also refined the south façade with decorative pre-cast concrete panels, possibly similar to ones proposed elsewhere on the expanded garage that would add relief to the wall.

The third CAC condition focused on setting back or notching a portion of the upper floor on the north elevation by 15 feet. The CAC meeting notes suggests that the condition is intended to reduce the appearance of height and bulk from Cherry St. Council Condition #2 states, “For corners of the campus at public rights-of-way where new development is proposed, building designs and plantings shall emphasize both the corner and the Providence campus.” It can be argued that setting back or notching of the upper floor corner is one technique among several that could emphasize the corner of the Cherry Hill campus.

Although MIO zoning anticipates a potential 65 foot high building, the MIMP states that a two-story structure would be located on the site. The MIMP does not reveal prior discussion or intent as to the importance of height at this particular site. The L3 zoning across Cherry St. allows a height of 30 feet with a five foot allowance for a sloping roof. Structures on opposing sides of E. Cherry St. potentially would have a height difference of 30 feet. The proposed Northwest Kidney Center’s height varies along E. Cherry St. from approximately 52 feet to 59 feet at the corner. Currently, structures across E. Cherry St. and 15th Ave. have one to three stories. With a twenty foot setback along E. Cherry St., a proposed landscaped plaza within it, and Code required setbacks for L3 on the north side of Cherry St, a significant transition exists between the MIO-65-L3 zone and the L3 zone across the street without a set back or notch at the upper floors.

Based upon a review of the proposal, the criteria under SMC 23.69.035, the review and comment by the CAC and staff review of the proposal, the request for Minor Amendments 1) to increase a

proposed structure at the site by an additional 25,000 square feet, an amount transferred from Project III and 2) to allow a canopy to extend nine feet into a ten foot setback on 15th Avenue are hereby **APPROVED as a MINOR AMENDMENTS**. The following conditions are imposed per authority in SMC 23.69.035C:

1. A pedestrian plaza shall be included within the green space along the north façade of the building.
2. Prior to the issuance of any building permit, a side yard easement of five feet at the south property line shall be recorded at King County to extend a minimum of 50 percent of the property line. The same five foot side yard easement shall be landscaped to screen a significant portion of the blank wall. If the adjacent property owner chooses to build upon the property, the easement would be nullified.

ANALYSIS – STATE ENVIRONMENTAL POLICY ACT (SEPA)

This analysis relies on the Final Environmental Impact Statement for the Providence Medical Center Major Institution Master Plan, published June 1993 and the SEPA checklist for the project dated September 21, 2006, as well as other technical environmental reports, comments and responses submitted with respect to those documents. This decision also makes reference to and incorporates the project plans submitted with the project application on March 21, 2006 and revised several times thereafter.

The Seattle SEPA Ordinance provides authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that a given impact is attributable to the proposal, and to the extent that the mitigation is reasonable and capable of being accomplished. Additionally, mitigation may be required only when based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA would not be necessary.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in pertinent part that “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation.” Under specific circumstances, mitigation may be required even when the Overview Policy is applicable. SMC 25.05.665(D).

ENVIRONMENTAL IMPACTS

The original MIMP required the development of an EIS to evaluate the impacts of the proposed Plan. The FEIS considered the following environmental impacts: Air; Energy and Natural Resources; Environmental Health and Noise; Land Use; Housing; Light and Glare; Aesthetics; Cultural/Historic Resources; Transportation, and Public Services, Circulation and Parking.

The information provided by the applicant and its consultants, the public comments received, and the experience of the lead agency with the review of similar proposals form the basis for review and conditioning of the proposal. The potential environmental impacts disclosed by the Draft and Final EIS are discussed below. Where appropriate, mitigation may be required pursuant to Seattle's SEPA Ordinance (SMC 25.05). Supporting documents include an Environmental Checklist dated September 21, 2006.

Short-Term Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- construction dust and storm water runoff;
- erosion;
- increased traffic and demand for parking from construction equipment and personnel;
- increased noise levels;
- occasional disruption of adjacent vehicular and pedestrian traffic;
- decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment;
- increased noise; and
- consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires debris to be removed from the street right-of-way, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Any conditions to be enforced during construction shall be posted at each street abutting the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions shall be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of construction.

Construction Parking

The applicant estimates a twelve month duration of construction. On-street parking in the vicinity is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction

vehicles and equipment are parked on the subject site for the term of construction whenever possible. City Council conditions in the MIMP state, “in order to minimize construction parking impacts, construction personnel are required to park at an off-site location and be shuttled to and from the site. Cherry Hill shall ensure that construction workers do not park on the streets or in private lots in the Cherry Hill campus vicinity. Construction activities shall be scheduled so that the most intensive construction and parking activities are spread out over time.” It further states that “construction material delivery vehicles shall be prohibited from entering or leaving the area during peak hours. Cherry Hill shall provide for safe pedestrian and vehicular circulation adjacent to construction sites through the use of temporary walkways, signs, and manual traffic controls (flaggers).” These conditions will be posted at the construction site for the duration of construction activity. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA ordinance.

Noise

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residential properties, all other construction activities shall be limited to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. To reduce the noise impact of construction on nearby residences, only low noise impact work such as that listed below, shall be permitted on Saturdays from 9:00 a.m. to 6:00 p.m. and on Sundays from 10:00 a.m. to 6:00 p.m.:

1. Surveying and layout;
2. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours.

Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner prior to each occurrence. Periodic monitoring of work activity and noise levels will be conducted by DPD Construction Inspections.

Several City Council Conditions (#27, 28, and 29) ensure mitigation of construction noise. As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Long-Term Impacts

The long-term impacts are typical of significant grading and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these include: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code; and the Seattle Energy Code (long-term energy consumption). Only those environmental impacts that may result in long-term impacts and may require mitigation measures beyond those provided in existing laws and regulations are discussed below.

Noise

As part of the underlying FEIS review, an analysis of noise that would be generated by projects after construction was conducted. This analysis included a generalized overview of noise generating activities and uses associated with projects and a list of mitigation for projects, including directing noise generating devices away from adjacent uses, design features or other solutions to control, impacts of noise on adjacent properties. The FEIS did not specifically address the Family Medical Clinic; however, it proscribes that venting, fans and other equipment will be located away from noise sensitive receptors. Should the proposed facility have an emergency generation, DPD may require special exhaust system design to further reduce noise. The garage for the loading berth, should it require mechanical ventilation, may need discharge sound traps or acoustical plenum for nighttime generation.

The FEIS discusses traffic noise. The slight increase in traffic and the proposed truck loading area on 15th Ave. would not significantly add to the overall noise in the vicinity. The existing Transportation Management Plan should help reduce trips and related noise.

Several City Council Conditions govern long-term noise impacts. Council Condition #20 requires that a noise analysis shall be submitted with each MUP for projects adjoining residential property. Noise-producing mechanical equipment shall be located away from residential properties. The noise study shall demonstrate that continuously generated noise levels from mechanical equipment associated with the new building will meet the Seattle Noise Ordinance standards for residential receiving properties.

An updated noise analysis (dated April 16, 2007) was submitted by SSA, an environmental acoustics consultant, to DPD. It indicates that mechanical equipment installed with noise barriers would reduce noise to less than the allowed city of Seattle noise level.

Light and Glare

As part of the underlying FEIS review, an analysis of Light, Glare and Shadow was conducted. This analysis included an overview of shadows that were caused by projects with 'significant height and bulk' on surrounding neighborhoods. The FEIS did not diagram or discuss impacts from the two-story Family Medical Clinic. The proposed four-story medical office building would have copious amounts of glazing at the west elevation's first and fourth floors facing Seattle University's Physical Education Building. Brick, the second most common material, has a low reflectivity. City Council Condition #18 states that Cherry Hill must provide documentation to DPD showing that buildings will not cause significant adverse lighting

impacts. “Plans for each new project shall indicate the location, direction, and intensity of proposed exterior lighting. Buildings shall be designed to shield or direct exterior lights away from light sensitive structures, including nearby residences.” Council Condition #19 directs Cherry Hill campus to provide evidence to DPD that building will not cause adverse glare impacts. Finishes and windows on the new building shall be a low-reflectivity or non-reflective color or tint.” The Sabey representative stated at Meeting # 16 stated that clear glass would be used on the first floor. The first floor’s distance from the street would likely mitigate light and glare problems. In summary the impacts are not expected to be significant.

Most of the shadows produced by the proposed four story structure would be cast upon adjacent rights-of-way. Shadows of 75 to 85 feet would impact buildings across the streets including the largely windowless Seattle University physical education building. Shadow impacts are not expected to be significant.

Transportation, Circulation and Parking

The Final EIS provided an analysis of transportation and traffic related impacts associated with the development of the Major Institution Master Plan. The transportation and traffic analyses in the FEIS evaluated both existing conditions at the time of the report as well as future conditions with the development of all proposed buildings identified in the MIMP. Parking for the proposed project was determined by the amount of parking that was available on the entire campus, following an evaluation of both long and short term parking based on minimum parking rates.

In the 1994 FEIS, the code (SMC 23.54.016) required parking on campus ranged between a minimum of 1,152 spaces, with a maximum allowed at 1,555. This rate was based upon land use code prescribed minimum parking requirements for employees, patients and visitors. At that time, 1,031 parking spaces were located on the campus which resulted in a parking deficit. Such a deficit may result in the likelihood of spillover parking in surrounding neighborhoods. Accordingly, as part of the MIMP approval, additional parking on the campus was required to meet code to address existing conditions and to anticipate the future growth of the campus based upon Master Plan forecast of new square footage.

The MIMP anticipated that by 2002, a code prescribed range of parking spaces, based upon the factors listed above, would be needed between 1,481 and 1,999 spaces and by 2007 1,540 and 2,079 respectively. Accordingly, a supply was anticipated at 1,827 spaces (2002) and 1,725 spaces (2007) needed to accommodate future development. However, the anticipated growth of the campus had not occurred.

Based on projected employment figures including the Northwest Kidney Center, the minimum / maximum parking requirement would range from 1,263 to 1,705 spaces. The garage expansion now under construction will add 502 spaces new spaces and the garage addition will add 204 spaces for an on-campus supply of 1,731 spaces. Removal of 47 surfaces spaces within the garage expansion area (construction of the Northwest Kidney Center eliminates 23 temporary spaces) creates a total on-campus supply of 1684 spaces. The proposed parking supply falls within the minimum and maximum number of stalls required by code.

As part of the 1994 MIMP approval, Cherry Hill was required to develop and maintain a Transportation Management Plan (TMP). As a TMP goal, Cherry Hill is to achieve a 50% maximum single occupancy vehicle (SOV) rate, excluding employees whose work requires the use of a private automobile. This TMP was designed to ensure that the number of trips, including PM peak trips, as well as available parking, is within acceptable limits as analyzed in the FEIS. To accomplish this goal the existing TMP includes a number of incentives to ensure maximum participation, including:

- Establishing a Transportation Coordination to promote and maintain the program, including annual evaluations
- Preparation of an annual survey
- Provision of discounted transit passes
- Maintenance of parking areas
- Charging for SOV parking
- Maintain and promote HOV programs, with up to 157 spaces at a discounted cost

Although the Cherry Hill campus is currently to reduce trips than they are required to do under the recorded TMP, a recent parking analysis indicates that Cherry Hill has not met the TMP goal of a 50 percent SOV rate. In order to increase the rate from the current 36 percent to the TMP goal, DPD required implementation during review of the parking garage expansion (MUP # 2501717) of the following measures:

- 1) Modify the existing Transportation Management Program to reflect current trip reduction strategies at the campus, as reflected in the 'Swedish Medical Center Parking and Commuting Services Program Description Through May, 2006'.
- 2) Develop a marketing program to enhance awareness and visibility of TMP elements. A draft program will be provided to DPD and the CAC for review and comment.

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C) including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C)

CITY COUNCIL – CONDITIONS

Non-Appealable Conditions

1. New buildings shall have the same design theme, with similar color schemes and materials wherever possible. For corners of the campus at public rights-of-way, where new development is proposed, buildings designs and plantings shall emphasize both the corner and the Providence campus. (Council Condition #2)

2. To mitigate for potential height, bulk and scale impacts on surrounding residential properties, Providence shall seek input from the neighbors and from the Master Plan Standing Committee, regarding design of buildings adjoining residential neighborhoods, including, but not limited to, the Parking Garage (Project 1B), the MOB (Project III), the East Wing Addition (Project VII), the Gym/Inn (Project VIII), and the mater Plan Advisory Committee and shall be approved by DPD. Neighborhood review shall be guided by the Agreement for Supplemental Mitigation between Providence and the Squire Park Community Council. (Council Condition #3)

During Master Use Permit Process

3. No flat or unmodulated blank facades, particularly at street level, shall be incorporated into the new buildings. (Council Condition #7)
4. Mechanical penthouses and other similar rooftop features shall be incorporated into the overall building design, be visually obscured, and, to the extent possible, oriented away from nearby residential uses. (Council Condition #8)
5. Providence shall provide documentation to DPD that buildings will not cause significant adverse lighting impacts. Plans for each new project shall indicate the location, direction, and intensity of proposed exterior lighting. Buildings shall be designed to shield or direct exterior lighting away from light-sensitive structures, including nearby residences. (Council Condition #18)
6. Providence shall provide evidence to DPD that buildings will not cause adverse glare impacts. Finishes and windows on new buildings shall be of a low-reflectivity color or tint. Other methods to avoid glare impacts, such as using recessed windows, retaining vegetation, changing the angle of glass panes shall be used as necessary. (Council Condition #19)
7. A noise analysis shall be submitted with each MUP for projects adjoining residential property. In general, noise-producing mechanical equipment shall be located away from residential properties. The noise study shall demonstrate that continuously generated noise levels from mechanical equipment associated with new buildings will meet Seattle Noise Ordinance standards from residential receiving properties. (Council Condition #20)
8. Providence shall work with the Police Department to incorporate Crime Prevention through Environmental Design techniques into the design of each building. (Council Condition #23)

Prior to Issuance of a Building Permit

9. Areas for recycling bottle, cans, paper, and plastic shall be included in each new building. Signs shall be posted to indicate availability of the recycling area to visitors and employees. Recycling areas shall be located to minimize adverse visual impact, noise and odors. Location of each recycling area and sign wording and location shall be subject to review by DPD. (Council Condition #24)

During Construction

10. In order to minimize construction parking impacts, construction personnel are required to park at an off-site location and be shuttled to and from the site. Providence shall ensure that construction workers do not park on the streets or in private lots in the Providence campus vicinity. Construction activities shall be scheduled so that the most intensive construction and parking activities are spread out over time. Construction material delivery vehicles shall be prohibited from entering or leaving the area during peak hours. Providence shall provide for safe pedestrian and vehicular circulation adjacent to construction sites through the use of temporary walkways, signs, and manual traffic controls. (Council Condition #25)
11. Construction hours (to include both demolition and construction activities) shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. This limitation is subject to minor revisions at the discretion of DPD to allow work of an emergency nature, work required obstruction of street rights-of-way, and minor, usually interior work, of low noise impact. (Council Condition #26)
12. A noise consultant shall be retained to measure construction and mechanical system noises generated by each project adjoining residential property. Measurements shall be taken from receiving properties. If applicable noise levels are exceeded, a variance shall be obtained, or noise reduction methods shall be promptly applied to bring noise levels within Code limits. Construction noise and vibration impacts shall be minimized by shielding noisy equipment, avoid excessive idling, locate equipment away from sensitive receivers such as residential uses, and adequate muffling of equipment; scheduling particularly noisy operations to avoid conflicts; providing acoustical screens or enclosures where necessary; assembling building components off-site to the greatest extent possible; identifying a 24-hour contact person to receive noise complaints; and, coordinating construction mitigation. (Council Condition #27)
13. Whenever possible, special measures for noise control of unusually loud equipment or activities shall be used during construction. This equipment shall include special mufflers for machine engine exhausts or air powered equipment and acoustical screens or enclosures to be used as needed. (Council Condition #28)
14. Providence shall use the newest equipment available and shall keep construction equipment in good working conditions. In addition, Cherry Hill shall reuse demolition materials to the greatest extent possible and ensure that long periods of construction equipment idling are avoided. (Council Condition #29)
15. To the maximum extent possible, Cherry Hill shall minimize solid waste by including the salvage, re-use on-site, and recycling of demolition materials. (Council Condition #30)

Prior to the Issuance of a Certificate of Occupancy

16. Increase the quality of landscaping in a remaining open space on campus equal in size to the size of the open space being reduced at the site of Project II at 15th Ave. and E. Cherry St. Where feasible, the additional landscaping shall be installed in the setback areas around the perimeter of the campus. Safety shall be a consideration in the design and maintenance of all open space and landscaped areas. The total amount of open space on the Cherry Hill campus shall be no less than 10 percent. (Council Condition #1)

For the Life of the Project

17. Providence shall continue to distribute routing maps to delivery truck drivers to inform drivers of arterial street routes to the freeway system and other major destinations. Providence shall also continue to inform drivers that they are not to use neighborhood residential streets. (Council Condition #38)
18. Signs installed to direct patients and visitors to the campus shall be maintained. (Council Condition #39)
19. Landscape plantings shall be maintained and replaced by Cherry Hill as necessary to provide the aesthetic and buffer functions intended. (Council Condition #40)

MINOR AMENDMENT – CONDITIONS

Prior to Issuance of a Master Use Permit

20. A pedestrian plaza shall be included within the green space along the north façade of the building.

Prior to issuance of any Construction or Grading Permits

21. A side yard easement of five feet at the south property line shall be recorded at King County to extend a minimum of 50 percent of the property line. The same five foot side yard easement shall be landscaped to screen a significant portion of the blank wall. If the adjacent property owner chooses to build upon the property, the easement would be nullified.

SEPA - CONDITIONS

The owner(s) and/or responsible party(s) shall:

Prior to issuance of any Construction or Grading Permits

22. The applicant shall submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. The Plan may also be incorporated into any Construction Management Plans required to mitigate any short term transportation impacts that result from the project.
23. The applicant shall submit for review and approval a Construction Management Plan to the Department of Planning and Development (DPD) for concurrent review and approval with Seattle Department of Transportation to mitigate these impacts. The plan shall identify management of construction activities including construction hours, parking, traffic and issues concerning street and sidewalk closures.
 - Location of ingress/egress for construction equipment and trucks;

- Limiting trips by earth-moving equipment to the hours prior to 3:00 p.m. and after 6:00 p.m.;
- Truck access routes, to and from the site, for the excavation and construction phases; and
- Street and sidewalk closures.

During Construction

24. All construction activities shall be limited to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only low noise impact work such as that listed below, shall be permitted on Saturdays from 9:00 a.m. to 6:00 p.m. and on Sundays from 10:00 a.m. to 6:00 p.m.:

- Surveying and layout;
- Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours.

25. Provide off-street parking for construction workers. Parking may be provided either on-site, if phasing allows, or off-site with workers shuttled to the site if more than 800 feet from the site.

Signature: _____ (signature on file) Date: May 17, 2007
Bruce Philip Rips, AICP, Senior Land Use Planner
Department of Planning and Development
Land Use Services

BPR:bg

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