



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 Numbers:** 3009041  
**Applicant Name:** Laurel Rech of NBBJ for Swedish Medical Center-Ballard  
**Address of Proposal:** 5350 Tallman Avenue NW

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 109,000 sq. ft. addition to an existing hospital (Swedish Medical Center Ballard Campus). Project includes 35,060 sq. ft. of hospital and 74,263 sq. ft. of offices. Parking will be provided within the existing 510 stall on campus. Project also includes a 62 ft. X 12 ft. skybridge.

The following approvals are required:

**Variance** - To allow a portion of the principal structure to extend into the required setbacks (SMC Section 23.47A.014.E & 23.45.056.D).

**SEPA - Environmental Determination** - Chapter 25.05, Seattle Municipal Code.

**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 addition is located within the Swedish Medical Center Ballard campus. The campus and Major Institution Overlay (MIO) occupy a roughly triangular area bounded on the north by NW Market St; on the east by 17<sup>th</sup> Avenue NW; and on the southwest by Russell Avenue NW. The proposed new construction for this project is located on the south northeast side of Tallman Avenue NW adjacent to the existing Ballard Swedish Hospital. The site is zoned as a Major Institution Overlay with a 105-foot height limit for buildings



developed by the Institution within this overlay. However, as there is no existing Master Plan for this Swedish Medical Center campus, new construction is subject to the underlying zoning which is Neighborhood Commercial 3 with a 65-foot height limit. The site is surrounded by a vibrant commercial area including restaurants, retail, entertainment and private medical offices. Several recent large multifamily project are nearing completion in the area as well.

### Proposal

The proposed development on the northeast side of Tallman Avenue NW includes a five-story, 109,000 square foot building consisting of 35,060 square feet of medical hospital services and 74,263 square feet of medical offices. The hospital services include a relocation of the Emergency Room (ER) and associated facilities from the existing location in the main Hospital which is adjacent to the site to the south. There are also proposed Medical clinics/offices for ambulatory patient care. The remainder of the building will be made available for private medical offices. Included in the proposal is a skybridge to be constructed on the southeast of the building connecting it to the main Hospital. Parking for the new facility is proposed to be located in the parking structure directly across Tallman Avenue NW from the site which was completed in 1983.

### Public Comment

Notice of application was published on August 7, 2008. One comment was received from the public. The application was re-noticed on November 13, 2008 because of the added Variance component.

### **ANALYSIS - VARIANCE**

The proposed skybridge connecting the new structure with the existing Hospital will be located in the required setbacks of two underlying zones: NC3-65 for the new structure and Midrise where the existing hospital is located. While certain structures are permitted in required setbacks in the NC and Midrise zones, including uncovered, unenclosed pedestrian walkways less than five feet in width (SMC 23.47A014.E.4 and SMC 23.45.056.D.2.c), the proposed skybridge is completely enclosed and is proposed to 12 feet in width. Therefore a variance is required for the proposed skybridge.

Variances from the provisions or requirements of this Land Use Code shall be authorized only when all of the following facts and conditions (stated in *italics*) are found to exist:

1. *Because of unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and*

The variance has been requested because of unusual conditions applicable to the subject property, specifically the underlying zoning of the subject site and that of the adjacent site where the existing hospital is located. Both the subject site and the hospital are located within the Major Institution Overlay with underlying zoning of NC3-65 and Midrise respectively. However, there is no Major Institution Master Plan for this Swedish Medical Center campus, making the any development proposals subject to the underlying NC3-65 zoning regulations which require a 10 foot side setback between 13 and 65 feet in height abutting residential zones (SMC23.47A.014.B.2). In the Midrise zone a side setback of 8 – 10 feet is required. The proposed skybridge must locate within these two required setbacks.

Ballard Community Hospital was originally built in 1928 and has undergone significant changes in the intervening years. Where there is no Master Plan for properties in the Major Institution Overlay, development proposals are subject to the underlying zoning. Typically, a Master Plan will include development regulations that modify those of the underlying zone.

It appears that strict application of the Land Use Code would deprive the property of rights and privileges enjoyed by other properties in similar circumstances. While not in the same zone or vicinity, it is common for multi-block hospital facilities to build skybridges connecting the various services of the hospital.

Considering the above arguments, the application meets the first variance criterion.

2. *The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located; and*

The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone.

Because there is no Master Plan the proposed structure must comply with the underlying zoning requirements as it related to setbacks. It is necessary to move patients back and forth between existing facilities and the new emergency and clinic faculties in the proposed building. A skybridge is the least costly and safest solution. Because of subsurface groundwater conditions and the slight grade change between the existing and proposed structures it was determined that the skybridge was to only feasible solution and the minimum necessary to afford relief.

3. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and*

No material detriment to the public welfare or injury to property or improvements in the zone or vicinity is likely to occur by granting the requested variance. The proposed skybridge is contained wholly within the property boundaries of the hospital and within the MIO. The Fire District has approved the width and height of the proposed skybridge.

4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties; and*

Because it is necessary to transport often critically ill patients from the new emergency and clinic facilities to the main hospital, a covered, enclosed passageway is necessary so that patients are not exposed to the elements. Requiring anything less would impose undue hardship and practical difficulties on the applicant.

5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.*

The spirit and purpose of the Land Use Code provides for institutional uses such as hospitals and clinics to locate within designated Major Institution Overlay Districts. It is the responsibility of the City to preserve and protect the areas for the purpose for which they are intended. The granting of the variance will not adversely affect the physical characteristics or use of the surrounding neighborhood and will provide a valuable service to those making use of the hospital facilities.

**DECISION - VARIANCE** (Based upon approved plans in the file)

The proposed variance to allow surface parking for one vehicle in the required front yard is **GRANTED**.

**ANALYSIS – STATE ENVIRONMENTAL POLICY ACT (SEPA)**

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 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 subject property is located in a designated Major Institution Overlay (MIO) district. However, there is no Major Institution Master Plan (MIMP) for the Swedish Medical Center Ballard Campus and, as such, the proposed structure must comply with the regulations of the underlying zone (NC3-65). Proposed new structures exceeding 12,000 square feet are subject to environmental review for impacts to traffic, parking, and height, bulk and scale.

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated June 15, 2008. The information in the checklist submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

### 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; these include 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 and Traffic

Construction of the project is proposed to last for several months. 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. It is recommended that Swedish provide the construction company with maps and directions to their construction workers directing them to underused parking garages or surface parking areas to reduce the impacts of reduction of on-street parking. These maps and bus schedules and schedules for other forms of public transportation should be made available to workers in a convenient and visible location on the job site.

### Noise

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 5:00 p.m.:

Surveying and layout – This requires no noise generating equipment and requires two or three people walking around the project.

1. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
2. Concrete work – This includes finishing and setting.

In order to accommodate the needs of the Hospital and ensure that the construction activities will not have adverse impacts on the nearby residential uses, requests to extend the hours of construction on weekdays from 6:00 pm to 8:00 pm shall be reviewed on a case-by-case basis and approved by DPD prior to each occurrence. DPD Construction Inspections will conduct periodic monitoring of work activity and noise levels.

Quiet non-construction activities that can be done at any time such as, but not limited to, site security, surveillance, monitoring for weather protection, checking tarps, surveying, and walking on and around the site and structure will not be limited by the conditions imposed above or below.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. After each floor of the building is enclosed with exterior walls and windows, interior construction on individual enclosed floors can be done at other times.

- Equipment shall be employed on-site that is as quiet as feasible for the work to be performed.
- Nearby residents shall be advised of the construction schedule, the construction process, and Swedish must post a contact person name and phone number to address construction-related problems, such as noise impacts.
- Whenever practical, rubber-tire equipment shall be used instead of equipment with metal tracks. Mufflers shall be provided and maintained for stationary engines. Construction personnel shall limit the extent of unnecessary equipment idling. Air compressors shall be utilized with silencing packages. Preference shall be given to electrically driven and hydraulically driven equipment in place of diesel or pneumatic equipment.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

### Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Long-Term Impacts

The long-term impacts are typical of a medical and office structure 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. All conditions of the MIMP and EIS applicable to the site shall be implemented.

### Transportation, Circulation and Parking

A Transportation Impact Analysis dated July, 2008 by Transpo Group, determined that the expected traffic volumes when the project is completed would fall within the range of typical day-to-day fluctuations and would have no impact on the Level of Service thresholds established in the area. As a result, no intersection-specific or roadway mitigation measures are identified.

Parking is to be provided in the currently under-utilized structured parking garage located across Tallman Avenue NW to the west. Based on the parking demand analysis, available spaces within the existing parking structure and 50 spaces in surface lots are adequate to meet the demand. Actual parking demand is anticipated to be less than the base analysis due to the successful Commute Trip Reduction program on the campus, in which employees in the proposed project will also participate.

In order to facilitate less mobile patients and emergency department drop-offs, the currently metered on-street parking on Tallman Avenue NW will be re-designated to a patient drop-off zone (3 stalls), short-term parking (3 stalls) and loading zone (2 stalls).

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

## **DECISION – SEPA**

The application is **Conditionally Approved**

## **SEPA – CONDITIONS**

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

### During Construction

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.

1. All construction activities shall be limited to non-holiday weekdays between 7:30 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 5:00 p.m.
  - Surveying and layout – This requires no noise generating equipment and requires two or three people walking around the project.
  - Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
  - Concrete work – This includes finishing and setting.
2. After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule, thus the duration of associated noise impacts. 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.
3. Nearby residents shall be advised of the construction schedule, the construction process, and Swedish must post a contact person name and phone number to address construction-related problems, such as noise impacts.
4. Whenever practical, rubber-tire equipment shall be used instead of equipment with metal tracks. Mufflers shall be provided and maintained for stationary engines. Construction personnel shall limit the extent of unnecessary equipment idling. Air compressors shall be utilized with silencing packages. Preference shall be given to electrically driven and hydraulically driven equipment in place of diesel or pneumatic equipment.

Signature: (signature on file)  
Marti Stave, Land Use Planner  
Department of Planning and Development

Date: February 12, 2009