



City of Seattle

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: 3011811

Applicant Name: Lana Lisitsa, Mithun Architects, for The Polyclinic

Address of Proposal: 904 7th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to change the office use (163,908 sq. ft.) to medical services use for a total of 193,908 sq. ft. in medical services use within a commercial building. Street-level retail of 6,430 sq. ft. will remain as retail use. Project includes a 560 sq. ft. addition for code-compliant accessible entry at the southwest corner of the building. Underground parking for 217 vehicles is provided on site.

The following approvals are required:

Administrative Conditional Use—Medical services over 10,000 sq. ft. outside but within 2,500 feet of a medical Major Institution Overlay District –Chapter 23.47A.006 A4, Seattle Municipal Code (SMC)

SEPA DETERMINATION:

Exempt DNS MDNS EIS

DNS with conditions

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

BACKGROUND DATA

The 120' x 240' site is located at 904 7th Avenue, on the southeast corner of the intersection of 7th Avenue and Madison Street. The site extends south, between 7th Avenue and the alley to the east, to Marion Street on the south. The site slopes down approximately 6 feet from east to west and approximately 10 feet from north to south along 7th Avenue. The property is zoned Neighborhood Commercial 3 with a 160 foot height limit (NC3-160). The property is located within the First Hill Urban Center Village. The zoning east of the alley along 8th Avenue is likewise NC3-160 as is the block immediately to the south of the site.



The development site is comprised of the entire half block bounded by Madison Street, Marion Street, 7th Avenue, and the alley intersecting the block midway between 7th and 8th Avenues. The area of the half-block site totals 28,800 sq. ft. MUP #2305693, published on January 27, 2005, and construction Permits #6110365, 6110366, and 611037 authorized construction of a nine-story office building on site. Construction was begun in 2006 and occupancy approval granted on April 23, 2009. The building has remained unoccupied since completion.

AREA DEVELOPMENT

To the north, east and south are numerous buildings which are part of the campuses of three major medical centers: Virginia Mason, Swedish and Harborview hospitals. A number of medical office buildings comprise the edges of these campuses. The Seattle University campus lies to the east, beyond the Swedish Hospital and Medical Center complex of buildings, just to the east of Broadway. Several institutions are located in the area, within short walking distance of the site: Trinity Episcopal Church, St. James Cathedral, the Frye Art Museum, O'Dea High School, the First Presbyterian Church and Town Hall.

Historically the neighborhood has provided close-to-downtown housing. A few large, substantial single family mansions remain from a century ago, notably the Stimson-Green mansion and the Dearborn house. Several wood frame apartments remain from the same era. A number of impressive brick apartment buildings, generally of 5 and 6-stories, date from the late teens and twenties and define a distinctive multifamily residential character for the area.

The 300-foot plus swath cut along the western edge of the neighborhood in the early 1960s to create the Interstate 5 expressway destroyed a portion of this housing stock, effectively restricted direct access to the area and visibly re-enforced the physical separation of the neighborhood from the Downtown. In recent years there has been a spate of development in the immediate vicinity of the 904 7th Avenue office building. Directly across the alley to the east Harbor properties developed and opened a 7-story market rate apartment building covering a quarter of the block. Across 8th Avenue between Madison and Marion Street is a 17-story apartment, office and retail building. A 7-story low-income apartment building was constructed and opened at the corner of 9th and Columbia. A full block development located between 8th and 9th Avenues and between Columbia and Cherry Streets, Skyline First Hill, a retirement and continuous care facility with a tower portion over twenty stories in height, has recently been occupied. Except for this surge of development within the past half decade and for expansion connected to the various medical centers and a few highrise apartment buildings, there had been relatively little development in the area in the past fifty years. For a number of years the most significant development in the immediate vicinity of the proposal area had been the demolition of multifamily structures to make way for surface parking lots.

Proposal

904 Seventh Avenue is a nine story commercial building, completed in 2007. It has remained unoccupied since its completion. The proposal for the site originally consisted of a commercial building with street-level retail totaling 6,430 sq. ft., eight floors of offices (including three floors of medical service offices) and three floors of underground parking to accommodate 272 vehicles.

Access to and from the underground parking is from Marion Street. Loading and building services, such as trash and recycle collection is provided off the alley along the east side of the site.

As noted, thirty thousand square feet of space, on the second and third floors, of the 189,470 sq.ft. of office space located above the ground floor were permitted by MUP 2305693 for medical service use. The Land Use Code requires that medical services use over 10,000 sq. ft. outside but within 2,500 feet of a medical Major Institution Overlay District, can only be permitted through the Administrative Conditional Use process (SMC 23.47A.006 A4). A change of use of the approved office space to medical services likewise requires approval through the Administrative Conditional Use process.

Public Comments

The public comment period ran from January 27, 2011 to February 9, 2011. No written comments were received during the comment period.

ANALYSIS – ADMINISTRATIVE CONDITIONAL USE

The Land Use Code requires that any medical service use in excess of 10,000 sq. ft., outside of, but within 2,500 feet of a medical Major Institution Overlay district boundary, requires a determination by the Director that an adequate supply of commercially zoned land for businesses serving neighborhood residents will continue to exist. In making this determination, the following factors are to be examined: a.) whether the amount of medical service uses existing and proposed in the vicinity would result in an area containing a concentration of medical services with few other uses; and b.) whether the medical services uses would displace existing neighborhood-serving commercial uses at street level or disrupt a continuous commercial street front, particularly of general sales and services uses, or significantly detract from an area's overall neighborhood-serving commercial character.

The proposed development site is within 2,500 sq. ft. of three medical Major Institution Overlay district boundaries, namely those of Virginia Mason Hospital, Swedish Hospital and Medical Center, and Harborview King County Hospital.

In addition, the Director must determine that the provisions of SMC 23.42.042 are also met. These include a determination that adverse impacts on the public interest and other properties can be satisfactorily mitigated through conditioning and that the proposed use is not materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

At the time of the analysis of administrative conditional use criteria for MUP 2305693, the mixed-use, residential and commercial, there was an existing building located on the northwest corner of the site, a building that provided a retail sales and service use at street level (shoe store), accessed at the corner of Madison Street and 7th Avenue and a second retail sales and service use, a dry cleaning establishment, also facing onto Madison Street. These ground level retail uses were considered to define a desired and desirable neighborhood-serving commercial strip along Madison Street at the "gateway" entry to First Hill, as defined in the neighborhood plan. .

“Neighborhood-serving” is probably best defined by other elements within the *First Hill Neighborhood Plan* and the *First Hill Approval and Adoption Matrix* which identify a “Key strategy” as the creation of a thriving residential and commercial “Madison Street District” “at the “heart of First Hill’s commercial area,” a place “that caters to residents, employees and other members of the First Hill community” and “where...members of the First Hill community meet each other (p.3)”. Buildings at neighborhood entry points, including this site which is identified as the west entry point to the neighborhood, are called upon in the Neighborhood Plan to emphasize the First Hill identity. Madison Street is identified as a Key Pedestrian Street and the Madison Street District, a district characterized by ground-level retail uses, begins at this point.

In order to preserve neighborhood-serving commercial uses at street level, the following provisions or conditions, originally imposed by MUP #2305693 upon the proposed development which resulted in the present building at 904 7th Avenue, would appear to be in order for the proposed change in use from office to medical services. First, the 6,430 square feet of ground floor, street-level space proposed for retail sales and services would remain in commercial retail sales and service use throughout the life of the project. This would be required to assure the viability of a continuous neighborhood-serving commercial strip along Madison Street and serve to enliven 7th Avenue where it meets Madison. Second, as originally conditioned, no medical service use would be allowed to migrate to the street level. Any use accessory to or associated with a resident medical service use will be required to be genuine retail sales and service use if located on the ground floor.

The proposal is expected to enhance the neighborhood-serving retail options by bringing vitality to Madison Street and lighting what has been a “dark” gateway into the neighborhood.

In authorizing a conditional use, the Code provides that conditions may be imposed for mitigating adverse impacts and, as needed, to protect other properties in the zone or vicinity and to protect the public interest. So conditioned, the medical service use within the upper stories of the proposed structure will maintain the viability and longer-term potential neighborhood-serving character of the commercial area, and will not displace existing neighborhood-serving commercial uses at street level. Conditions addressing the above concerns and impacts are included below. As so conditioned, the medical service uses on the upper floors of the structure would not be materially detrimental to the public welfare nor would they be injurious to property in the zone or vicinity in which the property is located.

Transportation and Parking

The elements of the transportation study prepared by Heffron Transportation, Inc. for the proposal were determined by DPD to establish the study area, and the key traffic issues. The Heffron report (*Transportation Impact Analysis, Technical Memorandum*, dated January 18, 2011) is included in the file for this project and evaluates the net additional impacts of the proposed project.

Over both the short and the long-term, vehicular traffic will substantially increase as a result of this proposal. Demand upon general area transportation systems, including transit, will also increase. Demands for parking will likewise increase.

A Transportation Management Plan (“TMP”), proposed as a mitigating measure in the *Transportation Impact Analysis*, of January, 2004, and consistent with the City of Seattle Department of Planning and Development applicable Director’s Rule, was required for the MUP #2305693. The TMP, with a goal of reducing the number of office workers coming to the building by single occupancy vehicles to no more than 50%, was determined to reduce the degree of project impacts. The TMP shall be imposed on the present project as a condition of the Administrative Conditional Use analysis. The Plan, with applicable waivers, shall be submitted for review and approval to DPD and SDOT.

Peak parking demand for the proposed medical office use would substantially exceed that of the previously-approved office use. MUP 3011809 is an application for a new parking garage to be erected on the surface parking lot located at 751 Marion Street, directly across from the 904 7th Avenue building. The existing building has 220 parking spaces in its garage; three of these would be removed to accommodate new elevator access for a total of 217 spaces. The Polyclinic intends to obtain rights to an additional 400 spaces within the parking garage at 751 Marion Street. The *Trip Generation and Parking Demand Analysis* prepared by Heffron concludes that the total of 617 parking spaces would not accommodate the expected demand and the Polyclinic will need to implement trip reduction and parking management measures in an addition to those already proposed in order to reduce overall parking demand. It is expected that those measures will be a part of the conditioning that will be imposed on MUP #3011809. Should the parking structure at 751 Marion Street (MUP #3011809) not be completed at the time the Polyclinic desires to move into the structure at 904 7th Avenue, DPD is prepared to approve a temporary plan for parking that addresses the parking impacts related to the uses otherwise approved for 904 7th Avenue in MUP #3011811. The plan, substantially set forth in *Contingency Plan for Parking*, prepared by Heffron Transportation, Inc., May 12, 2011, would temporarily provide for the functional equivalency of the permanent program intended by the “parking structure.”

DPD is satisfied that the provisions of the *Contingency Plan for Parking* are sufficient to mitigate the parking impacts. Verification of the components of the *Contingency Plan for Parking* would be undertaken when and if such a temporary solution and mitigation plan is deemed necessary because of the failure to complete the parking garage at 751 Marion Street prior to the need to move into the medical office structure at 904 7th Avenue. At such a time DPD and the applicant would determine a reasonable termination date for the alternative mitigation plan.

Public Sidewalks

Public sidewalks are found on three abutting rights-of-way, Madison Street, 7th Avenue and Marion Street. Although Marion Street does not regularly handle large numbers of pedestrians, the sidewalk along the south side of Madison Street provides a significant pedestrian pathway with extensive utilization between downtown and the First Hill neighborhood. While not serving the same volume of pedestrians as does Madison Street, 7th Avenue provides an important pedestrian corridor. In particular, it provides a path for pedestrians traveling between the substantial number of surface parking locations just east of Interstate 5 in the First Hill neighborhood and destinations downtown. There is no sidewalk along the west margin of 7th Avenue, which serves as an off-ramp at the point it intersects Marion Street.

As a part of the mitigation for ensuring that the transformation of the existing structure into medical service uses is not detrimental to the public welfare, it is necessary to use Administrative Conditional Use authority to ensure that predictable paths of pedestrian travel be established and maintained along the project site. It is desirable that the sidewalks abutting the project site along Madison Street and Marion Street generally be kept open and safely passable throughout the construction period. It is essential that the sidewalk along 7th Avenue between Marion and Madison streets be kept open and safe. Any case for the need for the closure of the sidewalk on Madison Street needs to be disclosed in the Construction Impact Management Plan which must have DPD approval. Any necessity judged to require a temporary closure of the sidewalk on 7th Avenue must in each instance have DPD as well as SDOT approval. This condition is enumerated below.

The Administrative Conditional Use to allow medical service use exceeding 10,000 square feet within 2,500 feet of a medical Major Institution Overlay District (SMC 23.47A.006 A4) is hereby GRANTED as conditioned below.

CONDITIONS – ADMINISTRATIVE CONDITIONAL USE

During Construction

1. The sidewalk adjacent the project site and running along the 7th Avenue right-of-way shall be kept open and made safely passable throughout the construction period. Should a determination be made by the Seattle Department of Transportation (SDOT) that closure of this sidewalk is temporarily permissible because necessary for demolition, shoring, structural modification or other purposes, the Land Use Planner at DPD (michael.dorcy@seattle.gov; tel.: 206-615-1393) shall be notified by the developer or general contractor at least three days prior to the planned temporary closure and a plan shall be presented and approved by DPD prior to the closure. The temporary closure plan shall present alternative mitigation that is sufficient to mitigate the impacts this condition is intended to address.

Prior to Granting of Certificate of Occupancy

2. No Certificate of Occupancy shall be issued for the 904 7th Avenue until the new parking structure at 751 Marion Street is available, or until the *Contingency Plan for Parking* is implemented.
3. A Transportation Management Plan (TMP), with a goal of reducing the number of office workers coming to the building by single occupancy vehicles to no more than 50%, shall be

imposed on the project. The Plan, in accordance with applicable Director' Rule requirements, shall be submitted for review and approval to DPD and SDOT.

For the Life of the Project

4. No medical service use shall be allowed at street level for the life of the project.
5. A minimum of 6,430 square feet of ground floor, street-level space shall be maintained as commercial retail sales and service use for the life of the project.

Signature: (Signature on File)
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development
Land Use Services

Date: June 2, 2011