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

In the Matter of the Application of

**SWEDISH MEDICAL CENTER** **CF 311936**
**CHERRY HILL**

for approval of a Major Institution Master Plan

## Introduction

Swedish Medical Center Cherry Hill seeks approval of a new Major Institution Master Plan and a rezone to increase some Major Institution Overlay ("MIO") districts within the campus boundary. A consolidated hearing on the proposed Major Institution Master Plan ("MIMP") and the appeals of the Final Environmental Impact Statement ("FEIS") was held on July 13, through July 17, 2015, before the Hearing Examiner ("Examiner").

At the hearing, Appellant Washington Community Action Network was represented by Claudia M. Newman, attorney-at-law; Appellant 19th Avenue Block Watch was represented by Vickie Schiantarelli, *pro* se; Appellant Squire Park Community Council was represented by William Zosel, *pro* se; Appellant Cherry Hill Community Council was represented by Mary Pat DiLeva, *pro* se; Appellant Concerned Neighbors of Swedish Cherry Hill was represented by Troy Meyers, *pro* se; Appellants Patrick Angus, Maja Hadlock, Dean Paton, James Schell and Nicholas Richter were represented by Dean Paton, *pro* se; Swedish Medical Center Cherry Hill, was represented by Joseph A. Brogan and Steven J. Gillespie, attorneys-at-law; Sabey Corporation ("Sabey") was represented by John C. McCullough, Courtney A. Kaylor and Katie Kendall, attorneys-at-law; and the Director of the Department of Planning and Development (Director) was represented by Stephanie Haines, Land Use Manager. The Citizens Advisory Committee ("CAC") was represented by Katie Porter, Chair. The CAC minority reports were presented by Dylan Glosecki, Dean Paton, and David Letrondo. The record was held open through August 11, 2015, for submission of written closing statements by the parties and the Examiner's site visit.

In a separate decision, the Hearing Examiner affirmed the Director's determination that the FEIS was adequate.[1] Exhibits from the MIMP portion of the hearing are referred to by number; exhibits from the portion of the hearing devoted to the SEPA appeals are referred to by "A-" followed by a number.

For purposes of this decision, all section numbers refer to the Seattle Municipal Code ("SMC" or "Code") unless otherwise indicated. Having considered the evidence in the file and reviewed the site, the Examiner enters the following findings of fact, conclusions and recommendation on the MIMP application.

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[1] MUP -15-010, -011, -012, -013, -014, and -015.

## Findings of Fact

1. Swedish Health Services is a non-profit healthcare provider. The Swedish Medical System, which is affiliated with Providence Health Services, consists of numerous primary care clinics, five community hospitals, and two regional medical centers - First Hill and Cherry Hill. Swedish Medical Center Cherry Hill ("Swedish Cherry Hill") is a specialized center focusing on cardiovascular and neuroscience services.

### Site and Vicinity

2. Swedish Cherry Hill is addressed as 500 17th Avenue and is located east of downtown on an approximately 13.33-acre site in the Squire Park neighborhood. The campus is bounded on the north by East Cherry Street, on the south by East Jefferson Street, on the west by 15th Avenue, and on the east by single-family residential development that fronts on 19th Avenue.

3. The Swedish Cherry Hill property slopes down significantly from east to west and slightly from north to south. The underlying zoning is a mix of Single-Family 5000 ("SF 5000") and Lowrise ("LR") 3.

4. Property to the northeast, east and south of the campus is zoned SF 5000 and developed primarily with single-family residences, with some multifamily residential and small commercial uses. Property to the north is zoned LR3 and LR1, and contains a mix of multi-family and office uses along East Cherry Street, and a mix of multi-family and single-family uses north of East Cherry Street. To the west across 15th Avenue is the eastern boundary of the Seattle University campus MIO and the eastern boundary of the 12th Avenue Urban Center Village. West of Seattle University is the Swedish First Hill MIO. The UW/Harborview MIO is within one-half mile to the southwest, and Garfield High School and the King County Youth Services Center are nearby. There is widespread development activity within the campus vicinity.

### Current Master Plan

5. The current MIMP for Swedish Cherry Hill was approved in 1994, expired in 2009, and was extended by amendment to 2011. The MIO includes three height districts: MIO 65 on the west campus between 15th and 16th Avenues; MIO 105 on the central campus between 16th and 18th Avenues; and MIO-37 on the east campus, which consists of a half-block strip of property along the east side of 18th Avenue.

6. Swedish Cherry Hill owns approximately 60% of the land within the current MIO, having sold 40% of it in 2002 to Sabey, a for-profit development and property management company. Most Sabey holdings within the MIO are leased back to Swedish Cherry Hill, and the rest are occupied by companies that provide various outpatient and medical support services.[2]

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[2] *See* MIMP at 60-61.

7. The existing campus building area is approximately 1.2 million square feet. Existing buildings and the one-story skybridge across 16th Avenue are identified in Figure A-3 on page 8 of the MIMP. Existing facilities include a 200-bed hospital and clinical, research, office, hotel and laboratory space. Within the campus, Kidney Center Northwest operates a dialysis center, and LabCorp operates testing facilities.

8. Primary access to Swedish Cherry Hill is via East Jefferson Street, the two-lane collector arterial at the southern border of the campus, and East Cherry Street, the two lane minor arterial at the northern border of the campus. The East Cherry Street right-of-way is 71 feet wide, and the East Jefferson Street right-of-way is 78 feet wide. These two streets provide access to and from regional roadways such as Interstate 5 to the west. Parking and sidewalks are provided along both sides of both streets, and several bus routes operate on East Jefferson Street with a stop adjacent to the campus. Following Metro's consolidation of some routes, the only cross-town route that remains on East Jefferson Street is Route 3/4. Fifteenth, 16th and 18th Avenues, which intersect East Jefferson and East Cherry Streets in the vicinity, are all classified as local access streets. The 15th Avenue right-of-way is 66 feet in width.

9. Swedish Cherry Hill provides 1,510 paid off-street parking spaces, with 1,293 garage spaces and 217 surface spaces. The Transportation Management Plan ("TMP") under the existing MIMP includes a goal of reducing the number of employees who commute to work by single-occupancy vehicle ("SOV") to 50 percent. That goal has not been met; the current SOV rate is 57 percent.

Procedural Background and Environmental Review

10. Swedish Cherry Hill submitted a notice of intent to prepare a new MIMP to the Director on November 11, 2011, and began work with the Department of Neighborhoods in 2012 to assist with formation of the CAC. The CAC was formed and first met in December of 2012. The Director issued a Determination of Significance on the MIMP pursuant to SEPA on March 7, 2013, requiring preparation of an EIS, and a public scoping meeting was held on March 21, 2013.

11. On May 22, 2014, the Director published a Notice of Availability of the Draft Environmental Impact Statement ("DEIS"),[3] draft MIMP[4] and public hearing. The Director held the public hearing on June 12, 2014, and the written comment period extended through July 6, 2014.[5] On December 11, 2014, the Director published a Notice of Availability of the FEIS and final MIMP.

12 . The FEIS analyzed the no-build alternative and three build alternatives that involved variations in gross square footage and MIO heights. Swedish Cherry Hill has designated Alternative 12, which was added following comments on the DEIS, as the preferred alternative.

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[3] Exhibit 23.
[4] Exhibit 22.
[5] *See* Exhibit 4, FEIS Appendix D, for comments.

13. On March 19, 2015, the Director issued a determination that the FEIS was adequate and an analysis and recommendation on the final MIMP, including recommended conditions to be imposed pursuant to SEPA and the Land Use Code ("Director's Report").[6]

14. The CAC, staffed by the Department of Neighborhoods, held 36 public meetings over a period of 16 months. Public comments received by the CAC are included under Tab 33 of Exhibit 6. The CAC members are listed in Table 1 of the Director's Report, which is also attached to this recommendation.

15. The CAC majority concluded that the MIMP does not meet the purpose and intent of Chapter 23.69 SMC and made 20 recommendations addressing reductions in height, bulk and scale, transportation, and other issues. Exhibit 6. Many of the CAC majority's recommendations are included within the Director's proposed conditions. Others have been incorporated into the Examiner's recommended conditions at the end of this document.

16. The CAC minority report from Dean Paton and others includes recommendations on heights and setbacks as well as building spacing along 18th Avenue, and addresses traffic mitigation, the TMP, views, the Design Guidelines, community amenities, and housing. Exhibit 6 at 41.

17. The CAC minority report from David Letrondo and Linda Carrol, which supports the MIMP, reviews the CAC's "journey" and key objections in reviewing the various MIMP alternatives, and discusses the reductions in height, bulk and scale in Alternative 12. It also discusses need and decentralization, the relationship between Swedish Cherry Hill and Sabey, the differences between the MIMP and Children's Hospital's recently approved MIMP, and the negotiations between the CAC and Swedish Cherry Hill.

18. The CAC minority report from Dylan Glosecki express his disagreement with the CAC majority's recommendation that height on the campus block between 15th and 16th Avenues, the west campus, be reduced to 105 feet. Exhibit 6 at 69.

Proposed Master Plan

19. Under the Code, a master plan is a conceptual plan for a major institution that consists of a development program component; a development standards component; and a transportation management program. SMC 23.69.030.A. The MIMP includes all required components.

20. The proposed MIMP, Exhibit 1, would establish development potential for the next 20 to 30 years. The MIMP would remain valid until Swedish Cherry Hill constructs the allowed square footage or seeks to amend the MIMP. The planned uses include hospital beds and clinic, research, education, hotel, long-term care, parking, and other supportive uses.

21. Under the MIMP, the net increase in building area would be 1.55 million square feet. Table C-2 on page 54 of the MIMP shows the allocation of the square footage to each function.

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[6] Exhibit 26.

Hospital beds would increase by 189, for a total of 385 in 2040, the number for which Swedish Cherry Hill is currently licensed by Washington State.

22. The MIMP would increase the long-term care facility from 43,000 square feet to 93,000 square feet. The facility is used to discharge patients who were in acute care hospital beds but still need 24-hour nursing care before they return home and/or are ready to progress to the campus rehabilitation facility. The long-term care facility would provide nursing care that exceeds what a general nursing home could provide.

23. The MIMP would increase the hotel space to 40,000 square feet to provide additional accommodations for families of patients who are awaiting care at Swedish Cherry Hill.

24. As the MIMP was developed, Swedish Cherry Hill considered several alternatives to achieve its objective. All involved locating the entire development program at the Swedish Cherry Hill campus. In response to neighborhood opposition to boundary expansion and street vacation alternatives, Swedish Cherry Hill proposed alternatives that increased heights to accommodate its need for a total of 3.1 million square feet. Responding to neighborhood opposition to some increased heights, the institution developed Alternative 12, which provides for a total of 2.75 million square feet at build-out.[7]

Development Program

25. The Development Program is found at pages 49-72 of the MIMP. The following MIO height districts are proposed:[8]

> On the west campus, between 15th and 16th Avenues, the north and south portions of the block would remain at MIO-65, and the center portion would be increased from MIO-65 to MIO-160 conditioned down to 150 feet.
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> On the central campus, the existing MIO-105 would be maintained on the north and most of the east sides and on the southwest corner; MIO-105 would increase to MIO-160 along the west side at 16th Avenue, internal to the campus, and toward the center; MIO-105 would remain at the entry plaza but be conditioned to 37 feet; and MIO-105 at the southeast corner would be reduced to MIO 65 and conditioned to 40 feet.
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> On the east campus, the existing MIO-37 would increase to MIO-50 conditioned to 45 feet for two sections of the half-block, and the remaining portions would retain MIO-37, with the center section conditioned to 15 feet.

26. Possible development phases are addressed at pages 62-63 of the MIMP, which states that the timing of projects is subject to variability due to uncertainty of funding and the rapid changes

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[7] *See* MIMP Appendix F for "Alternatives Considered But Not Advanced"

[8] *See* MIMP at 53. A footnote to this MIO height states on page 52 that the intent is to limit building height on 15th Avenue to 150 feet, and to 125 feet at the midpoint of 16th Avenue. The topography on the western side of the campus would permit this.

in the healthcare environment, and that the development will occur as the need for replacement, renovation and expansion of facilities arises. The following phases, identified as A through E, will occur in no particular order:

> In Phase A, construction of a medical office building on the east side of the campus, on the east side of 18th Avenue, could begin in 2016 and be completed in 2017. It would include below grade parking.
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> Phase B could involve the renovation and repurposing of the Providence Annex on East Jefferson Street into a community amenity, such as a daycare center or street-side small-scale retail space for service retail or food and beverage, and improved access to East Jefferson Street and the King County Metro bus stop. Open space improvements between the Annex and the James Tower would be included with this redevelopment.
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> Phase C could include the new hospital replacement tower on the corner of 16th Avenue and East Cherry Street, which would include below grade parking. Other projects within the space are dependent on funding, timing, and construction issues. A project for a pedestrian connection through the campus at 17th Avenue would be included, as would upgrades to the central utility plant, although utility services may be decentralized and incorporated into the future development of each phase.
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> Phase D would likely include the demolition of the 1977/81 west parking garage and replacement with more parking, clinical/research/education space, community health retail, and long-term care facilities. The size of each use would depend on the demand needs of the medical center. The east-west pedestrian interior pathway extension would occur in this phase.
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> Phase E would likely involve the redevelopment of the Seattle Medical and Rehabilitation Center on the corner of East Cherry Street and 16th Avenue.

27. At a future date, consistent with Phase D development, Swedish Cherry Hill would seek term permits for a two-level skybridge across 16th Avenue to replace the existing one-level skybridge, and a tunnel to be constructed below 16th Avenue. The skybridge and tunnel are expected to provide circulation between buildings located on either side of 16th Avenue for patients and materials. The environmental impacts of these improvements have been identified in the FEIS to the extent known, and future environmental studies, specific mitigation and public benefits would be addressed in the term permit process.

Objectives/Need/Public Benefit

28. SMC 23.69.002 states that the purpose and intent of the Major Institution Code is to:

> A. Permit appropriate institutional growth within boundaries while minimizing the adverse impacts associated with development and geographic expansion;

B. Balance the Major Institution's ability to change and the public benefit derived from change with the need to protect the livability and vitality of adjacent neighborhoods;

C. Encourage the concentration of Major Institution development on existing campuses, or alternatively, the decentralization of such uses to locations more than two thousand five hundred (2500) feet from campus boundaries;

....

E. Discourage the expansion of established major institution boundaries;

....

H. Accommodate the changing needs of major institutions, provide flexibility for development and encourage a high quality environment through modifications of use restrictions and parking requirements of the underlying zoning;

I. Make the need for appropriate transition [a] primary consideration in determining setbacks. Also setbacks may be appropriate to achieve proper scale, building modulation, or view corridors;

....

L. Through the master plan: 1) give clear guidelines and development standards on which the major institutions can rely for long-term planning and development; 2) provide the neighborhood advance notice of the development plans of the major institution; 3) allow the city to anticipate and plan for public capital or programmatic actions that will be needed to accommodate development; and 4) provide the basis for determining appropriate mitigating actions to avoid or reduce adverse impacts from major institution growth;

....

29. Swedish states its mission as "to improve the health and well-being of each person we serve." MIMP at 2. The MIMP expresses its objective as, "to provide flexibility as the medical center plans for the future while accommodating best medical practices and the needs of the neighborhood." MIMP at 49.

30. In 2000, Swedish established the Cherry Hill Medical Center as a specialized regional medical center focused on cardiovascular and neuroscience services.

31. Swedish Cherry Hill cites seven drivers of its need for growth: 1) facilities that need replacement to meet new standards for patient care, paired with the constraints of existing campus boundaries and the lack of space on campus to construct a new building without demolishing an existing, functioning one; 2) regional demand, as the area population grows; 3) an aging population with a greater incidence of chronic disease and more complex medical conditions, many of which require the specialty services offered at Swedish Cherry Hill; 4) health care reform, which has increased the volume of patients to the campus; 5) changes in technology and standards for patient care, such as the use of robotics in surgery, which requires larger operating rooms, and the need for larger patient rooms; 6) the need to reduce the cost of care through efficiency and cutting waste; and 7) recent standards that promote patient safety and healing through facility design. MIMP at 4-5.

32. Swedish Cherry Hill retained a consultant, Terrie Martin Consulting, to analyze its space needs. Ms. Martin's needs assessment, "Volume and Space Projections," is contained in Appendix G to the MIMP. It shows a need for 3.1 million square feet in 2040. MIMP at 141. The MIMP, which is based on Swedish Cherry Hill's preferred alternative, Alternative 12, would provide approximately 2.75 million square feet.

33. Ms. Martin met with the CAC on January 16, 2015 to discuss the needs analysis. Exhibit 6 at 128. A CAC member requested clarification concerning the long term care use proposed for the campus. Ms. Martin explained that Seattle Rehabilitation Center, which is on the campus, leases space to provide for long term care, and that the need for long term care is expected to grow. Other CAC members noted that Seattle Children's Hospital and the University of Washington Medical Center operate research facilities that are removed from their campuses. Swedish responded that those institutions are doing basic scientific research, which does not need to be on campus, whereas the research done at Swedish Cherry Hill is focused on patient evaluation and should be done in the hospital setting. Exhibit 6 at 129.

34. Swedish Cherry Hill engaged a second medical facilities consultant, Jeffrey Hoffman of Kurt Salmon, to conduct a peer review of the space needs assessment and space allocations. Mr. Hoffman determined that overall, the conclusions in Appendix G were reasonable, conservative, or very conservative, in that they may have understated space needs. Testimony of Hoffman. Mr. Hoffman's detailed evaluation of the assessment is contained in Exhibit 11.

35. Some neighbors questioned the need for the growth proposed in the MIMP. Jack Hanson, a healthcare policy analyst who is also a neighbor, testified during the public testimony portion of the hearing and also submitted written testimony. He disagreed with Swedish Cherry Hill's stated need and addressed the space needs for specific functions as if Swedish Cherry Hill was a general services hospital. Mr. Hanson asserted that the methodology used by Swedish Cherry Hill was not consistent with a state recommendation that a facility should plan for beds no more than seven years in the future, and that the institutions cited by the needs analysis to establish bed occupancy rates and building gross square feet per bed were not peer institutions for Swedish Cherry Hill.

36. Mr. Hoffman's testimony addressed the difference between a bed needs analysis, which is governed by the state's Certificate of Need process, and the space need and allocation process reflected in Appendix G. He also noted that the Certificate of Need process, which addresses bed need, is not an issue here, as Swedish Cherry Hill is already licensed for the additional beds it is planning for. Mr. Hoffman reiterated that Swedish Cherry Hill is not a general services hospital. Although it does offer some primary care, it is a specialized care facility more akin to the specialty institutions listed in Appendix G. Specialized hospitals and general service hospitals each have different space needs.

37. SMC 23.69.030.E requires that the development program component of the master plan include a "discussion of the Major Institution's facility decentralization plans and/or options including leasing space or otherwise locating uses off-campus".

38. Many members of the public questioned the need for Swedish Cherry Hill to retain all of its functions on campus instead of locating some of them on the Swedish First Hill campus, or at other hospitals within the Swedish/Providence system.

39. The MIMP discusses decentralization in terms of existing decentralization within the Swedish healthcare system. The discussion notes that the Swedish Heart and Vascular Institute and Swedish Neuroscience Institute are based on the Swedish Cherry Hill Campus, but that its physicians, including specialists, serve patients in clinics throughout the Puget Sound Region and also utilize "TELEHEALTH" to diagnose and propose treatment options for patients at distant locations.

40. Swedish Cherry Hill presented testimony from the vice president of its Neuroscience Institute and some of its physicians, as well as from Mr. Hoffman. Their consensus was that Swedish Cherry Hill is the Swedish/Providence center for tertiary and quaternary care in neurology, neurosurgery, and heart and vascular medicine. Patients with these issues who are admitted to Swedish First Hill are usually transferred to Swedish Cherry Hill. It treats primarily acute and complex cases that require co-location of an extensive system of corresponding services, such as medical specialists in several related fields, imaging, diagnostic, laboratory, pathology and rehabilitative services. This was confirmed by David Letrondo, a healthcare architect and CAC member. Mr. Hoffman also testified that much complex cardiothoracic care is shifting to outpatient settings that must be co-located with specialty hospitals and their extensive support systems.

41. It appears from the MIMP and the testimony at hearing that Swedish Cherry Hill is also an educational/training center within the Swedish system, particularly for training in the cardiothoracic and neuroscience areas. Mr. Hoffman testified that for financial reasons, medical systems now routinely designate centralized training centers with large auditoriums and simulation labs for use by multiple parts of the medical system. The educational facilities at Swedish Cherry Hill would be used by the broader Swedish system.

42. Neighbors expressed their opinion that the Major Institutions Code was never intended to allow a medical institution to expand to include functions such as clinical space, and to allow for-profit entities like Sabey to benefit from additional major institution development capacity.

43. Mr. Hoffman testified that a relationship between a hospital and a developer is a common business model today throughout the United States and allows the healthcare provider to dedicate its resources to equipment and staff, rather than to facilities. This was confirmed by testimony from David Letrondo, a CAC member and healthcare architect, who gave as an example the fact that in the greater Seattle area, a single real estate company owns the Overlake Medical Pavilion, the Minor and James Medical Building, and the Three Tree Medical Arts Building. He also noted in his CAC minority report that Sabey has worked with Swedish to redevelop state-of-the-art medical facilities in the James Tower on the Swedish Cherry Hill campus. Exhibit 6 at 65.

44. The CAC majority concluded that Swedish Cherry Hill sufficiently justified the need for some increased future development, but not necessarily all that it requested. Consequently, the CAC neither endorsed nor rejected the level of need identified in the MIMP. Exhibit 6 at 11.

45. The MIMP addresses public benefit at pages 69-72. Swedish Cherry Hill cites as the primary public benefit of the MIMP the public's continued access to specialized care in the most complex heart, vascular and neurological diseases, together with the employment opportunities it offers. In addition, the MIMP recites the benefits of Swedish Cherry Hill's uncompensated care, public education programs, community outreach services, and sponsorship of and funding donations to numerous neighborhood and city-wide organizations. Community benefits expressly included in the MIMP are also listed, including open space, view corridors, a neighborhood healthwalk, on-site daycare also offered to neighbors, and a new neighborhood gym.

46. Some public testimony and comments criticized the level of charity care offered by Swedish Cherry Hill and pointed out that the amount spent on charity care declined between 2013 and 2014. However, other testimony noted that many hospitals saw similar reductions in charity care expenditures as previously uninsured patients, who would have otherwise turned to hospital emergency rooms, received coverage under the Affordable Care Act.

Human Development

47. SMC 23.69.032.E.3 requires that the Director's Report assess the extent to which the MIMP will address the goals and applicable policies under Education and Employability and Health in the Human Development element of the Comprehensive Plan ("Plan"). The Master Plan addresses this issue in Appendix C, at pages 91-95. The Director's assessment is found in Exhibit 26 at pages 39-40 and is adopted by reference. The FEIS also addressed this issue in Section 3.3.

48. A comment letter from Washington Community Action Network objects to the assessment of the MIMP's response to the Human Development goals and policies and says that Swedish Cherry Hill should be required to do more for the local community, such as increasing access to charity care, forgiving medical debt, and giving to Bailey Gatzert Elementary School.

Consistency with Plans

49. Many neighbors pointed out that Swedish Cherry Hill is not located within an urban center village and maintained that under the Plan, this fact should preclude the growth proposed in the MIMP.

50. The Major Institutions Code, Chapter 23.69, requires that the Director assess consistency with the Plan only as it relates to the goals and applicable policies of the Education and Employability and Health portion of the Human Development Element. However, to fully inform decision-makers about a proposal, SEPA requires an analysis of the proposal's impacts on the elements of the environment, including the proposal's "[r]elationship to existing land use plans". SMC 25.05.444.B.2.a. The FEIS addresses the Urban Village Strategy set out in the Plan and includes an extensive discussion of the MIMP's relationship to the Urban Village ("UG") and Land Use ("LU") goals and policies.

51. As stated in the Examiner's decision on FEIS adequacy, the FEIS notes that although the Swedish Cherry Hill campus is not located within an urban village or center, it is surrounded by three urban villages/centers: Madison-Miller to the north, 23rd Avenue South at Jackson-Union to the east and south, and 12th Avenue to the west. The FEIS concludes that the MIMP is consistent with some of the Plan's UV and LU goals and policies and inconsistent with others. For example, the MIMP is inconsistent with UG 36, which states that single-family areas both inside and outside urban villages are to be protected, and that limited multi-family, commercial, and industrial uses are to be allowed outside of villages. But the MIMP is consistent with the other policies, including the following: UG 35, which states that the areas outside of urban centers and villages are to remain primarily residential and commercial, with residential densities similar to existing conditions, or as industrial areas or major institutions; and UG 39, which states that the city is to accommodate growth consistent with adopted master plans for designated major institutions located throughout the city. FEIS at 3.3-31 to -32. The MIMP was found to be consistent with all of the Plan's goals and policies for major institutions.

Development Standards

52. The MIMP addresses development standards at pages 20-46. Consistency with applicable Land Use Code requirements is reviewed in MIMP Table B-1 at pages 21-24. The standards stated in the MIMP would replace the development standards of the underlying zones, SF 5000 and LR3. *See* MIMP Figure B-1 at 20.

Height

53. As noted, Swedish Cherry Hill is proposing to maintain the existing heights, MIO-65, MIO-105, and MIO-37, on most edges of the campus, and to increase height in the center of the west campus, the western portion of the center campus, and two sections of the east campus on the east side of 18th Avenue. The tallest heights would be located at the lowest topographic elevations. Figures C-2 and C-3, at MIMP pages 51-52, show the difference between existing and proposed heights.

54. Both the CAC majority and the Director recommend that heights along the entire half block on the east side of 18th Avenue remain at the existing MIO-37, with the center section conditioned to 15 feet, as shown in Figure C-4 on page 53 of the MIMP.

55. The CAC majority concluded that heights above 105 feet within the neighborhood should be allowed only in special circumstances. They recommended to the Director that the MIO-160 height in the central portion of the west campus block between 15th and 16th Avenues be reduced to 125 feet. The Director disagrees because the reduction would result in the loss of two floors, or 98,400 square feet. The CAC's recommendation to the Examiner and City Council is that this area be reduced to 105 feet, which would result in the loss of an additional one to two floors. Exhibit 6 at 1.

56. A representative of Seattle University testified at the hearing in support of the MIMP, including the proposed MIO-160 conditioned to 150 feet on the west campus block across from Seattle University's athletic facilities.

57. The CAC majority recommended that the MIO-160 height district shown in Figure C-4, where the new hospital bed tower would be located on the center campus, be conditioned to MIO-140. Exhibit 6 at 1. The Director disagrees with the CAC because the reduction would result in the loss of two floors, or the equivalent of 96 beds.

Setbacks

58. Building setbacks are addressed at pages 25-34 of the MIMP. It identifies setbacks along public rights-of-way and the MIO boundary. These areas are divided into sections, identified on page 25, and subsequent pages show the ground-level and upper-level setbacks applicable to each section. Proposed landscaping within each setback is also identified.

59. Front setbacks within the SF 5000 zone would vary by streets and range from 0 to 20 feet at ground level, and 10 to 80 feet at upper levels. The proposed rear setback for the half block along 18th Avenue is 25 feet, which matches the 25 foot rear yard requirement in the underlying zone. Upper-level setbacks at this location would range from 25 to 30 feet. In the LR3 zone, the MIMP proposes to meet the underlying front and rear setback requirements for the underlying zone.

60. The CAC majority recommended revisions to some setbacks proposed in the MIMP. The Director agreed with some, but not all of the CAC's recommendations.[9] At hearing, Swedish Cherry Hill indicated agreement with all of the CAC's recommended setbacks except one that would increase the upper-level setback along East Jefferson Street from 10 feet to 15 feet if new development is added above the existing garage.[10] *See* Exhibit 6 at 2, Exhibit 14 at 40. Exhibit 28 includes an illustration of the setback sections and a table showing for each setback, the MIMP proposal, DPD's recommendation, the CAC's recommendation, Swedish's revised proposed setbacks, and DPD's response to the CAC's recommendation.

Lot Coverage

61. The lot coverage limit in the underlying SF 5000 zone is 35 percent. There is no lot coverage limit in the LR3 zone. Lot coverage for the entire campus under the existing MIMP is 52 percent; the proposed MIMP would increase it to 76.5 percent.

Façade Width/Modulation and Structure Depth

62. In the underlying LR3 zone, maximum structure depths are limited by Code to between 60 and 150 feet depending upon use of the Code's Green Factor. To allow efficient development of hospital uses, Swedish Cherry Hill proposes unmodulated façades be allowed up to 125 feet in width. The Director recommends the 125-foot modulation requirement for some blocks but a reduced width of 90 feet for East Cherry Street and 15th Avenue. Exhibit 26 at 111-112. Swedish Cherry Hill's architect testified that on 15th Avenue, the unmodulated facade of the

[9] *See* Exhibit 27.
[10] *See* Exhibit 14.

Northwest Kidney Center is approximately 105 feet. The CAC recommended that unmodulated facades across the entire campus be limited to 90 feet. Exhibit 6 at 2.

63. At hearing, Swedish Cherry Hill produced a drawing showing that it has agreed with the CAC that unmodulated facades along East Cherry and East Jefferson Streets be limited to 90 feet, and with the Director's recommendation that they be limited to 40 feet along the east property line on 18th Avenue. Remaining unmodulated facades would be limited to 125 feet. Exhibit 15.

64. The maximum permitted depths of institutional structures in LR3 zones is 65 percent of the lot depths. Swedish Cherry Hill proposes that structure depths be limited by setbacks, measured from the structure to the street right-of-way.

Density

65. Under SMC 23.69.030.E.2, density for a major institution is calculated across the entire campus using floor area ratio (FAR). Swedish Cherry Hill's current FAR is 2.0; at full buildout under the MIMP, it would be 4.74. The MIMP proposes to exempt the following spaces from the FAR calculation: above and below-grade parking; portions of structures below grade; mechanical areas (floors, levels, penthouses, mechanical closets, and interstitial space that cannot be occupied [mechanical floors/levels]), and electrical areas (generators, transformers, electrical closets, electrical servers and spaces that cannot be occupied). The Director recommends revised exemption language that would, among other things, remove the exemption for above-grade parking.

Landscaping and Open Space

66. The MIMP addresses landscaping and related amenities at pages 39-41. It states that priority would be given to maintaining the existing landscape patterns in the street-level landscaped areas, and that landscaping would be provided in structure setbacks and rooftop gardens when practical. Street trees would be provided in planting strips. The Code's Green Factor requirements would direct the quantity and quality of new landscaping. Proposed landscaping is shown in Figure B-13.

67. The MIMP observes that the existing MIO landscaping and screening, which consists of dispersed and generally smaller spaces in the perimeter setbacks and building separation spaces, reflect the urbanized character of the campus. The Code requires designated open space within the MIO. At Swedish Cherry Hill, the designated open space is the central plaza and main hospital entrance off of East Jefferson Street.

68. Total existing open space is approximately 5.35 percent of the campus. The MIMP proposes that the future campus contain approximately 12.75 percent open space campus-wide, or a minimum of 31,065 square feet. Details of proposed landscaping are included in the Director's Report at 19-20.

Overall Height, Bulk and Scale

69. Although the Code at one time required major institutions to comply with the setback standards for the underlying zone, the Code was amended, and the focus now is on the need for transitions between MIMP heights and scale and those of adjoining areas.[11]

70. Many members of the public objected to the MIMP's proposed height, bulk and scale within the context of a residential neighborhood and asserted that there were no means by which to provide adequate transitions between the institution and the adjacent residential neighborhood.

71. Some neighbors cited the 2009 Children's Hospital MIMP as a model for development at Swedish Cherry Hill. That MIMP involved a significant boundary expansion, which allowed for height reductions and generous setbacks.[12]

72. The FEIS analyzes height, bulk and scale impacts in Section 3.4 and includes photomontages prepared for each alternative from 12 different viewpoints. It concludes that the only unavoidable significant adverse height, bulk and scale impacts would occur at the east campus section that is directly adjacent to single-family development.

73. The Design Guidelines, Appendix F to the MIMP, include provisions relating to site design; exterior spaces; architectural character, including height, bulk and scale elements, and color and material; and rooftops. Each section of the guidelines includes a statement of intent followed by specific guidelines and strategies to meet the intent. The Design Guidelines will be used by the Standing Advisory Committee (SAC) to review projects proposed under the MIMP.

Historic Structures

74. Within the MIO boundary, there are two designated City landmarks, the James Tower and Carmack House. The James Tower is governed by controls and incentives imposed by Ordinance 121588. Future projects adjacent to the James Tower will be referred to the City's Historic Preservation Officer for review. Neither Swedish nor Sabey owns Carmack House, and there are no plans to develop the property.

View Corridors

75. Views of the James Tower along 18th Avenue and from the central plaza would be maintained. Some private views of the James Tower bell tower from the north, east and south also would be maintained. There are no designated scenic routes near the Swedish Cherry Hill campus, although existing rights-of-way provide view corridors through the campus, and buildings will have street-level and upper-level setbacks. The proposed two-story skybridge would be transparent.

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[11] *See* SMC 23.69.004.I; SMC 23.69.032.E.5.

[12] *See, e.g.*, Exhibit 6 at 64 ¶8 (CAC Minority Report of David Letrondo and Linda Carrol).

Transit Access

76. Several Metro bus routes are within a half-mile walking distance of the campus. Routes 3/4, 64, 84, 193, and 303 serve the campus directly with a stop in each direction along East Jefferson Street, although only the 3/4, operates all day. Headways range from five to 30 minutes during weekday peak periods. The FEIS determined that there is transit capacity available to accommodate the projected increase in ridership at the Swedish Cherry Hill campus during the weekday AM and PM peak periods. FEIS Appendix C at C-63 to C-64, C-92.

77. Swedish operates an inter-campus shuttle, which includes stops at Swedish First Hill, Swedish Cherry Hill and the Metropolitan Park office building. Under the proposed TMP, service would be expanded to primary transportation hubs or areas with higher transit service, such as the King Street Station, Coleman Ferry Dock and Westlake Center. The FEIS suggests that the shuttle service be expanded further in light of cuts to Metro transit service.

Loading and Service Facilities

78. Swedish Cherry Hill has five service entrances and loading docks under the existing MIMP and is proposing a total of six under the proposed MIMP. Swedish Cherry Hill has asked that the Code's quantity and space standards for loading berths, which would require approximately 78 off-street loading berths, be waived or modified during specific project reviews. The Director recommends a condition requiring a campus-wide dock management plan. Exhibit 26 at 109-110.

Parking Space Maximum

79. As noted, Swedish Cherry Hill presently provides a total of 1,510 parking stalls, which exceeds the Code-prescribed maximum. The maximum number of parking stalls allowed by Code for the proposed MIMP is 2,547. The MIMP proposes a parking supply of approximately 2,245 stalls, but recognizes that changes in travel modes and medical service delivery modes, as well as increases in vehicle operation costs, may reduce the number of stalls needed. A condition recommended by the Director requires that the SEPA analysis for each proposed development under the MIMP include a traffic study and review of then-current parking demand.

Potential 18th Avenue Greenway

80. Some neighbors expressed concern that the MIMP could interfere with the eventual construction of a neighborhood greenway on 18th Avenue. Where it bisects the campus, 18th Avenue has been identified in the Bicycle Master Plan as a potential neighborhood greenway. If constructed, the greenway would provide enhancements for pedestrians and bicycles but could increase conflicts between bicycles and vehicular access to loading and delivery areas and to the proposed parking garage on 18th Avenue. The FEIS notes that the greenway is still in the planning stage and would not be studied until 2016, and that lower volume streets, such as 19th Avenue, may be considered for it. FEIS and 3.7-28 to -29.

Transportation Impacts and Transportation Management Program

81. The FEIS analyzes the MIMP's transportation impacts in Section 3.7 and Appendix C. It evaluates existing conditions, as well as future traffic conditions in 2023 and 2040, for the no-build alternative and three build alternatives, including Alternative 12 addressed in the MIMP. Compared to the no build alternative, the MIMP would result in two additional intersections operating at LOS F and one fewer intersection operating at LOS E during the weekday AM peak hour, and four additional intersections operating at LOS F during the weekday PM peak hour. Six other intersections in the area are projected to operate at either LOS E or LOS F during either the AM or PM peak hour in both the no build Alternative and Alternative 12. FEIS Appendix C at C-100 to -101.

82. Due to capacity constraints, travel along James and East Cherry Streets is already congested, and would remain that way in the no build alternative. FEIS at 3.7-23 to -24. With the MIMP, corridor operations would degrade slightly in 2023 along both James Street in the westbound direction during the AM peak hour, and East Cherry Street in the westbound direction during the PM peak hour. Operations would degrade somewhat further at full buildout in 2040. On James Street from 6th Avenue to Broadway in the westbound direction, travel times would increase by approximately three minutes during the PM peak hour. FEIS at 3.7-44 to -45.

83. Mitigation measures for transportation impacts are addressed in the FEIS at 3.7-47 to -57. A primary mitigation measure is the TMP, which is addressed at length in the FEIS and discussed at MIMP pages 78-84. The TMP describes existing and planned parking, loading and service facilities, and bicycle, pedestrian and traffic circulation systems within and adjacent to the campus. It also identifies specific elements and programs to reduce traffic impacts and to encourage the use of public transit, carpools and other alternatives to single occupancy vehicles. Key elements include providing transit incentives; promoting alternative modes of travel; promoting HOV programs and incentives for carpools, vanpools, preferred parking, etc.; providing parking management programs; expanding the existing shuttle service to include additional locations; and providing new parking policies, including enforcement.

84. Under the existing TMP, the single occupancy vehicle commute goal is 50%, but as of last fall, the actual SOV rate was 57%. The MIMP proposes a 44% SOV rate at full build-out in 2040. However, the Director recommends a condition that would require Swedish Cherry Hill to achieve a 50 percent SOV rate prior to approval of the first building/demolition permit allowed under the MIMP, and a further reduction of 1 percent every two years, to a maximum of 38 percent in 25 years. Swedish Cherry Hill has agreed to the proposed condition. The TMP will govern all property owners, tenants and employees located on the Swedish Cherry Hill campus. Further, the Director has recommended, and Swedish Cherry Hill and Sabey have accepted, a condition that requires all tenants on campus to be provided access to a 100 percent transit pass subsidy.

85. Commute Seattle is a non-profit transportation management association that assists large property owners with understanding and implementing the elements of their TMPs. Swedish Cherry Hill retained Commute Seattle in 2013 to assist with drafting and implementing the TMP for the MIMP.

86. A notable aspect of the TMP is a pilot program for an Integrated Transportation Board (ITB) for the campus that includes as members, in addition to Swedish, large non-Swedish employers such as LabCorp, Northwest Kidney Center and Sabey; service providers; transportation representatives from DPD, SDOT and Metro; and neighborhood stakeholders such as the CAC/SAC members, neighbors, and nearby small business owners. The ITB is unique to Swedish Cherry Hill, and its purpose is to develop a unified approach among stakeholders to mitigate the adverse impacts of parking and transportation congestion on the neighborhood. It is presently operational and has established a list of specific goals, addressed a new contractual issue with the parking vendor on campus, and is working on a policy on employee parking in the neighborhood that includes enforcement. A Commute Seattle representative testified that her organization has not seen this level of coordination elsewhere.

87. The CAC majority recommended that that the SOV rate be reduced to 32% over 25 years. However, members of the public were skeptical that Swedish Cherry Hill could achieve a 50 percent or lower SOV goal because it is located outside an urban center village with more limited access to transit.

88. Both the Commute Seattle representative and the Transportation Planner in the Department of Planning and Development ("Department") concluded that the ultimate goal of a 38 percent SOV rate can be achieved, and analogized Swedish Cherry Hill's transportation challenges to those of Children's Hospital, which is also located outside an urban center village but had achieved a 38 percent SOV rate at the time its present MIMP was approved. The Children's MIMP requires a 25% reduction in that SOV rate over the life of the Children's MIMP, which led the Director to recommend a similar rate of reduction for Swedish Cherry Hill.

89. The Commute Seattle representative cited Swedish Cherry Hill's location and the level of commitment and coordination on the campus as two bases for her belief that the 38 percent goal is realistic for this TMP. She also stated that the TMP includes the three factors that Commute Seattle has found indicative of a strong likelihood of success: 1) flexibility, in that it allows for changes as employee needs and available options and technology change; 2) strong leadership and staff commitment, noting specifically that over the last several years, Swedish Cherry Hill and Sabey have hired five full-time and several part-time staff members with some responsibility for implementing the TMP; and 3) parties who recognize the important role of technology in a TMP.

90. The DPD Transportation Planner discussed the SOV goal relative to the mitigation sensitivity analysis found in the FEIS. He concluded that reducing the SOV goal to 32%, as recommended by the CAC, would provide some additional benefit, but it was not likely to be significant.

91. A traffic consultant who testified on behalf of Washington Community Action Network in the SEPA appeal observed that the issue of available transit capacity will affect the success of the TMP. He suggested that Swedish Cherry Hill conduct a "directional capacity analysis" of employees, which would disclose whether employees who do not use transit have access to the transit they would need to get to and from the campus. It is not clear whether this type of

analysis would already be included in the "biennial survey of TMP effectiveness" required by the TMP. MIMP at 83.

92. The CAC majority recommended a condition that would require Swedish Cherry Hill to demonstrate continued compliance with its SOV goal prior to issuance of any building permit. The Commute Seattle representative testified that she had never seen a similar condition imposed on an institution. And the DPD Transportation Planner cited the Department's existing authority under SMC 23.54.016.C.6.c to deny a permit for development included in a MIMP if previous efforts have not resulted in sufficient progress toward meeting the major institution's SOV goals. He testified that like any other major institution, Swedish Cherry Hill will be required, as part of a project application, to demonstrate that it has made substantial progress toward meeting the TMP goal in effect at the time of the application.

93. The CAC majority also recommended the inclusion of a condition for mitigation to reduce cut- through traffic in the neighborhood. The Director agrees with the recommendation but suggests slight revisions to the language for clarity and maximum effect.

94. In addition to the TMP, the FEIS recommends numerous capacity and safety improvements, including a recommendation for traffic signals at three locations, as mitigation at the project level for transportation impacts. FEIS at 3.7-53 to -55.

95. As noted, the FEIS includes a mitigation sensitivity analysis to assess intersection and corridor operations with a 38 percent SOV rate in place and implementation of the recommended capacity and safety improvements. It notes that a SOV rate of 38 percent would eliminate 80 trips during the weekday AM peak hour and 170 trips during the weekday PM peak hour, but would result in only minimal improvement in intersection operations. FEIS at 3.7-57. It would reduce parking demand and would improve travel times along James Street in the westbound direction, with most improvement seen during the weekday PM peak hour, which had been shown to be the most congested corridor operation. The FEIS identifies increased traffic and congestion resulting from the MIMP as a significant unavoidable adverse impact.

## Conclusions

1. The Hearing Examiner has jurisdiction over this matter pursuant to Chapters 23.69 and 23.76 SMC.

2. The Director's Report, Exhibit 26, includes a detailed analysis of the proposed MIMP in accordance with the criteria included in SMC 23.69.032.E, and a detailed analysis of the proposed rezone pursuant to SMC 23.34.008 and .124. Except as otherwise indicated, the Director's analyses are adopted by reference. Areas that have been of particular concern during the MIMP process are addressed below.

3. According to SMC 23.69.025, the intent of a MIMP, "shall be to balance the needs of the Major Institution to develop facilities for the provision of health care ... services with the need to minimize the impact of Major Institution development on surrounding neighborhoods."

Need and Public Benefit

4. From the evidence in the record, it appears that Swedish Cherry Hill is no longer predominately a general services hospital. Over a decade ago, Swedish Health Services determined that the Cherry Hill Medical Center would be a specialized center focused on cardiovascular and neuroscience services. That designation has continued under the alliance between Swedish and Providence Health Services.

5. Swedish Cherry Hill's assessment of its need for growth is credible in light of the age of its existing facilities; regional growth; the increasing health care needs, including specialty health care needs, of an aging population; changes in technology and the physical space demands associated with current health care delivery; and the impact of the Affordable Care Act. The peer review of Swedish Cherry Hill's space needs assessment is comprehensive, detailed and well supported. It shows that overall, the space needs assessment is accurate.

6. A decentralization alternative for the MIMP is not a viable option, as the type and level of care provided at Swedish Cherry Hill by the Swedish Heart and Vascular Institute and the Swedish Neuroscience Institute requires the co-location of an extensive system of support services.

7. The Major Institutions Code does not limit development under a MIMP to a non-profit entity. SMC 23.69.008.A, under "Permitted uses" states that "[a]ll uses that are functionally integrated with, or substantially related to, the central mission of a Major Institution, or that primarily and directly serve the users of an institution shall be defined as Major Institution uses and shall be permitted in the Major Institution Overlay (MIO) District ... Permitted Major Institution uses shall not be limited to those uses which are owned or operated by the Major Institution."

8. Through its operation, Swedish Cherry Hill provides benefits to the public, and the development proposed under the MIMP will enhance its delivery of those benefits consistent with its mission. In addition, Swedish Cherry Hill will continue to provide to the community the specific public benefits outlined in the MIMP.

Human Development

9. As the Director concluded, the MIMP meets the intent of the Education and Employability and Health sections of the Human Development Element of the Plan. Washington Community Action Network's suggestions on how Swedish Cherry Hill could do more for its staff and the local community address the medical center's business practices rather than the requirements for the MIMP.

Consistency with Plans

10. The FEIS establishes that the MIMP is generally consistent with the Comprehensive Plan and other relevant plans. The Major Institutions Code does not require more.

Height, Bulk and Scale/Transitions

11. Given Swedish Cherry Hill's established need, the development to meet the need requires either a boundary expansion or increased heights, bulk and scale. The Code discourages the expansion of major institution boundaries but does allow for rezones to expand boundaries in appropriate circumstances. SMC 23.69.028.C. However, in light of neighborhood opposition to boundary expansion, Swedish Cherry Hill has chosen to meet its need within established boundaries.

12. Although the pattern and type of land uses on the campus would not change, the MIMP proposes substantial increases in height, bulk and scale incrementally over time. Lower and upper level setbacks, façade modulation requirements, landscaping and open space, and various proposed design elements will mitigate these height, bulk and scale impacts. The MIMP's proposed Design Guidelines, as amended below per the CAC's recommendation, will be an important tool for Swedish Cherry Hill and the SAC to address height, bulk and scale impacts with each project under the MIMP.

13. The MIMP's placement of the greatest height and bulk at the center of the campus, and at a lower elevation, while retaining MIO heights at the campus boundaries, together with the amended setbacks, landscaping, and intervening rights-of way, will provide an appropriate transition between development within the MIO district and the surrounding neighborhood.

14. It was not shown that the height, bulk and scale impacts of proposed development along the east side of 18th Avenue could be sufficiently mitigated without a reduction in height from the proposed 50 feet to 37 feet, as recommended by the Director.

15. It is appropriate that unmodulated façade widths along 15th Avenue be limited to 105 feet to match the existing pattern on the east side of that street.

Rezone

16. As recommended by the Director, the proposed rezone for MIO height districts on the western and central campus (shown in MIMP Figure C-4 on page 53), together with the statement of intent in the footnote on page 52) should be approved subject to the conditions listed below. The proposed rezone for two sections of the MIO height district on the east campus (MIP-50) should be denied.

Transportation

17. The TMP includes the elements required by the Code. In addition, it includes some innovative elements, such as the ITB, and campus-wide access to a 100 percent transit pass subsidy. Both Swedish Cherry Hill and Sabey have demonstrated commitment to meeting the existing SOV goal and have accepted the more rigorous goal recommended by the Director. On this record, it appears that the Director's a 38 percent SOV rate within 25 years is reasonable and can be achieved. However, the continued availability of transit capacity in the areas where it is needed by Swedish Cherry Hill's employees is important to the achievement of the SOV goal.

Therefore, a condition should be added to assure that the biennial survey of TMP effectiveness includes a directional capacity analysis of employees, as recommended by Washington Community Action Network's traffic consultant.

18. Approval of the MIMP should include the CAC majority's recommended condition on mitigation to reduce cut-through traffic in the neighborhood, as amended by the Director.

19. The CAC majority's recommendation on requiring compliance with the SOV rate prior to issuance of a building permit would duplicate the Department's existing authority under the Code to enforce the SOV rate, and therefore is not necessary.

20. Because the potential neighborhood greenway on 18th Avenue will not be planned until 2016, and there are other appropriate locations for a greenway in the neighborhood, it is neither desirable nor practical to address the greenway in conjunction with the MIMP.

21. The FEIS conclusions on intersection and corridor operations in 2025 and 2040 raise well-known concerns about existing and future congestion on city arterials. The City's SEPA policy on transportation provides that for projects outside downtown that result in adverse impacts, the decision-maker may reduce the size and/or scale of the project only if it is determined that other traffic improvement mitigation measures would be inadequate to effectively mitigate the adverse impacts of the project. SMC 25.05.675.R. That is the case here, and if this were a project application, a reduction in the size and/or scale of the project could be appropriate. However, the MIMP is a long-term conceptual plan covering at least 25 years. One of the purposes of a master plan is to "allow the city to anticipate and plan for public capital or programmatic actions that will be needed to accommodate development". SMC 23.69.002.L. Population, roadway conditions, traffic conditions and transportation options can change greatly over a span of 25 years, as can the circumstances of a major institution. Further, with each project application under the MIMP, a new analysis of traffic conditions and impacts will be prepared. If it is shown that a reduction in size or scale is necessary, that is the point at which it should be required.

22. The MIMP components comply with the Code and should be approved subject to the recommended conditions. As conditioned, the development program and development standards are consistent with the Code.

23. With the recommended conditions, the proposed MIMP is consistent with the purpose and intent of the Major Institution Code and provides a reasonable balance of Swedish Cherry Hill's need for additional development, and the public benefit derived from the development, with the need to protect the livability and vitality of the surrounding neighborhood.

## Recommendation

The Hearing Examiner recommends that the City Council **APPROVE** Swedish Cherry Hill's proposed Master Plan and rezone, subject to the following conditions:

## Recommended Conditions - Master Plan

### Master Plan Review

1. Five years after adoption of the Master Plan and every 5 years thereafter, Swedish Medical Center in cooperation with its Standing Advisory Committee ("SAC") shall hold a public meeting to review its annual report and other information intended to illustrate the status of plan implementation. The meeting shall be widely advertised to the surrounding community and involve opportunity for public comment.

### Schematic and Design Review

2. The SAC will review and comment during the schematic and design stage of all proposed and potential projects intended for submission of applications to the City as follows: Any proposal for a new structure greater than 4,000 square feet or building addition greater than 4,000 square feet; and any future skybridge design location and any public benefits package associated therewith. Information provided to DPD to show compliance with SMC 23.69.008 also shall be provided to the SAC as part of schematic review. Design and schematics shall include detailed landscaping plans, building materials and future mechanical rooftop screening.

### Transportation, Loading and Transit

3. **TMP Goal Prior to First Building Permit.** The goal for the TMP in the Master Plan will be to achieve an employee SOV rate of 50 percent prior to approval of the first building permit, including demolition, allowed under the Master Plan. (Under current Land Use Code regulations, DPD reviews the progress of Major Institutions in meeting TMP goals at the time of application for development permits. SMC 23.54.016 C6. If substantial progress is not being made, as determined by DPD in consultation with SDOT, the Director may take a range of actions, including denying the permit.)
4. **Application of TMP Goal.** The TMP goal will apply to everyone who works within the Swedish-Cherry Hill MIO at least 20 hours/week and arrives for work between 6:00 AM and 9:00 AM.
5. **TMP Goal Reduction Over Life of Master Plan.** The TMP SOV goal of 50 percent shall be further reduced by 1 percent every two years to a maximum 38 percent SOV goal in 25 years.
6. **TMP Review.** As part of the Master Use Permit review process for future projects developed under this Master Plan, assess TMP performance and apply updated TMP elements.
7. **Bicycle Parking.** Evaluate proposed bicycle parking facilities through the following design elements:
    - Bicycle parking access should be ramped and well lit.
    - Bicycle parking should be located close to building entrances or elevators if within a parking structure.
    - Short-term general bicycle parking areas should be sheltered and secure.

- Long-term staff bicycle parking should be located in enclosures with secure access.
- Staff lockers for bicycle equipment should be provided in long-term bicycle parking areas.
- Bicycle racks should be designed to allow a U-lock to secure the frame and wheels to the rack.
- Bicycle parking should be located so as not to conflict with motor vehicle parking.
- Shower facilities and locker rooms should be close to the bicycle parking area.

8. **Pronto Bikeshare Program**. When the Pronto Bikeshare Program is extended to the Swedish Cherry Hill neighborhood, as determined by the SDOT, Swedish shall install and pay for a bikeshare station within the campus boundaries, and offer discounted bikeshare memberships to all campus employees.
9. **Capital Improvements**. Prior to issuance of the first Master Use Permit for development under the Master Plan, receive SDOT concept approval for capital improvements at the following locations identified in the table below (included within Table 3.7-17 of the Final EIS). The capital improvements at these locations shall be constructed prior to issuance of the Certificate of Occupancy for the first building associated with this MUP.

**Capital Improvements Required Prior to issuance of Certificate of Occupancy for First Building Associated with this MIMP**

| Location | Issue / Reason for Further Review | Suggested Improvements |
|---|---|---|
| 16th Avenue/E Cherry Street | Increases delay and traffic impacting vehicle, pedestrian, and bicycle accessibility into the neighborhoods | Traffic Signal and Bulb-outs for all four intersection approaches |
| 18th Avenue/E Cherry Street | Increased traffic impacting pedestrian accessibility and increase vehicle/pedestrian conflicts | Bulb-outs for all four intersection approaches |
| 17th Avenue/E Cherry Street | Increased traffic impacting pedestrian accessibility and increase vehicle/pedestrian conflicts | Bulb-outs for the three intersection approaches |
| 16th Avenue/E Jefferson Street | Increased traffic impacting pedestrian accessibility and increase vehicle/pedestrian conflicts | Bulb-outs for all four intersection approaches |
| 18th Avenue/E Jefferson Street | Increased traffic impacting pedestrian accessibility and increase vehicle/pedestrian conflicts | Bulb-outs for all four intersection approaches |

| Location | Issue / Reason for Further Review | Suggested Improvements |
|---|---|---|
| 17th Avenue/E Jefferson Street | Increased traffic impacting pedestrian accessibility and increase vehicle/pedestrian conflicts | Bulb-outs for the three intersection approaches |
| 18th Avenue / 19th Avenue / 20th Avenue at Jackson Street to the north of E Union Street | Planned bicycle facility potentially impacted by project. | Contribute to completion of neighborhood greenway (see also Section 8.3 Other Mitigation Measures) |
| Union Street Broadway to Martin Luther King Way | Planned bicycle facility potentially impacted by project. | Contribute to completion of cycle track through improvements such as signage directly cyclists from the campus area to the Union Street facilities |

10. **Project Level Traffic Safety Evaluation and Implementation.** As part of the review process for master plan projects, review the intersections identified on Table 3.7-17 of the Final EIS to assess potential project impacts. If impacts are identified, specific mitigation and the level of responsibility for each location would be identified as a condition of MUP approval. Potential improvements for each location are identified in Table 3.7-17. The level of responsibility could include, but is not limited to, construction of physical improvements or a proportional cost contribution to improvements.
11. **Cut-Through Traffic Evaluation and Mitigation.** To maintain and improve pedestrian and bicycle safety and reduce the impact of cut-through traffic on nearby residents, as part of the review process for master plan projects, the transportation analysis shall include an analysis of the existing and projected cut-through traffic impact on non-arterial streets related to employee, delivery and visitor vehicles. The study area will be determined by DPD based on the development phase and potential impacts to non-arterial streets. If cut-through traffic impacts are identified that could worsen as a result of the proposed project, the institution shall be required to support mitigation proportionate to the institution's impact. Mitigation could include providing funding to neighborhood councils to identify, plan and implement appropriate traffic calming or diversion strategies in coordination with DPD, DON and SDOT.
12. **Concept Streetscape Design Plan for 18th Avenue.** Prior to submittal of the first Master Use Permit for development of the 18th Avenue half block, submit to SDOT for review and obtain SDOT's approval of a concept streetscape design plan for both sides of 18th Avenue between East Cherry and East Jefferson Streets. Swedish Cherry Hill shall submit a draft of the plan to the SAC for its review and comment concurrent with the review by SDOT. The plan shall be prepared consistent with the provisions of the Seattle Right-of-Way Improvements Manual, and with Seattle Greenway standards if 18th Avenue is designated as a Seattle Greenway. Elements of the concept streetscape design plan for 18th Avenue must include, but are not limited to wayfinding for both pedestrians and bicyclists, and pedestrian

scale lighting and landscaping along building frontages. If the street is designated as a Greenway, the design must follow SDOT standards for Greenways. Stated elements and design requirements may be modified by SDOT.

13. **Concept Streetscape Design Plan for Each Street Frontage Containing Pocket Parks.** Prior to Master Use Permit submittal for each development abutting a street frontage that will contain a pocket park, submit to SDOT for review and obtain SDOT's approval of a concept streetscape design plan for the street frontage adjacent to the campus. Swedish Cherry Hill shall submit a draft of the plan to the SAC for its review and comment concurrent with the review by SDOT. The plan shall be prepared consistent with the provisions of the Seattle Right-of-Way Improvements Manual. Elements of the concept streetscape design plan must include, but are not limited to: the elements of the pocket park; wayfinding for both pedestrians and bicyclists; and pedestrian scale lighting and landscaping. Stated elements and design requirements may be modified by SDOT.
14. **Wayfinding Plan.** Prior to submittal of the first Master Use Permit application for development under the Master Plan, submit to DPD for review and approval a comprehensive wayfinding plan that identifies the goals of the wayfinding plan (including safety and legibility) and incorporates entry points to and through the campus for pedestrians, bicyclists and motorists. DPD shall consult with SDOT in its review. Swedish Cherry Hill shall submit a draft of the plan to the SAC for its review and comment concurrent with the review by the City. Approval of this plan is required prior to issuance of the first building permit for development under this Master Plan.
15. **Wayfinding Plan.** As part of each project, ensure that pedestrian and vehicular circulation needs are addressed in a manner consistent with the campus wayfinding plan.
16. **Campus-Wide Dock Management Plan.** Develop a campus-wide dock management plan to coordinate all deliveries to the loading berths along 15th, 16th, and 18th Avenues. This plan shall be developed and submitted to DPD and SDOT for review no later than submittal of the first Master Use Permit application for development under this Master Plan. Approval of this plan is required prior to issuance of the first building permit for development under this Master Plan. The dock management plan shall provide protocols on scheduling and timing of deliveries to assist in minimizing on-street impacts of trucks waiting to access loading berths and state how the plan will be modified to address operational issues and future development. Other elements that shall be addressed in the management plan include:
    - Assess loading berth requirements and where possible consolidate facilities so that the number of berths campus-wide is less than the code requirement.
    - Work with vendors to minimize the number of deliveries to and from the site, such as by using a larger delivery truck.
    - Work with multiple vendors to encourage consolidated loads prior to delivery so as the reduce truck demand.
    - Explore commercial vehicle loading opportunities in the off-street parking facilities (such as proposed for the 18th Avenue Garage), to relieve the on-street commercial vehicle load zones.
    - Explore time of delivery management tools such as using secure drop boxes and secure rooms to store deliveries during times when staff are not available to accept deliveries.

Review of future projects would include an evaluation of truck access and loading berths, and an evaluation of means and methods to ensure relevant Seattle noise regulations are met.

17. **Truck Delivery Routes.** Assess truck delivery routes between Swedish Cherry Hill and I-5, along East Cherry Street and East Jefferson Street, and between I-90 and 23rd Avenue to identify potential impacts to roadways along those routes.
18. **18th Avenue Access.** No more than two access drives shall be located along the east side of 18th Avenue.
19. **Garage and Loading Dock Access.** As part of the review of each Master Use Permit application, DPD shall assess operational and safety conditions for proposed garage access and loading area locations. Included will be an assessment of pedestrian, truck, and vehicular circulations conditions, and an identification of safety deficiencies that could be remedied as part of the project under review.
20. **Updated Parking, Loading and On-campus Circulation Plan.** With each Master Use Permit application, Swedish Cherry Hill shall provide an analysis of impacts of parking driveways, loading and service area drives, and pick-up/drop-off areas on pedestrian and vehicular flow on the surrounding sidewalks and streets. Appropriate design measures shall be identified and implemented to avoid adverse impacts to pedestrians, bicyclists and motorists. Swedish Cherry Hill shall submit the analysis and plan to the SAC for review and comment concurrent with review by the City.
21. **Pedestrian Facilities.** As part of each project, provide frontage improvements to ensure that pedestrian facilities meet established city standards at the time of redevelopment. The extent of such improvements should take into account 'priority design features' as described in the SDOT Right of Way Manual and the intent of the Swedish Cherry Hill Master Plan Design Guidelines.
22. **Transit Capacity Analysis.** As part of the review of master plan projects, the transit analysis shall include an analysis of the impact to public transit ridership on King County Metro routes that travel within 1/2 mile of the institution. If the project is expected to contribute to ridership such that capacity is exceeded on any route, according to King County Metro standards, the institution shall contribute a portion of the cost of adding the necessary capacity. This provision shall be required of the institution only if, at the time of review, it is consistent with City policy for requiring comparable major institutions to contribute to public transit capacity. Additional mitigation shall be determined at the time of each master use permit application, with the goal of increasing transit capacity and use and reducing travel times.
23. **King County Metro Transit Stops.** Swedish Cherry Hill shall coordinate with King County Metro to ensure existing transit stops are not impacted by development.
24. **King County Metro Transit Stops.** Current transit stops along East Jefferson Street shall be incorporated into street improvement plans submitted with the first Master Use Permit application proposed under the Master Plan. Transit stop design at existing and future transit stops located on the north and south sides of E. Jefferson Street along the institution's boundary between 15th Avenue and 17th Avenue shall include: 1) installation of Real Time information signs (RTIS) or, at the direction of King County Metro, electrical wiring for future installation; 2) expansion/construction of the covered waiting area and seating for passengers; 3) installation of pedestrian scale lighting; and 4) extension/construction of the inbound paved passenger boarding area to accommodate space for two buses at the bus zone.

Amenities such as benches and landscaping shall be provided and maintained by Swedish Cherry Hill.

25. **Recycling and Trash Receptacles**. Swedish Cherry Hill shall provide and maintain recycling and trash receptacles at any bus stop directly abutting Swedish Cherry Hill campus development.

**Height, Bulk and Scale**

26. **Features Exceeding MIO Height Limits**. Elevator penthouses and screened rooftop mechanical equipment may extend 10 feet above the MIO 37 foot height limit and 15 feet above the MIO 65, 105 and 160 MIO height limits. For the central campus hospital bed tower, elevator penthouses accommodating patient transport may extend an additional five feet for a total of 20 feet above the rooftop.
27. **Features Exceeding MIO Height Limits**. The combined total of all rooftop features located on a rooftop shall not exceed 15 percent of the total rooftop area.
28. **Setbacks**. Future development shall comply with setbacks and design guidelines contained within the Swedish Cherry Hill Master Plan except as modified by these conditions.
29. **Setbacks Along East Property Line**. In Section A-A, the half-block east of 18th Avenue shall have a rear 25-foot setback measured from the east property line. No structures, except fencing, shall be located within this 25-foot setback.
30. **Setbacks Along East Jefferson on Central Campus**. In Section E-E, the setback shall be a minimum of 10 feet from the property line up to a height of 37 feet, and a minimum of 20 feet, measured from the property line, for portions of structure between 37 feet and 65 feet.
31. **Setbacks Along East Jefferson on West Campus.** In Section F-F (western block facing East Jefferson Street): Upper story additions to the existing parking garage shall measure 10 feet from the property line. If the existing garage is demolished and the site redeveloped, the structure setback at ground level up to 37 feet in height shall be a minimum 5 feet; for portions of structure above 37 feet, a minimum 15-foot setback measured from the property line is required.
32. **Setbacks Along 15th Avenue.** In Section G-G1 on the north end of the block designated as MIO-65 (facing Seattle University with underlying LR3 zoning), the setback shall be a minimum 5 feet from the property line.
33. **Setbacks Along 15th Avenue**. In Section G-G2 in the middle portion designated as MIO-160 (conditioned to 150'): the setback from ground level to 65 feet in height shall be a minimum 5 feet from the property line. At 65 feet and above, the setback shall be a minimum of 15 feet from the property line for 50 percent of the façade width, and a minimum of 35 feet from the property line for 50 percent of the façade width.
34. **Setbacks Along 15th Avenue**. In Section G-G3 in the south end of the block designated as MIO-65, the setback shall be a minimum of 10 feet from the property line from ground level to a height of 65 feet.
35. **Setbacks Along East Cherry Street**. In Section J-J, the setback shall be a minimum of 10 feet from the property line up to a height of 37 feet, a minimum of 20 feet measured from the property line for portions of structure between 37 feet and 105 feet, and a minimum of 80 feet measured from the property line for portions of structure between 105 feet and 160 feet.

36. **Setbacks Along 16th Avenue**. In Section K-K1 on the north end of the block on the east side of 16th Avenue: the setback shall be a minimum of 5 feet from the property line up to a height of 37 feet, and an additional 10-foot (total of 15 feet) setback at 37 feet in height or above.
37. **Setbacks Along 16th Avenue**. In Section K-K2 in the middle of the block on the west side of 16th Avenue, the setback shall be a minimum of 15 feet measured from the property line at heights between 37 feet and 160 feet. No setback is required for portions of structure below 37 feet in height.
38. **Setbacks Along 16th Avenue**. In K-K2 in the middle of the block on the east side of 16th Avenue: there shall be no required setback for portions of structure below 37 feet in height. Above a height of 37 feet, the building façade shall be set back a minimum of 5 feet from the property line for a minimum of 45 percent of the width of the façade and 30 feet from the property line for a minimum of 55 percent of the width of the façade.
39. **Modulation Facing East Property Line**. Facades facing the east property line of the 18th Avenue half block, shall have no un-modulated facades greater than 40 feet, excluding the façade within the portion of MIO conditioned down to 15 feet in height. Required modulation on the east facade shall have a depth no less than five feet and width no less than ten feet.
40. **Modulation At Other Property Lines**. Along East Jefferson and East Cherry Streets, no unmodulated façade shall exceed 90 feet in length. Along 15th Avenue, no unmodulated façade shall exceed 105 feet. Along 16th and 18th Avenues, streets interior to the campus, no unmodulated facade shall exceed 125 feet in length. Modulation shall be achieved by stepping back or projecting forward sections of building facades.
41. **Open Space Plan**. Prior to approval of the first Master Use Permit for development in the central campus, Swedish Cherry Hill shall present the open space plan for the main entry plaza and courtyard between the Annex and James Tower to the SAC for review and comment. DPD shall review and approve the plan prior to issuance of the Master Use Permit. The open space shall be improved prior to final occupancy of the issued building permit for the development.
42. **Detailed Landscaping Plan**. Swedish Cherry Hill shall submit a landscaping plan with each Master Use Permit application to the SAC for review and comment prior to submittal to DPD for approval. Provide landscaping and open space for pedestrian interest, scale, partial building screening and building contrast. The landscaping shall be located at grade and not below street level as in the case of Cherry Street. The SAC shall use the Design Guidelines as a benchmark for review and comment on proposed landscaping.
43. **Detailed Landscaping and Fencing Plan for Rear Setback.** Prior to the approval of a Master Use Permit for development on the east side of 18th Avenue, Swedish Cherry Hill shall develop a detailed landscaping and fencing plan for the rear setback area. Swedish Cherry Hill shall submit the landscaping and fencing plan to the SAC for review and comment prior to submittal to DPD for approval.
44. **Campus-Wide Green Factor**. A campus-wide Green Factor of 0.5 percent shall be considered the minimum goal.
45. **Tree Protection**. During construction, protect the root system of existing trees identified to be maintained.
46. **Tree Protection**. Retention of existing street trees shall be encouraged. No trees shall be removed from the City right-of-way without approval of SDOT.

47. **Native Plants**. Create green spaces that use native, non-invasive plants to reduce water and fertilizer consumption. To the extent feasible, all plants should be "pollinator pathway" certified.
48. **Streetscape Activation**. Design of new structures shall include special provisions to activate the streetscape along East Cherry Street, 15th Avenue, 16th Avenue and the east side of 18th Avenue through transparency, visible activity, canopies and defined entries at grade level.
49. **Future Skybridge**. The future skybridge shall be designed and constructed with materials that would contribute to transparency of the skybridge to the extent possible in order to minimize potential impacts to view corridors on campus. Height and width of skybridges shall be limited to accommodate the passage of patients and supplies between buildings. Approval of the location and final design of any skybridge will occur through the City's Term Permit process.
50. **Future Skybridge**. The term permit application for the skybridge shall contain an alternative of side by side skybridges and include modern architectural design features.
51. **Future Skybridges**. No more than two skybridges shall be allowed under this Master Plan.

**Revisions to Master Plan Text including Design Guidelines**

52. **Eastern Block Height**. Revise all references to MIO height on the half-block east of 18th Avenue to state an MIO height of 37 feet, and that a portion of this half-block shall be conditioned down to 15 feet in height as shown on page 53 of the Master Plan.
53. **Setbacks** – Revise all references to setbacks to conform to the setbacks recommended in Conditions 28 through 38 above.
54. **Modulation Facing East Property Line**. Revise all references to modulation along the east property line in accordance with Condition 39 above ("**Modulation Facing East Property Line**").
55. **Modulation At Other Property Lines**. Revise all references to modulation along property lines other than along the east property line in accordance with Condition 40 above ("**Modulation At Other Property Lines**").
56. **Exemptions from FAR**. Revise "Exemptions from FAR" on page 55 of the Master Plan to state: "Exemptions from FAR shall include: Portions of structures below grade; Mechanical penthouses located on the rooftop; and a 3.5 percent reduction in gross square feet located above grade to accommodate accessory mechanical and electrical areas within the structure."
57. **Transit Subsidy/TMP King County Metro Transit Stops**. Current transit stops along East Jefferson Street shall be incorporated into street improvement plans submitted with the first Master Use Permit application proposed under the Master Plan. Transit stop design at existing and future transit stops located on the north and south sides of E. Jefferson Street along the institution's boundary between 15th Avenue and 17th Avenue shall include: 1) installation of Real Time information signs (RTIS) or, at the direction of King County Metro, electrical wiring for future installation; 2) expansion/construction of the covered waiting area and seating for passengers; 3) installation of pedestrian scale lighting; and 4) extension/construction of the inbound paved passenger boarding area to accommodate space for two buses at the bus zone. Amenities such as benches and landscaping shall be provided and maintained by Swedish Cherry Hill – Page 80. To facilitate achievement of the 50 percent SOV goal, revise the first Transit TMP element to read as follows: "Provide all

tenants with access to a 100% subsidy of transit pass cost including ferry and rail. When Swedish Cherry Hill has documented that its current goal (50% or less, depending on the year the goal is measured) has been achieved, transit pass subsidies may be reduced to 75% of the cost of a transit pass including ferry and rail, or as adjusted as part of the annual TMP compliance review. If the current TMP goal has not been achieved, subsidies shall remain at 100%."

58. **TMP Monitoring**. Revise the "Implementation & Monitoring" element of the TMP at bullet 5 to read: "Conduct biennial survey of TMP effectiveness in a form and manner established by DPD and SDOT. The survey shall include a directional capacity analysis of employees to determine whether those who do not use transit have access to the transit they would need to travel to and from the campus."
59. **Design Guidelines**. Revise the Design Guideline B.2.1.4 at page 160 to strike the first bullet: ~~No un-modulated façade shall exceed 125 feet in length.~~
60. **Design Guidelines**. Revise the Design Guidelines as follows:

*Section B.1.2 General Guidelines (Page 146 of the Final Master Plan)*

Add bullets as follows:

- Promote design excellence
- Respect the Historic Context.

Amend bullet 4 on page 146 as follows:

- ~~Attempt to~~ Eliminate blank walls

*Section B.1.3 Street Frontage Edges (Page 147 of the Final Master Plan)*

- Poor image representing street frontage architectural features - Replace with image showing architectural features and activated street front

*Section B1.1.4 Connection to the Street (Page 148 of the Final Master Plan)*

Add the following bullets immediately following the heading at the bottom of page 147 of the Final Master Plan

- Identify opportunities for the project to make a strong connection to the street and ensure that the building will interact with the street
- Increase street level transparency to the greatest extent that is appropriate given abutting uses.

*Section B1.1.5 Public Entrances and Access Points (Page 148 of the Final Master Plan)*

Add the following bullets immediately following the Heading on B1.1.5 on page 148 of the Final Master Plan.

- Design public entrances to include elements that engage and emphasize the pedestrian experience including increased transparency.
- Design Entrances and other pedestrian features to encourage staff to use sidewalk level crossings between buildings were appropriate.

Add the Following bullet under the heading Create:

- Wayfinding that directs staff and patients between Cherry Hill and First Hill Campuses and to Seattle University and the First Hill Streetcar.

*Section B1.1.6 Streetscape and Pedestrian Pathways (pages 149 and 150 of the Final Master Plan)*

Add the following to the list of pedestrian Amenities:

- Street front awnings
- Canopies where setbacks are less than 10 feet
- Transparent or translucent canopy materials to maintain solar access

*Section B1.1.7 Sidewalks (Pages 151 and 153 of the Final Master Plan)*

Add the following bullet immediately under the heading on Page 151

- Shield all sidewalk and exterior lighting to avoid light infiltration and glare to adjacent properties.

*Section B1.1.8 Parking and Vehicle Access (page 153 of Final Master Plan)*

Add the following bullets immediately under the heading as follows:

- Promote safety for bike, pedestrian and transit uses at any vehicle access points.
- Minimize the size and breath of street frontages devoted to curb-cuts and entrances to garages

Amend the second bullet under "consider use of" as follows:

- Shielding to limit lighting, and noise impacts ~~to limit light effects~~ on adjacent properties
- Green screens and vertical plantings on the facades of existing above-grade parking
- Shielding/Screening of commercial loading zones

*Section B1.2.1, (Page 154 of the Final Master Plan)*

Add a statement to indicate that exterior design should seek design excellence.

*Section B1.2.4 Screening Guidelines Page 156 of the Final Master Plan)*

Add to the Following bullet:

- Green screens and vertical plantings especially along blank facades.

*Section B1.2.5 Lighting, Safety and Security (Page 156 of the Final Master Plan)*

Incorporate a restatement of the conditions contained on Page 106 of the Draft Report of the Director of the City Department of Planning and Development be incorporated into the this section of the Design Guidelines as follows:

- Use low-reflective glass and other materials, window recesses and overhangs, and façade modulation.
- Use landscaping, screens, and "green walls" to the extent practicable to obstruct light from shining to offsite locations.

- Restrict nighttime illumination of the site and selected buildings to provide lighting only when function or safety requires it.
- Equip interior lighting with automatic shut-off times. Install automatic shades installed where lighting is required for emergency egress.
- Use screens or landscaping as part of parking or structure design to obstruct glare caused by vehicle headlights.

*Section B1.3.2 Landscape General Guidelines. (Page 157 of the Final Master Plan)*

Amend the statement of intent as follows:

The hospital campus should be composed of a rich, ~~and~~ varied and well-maintained landscape and plant palette.

*Section B1.3.3 Planting (Page 157 of the Final Master Plan)*

Add the following bullets

- Include pollinator Pathway Certified plants
- To minimize need for irrigation, consider landscape designs that capture storm water run-off.
- Where irrigation is necessary, include drip irrigation systems where possible.

*Section B2.1.2 Height Bulk and Scale General Guidelines (Page 158 to 160 of the Master Plan)*

Amend the wording in the second bullet under Pedestrian Scale (bottom of page 158) as follows:

- Pay special attention to the ~~first~~ ground floor of the building in order to maximize opportunities to engage the pedestrian and enable and active, transparent, and vibrant street front.

Add the following immediately following that section at the bottom of page 159 as a new Section as follows:

Protect Privacy for adjacent residences

- Design fenestration (windows) and balconies or other outward looking features, to minimize viewing from the campus buildings into adjacent residences.

*B2.1.3 Architectural and Façade Composition*

Add a new bullet as follows:

- Murals

B2.2.2-Color and material

Add under the first series of bullets labeled "Consider use of:"

- Design elements that are compatible with documents such as "green guidelines for healthcare"

B2.3.1 Rooftops – Statement of Intent (Page 162 of the Final Master Plan)

Amend the statement of intent to read as follows:

Where Rooftops are visible from location beyond the hospital rooftops are a design element and should be designed to be attractive

B2.3.2 Rooftop Design (Page 162 of the Master Plan)

Addition of the following bullet under "considered use of":

- Green Roofs with public access

**Recommended Conditions – SEPA**

The Director has recommended imposition of the SEPA conditions which follow. Based on the decision on FEIS adequacy, the Hearing Examiner recommends the addition of the last sentence in Condition 64:

**During Construction for Future Development**

61. **Construction Management Plan** - To mitigate potential construction-related impacts, Swedish shall develop a CMP in conjunction with site-specific developments. This plan would be coordinated with the DPD Noise Abatement Office and SDOT, and must be submitted and approved prior to issuance of a building permit. The plan would include the following elements:
    - Construction Communication – Including a Contact and Community Liaison. The chair of the Standing Advisory Committee will be included in the Construction Communication Plan associated with site-specific development along with the Contact person and Community Liaison.
    - Construction Hours and Sensitive Receivers – Identifying demolition and construction activities within permissible construction hours.
    - Construction Noise Requirements – All demolition and construction activities shall conform to the Noise Ordinance, except as approved through the variance process.
    - Measures to Minimize Noise Impacts – List measures to be implemented to reduce or prevent noise impacts during demolition and construction activities during standard and non-standard working hours.
    - Construction Milestones – A description of the various phases of demolition and construction, including a description of noise and traffic generators, and anticipated construction hours for each phase.
    - Construction Noise Management – Identify techniques to minimize demolition and construction noise including: timing restrictions, noise reduction construction technologies, process modifications.
    - Construction Parking Management – Areas for construction worker parking will be identified on-site. Construction workers will be required to park in these areas or in other off-street parking facilities.
    - Construction Traffic/Street and Sidewalk Closures – Demolition, earthwork excavating, concrete and other truck routing plans will be developed and submitted for approval through SDOT for site-specific development. The Construction Management Plan shall identify potential sidewalk and bicycle lane closures or rerouting, and shall consider the need for construction truck traffic to avoid peak traffic periods (e.g., 6-9 AM, 3-6 PM).

The following elements shall be included in the CMP if applicable.

- Schedule the most intensive construction activities such that they are spread out over time and prohibiting material deliveries from leaving or entering the area during AM and PM peak hours when feasible.
- Schedule street closures and other disruptions to the street system during off-peak periods, or as approved by SDOT to minimize impacts to the system.
- To ensure safe campus access and circulation adjacent to the construction site for patients and employees, provide information to patients, staff and visitors ahead of time regarding detours, signs, and potential parking access or facility changes.
- Provide safe pedestrian and bicycle circulation adjacent to the construction site through the use of temporary facilities, detours, and signs.
- Coordinate with Metro transit relative to construction activity that could affect transit service proximate to the project site.
- Include a parking provision in construction contracts between Swedish Cherry Hill and the general contractor and between the general contractor and subcontractors, such as specifying where construction workers should park, shuttles, etc. Areas for construction worker parking will be identified on-site. Construction workers will be required to park in these areas or in other off-street parking facilities.
- If construction activities cause the need to close on-street parking adjacent to the site, coordinate such closures with SDOT and obtain appropriate street use permits.

**During Construction for Future Development – Air Quality**

62. Swedish Cherry Hill shall participate in the Seattle 2030 District Challenge.
63. Site development would adhere to Puget Sound Clean Air Agency's regulations and the City's construction best practices regarding demolition activity and fugitive dust emissions, including the following:
    - Spray water (when necessary) during demolition, grading, and construction activities to reduce emissions of particulate matter
    - Cover dirt, gravel, and debris piles to reduce dust and wind-blown debris
    - Cover open-bodied trucks to reduce particulate matter blowing off trucks or dropping on roads while transporting materials. Alternatively, wetting materials in trucks or providing adequate freeboard (space from the top of the material to the top of the truck) could be used to reduce dust and deposition of particulate matter
    - Provide wheel washers at construction sites to remove particulate matter from vehicle wheel wells and undercarriages before they exit to decrease deposition of particulate matter on area roadways
    - Promptly sweep public streets (when necessary) to remove particulate matter deposited on paved roads and subsequent wind-blown dust
    - Monitor truck loads and routes to minimize dust-related impacts
    - Turn off construction trucks and engine-powered equipment during long periods of non-use, instead of being left idling, to reduce exhaust emissions and odors
    - Require emission-control devices on construction equipment and using relatively new, well-maintained equipment to reduce exhaust emissions of CO, GHGs, and particulate matter from engine exhaust

- Provide quarry spall areas onsite prior to construction vehicles exiting the site
- Schedule the delivery and removal of construction materials and heavy equipment to minimize congestion during peak travel time associated with adjacent streets.

**During Construction for Future Development – Groundwater**

64. The applicant shall submit a geotechnical report for each future site-specific building as part of the MUP application. The report would identify subsurface soil and groundwater conditions and would include measures for mitigating any identified impacts and a discussion of whether low impact development (LID) techniques are appropriate in light of site specific conditions. Any proposal for LID facilities must include a plan for operation and maintenance of the facilities.

**During Construction for Future Development – Noise**

65. Develop and implement a CMP that includes site-specific sound level reduction measures.
66. Use engine enclosures and mufflers on construction equipment.
67. Locate portable equipment as far as possible from sensitive receptors.
68. Turn off equipment during periods of nonuse.
69. Use ambient sensitive broadband backup alarms.
70. Place stationary equipment as far away from sensitive receiving locations as possible. Where this is infeasible, or where noise impacts are still significant, portable noise barriers could be placed around the equipment with the opening directed away from the sensitive receiving property.
71. Place construction staging areas expected to be in use for more than a few weeks as far as possible from sensitive receivers.

**During Construction for Future Development – Public Services**

72. Fence the portions of the site that are under construction during phased redevelopment, as well as monitor by surveillance cameras to help prevent construction site theft and vandalism.
73. During demolition and construction, meet LEED standard for the amount of recycled material with a minimum of 75 percent achieved.
74. Consult SFD to plan fire access routes to and on the site.
75. Review fire flow requirements and hydrant location/capacity with SFD to ensure adequate capacity.
76. During major development on the Swedish Cherry Hill campus, Swedish shall examine and report to DPD the impact of development on the public sewer infrastructure from the development site to where SPU's collection system connects to King County interceptors (approximately 3,300 linear feet downstream).
77. In the event that a tunnel is constructed across 16th Avenue, Swedish Cherry Hill shall relocate public sewer and water mains that are impacted to carry flows around the impacted area.
78. Use low-impact development measures such as bio-retention cells or bio-retention planters where feasible to reduce the demand on stormwater infrastructure.
79. In addition to LID measures, major development on the Swedish Cherry Hill campus would trigger the need for flow control and water quality measures as part of the storm drainage

design requirements for the site. Required water quality measures would involve following the Seattle stormwater design guidelines and using the BMPs for water quality that would work effectively on the site while meeting the necessary requirements. BMPs that would likely be used include bio-filtration tree wells, stormwater filter units, or water quality vaults. There are also several other possible measures that could be used, but it will depend on site constraints and the amount of stormwater that needs to be treated.

**During Operation**

**During Operation - Greenhouse Gas Emissions**

Swedish should implement the following potential mitigation measures during future design and construction of buildings on campus:

80. **Natural Drainage and Green Roofs** – Where feasible, provide green roofs to provide additional open space, opportunities for urban agriculture, and decreased energy demands by reducing the cooling load for the building. As development planning occurs in conjunction with specific buildings on-campus, consider incorporation of green roofs associated with that building where feasible. Green Stormwater Infrastructure (GSI) would be developed for flow control and water quality treatment to the maximum extent feasible.
81. **Native Plants** – Native plants are adapted to the local climate and do not depend upon irrigation after plant establishment for ultimate survival. Use native plants in landscaping to reduce water demand and integrate with the local ecosystem. Create green spaces that use native, non-invasive plants, to reduce water and fertilizer consumption, and align with good urban landscaping design practices. To the extent feasible all plants should be pollinator pathway certified.
82. **Waste Management and Deconstruction** – When existing buildings are demolished, identify opportunities to reduce the amount of waste being sent to the landfill with sustainable waste management strategies and by implementing aggressive demolition recycling. Some of the options that could mitigate waste generated by redevelopment on the Swedish Cherry Hill campus include onsite source separated recycling, potential reuse of demolition materials onsite, deconstruction of existing buildings, and salvage and reuse of building components.
83. **Building Design** – Building design on the Swedish Cherry Hill campus should consider integrating a wide variety of green building features, including energy and water conservation, waste reduction, and good indoor environmental quality. Tools and standards that are used to measure green building performance could be used. Some options include: Built Green, LEED, and the Evergreen Sustainable Development Criteria. Develop custom green building guidelines to guide building design and construction. Some of the specific building design strategies that could be considered include solar panels for electricity generation or domestic solar hot water; energy star rated appliances; water conserving fixtures beyond code; low toxic materials, finishes, and flooring; energy and water sub-metering for individual units; high-efficiency fixtures such as dual flush toilets; toilet flushing and irrigation supplied by recaptured wastewater or rainwater; dual plumbing systems for all new buildings to accommodate water reuse; and wind-generated alternative energy. All buildings should be required to meet LEED for Healthcare or similar certification such as the Green Guide for Healthcare.

**During Operation - Noise**

84. No mechanical equipment shall be located at grade between the structure and residential uses adjacent to the east property boundary of the campus.
85. All garage venting shall be directed away from residential uses adjacent to the campus.
86. Alternatives to mechanical maintenance equipment (e.g., leaf blowers, power washers, etc.) should be explored (such as sweeping or using a hose to wash driveways where feasible) or equipment that produces lower sound levels used. Equipment with internal combustion engines should not be utilized.
87. Depending on the location of loading docks relative to residences, restrictions should be implemented to limit noisy deliveries to daytime hours.
88. Exhaust vents for all underground parking facilities should be located and controlled to reduce noise at both on- and offsite residential locations and to ensure compliance with the City noise limits. Mechanical equipment operating at night has a 45 dBA limit at the adjacent residential zone.
89. If mechanical maintenance equipment is needed for a specific task (e.g., power washing prior to painting), it should be scheduled during the weekday during normal business hours (9:00 AM to 5:00 PM) to coincide with higher ambient noise conditions.
90. Loading docks should be designed and sited with consideration of nearby sensitive receivers and to ensure that noise from truck traffic to and from the docks and from loading activities would comply with the City noise limits.
91. Solid waste, compacting, composting, and recycling collection should (to the extent feasible) be designed to minimize or eliminate line-of-sight from collection/pickup points to nearby sensitive receivers.
92. Solid waste, compacting, composting, and recycling collection times should be scheduled for daytime hours.
93. To minimize noise impacts associated with HVAC and air-handling equipment, equipment should be selected and positioned to maximize noise reduction to the extent possible. When conducting analyses to ensure compliance with the Seattle noise limits, facility designers would assess sound levels as they relate to the nearby residential uses.
94. To minimize the potential for noise impacts resulting from regular testing of new and existing emergency generators, the location of such equipment should be considered during building design relative to residences, and equipped with noise controls to minimize noise intrusion.

**During Operation - Aesthetics**

Conditions for Master Plan approval are included to reduce or eliminate aesthetic impacts.

**During Operation - Light and Glare**

95. Use low-reflective glass and other materials, window recesses and overhangs, and façade modulation.
96. Use landscaping, screens, and "green walls" to the extent practicable to obstruct light from shining to offsite locations.
97. Restrict nighttime illumination of the site and selected buildings to provide lighting only when function or safety requires it.

98. Equip interior lighting with automatic shut-off times. Install automatic shades installed where lighting is required for emergency egress.
99. Use screens or landscaping as part of parking or structure design to obstruct glare caused by vehicle headlights.

**During Operation – Transportation**

Conditions for Master Plan approval are included to reduce or mitigate transportation impacts.

**During Operation - Public Services - Police**

100. Include permanent site design features to help reduce criminal activity and calls for service, including: orienting buildings towards sidewalks, streets and/or public open spaces; providing convenient public connections between buildings onsite and to the surrounding area; and, providing adequate lighting and visibility onsite, including pedestrian lighting.
101. Apply Crime Prevention Through Environmental Design (CPTED) principles to the development of its open space and public amenities to enhance the safety and security of the areas.

**During Operation - Public Services – Solid Waste**

102. Continue implementation of waste reduction and recycling measures including an informational website, efficient use of materials and supplies, food and yard waste composting, hazardous waste recycling, and general office recycling.

Entered this 10th day of September, 2015.

Sue A. Tanner
Hearing Examiner

**Concerning Further Review**

NOTE: It is the responsibility of the person seeking to appeal a Hearing Examiner's recommendation to consult appropriate Code sections to determine applicable rights and responsibilities.

Pursuant to SMC 23.76.054, any person who submitted written comment to the Director, or who provided a written or oral comment to the Hearing Examiner, may submit an appeal of the recommendation in writing to the City Council. The appeal must be submitted within 14 calendar days following the date of the issuance of the recommendation of the Hearing Examiner, and be addressed to:

Seattle City Council
Planning, Land Use and Sustainability Committee
c/o Seattle City Clerk
600 Fourth Avenue, Floor 3
PO Box 94728
Seattle, WA 98124-4728

The appeal shall clearly identify specific objections to the Hearing Examiner's recommendation and specify the relief sought. Consult the City Council committee named above for further information on the Council review process.