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Land Use and Community Planner

August 25, 2010

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P.O. Box 34019
Seattle, WA 98124-4019

Re: MUP No. 3011377; 4800 Sand Point Way NE
Comments on EIS Addendum for SCH's Bed Unit South Project

Dear Colin,

These comments are submitted on behalf of the Laurelhurst Community Club (LCC) concerning the August 12, 2010 EIS Addendum that was prepared for the Bed Unit South project (MUP No. 3011377) proposed by Seattle Children's Hospital (SCH).

Earlier this month (August 6, 2010), I submitted preliminary comments to DPD on the Bed Unit South project and how it departs from development that is approved in SCH's adopted major institution master plan (MIMP; Ordinance No. 123263). My comments also identified numerous, new environmental issues and significant impacts that would arise from the project-generated changes to the MIMP and were not evaluated in the MIMP EIS. These comments are attached to this letter, and are incorporated herein in their entirety and by specific reference.

**I. Bed Unit South Addendum Does Not Identify or Evaluate Significant
Impacts of MIMP Changes; an SEIS for Bed Unit South,
including its Interrelated ED/Helistop Is Required**

As summarized below, the Addendum prepared and published by DPD does not address the new environmental issues and significant individual and cumulative impacts that would likely result from SCH's new Bed Unit South proposal and related MIMP changes, many of which were identified in my August 6 letter.

None of the MIMP changes now pursued by SCH were publicly revealed during the recent MIMP process, which culminated in City Council hearings and review during January through April 5, 2010, or during the even more recent Design Review Board's review of SCH's design guidelines, which were approved on May 7, 2010, just days before SCH revealed its PowerPoint presentation of its new Phase 1 and Bed Unit South proposal. Plans and drawings in the MIMP and Guidelines that were developed through these public processes, and relied upon for public comment and other participation, show a significantly different Phase 1 proposal (which was Bed Unit North), Bed Unit South facility and treatment of the southwestern part of the SCH campus than now presented by SCH. The need for a major amendment to SCH's

master plan to address the proposed MIMP changes is detailed in my August 6 letter, and is not repeated here.

Throughout the Addendum, including in its “Description of the Proposed Action” (pages 30-31) and in its analysis of specific elements of the environment, the project-generated changes to the MIMP are either mischaracterized or, in most cases, not described at all. The Addendum’s statement that “No new or significantly different impacts have been identified relative to the analysis in the MIMP EIS” (page 32), demonstrates a substantial lack of understanding of the breadth and complexity of SCH’s proposed changes and their impacts – one made possible by a MUP application that does little to illuminate the changes and impacts.

Project-generated MIMP changes that should be disclosed and analyzed for new environmental impacts in an SEIS (see SEPA procedure comment, below) include:

- 1. Development of Bed Unit South as a “planned” project in Phase 1, instead of the “potential” Phase 3 project that was approved in the MIMP.** This also changes the carefully calibrated sequence of development in the adopted MIMP’s phasing plan; is contrary to, undermines and changes MIMP Condition 16, which protected sensitive areas surrounding the SCH campus from unnecessary overdevelopment; and accelerates by many years significant impacts on single family residences, including but not limited to those impacts related to construction activities and height, bulk and scale. See August 6 comment letter, especially Section I.A.
- 2. Adding the interdependent emergency department (ED) and helistop to Bed Unit South, instead of developing them in Bed Unit North as approved in the MIMP.** This change would result in new significant noise, light and wind generating activities closer to single family residences, the gateway to the Laurelhurst neighborhood and the proposed pocket park (required as a public benefit for SCH’s street vacations) than shown and analyzed in the approved MIMP. It also raises new, significant safety issues related to helicopter and emergency vehicle travel (see Change #3, below). The placement of the ED on the south side of Bed Unit South usurps land intended for the MIMP-approved underground Southwest Parking Garage, which in turn triggered a new design for the Garage that significantly impacts the required landscaped buffer along NE 45th Street (see Change #4, below).
- 3. Developing the south vehicle access drive along 40th Avenue NE for ambulance and emergency vehicles, instead of on the north access drive as approved in the MIMP.** This is related to the change in the ED and helistop (described in Change #2, above) and would similarly result in more significant noise and light impacts closer to sensitive land uses and neighborhood features (single family residences, gateway, pocket park). More emergency vehicles would likely approach the new ED access drive via NE 45th Street (through the gateway and along the single family

residences and pocket park) instead of via Sand Point Way, creating new safety concerns. See August 6 comment letter, page 5, footnote 2.

4. Numerous changes to the underground Southwest Parking Garage, including:

- Splitting the garage into separate structures (two or three are depicted in various project documents) instead of the single structure shown in the approved MIMP;
- Developing the southernmost garage in the full 75-foot depth of the NE 45th Street landscaped buffer instead of only a much smaller portion of the buffer as shown in the approved MIMP; and
- Changing the phasing sequence of the southernmost garage structure (from Phase 2 to Phase 3) relative to Bed Unit South (changed from Phase 3 to Phase 1); under SCH's proposed phasing plan, the garage would be developed long after Bed Unit South instead of before it as shown in the approved MIMP.

The first two of these changes appear to be precipitated by yet another MIMP change proposed by SCH – that is, the new addition of the ED to the south side of the Bed Unit South tower (described in Change #2, above), which would usurp land area that was originally intended in the approved MIMP for the Southwest Parking Garage.

All of these changes have a significant adverse impact on the NE 45th Street landscape buffer, significantly undermining its ability to provide screening, other mitigation and public benefit functions required by the approved MIMP, Design Guidelines, EIS and street vacation public benefit requirements.¹ The changes will

¹ From the approved MIMP: “Garden edges will be locations where outdoor programs and plantings will be used to screen or open views of the campus from adjacent residential uses . . . A 75-foot buffer will extend along the entire length of the campus edge on NE 45th Street. Buildings will be set back behind dense plantings at the street edge . . . Garden edges provide vertical plantings to buffer the neighbors from the building facilities along designated edges of the campus . . . The garden edge surrounds the campus and will be designed to minimize the visual presence of the hospital while marking entries to the campus and its associated gardens. The quality of the existing landscape screen along the south, east and north edges of the campus will be continued.” (MIMP, pages 23, 25, 44 and 46).

From SCH's May 7, 2010 Design Guidelines: “The objective of the Garden Edge is to screen hospital structures and light that emanates from vehicles, buildings and site fixtures, while providing an aesthetically pleasing and diversely vegetated viewscape and safe walking environment for pedestrians.” (SCH Design Guideline B1.1.5, page 11).

From the MIMP EIS and Addendum, building operation mitigation measures: “Landscaping would be provided for pedestrian interest, scale, partial building screening and building contrast” and “Landscaping, screens, and “green walls” may obstruct light from shining to off site locations” (MIMP EIS, page 3.9-14 and Addendum, page 76).

preclude the growth of tall trees in the buffer (planting conditions on top of the garage will not support such trees), destroy buffer landscaping that would be installed with construction of Bed Unit South, and delay long-term, permanent planting of the buffer (and the resulting benefit of tree growth) by seven or more years. See August 6 comment letter, page 5, bullet 3.

The proposed splitting of the Southwest Garage and change in phasing also raises the question, not addressed in the Addendum (pages 90-91), of whether the timing of the future garages will be sufficient to meet the hospital's parking demand at each phase of development. See August 6 comment letter, page 6, bullet 1.

5. **Addition of a new kitchen to Bed Unit South; no such kitchen was described in the approved MIMP.** This change could result in significant impacts on nearby residences, depending on the venting design and location, none of which is addressed in the Addendum.
6. **Addition of a new surface parking lot for service and delivery trucks between Bed Unit South and NE 45th Street; no such surface lot was described in the approved MIMP.** This change would introduce noise and light generating activities and impacts (from truck operation and site lighting, for example) in a sensitive area of campus that is opposite single family residences and next to the NE 45th Street pocket park, a public benefit requirement for SCH's proposed street vacations.
7. **Modification of the service vehicle entry to the proposed, below-grade service and delivery dock, so that it steeper (10% grade) and uncovered for a longer distance than shown in the approved MIMP.** This change could increase noise from trucks negotiating the drive in an area of campus that is near single family residences.

Many of the individual changes to the MIMP described above will likely result in new or increased significant adverse environmental impacts that were not addressed in the MIMP EIS or in its Addendum. Taken together, the interrelated changes to phasing, activities and facilities, and their domino effect of stripping mitigation that was built into the carefully tailored MIMP, will clearly have new and increased significant cumulative impacts.

In addition to providing little or no disclosure and analysis of the above-described MIMP changes and related impacts, the Addendum is not the appropriate document and procedure for the required review of new significant impacts and it fails to comply with SEPA procedures in at least two respects:

- The Addendum's deliberate removal of SCH's newly proposed helistop from the environmental analysis of Bed Unit South and its emergency department (Addendum, page 30) is an improper segmentation of environmental review for interdependent parts of the Bed Unit South proposal – one that conceals the full

cumulative impact of the proposed MIMP changes and threatens to preclude analysis of viable helistop/ED options. See August 6 comment letter, Section II.A.

- The use of an addendum to analyze Bed Unit South impacts, which will include new individual and cumulative significant impacts resulting from changes to the MIMP that were not previously disclosed and evaluated in the MIMP EIS, violates SEPA's requirement for a supplemental EIS (SEIS):

(4) A supplemental EIS (SEIS) shall be prepared as an addition to either a draft or final statement if:

(a) There are substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts; or

(b) There is significant new information indicating, or on, a proposal's probable significant adverse environmental impacts.

Preparation of a SEIS shall be carried out as stated in WAC [197-11-620](#).

WAC 197-11-405(4); and

Addendums are **not** appropriate if the changes or new information indicates any new or increased significant adverse environmental impact.

SEPA Handbook 2.7.3 (emphasis in original).

When project components, such as the ED and heliport, are interrelated and dependent upon each other as well as a larger proposal (Bed Unit South), and when new significant impacts would arise from changes to a project, including those detailed above, SEPA requires that the individual and cumulative impacts of the changes and the interrelated parts be evaluated in a single SEIS. An Addendum and separate SEPA documents are not appropriate.

II. Additional Comments on South Bed Unit Addendum

1. Development Square Footage and Reduced Impacts. The Addendum states that "because of the reduction in size of both *Phase I* and the total development, many of the impacts are anticipated to be less than those disclosed in the EIS" (page 32; italics in original). This gives the erroneous impression that 1) the square footage of Bed Unit South, as now proposed by SCH, represents a permanent reduction from that approved in the MIMP, and 2) that the now-proposed Bed Unit South has less impact on the residential community than development shown in the approved MIMP and its EIS. Neither are correct. The square footage of the Bed Unit North/Bed Unit South/Diagnostic and Treatment complex, and of the overall MIMP, is not reduced at all; SCH is simply proposing to defer development of

the diagnostic and treatments facilities that will ultimately serve the north and south bed wings. SCH has clearly stated in meetings with LCC that this change does not reduce the overall MIMP square footage. Further, as described elsewhere in this letter, the numerous changes that accompany SCH's Bed Unit South proposal would result in impacts that are more – for many impacts, significantly more – than anticipated in the MIMP EIS. The Addendum's characterization of reduced square footage and impacts should be corrected in an SEIS.

2. Number of Beds and MIMP Condition 16 Documentation. The Addendum states that the Bed Unit South project would result in an overall net gain of 137 beds (page 30). However, in its Certificate of Need (CoN) application to the Department of Health (DOH), SCH has requested approval for an increase of only 121 beds. MIMP Condition 16, which applies to Bed Unit South (a Phase 3 project in the approved MIMP), was adopted to prevent unnecessary overdevelopment of the campus. The Condition required the submittal of documentation, prior to DPD issuance of a MUP, demonstrating SCH's need for Bed Unit South beds. Although SCH does not yet have an approved CoN – DOH's review of the Bed Unit South application is in an early stage and is being done concurrently with a CoN bed request from another pediatric hospital (Mary Bridge) – it is clear from the SCH's own application that there is a discrepancy between the number of beds Children's has requested from DOH and the number that would be in Bed Unit South, indicating overdevelopment of the wing. This discrepancy, and its implications with respect to Condition 16, should be addressed in an SEIS.
3. Effect of Changes on Phasing and MIMP Condition Triggers. SCH's proposal to develop Bed Unit South as a Phase 1 "planned" project, and other project-generated MIMP changes, requires a recalibration of MIMP phasing and MIMP condition triggers. For example, what are the square footages, bed units, and parking spaces associated with the new phases, as now proposed by SCH? Under the SCH scenario, when will phased-based MIMP conditions be triggered, especially Condition 16? Such questions, which apparently have not yet been asked but will inevitably arise as the MIMP is implemented, were previously deliberated and decided in the master planning and EIS processes, both of which involved full public comment and review by various levels of City government (DPD, Hearing Examiner and City Council). It would be wholly inappropriate, and not permissible under the Land Use Code, to change the phasing calibration through processes and documents that have less public and City participation.
4. Height, Bulk and Scale Mitigation. The MIMP EIS and the Addendum both rely on screening provided in MIMP-designated landscape buffers (especially the "garden edge") and modulated facades to mitigate the significant height, bulk and scale and other impacts of campus structures (Addendum, pages 75-76; MIMP EIS, pages 3.9-14; both building operation mitigation measures). Both were to be incorporated into the detailed design of each project. However, there is no evaluation in the Addendum of whether the landscaping and façade design now proposed for Bed Unit South provide the intended, required mitigation.

Landscaped Buffer. In its table summarizing height, bulk and scale impacts, the Addendum correctly characterizes the effect of placing the Southwest Parking Garage below grade, as shown in the approved MIMP: “. . . no garage in near-ground allowing for more vegetation to minimize view of buildings” (Table 3.9-3, page 74, Viewpoint 13 Impacts of “Approved MIMP”). However, the title of the Table erroneously refers to the “Proposed Phase 1 and MIMP Build-out” as if they are one and the same – that is, the same proposal with the same impacts – thus misleading readers to believe that SCH’s current Bed Unit South proposal would, like the approved MIMP, allow “for more vegetation to minimize view of buildings.” In fact, as described earlier in these comments, the landscaped “garden edge” buffer along NE 45th Street will be significantly degraded by SCH’s Bed Unit South project and by the related Southwest Parking Garage changes it would precipitate: buffer landscaping that would be planted concurrently with the Bed Unit South project would be destroyed by later development of the garage, and long-term growth of tall trees would be precluded.

Façade Design. In addition, the south-facing tower façades proposed for Bed Unit South – which will be viewed from single family residences – have no apparent modulation, terracing or other components that effectively reduce their scale. Façade fenestration (horizontal window banding) reinforces the structure’s institutional character and does not reflect the scale of architectural components in the surrounding residential community. The new “open L” design of the Bed Unit South façade would increase the perceived width, bulk and scale of the façade, compared with the “right-angle L” shown in the approved MIMP.

Both the Addendum and the MIMP EIS rely on façade modulation for SEPA aesthetic/height, bulk and scale mitigation: “The following mitigation measures will be implemented by Children’s . . . Building facades would be modulated” (Addendum, page 75). The SCH Design Guidelines further direct that building façades be designed:

. . . with materials that help visually reduce the scale and form of the building into smaller scaled elements and that complement neighboring structures in the same visual field. Guideline B2.1.

and

. . . as less intrusive forms along Garden Edges. Architectural design should be visually integrated with existing campus while mitigating visual impacts to surrounding residential neighborhood. Guideline B2.2.

Specific design guidance includes:

A palette of compatible materials to divide areas of large forms into smaller shapes that are in scale with surrounding structures . . . Articulated building volume by setting wall planes back or forward to create shadows of break up long expanses of building walls. Guideline B2.1.

and

Building forms and treatment of building edges that are scaled in proportion to surrounding buildings. Guideline B2.2.

The Addendum is wholly silent on the issue of Bed Unit South façade design, its inconsistency with SCH's Design Guidelines and EIS mitigation (especially with respect to the south facing facades), and its failure to mitigate significant height, bulk and scale impacts, as required by the EIS and Guidelines.

The landscaping and façade design issues discussed above should both be addressed in an SEIS.

5. Setback of Bed Unit South. The Addendum states that “The proposed *Phase I* building is setback [sic] farther from NE 45th Street than in Alternative 7R” (page 66; italics in original). This is not correct, and gives the erroneous impression that the new configuration is less impacting than evaluated in the MIMP EIS. According to Bed Unit South MUP plans, the MIMP EIS and the final approved MIMP,² the main, south facing wall of the Bed Unit South tower is located about the same distance from NE 45th Street as shown in Alternative 7R and the approved MIMP – that is, approximately 240 feet (on average), compared to about 242 feet and 245 feet respectively. The southernmost point of the Bed Unit South tower is about 25 feet closer to NE 45th Street than the southernmost point of the tower shown in Alternative 7R and the approved MIMP. Thus, a wing of the now proposed tower is actually substantially closer to NE 45th Street, not farther from it; no part of the now-proposed tower is farther from NE 45th Street. The SEPA analysis regarding this should be corrected.
6. HVAC Impacts and Wind Study. The Addendum has no project level information regarding the HVAC system that would be installed for Bed Unit South and its impacts (pages 37-40, 44-47). HVAC noise has been an ongoing issue for residents surrounding the SCH campus; the newly proposed addition of a kitchen to Bed Unit South raises new concerns as well. Project level information and analysis regarding these concerns, including for example the most basic information about the location of vents, is a necessary component of project level SEPA review and should be provided in an SEIS.

The Addendum refers to a “wind study” that was apparently underway at the time the Addendum was published. According to the Addendum, the study analyzed “new building exhaust and air intake locations.” It was also to going to determine whether there would be ground level impacts for pedestrians, and would “evaluate the dilution of new building generated particles and odors as it related to the neighborhood.” The wind study was “anticipated to be completed near the end of July 2010, and the results provided to DPD.” Addendum, page 38. Why wasn't this project-level impact analysis provided in the Addendum, and why was the Addendum published without the analysis? The results of the

² Details regarding these measurements are available upon request.

wind study should be in an SEIS, so the public has an opportunity to review and offer comment.

III. Summary

Every departure from the approved MIMP described in Section I, above, introduces a new impact not contemplated by the MIMP or shifts the impact from a less sensitive part of campus, along the Sand Point Way arterial, to the most sensitive of the MIMP's development sites, along the single family edge in the southwest portion of the SCH campus. The changes concentrate impact-generating activities and structures near single family zoned and developed properties. These individual and cumulative impacts undo many of the gains made during the three-year master planning process that protect the single family residential neighborhood along NE 45th Street; they upset the Code-required balance between SCH's stated needs and neighborhood protection that was achieved in the adopted MIMP.

It is clear that close public and City scrutiny is needed to understand the interrelationship of the new changes proposed by SCH and their long-term implications and significant impacts, none of which are made apparent in the Bed Unit South application materials or EIS Addendum. SEPA requires that such project modifications and significant impacts be evaluated in a single environmental document – in this case, an SEIS.

Sincerely,

(signature on original)

Carol Eychaner
Land Use and Community Planner

Attachment: Eychaner comment letter, August 6, 2010

cc: Laurelhurst Community Club
Peter Eglick
SCH