BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

In Re: Appeal by **SAVE THE MARKET ENTRANCE** of Decisions Re Land Use Application for 103 Pike Street, Project 3028428-LU	Hearing Examiner File: **MUP-20-003** **DECLARATION OF COURTNEY A. KAYLOR IN SUPPORT OF APPLICANT'S MOTION FOR PARTIAL DISMISSAL**
In Re: Appeal by **THE NEWMARK BUILDING OWNERS ASSOCIATION** of The City of Seattle Department of Construction and Inspections Land Use Decision and SEPA Determination of Non-Significance for Application No. 3028428-LU	Hearing Examiner File: **MUP-20-004**

I, Courtney A. Kaylor, declare:

1. I am one of the attorneys for the Applicant Jodi Patterson-O'Hare ("Applicant") in this matter. I am competent to testify and make this declaration based on my personal knowledge.

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2. Attached to this declaration as Exhibit A is a true and correct copy of a memorandum from Stefanie Herzstein, Transpo Group, to John Shaw, SDCI, dated November 20, 2019.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Executed this 16th day of March, 2020, at Seattle, Washington.

/s/ Courtney A. Kaylor
Courtney A. Kaylor

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EXHIBIT A

transpogroup
WHAT TRANSPORTATION CAN BE.

MEMORANDUM

Date:	November 20, 2019	**TG:**	1.16575.00
To:	John Shaw – SDCI	**MUP:**	3028428-LU
From:	Stefanie Herzstein, PE, PTOE – Transpo Group Jessica Lambert – Transpo Group		
Cc:	Douglas Buck – Marketview Place Associates, LLC		
Subject:	103 Pike Response to Correction Notice #1 (Correction 3)		

This memorandum provides responses to the comments provided in Correction Notice #1, dated August 06, 2019. The *Final Transportation Impact Analysis 103 Pike Street*, November 2019 is attached.

1. *Page 7: Please include the 2&U development at 1201 2nd Avenue as a pipeline project and update the project description and traffic generation for the development at 1516 2nd Avenue to reflect the current proposal. As noted in an earlier Correction Notice, the projects at 2015 2nd Avenue, 204 Pine Street, and 1430 2nd Avenue have received their Certificates of Occupancy, and can be removed from the list of pipeline projects.*

Response: The *Final Transportation Impact Analysis 103 Pike Street*, November 2019 (herein referenced as November 2019 Final TIA) includes updated analysis that incorporates the 2&U development at 1201 2nd Avenue and the current proposal for the 1516 2nd Avenue project. The future traffic forecasts are based on traffic counts collected in October 2017 prior to occupancy of the 2015 2nd Avenue, 204 Pike Street, and 1430 2nd Avenue projects; therefore, these three pipeline projects are included in the analysis

2. *Page 16: Please provide an estimate of ridehailing (TNC) demand associated with the project and identify any impacts of these trips to the transportation network.*

Response: Trip generation was estimated for the proposed project based on Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition, which captures all vehicle trips associated with the proposal including personal vehicles as well as taxis and ridehailing or transportation network companies (TNC) demand. A discussion on the estimated TNC demand for the proposed project is included in the November 2019 Final TIA and was based on data from Appendix B of the Seattle Department of Transportation (SDOT) *New Mobility Playbook,* September 2017. The estimated TNC demand for the proposed project is 51 daily trips with 2 trips during the weekday AM peak hour trips and 4 trips during the weekday PM peak hour.

3. *Page 17 (Table 6): Please provide an estimate of the daily "additional trips with valet". This will result in a change to the net new vehicle trips on the last line. (Note: this table may also need to be updated to reflect ridehailing trips - see previous correction item.)*

Response: The project description has evolved; no valet is being proposed. The November 2019 Final TIA has been updated to reflect no valet services.

4. *Page 19 (Figure 5): Left turns are not permitted from Pike Street to 4th Avenue.*

Response: Figure 5 in the November 2019 has been revised to reflect no left-turns from Pike Street to 4th Avenue.

5. *Page 25-26: Please provide more detail as to how the valet service rate was determined and provide a sensitivity analysis documenting the impacts if the service rate is greater than 8 minutes. To what extent is the 8 minute turnaround dependent on the availability of load zone spaces for either drop-off or pick-up?*

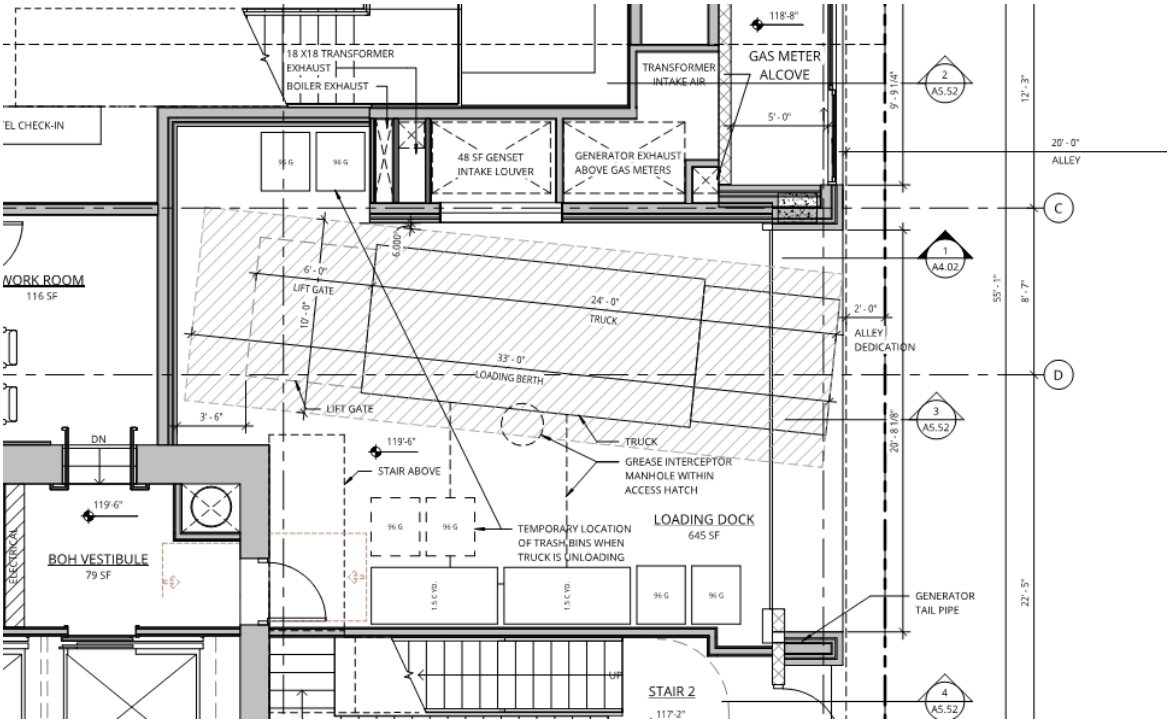
Response: The project description has evolved; no valet is being proposed. The November 2019 Final TIA has been updated to reflect no valet services.

6. *Page 26: The text states that "management would include directing vehicles to the garage and if necessary, pausing intake of valet at the hotel front if the load zone is unavailable". How will vehicles arriving at the load zone be directed to the garage without blocking traffic in the travel lane? Also, please note that SDOT has indicated that, at this time, there is no curb space allocation along either project frontage to accommodate a valet function.*

Response: The project description has evolved; no valet is being proposed. The November 2019 Final TIA has been updated to reflect no valet services.

7. *Appendix I, Page 2: Please provide additional details and dimensions in the loading dock analysis that outline where the waste containers will be staged at the time of collection, to ensure that waste collection can occur when the largest expected vehicle (identified as a 24' straight truck) is in the loading berth. Waste collection must be able to occur in the alley, with direct access to the containers, with any truck in the loading berth. The small size of the containers will necessitate collection three times a day and the functionality of the loading dock area is crucial for providing that required waste service.*

Response: Appendix I has been updated to include the diagram below illustrating the staging for the waste collection.



8. *Appendix I, Page 3: Please provide the data collection sheets from loading dock observations at the Vintage and Alexis hotels.*

Response: Appendix I has been updated to provide an attachment with the data collection sheets for the loading observations at the Vintage and Alexis hotels.

9. *Appendix I, Page 4: The text states that "with smaller trucks and the same amount of product, it is anticipated that there may need to be two small trucks to accommodate the delivery that would have been made in one medium sized truck". Please provide additional information demonstrating that the carrying capacity of a medium sized truck could be accommodated in two small trucks.*

Response: The capacity of a medium truck is approximately 1,920 cubic feet. The 17-foot box truck capacity is approximately 1,025 cubic feet. With two smaller trucks, the carrying capacity will be approximately 2,050 cubic feet, which is greater than the medium truck capacity.

The calculations for the capacity of the trucks based on the dimensions of the box are:

- 17-foot Box Truck: 6’10” H x 8’ W x 18’9” = 1,025 cubic feet
- SU-30 Truck: 10’4” H x 8’ W x 23’3” L = 1,922 cubic feet

10. *Appendix I, Page 5: Please provide more details and commitments about the loading dock management plan. Page 7 states that "the operator will need to schedule deliveries such that there is only one vehicle on-site at one time". Is this an achievable goal, and can delivery times be successfully assigned to vendors? How will the operator ensure compliance with the delivery times? What will happen when unscheduled deliveries (such as e-commerce) overlap with the scheduled deliveries? The loading dock management plan needs to identify the various scenarios that may occur, indicate their respective transportation impacts, and demonstrate how the management plan will mitigate those impacts.*

Response: Appendix I has been updated with letters from vendors indicating they are able to work within the parameters of the Loading Dock Management Plan including size restrictions and scheduling protocols.

11. *Appendix I: Some of the delivery trucks mentioned in this analysis would not fully fit within a 25' loading berth. The box truck with a vehicle length of 24' mentioned on page 3 would need more than 25' in depth for operation of a lift gate or similar rear mechanism. The 24' straight truck identified in Attachment A would be longer than 24' with the inclusion of the cab, and also would need room at the rear for loading and unloading, potentially requiring about 35' of space. How will the operator direct trucks that do not fit into the loading berth, particularly if load/unload will take longer than the 30 minute maximum allowed in alleys?*

Response: Drawings included in Appendix I of the November 2019 Final TIA have been updated to clarify that the loading berth request is for less than 35-feet and that 33-feet of space is available. In addition, the letter from the hotel operator in Attachment A of Appendix I has also been updated to remove the larger truck and the operator has indicated that deliveries can be accommodated in small trucks or vans. As shown in Appendix I on Attachment D, the loading berth will accommodate a 17’ foot box with a 24-foot length and a lift gate with space for loading/unloading. The Loading Dock Management Plan (LDMP) will restrict trucks that require

more than 33-feet of space to load/unload in the alley for longer than 30-minutes. Vendors will be provided performance specifications including the LDMP and the 30-minute limitations in the alley. The Dock manager will be responsible for administering and managing compliance of vendors to the performance specifications.

12. *Appendix I, Attachment B: Please ensure consistency of SDCI and SDOT plan sets; the current plan sets have discrepancies, particularly in the alley grading documents. The grades should match between the MUP/SIP plan sets and the diagrams in the TIA.*

Response: An updated alley grading plan is included in Appendix I of the November 2019 Final TIA and has been updated to match the MUP/SIP plan sets.

13. *Appendix I, Attachment B: Please show the alley grade breaks on both side of the property line to demonstrate that the 11% slope will handle the transitions into the loading berth for trucks.*

Response: An updated alley grading plan is included in Appendix I of the November 2019 Final TIA showing the alley grade breaks on both side of the property line.

14. *Appendix I, Attachment C: The turning movement diagrams indicate that some truck movements will encroach onto property across the alley from the loading dock. Please modify the loading berth to avoid this, and provide turning movement diagrams that demonstrate that trucks entering and leaving the loading dock will not need to encroach onto nearby private property.*

Response: The alley width is 20-feet. The Newmark Condominium Building has a 2-foot dedication, which can be used by the public including truck movements to and from the proposed loading dock. Attached are the Newmark Condominium Building and page 2 comments indicates *The "Secondary Property Line" is the boundary an additional 2' of right-of-way along Union Street and the alley extending from 1-feet below grade to 16-feet above grade per Recording No. 901120542.* The AutoTurn drawings have been updated to remove the property line that was previously shown.