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January 13, 2020

Submitted via email to

PRC@seattle.gov

Seattle Department of Construction and Inspections

ATTN: Public Resource Center

PO Box 34019

Seattle Washington 98121-4019

RE: SDCI PROJECT NUMBER 3033991-LU. 2224 2ND AVE
WRITTEN COMMENTS IN RESPONSE TO THE DECEMBER 16, 2019 NOTICE OF
APPLICATION FOR MASTER USE PERMIT (MUP), SEATTLE DEPARTMENT OF
CONSTRUCTION AND INSPECTIONS (SDCI)

Friends of Historic Belltown submits the following comments to inform SDCI's early SEPA review of the proposed MUP for 2224 2nd Ave. The applicant is requesting that SDCI issue a permit to allow:

- Demolishing existing buildings, including the Wayne Apartments, which is a designated landmark under the City's Landmark Preservation Ordinance (SMC Chapter 25.12).
- Constructing an 8-story, 180-unit apartment building with retail and parking for 81 vehicles.

Early Design Guidance is being conducted under 3033958-EG, and Friends of Historic Belltown is participating in and has commented on the separate early design guidance process as well. Comments in this letter are specific to adverse environmental impacts that are not adequately addressed by the Early Design Guidance process or other existing City of Seattle regulations.

WHO WE ARE

Friends of Historic Belltown is a neighborhood-based, non-profit corporation dedicated to preserving and enhancing our neighborhood's distinctive character, identity, and sense of place. Our interests include Belltown's unique mix of people, history, arts, businesses, architecture, and streetscapes. Our mission is to preserve and enhance these and other elements of Belltown's distinctive urban environment in the common and best interests of the entire Belltown community.

"It Starts on Second"

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We are particularly interested in supporting Belltown's historic workforce culture and the important "third-places" where these people gather and form a diverse and vibrant community. These are the people who work in downtown for generally low to moderate pay in restaurant, service, retail and administration. This includes students and other people just starting out or starting anew. We assert that this demographic is a significant element of the Belltown human environment that has been significantly impacted by the lack of affordable housing and may be adversely affected by the proposed MUP.

WHY WE ARE COMMENTING

As stated in Ecology's SEPA Handbook, the goal of public comments on SEPA Notice of Applications is to communicate to the lead agency (a) concerns with the proposal and (b) possible remediation to address these concerns. Therefore, we are commenting on the proposed MUP to identify concerns, suggest opportunities to address those concerns, and – ultimately – to provide information that supports better decisions regarding the Master Use Application, including the identification, avoidance, and minimization of adverse environmental impacts.

We are particularly concerned about the project's adverse impacts on members of the downtown workforce.

Specific Comments

We have three categories of comments/requests that we are submitting for SDCI's consideration when evaluating the project under SMC Chapter 25.05 - Environmental Policies and Procedures:

1. Consider Combining SEPA Review of this MUP with the MUP for the adjacent Mama's Mexican Kitchen.
2. Consider Alternatives that could achieve the applicant's goals, but at a lower cost to the Belltown environment.
3. Consider Mitigation for specific adverse impacts on the Belltown environment.

1. COMBINE SEPA REVIEW WITH ADJACENT PROJECT TO IDENTIFY AND MITIGATE ADVERSE IMPACTS

This block is an essential gathering place for locals and is considered the "heart of Belltown." The proposed MUP would completely redevelop this significant portion of the Belltown community.

The proposed project would also abut the City Landmark Mama's Mexican Kitchen, an anchor building at a central location highly valued and enjoyed by

the community. The property is significant not only for its historic value but also as being the cornerstone of the “main street” of Belltown. The landmark building is also currently being proposed for development of “luxury” apartments.

The proposed MUP of the Mama’s property, considered collectively with the MUP for 2224 2nd Ave, could result in significant cumulative adverse effects. Collectively, these two projects would result in the destruction and replacement of the historic heart of Belltown.

Friends of Historic Belltown asserts that SEPA requires that such cumulative impacts must be considered collectively as part of the review of the subject property. Simultaneous and coordinated review would allow development of coordinated plans that could reduce the overall environmental effects of these two significant proposals as well as result in projects that are better for the community, future residents, and even for the applicants.

SEPA review of cumulative impacts would be most efficiently conducted as a combined review for both projects. However, cumulative effects could also be considered separately as part of each SEPA review. Regardless, we assert these cumulative effects must be considered and documented in the SEPA record. Considering and documenting multiple marginal impacts and associated cumulative impacts is not an optional process under SEPA – particularly when such considerations are clearly identified and reasonably justified in public scoping comments.

Per the City’s SEPA policy, in determining the significance of a project’s impacts on the human environment, the responsible official shall take into account that “several marginal impacts when considered together may result in a significant adverse impact.” (25.05.330, threshold determination process, subsection C.3). We believe that due to the significance of this location and associated adjacent properties, the two projects would result in multiple marginal impacts that must be considered collectively and simultaneously in order to (a) take a hard look at the potential for significant adverse impacts, including cumulative impacts, and (b) develop reasonable measures to avoid such impacts.

2. CONSIDER ALTERNATIVES

Under SMC 25.05.030, SEPA Policies, *Agencies shall to the fullest extent possible, identify, evaluate, and require or implement, where required by the act and these rules, reasonable alternatives that would mitigate adverse effects of proposed actions on the environment.*

The term “*shall to the fullest extent possible*” means that this is not an option. Friends of Historic Belltown has identified the following alternatives that we

would like SDCI to consider to mitigate specific adverse impacts. Such alternatives could be considered in a narrowly-scoped Environmental Impact Statement or as part of the DNS process.

ALTERNATIVE CONCEPT 1. RETAIN THE LANDMARK WAYNE

Specific Adverse Impact

The SDCI MUP permit would include the City's authorization to demolish the historic Wayne Apartments. The City's Landmark Board designated the Wayne as a City Landmark in 2015 following a massive outpouring of support by the Belltown community.

However, the Landmark Ordinance does not adequately protect historic resources from significant adverse impacts on their historic integrity. The ordinance allows owners of historic properties to let historic buildings that have not yet been designated to deteriorate to the point that restoration may not be economically feasible. Such is the case with the Wayne Apartments, with the result is that the City has placed no "controls" nor provided any "incentives" to the property owner protect this historic property.

Because the City's existing regulations are not adequately protecting historic and cultural resources, such impacts can and should be considered during SEPA review, particularly if there are reasonable alternatives that could be taken to avoid significant impacts on historic properties and associated public values. In addition, since the 2015 preservation efforts by the community to designate the Wayne as a City Landmark, the building has gained local cultural significance as a point of civic pride and identity and contributes greatly to the "sense of place" of Belltown. The City of Seattle has not considered these potentially avoidable significant adverse impacts in any SEPA decisions upon which the current MUP Determination of Non-Significance (DNS) can be based.

Potential Alternatives

Consider a range of alternatives that may reasonably allow for restoration of the historic Wayne Apartments. Such alternatives may include innovative allowable height departures on non-historic properties within the proposed project or potentially through transfer of development rights and historic preservation tax credits. These or other options may allow for the applicant to achieve its objectives, but at a lower environmental cost to the Belltown community and the City of Seattle (i.e. the retention of a historic landmark).

Because the applicant is an out-of-state investor, we believe that a reasonable return on investment is the only applicant objective that needs to be considered by SDCI when considering alternatives to demolishing and redeveloping a block that is clearly significant to the Belltown community.

City's SEPA policy that is the basis of Alternative

SMC 25.05.030 - Policy. Identify, evaluate, and require or implement, where required by the act and these rules, reasonable alternatives that would mitigate adverse effects of proposed actions on the environment.

Seattle Comprehensive Plan. Belltown Policy B-P8. Improve and use a variety of tools to create and preserve affordable housing, such as increased funding and regulatory mechanisms (e.g., the land use code affordable housing requirement, and Transfer of Development Rights [TDR] and Bonus programs).

ALTERNATIVE CONCEPT 2. CONSIDER ALTERNATIVES TO PROVIDE WORKFORCE/AFFORDABLE HOUSING

Specific Adverse Impact

Loss of affordable housing, including cumulative effects of a disproportionate number of “luxury” housing being developed in Belltown. Belltown’s historic workforce community and other low- and moderate-income residents are being displaced.

Because workforce culture is central to Belltown’s community identity, we consider this to be a significant element of the Belltown human environment. This project is only the latest in a string of “luxury” apartments built in Belltown. City zoning and regulations, including the Mandatory Housing Affordability (MHA) requirements, have failed to avoid this significant cumulative effect that has greatly displaced members of Seattle’s downtown workforce from living in Belltown, the historic home of Seattle’s downtown workforce. The City of Seattle has not considered this significant cumulative adverse effect in any SEPA decisions upon which the current MUP Determination of Non-Significance (DNS) can be based.

Potential Alternative

Consider an alternative that provides workforce housing at this site. With 180 proposed units, the project could reasonably be redesigned to include workforce housing units.

City's SEPA policy that is the basis of Mitigation

SMC 25.05.660 - Substantive authority and mitigation. Any governmental action on public or private proposals that are not exempt may be conditioned or denied under SEPA to mitigate the environmental impact

25.05.675 - Specific environmental policies. I(b). Housing. SEPA provides that each person has a fundamental and inalienable right to a healthful environment. Affordable housing is a critical component of a healthful environment.

ALTERNATIVE CONCEPT 3. CONSIDER A REDUCED PARKING ALTERNATIVE**Specific Adverse Impact**

The proposed MUP would add 80 parking places into an area already at a low level of service for traffic. The specific adverse impact is twofold. First, it will create additional traffic. Second, it would increase construction costs and, therefore, would increase rents and decrease affordability of the proposed project. Friends of Historic Belltown believes that this is a clear case of a private benefit at a public cost, and that SDCI has a duty to mitigate this cost to our community both in terms of traffic and housing affordability.

As stated in Seattle Municipal Code (25.05.675 - Specific environmental policies), Seattle's land use policies call for decreasing reliance on the single occupant automobile and increased use of alternative transportation modes. Accordingly, a major neighborhood goal for Belltown – as identified in the Seattle 2035 plan – is that future development results in “a circulation system that enables people to live, work, shop, and play in Belltown and all of Downtown without a car (Policy B-G6).” Friends of Historic Belltown strongly supports these policies and is concerned that the proposed level of parking is not consistent with these and other established policies regarding a walkable downtown area and the need to reduce traffic congestion throughout the City.

Specifically, we are not convinced that the applicant needs 80 parking spaces to meet its objectives, considering the prime location of this property within a walking neighborhood and near the center of a regional public transportation hub.

Potential Alternative

Consider an alternative with a minimum number of parking spaces required to meet reasonable needs within a walking neighborhood.

City's SEPA policy that is the basis of Mitigation

SMC 25.05.675 - Specific environmental policies. M. Parking. The City recognizes that the cost of providing additional parking may have an adverse effect on the affordability of housing.

SMC 25.05.675 - Specific environmental policies. R. Traffic and Transportation (d). Seattle's land use policies call for decreasing reliance on the single occupant automobile and increased use of alternative transportation modes.

3. CONSIDER MITIGATION

Under SMC 25.05.660 - Substantive authority and mitigation, *any governmental action on public or private proposals that are not exempt may be conditioned or denied under SEPA to mitigate the environmental impact.* Note that the impact does not need to be "significant." The proposed MUP contains many potential adverse impacts that may be considered "moderate," rather than "significant." However, per the City's SEPA policy, in determining the significance of a project's impacts on the environment, the responsible official shall take into account that "several marginal impacts when considered together may result in a significant adverse impact." (25.05.330, threshold determination process, subsection C.3).

Friends of Historic Belltown asserts that this proposed MUP involves multiple adverse impacts that collectively result in a significant adverse impact on the environment so prized by the Belltown community, and that is at the focus of Friends of Historic Belltown's interests and mission. Specifically, we recommend SDCI consider the following adverse effects both individually and collectively when making decisions regarding the proposed MUP:

- Loss of a designated City Landmark and culturally, historically, and socially significant building (the Wayne Apartments) that is not adequately protected by the City's Landmarks Ordinance or other existing regulations
- Cumulative impacts on workforce/affordable housing
- Changes to neighborhood character within an area central to the Belltown community
- Loss and displacement of Seattle's downtown workforce culture
- Loss of anchor business (some of which have already been lost or moved due to leases not being renewed) that are significant "third places" for Seattle's downtown workforce as well as the entire Belltown community and visitors
- Impacts to the historic brick alley

- Disruption during construction

Friends of Historic Belltown offers the following mitigation concepts as possible tools available to SDCI to reduce the individual and collective adverse environmental impacts of the proposed MUP.

MITIGATION CONCEPT 1. FUND A BELLTOWN HISTORIC AND CULTURAL RESOURCE SURVEY AND PLAN

Specific Adverse Impact

This mitigation is an option to Alternative Concept 1 to address the destruction of the City Landmark Wayne Apartments.

Potential Mitigation

Conduct a complete survey of Belltown's historic and cultural properties and prepare a plan that identifies preservation priorities and actions. The plan could help compensate for the loss of the Wayne by providing substitute preservation through a professionally-prepared survey and preservation plan.

City's SEPA policy that is the basis of Mitigation

SMC 25.05.660 - Substantive authority and mitigation. Any governmental action on public or private proposals that are not exempt may be conditioned or denied under SEPA to mitigate the environmental impact

SMC 25.05.768 Mitigation. Item E. (Allowable mitigation includes) compensating for the impact by replacing, enhancing, or providing substitute resources or environments.

Seattle Comp Plan. Belltown. LU 14.1 Maintain a comprehensive survey and inventory of Seattle's historic and cultural resources. Update the survey and inventory when developing a new community plan or updating an existing plan, as appropriate.

MITIGATION CONCEPT 2. FUND A BELLTOWN WORKFORCE HOUSING STUDY AND PLAN

Specific Adverse Impact

This mitigation is an option to Alternative Concept 2 to address the cumulative effects of a disproportionate number of "luxury" housing being developed in Belltown.

Potential Mitigation

Prepare a study that identifies opportunities and constraints to providing workforce housing in Belltown and plan to develop more workforce housing in Belltown.

City's SEPA policy that is the basis of Mitigation

SMC 25.05.660 - Substantive authority and mitigation. Any governmental action on public or private proposals that are not exempt may be conditioned or denied under SEPA to mitigate the environmental impact

SMC 25.05.675 - Specific environmental policies. I(b). Housing. SEPA provides that each person has a fundamental and inalienable right to a healthful environment. Affordable housing is a critical component of a healthful environment.

City of Seattle Comprehensive Plan, Belltown Element:

- B-P4 Support the neighborhood's identified goals for housing affordability.
- B-P5 Support projects that will increase artist housing.
- B-P7 Strive to preserve the existing housing stock, including older buildings, subsidized units, and affordable, unsubsidized units.

MITIGATION CONCEPT 3. ASSIST DISPLACED BUSINESSES IN NEED

Specific Adverse Impact

The proposed MUP would displace several businesses that are critical "third-place" establishments to the Seattle downtown workforce. These businesses are a significant cultural and social element of the current Belltown environment.

Potential Mitigation

Provide financial assistance to existing business owners who will be displaced by the project and who wish to relocate in Belltown.

City's SEPA policy that is the basis of Mitigation

SMC 25.05.660 - Substantive authority and mitigation. Any governmental action on public or private proposals that are not exempt may be conditioned or denied under SEPA to mitigate the environmental impact

City of Seattle Comprehensive Plan, Belltown Element. B-P21.

Promote opportunities for small businesses to find affordable sites within Belltown.

MITIGATION CONCEPT 4. RESTORE BRICK ALLEY**Specific Adverse Impact**

The existing historic brick alley may be destroyed as part of the MUP and replaced with a new concrete alley, significantly altering the classic historic feel of this alley. Belltown loves its few remaining brick alleys!

Potential Mitigation

Condition the MUP to include restoration of the historic brick alley. Name and design the alley as a public space to promote pedestrian use.

City's SEPA policy that is the basis of Mitigation

SMC 25.05.660 - Substantive authority and mitigation. Any governmental action on public or private proposals that are not exempt may be conditioned or denied under SEPA to mitigate the environmental impact

City of Seattle Comprehensive Plan, Belltown Element. B-G11

(Develop Belltown as) a neighborhood with alleys that are viable pedestrian and bicycle routes and business access points, and maintain their function for service access.

City of Seattle Comprehensive Plan, Belltown Element. B-P21. B-

P29. Promote the use and sense of ownership of alleys through the consideration of tools such as naming alleys and allowing the numbering of business and residences whose entries face alleys.

MITIGATION CONCEPT 5. MINIMIZE SIDEWALK CLOSURES**Specific Adverse Impact**

The proposed MUP would require an extended construction period. Belltown has been subjected to multiple sidewalk closures over the past 10 years resulting in a cumulative effect of continual inconvenience to pedestrians and cyclists as well as increase risks of pedestrian/vehicle collisions, and aesthetic impacts on our pedestrian environment. The proposed project is located in the heart of Belltown with a very high level of pedestrian traffic. Blockage of this street would significantly interfere with pedestrian circulation in this key pedestrian area.

Potential Mitigation

Condition the project to avoid or minimize sidewalk closures and to create minimal disruption to the 2nd Avenue Protected Bike Lane.

City's SEPA policy that is the basis of Mitigation

SMC 25.05.675 - Specific environmental policies. B. Construction Impacts. Seattle's Street Use Ordinance, Building Code and Environmentally Critical Areas Ordinance [5] are intended to address many of the impacts caused by the construction process. The codes may not, however, adequately address all construction impacts such as those relating to pedestrian flow and safety due to sidewalk and street closures... The decisionmaker may require, as part of the environmental review of a project, an assessment of ...pedestrian circulation likely to result from the construction phase. Based on such assessments, the decisionmaker may, subject to the Overview Policy set forth in SMC Section 25.05.665, condition or deny a project to mitigate adverse impacts of the construction process.

MITIGATION CONCEPT 6. COORDINATE WITH SENIOR CENTER TO MINIMIZE CONSTRUCTION NOISE IMPACTS

Specific Adverse Impact

The proposed project would be developed next door to the Lillian Rice Center & Belltown Senior Apartments. Noise could be significantly disruptive to elderly residents. Residents of the Concept 1 Apartments across the street may also be adversely affected.

Potential Mitigation

Condition the MUP to reduce noise impacts on nearby residents.

City's SEPA policy that is the basis of Mitigation

SMC 25.05.675 - Specific environmental policies. B. Construction Impacts. Noise. Mitigating measures to address adverse noise impacts during construction include, but are not limited to:

- i. Limiting the hours of construction;
- ii. Specifying the time and duration of loud noise;
- iii. Specifying a preferred type of construction equipment; and
- iv. Requiring sound buffering and barriers.

MITIGATION CONCEPT 7. DESIGN BUILDING TO ENSURE COMPATIBILITY OF PROPOSED MUP ON THE CITY LANDMARK MAMA'S MEXICAN KITCHEN

Specific Adverse Impact

The proposed project would be developed next door to Landmark Mama's Mexican Kitchen Building

Potential Mitigation

Conduct a professional assessment of any adverse impacts on the Mama's landmark request comments from the City's Landmark Board on possible mitigating measures.

City's SEPA policy that is the basis of Mitigation

SMC 25.05.675 - Specific environmental policies. When a project is proposed adjacent to or across the street from a designated site or structure, the decisionmaker shall refer the proposal to the City's Historic Preservation Officer for an assessment of any adverse impacts on the designated landmark and for comments on possible mitigating measures. Mitigation may be required to insure the compatibility of the proposed project with the color, material and architectural character of the designated landmark and to reduce impacts on the character of the landmark's site. Subject to the Overview Policy set forth in SMC Section 25.05.665, mitigating measures may be required and are limited to the following:

- i. Sympathetic facade treatment;
- ii. Sympathetic street treatment;
- iii. Sympathetic design treatment; and
- iv. Reconfiguration of the project and/or relocation of the project on the project site;

provided, that mitigating measures shall not include reductions in a project's gross floor area.

CONCLUSION

We understand that SDCI and the applicant wish to complete review of the proposed MUP as expeditiously as possible. However, as important as expeditious review may be, we believe that effective decisions should be of primary importance, because decisions made on these properties will affect not only the hundreds of people that will live and work in these buildings, but also the thousands of other Belltown residents, workers and visitors that will use and travel through this area for generations to come.

We would be happy to meet with SDCI staff and the applicant or provide any other assistance that we can to clarify our comments, provide additional

information, or otherwise help support informed SDCI decisions regarding these two significant and closely related proposals.

We know that SDCI is very busy with many development applications and we thank you very much for your time and consideration of our comments.

Sincerely,

FRIENDS OF HISTORIC BELLTOWN, INC

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