

**From:** George Danner  
**To:** [Torres, Crystal](#); [PRC](#)  
**Cc:** [Ruth, Work -ICE](#); [Shaw, John](#); [Zora, Sara](#); [DRA Seattle](#); [Ross Tilghman](#); [Herbold, Lisa](#); [Torgelson, Nathan](#)  
**Subject:** Errors & Omissions in the Loading Analysis section of the TIA for MUP 3031140-LU  
**Date:** Tuesday, December 03, 2019 8:40:11 PM  
**Attachments:** [MUP 30331140-LU, 1931 2nd Ave. comments on Loading Analysis in the TIA.pdf](#)

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**CAUTION: External Email**

Hi Crystal,

I have reviewed the Loading Analysis portion of the 10/07/2019 TIA for MUP 3031140-LU @ [1931](#) 2nd Ave. (Comments Attached)

I believe that some of the Loading Analysis will be reviewed by Transportation and some by Land Use. If a Land Use and Transportation planner is assigned please share it with them.

If a Transportation or Land Use planner has been assigned, could you please provide me that information.

The content and quality of this portion of the TIA is no better than the Transportation section I commented on ( 11-24-2019 ) and again it fails to accurately describe the effects this large building will have on the adjoining streets, alleys, pedestrians, etc.

Based on the errors and omissions I have documented, I urge you to find that this project requires a Determination of Significance.

Regards,  
George Danner  
[1415 2nd Ave](#)  
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Sent from my iPad

COMMENTS ON THE LOADING ANALYSIS PORTION OF THE 10/07/2019 TIA FOR MUP 3031140-LU, At 1931 2<sup>ND</sup> AVE. From George Danner, 12/03/2019

The Loading Analysis for MUP 3031140-LU @ 1931 2<sup>nd</sup> Ave as submitted on 10/07/2019 to SDCI is in it's current state is so woefully inaccurate and incomplete that unless corrected on a massive level will require a Determination of Significance, and a full EIS review.

It is time for SDCI to inform applicants that their initial submittals must meet a much higher level of professionalism and document standards and quit wasting staffs time. The current practice by many applicants to see what they can get away with must end. When developers submit applications that don't mitigate project impacts, then a SEPA Determination of Significance (DS) decision is required.

**PROBLEMS with this Loading Analysis for MUP 3031140-LU @ 1931 2<sup>nd</sup> Ave as written:**

- Fails to address that the freight environment in downtown is under increasing capacity pressure and submits vague and understated loading & traffic specifics that will hinder the traffic operation decision making process.
- Minimizes the actual square footage in the building that will require the use of the alley and loading berths.
- Doesn't provide the studies needed to determine the actual level of alley use and parking congestion.
- Conducts traffic studies in the off season (November) rather than the high volume summer months.
- Provides no estimate of trash and recycle and its effect on alley over-programming.
- Uses much smaller hotels with around 35-40% less rooms and 90% less eating & drinking square footage to guess at a delivery rate. This data is also questionable as the 2 hotel survey was done in the winter and for only 2 days, not 5 days from Monday thru Friday.
- Concludes that the 2 ea 10' x 35" berths would accommodate the site loading activity, but fails to mention that this is ONLY for the hotel.
- Mentions 14,125 sf of office space several times in the trip distribution, generation and assignment sections but I'm unable to find this much office space in the plan set.

**LOADING ANALYSIS.** (quoted in **red** italics below, from page 20 of TIA)

**PROBLEM 1** *"This section summarizes anticipated loading activity capacity and demand for the proposed project at 1931 2nd Avenue..... activity. A loading dock management plan would be implemented to manage deliveries so that vehicles are not waiting within the alley.....In addition, using the recent data collected at downtown hotels two loading berth would accommodate the anticipated demands."*

**- This section of the Loading Analysis:**

1. Fails to mention: In the ZONING CODE SUMMARY of the Plan Set, "Eating & Drinking establishment is quoted as 6,907 SF. **Missing from this summary** is the mention of:
  - The Destination Bar with 1,850 SF on L 6,
  - The Ballroom/banquet kitchen etc with 6,145 SF on L 3,
  - The Bar/Speakeasy & cafeteria with 3,262 SF on L P0.5.

- This 7,995 SF of additional space is missing from the calculations, which when included will exceed the 10,000 SF for Medium Demand and therefore require an additional Loading Berth. These unmentioned additional uses will increase demand and frequency on deliveries, additional vehicle trips, service calls, trash & recycling pickup etc.
2. Re-uses the Alexis and Vintage hotels (Table 9, a two-day loading dock summary, page 22) as a benchmark for this project, which with an admitted 6,907 sf of proposed eating and drinking establishments, and NOT including the missing sf (**in number 1, above**) dwarfs the eating & drinking areas of the 2 comparison hotels. The two-day Average Loading Dock Summary by Hotel attempts to suggest that the average delivery and waste collection trips generated per day can be calculated for any hotel and applied to any other hotel on a per room basis. Retail, restaurant and bar space that rely on patronage from outside the hotel cannot reasonably be averaged in to the number of guest rooms and then prorated as this report attempts to do. Clearly, this comparison falls way short in its ability to calculate loading berth use and must be redone or dismissed. Below is my table showing the disparity in actual size and uses between the proposed hotel and the two comparison hotels.

NAME	Proposed Hotel @ 1931 2nd	HOTEL VINTAGE, 5 <sup>TH</sup> & SPRING	ALEXIS HOTEL, 1 <sup>ST</sup> & MADISON
ADDRESS	1931 2 <sup>nd</sup> Ave	1100 5 <sup>TH</sup> AVE	1007 1 <sup>ST</sup> AVE
NO. ROOMS	220	125	121
SQ. FT. of RESTAURANT	6,907 Eating & Drinking Establishment. Plus 7,995 sf of ballroom, banquet, speakeasy, etc	Tulio's, 660 sf Solaio Rm, 660 sf	The Bookstore, 540 sf
SQ. FT/ OF BAR	Part of above	Seats 14 people	Bookstore 540 sf
SQ. FT. RETAIL	4,380 sf	None	Coffee-540 sf Art Gallery-575 sf Perfume-240 sf Bridal-1,000 to 1500 sf
PARKING	170	65	65
VALET PARKING	Not mentioned	On-site valet parking	On-site valet parking

3. **SEPA Check List #14.f.** Other issues to include;
- a) **"Were counts taken during critical time periods?" NO**, counts were done in December for the Seattle hotels, the off season for hotels and restaurants. The DC hotel does not indicate the month or year.
  - b) **Do calculated levels of service seem reasonable?" NO**,
    - Size and functions of the 2 Seattle comparison hotels pale in comparison to the proposed.
    - Due to (a) above and counted for only 2 days, not for 5 days to show a better average.
    - (The DC Hotel shows 5 days of scheduled deliveries, but does not show actual times like shown for the Seattle hotels)
4. Fails to include a Queuing & Blocking Report that must be required and is needed to properly evaluate the Street & alley congestion that this project will create. The applicant must be

required to submit an Queuing Worksheet appendix showing conditions during the summer (not the winter) with queuing & blocking report (with diagrams) for existing, future without and future with project.

5. Fails to provide a accurate scenario where delivery vehicles actually attempt to access the small (the faux 10' X 35') "berth" located 2 levels below the alley and in the same confined space and in direct conflict with the 2 Automated car lifts and condo recycling. Fails to predict what happens in the alley when delivery drivers decide this space is not worth the effort to get in and out of.
6. Fails to identify the number of vehicles per hour in and out the automated 170 vehicle parking and retrieving system can consecutively accommodate, nor the resulting queuing times, and its spillover effect on alley congestion during times of peak use and when that is expected to be.
7. Fails to identify which of the 224 vehicles wanting to park, will be allowed to park in the 170 spaces in this garage. With parking demand documented at 224 cars, users policy needs to be identified to prevent a queue from blocking the alley. (Appendix E. Parking Demand Worksheets). Another reason for the applicant to provide a Queuing & Blocking Report.

**PROBLEM 2** *"It also outlines a request to reduce the number of loading berths from three to two. In addition, the project would be providing a space in the garage for a delivery van. The proposed two 35-foot loading zones and one delivery van space would accommodate the proposed project needs."*

- This section of the Loading Analysis:

**Fails to mention:**

1. The Plan Set Zoning Code Summary states; "2 Loading Berths provided fully compliant, 1 with height departure", fails to include that the reduction of loading berths from 3 to 2 requires a justified waiver, SMC 23.54.035.B.2.a.b.c. which has not been requested and requires SDOT approval. Which is becoming more unlikely with the freight environment downtown under increasing capacity pressure and SDOT not guaranteeing all reduction requests.
2. The "delivery van" space does not have the required 14' height required of SMC 23.54.035.C.1. Plan set calls for "maintain 98 inch clearance" (8' 2") in the parking garage. This code required loading berth will never be able to accommodate a SU-30 delivery truck despite what their drawings show. The applicant is requesting a height departure for this, a precedent that should not be allowed.
3. Not fully 10' x 35' x 14' high compliant and located 2 levels below the alley entrance and in an area in direct conflict with the 2 car lifts.
4. The Plan Set contradict's itself in respect to the "space in the garage"; the Level P-1 Plan (sheet G0.09) is missing the Condo Recycle area and car lift 1 is in a different location than shown for Level P-1, (sheet A2.0P1).
5. Fails to mention the 2 support columns directly in front of one of the two 35' berths that will discourage drivers from backing into the berth as witnessed hundreds of times a day in downtown Seattle as drivers chose quick and cautious rather than wasting time to attempt backing into a berth of questionable clearances and area obstructions.
6. Fails to show the location of any trash compactors\*. Other projects have added large permanent trash compactors to approved loading berths after they get their Notice of Decision, effectively

eliminating the space as a loading berth. For containers larger than 2 CY and all compacted refuse containers, in 23.54.040.F.2.d ... "If accessed directly by a collection vehicle, whether into a structure or otherwise, a 21 foot overhead clearance shall be provided."

\*several large ones of which will be needed for this building of 568,000 SQ FT.

**PROBLEM 3** *"The residential portion of the development does not require a loading dock."*

**This section of the Loading Analysis:**

1. Fails to accurately apply SMC 23.54.035.A.2 ***"For uses not listed on Table A the Director shall determine the loading berth requirements.\* Loading demand and loading requirements for similar uses shall be considered in determining such requirements."\*\****
2. \*Here the applicant has used the first half of the Code but not second half, \*\* where it is obvious that a condo or apartment in Seattle has a ***"Loading demand and loading requirements for similar uses"*** to this or any hotel. A condo is "lodging" and requires a loading dock very much like this hotels "lodging". Both have a small divided areas in a big hi-rise building where people & guests come and go on a daily basis, either on foot or by private vehicle, transit or other, with packages, luggage, food, supplies, require services such as plumbers, painters, remodelers, elevator & fire protection inspection and service, carpet cleaners and movers that will be required over the life of the building. The director cannot by decree ignore the obvious; High rise hotels and condos and apartments do have ***"Loading demand and loading requirements for similar uses"*** As the saying goes; *looks like a duck, walks like a duck, quacks like a duck, must be a duck!* ALSO see No. 6 below. (My attempts to find a Directors Rule that determined that condos & apartments were not a similar use as a hotel room were unsuccessful. Currently SDCI is pursuing a Directors Rule to require condos & apartments to have a loading berth)
3. Fails to consider items & people that will go in & out of the Condo's 18,147 sf of Amenity space, the 14,304 sf of common recreational space, the 7,995 sf of bar/speakeasy, ballroom, destination bar, BOH, storage, and office **space not shown in the total** for Eating and Drinking Establishments?
4. **IN LOADING ANALYSIS:** (page 21 of TIA) **The applicant misstates the Municipal Code:** saying *"SMC 23.54.035.B.2 allows for modification of the loading berth requirements within Downtown with justification that the proposed loading berths would be sufficient for the use. SMC requires specific information be submitted on the following criteria to justify the proposed number of loading berths:"*
5. **THE CODE ACTUALLY SAYS:** *"Within the Downtown and South Lake Union Urban Centers and within the MPC-YT zone, loading berth requirements may be waived or modified **if the Director finds, after consultation with and approval by the Director of Transportation, that the number of loading berths in Table A for 23.54.035 is not required and that the modified number will be sufficient.**" The applicant shall submit specific information addressing the following criteria, upon which the Director's determination shall be based:*
  - a. All loading is proposed to occur on-site; or
  - b. Loading that is proposed to occur in a public right-of-way can take place without disrupting pedestrian circulation or vehicular traffic;
  - c. Additional evidence relating to the size, character and operation of the building and likely tenancy;"

6. **LOADING OBSERVATIONS** (PAGE 23 OF TIA) *"Residential move in/out activities would be restricted to evenings and weekends when hotel and retail activities are not occurring."... and thus the loading bays and the van space would be open for residential deliveries.*
- a) Verifies ITEM 3 above, residential aka condos and apartments do need loading berths!
  - b) Applicant needs further explanation on how this will work, if at all. Can you restrict condo owners to nights and weekends for move in/out?
  - c) Will they also restrict repairs and remodeling etc to nights and weekends? This will be expensive and problematic!
7. **LOADING OBSERVATIONS** (PAGE 23 OF TIA) *"Loading sometimes occurs outside of the loading berths for projects in on-street loading zones and parking."* **BUT!**
- a) *"The opportunities to provide loading on-street near the project site are limited besides along Virginia Street, which will be used for passenger load/unload only;"*  
**NOTE: NONE of the plans or renderings show any passenger load/unload on Virginia ST. "**
  - b) *"therefore, it is anticipated that all loading may need to be accommodated within the site loading berth."* **Not "may" but "will", and is already in full use by the hotel, depending on which part of the TIA is being read.**
  - c) *"The analysis shows that there is capacity to support additional vehicles within the loading berth, if needed."* **Due to the amount of information missing from this report, the applicant has a lot of work to do to validate this statement! Another good reason to issue a DS for this project.**

## SUMMARY

The Mitigation Summary Page-25, Findings & Conclusions Page-26 and Loading Dock Management plan Page- 23-24 as currently written fails to address the errors and omissions I have documented above and must be rewritten. This can be covered more accurately and completely after a DS is issued for this project.

Sorry, but the applicant should not be allowed to move forward with this application without the Determination of Significance needed for a building of this size and purpose, when it omits other building uses, pretends that condo's don't need loading berths and does anything possible to shorten the MUP approval process to get a building permit. By doing this they are circumventing existing codes and requirements and this project will require a DS determination so an EIS can properly identify and mitigate impacts that the applicant fails to mention.

## CONCLUSION

- The lack of good data to support the existing proposal with its cursory analysis and conclusions reinforces the position that the information sufficient to evaluate the probable significant adverse impacts of this project have yet to be provided.
- There is a very reasonable likelihood of more than a moderate adverse impact on environmental quality and the applicant has failed to thoroughly identify potential impacts of their project on alley operations for themselves or other property owners and tenants using the same alley.
- A Determination of Significance (DS) is required and EIS is in order.

Thank you for the opportunity to review and comment on this TIA,  
George Danner  
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