



City of Seattle

Seattle Department of Transportation

Peter Hahn, Director

CITY CLERK

2012 JUN 12 AM 10:19

FILED
CITY OF SEATTLE

MEMORANDUM

DATE: June 12, 2012

TO: Laurel Humphrey, City Clerk's Office

FROM: Moira Gray, Seattle Department of Transportation, Street Vacations

SUBJECT: Vacation Petition for a Portion of the Alley in Block 93, D.T. Denny's First Addition

The Seattle Department of Transportation has received a vacation petition from City Investors XX, LLC for a portion of the alley in Block 93, D.T. Denny's First Addition to North Seattle in the South Lake Union Neighborhood. Our office has verified that the petition meets the filing requirements for the petition for the vacation of:

All of that portion of the alley as shown in Block 93 D.T. Denny's 1st Addition to North Seattle, according to the plat recorded in Volume 1, page 79, Records of King County Washington, lying north of a line drawn 20.00 feet north of the south line of Lot 10 of said plat projected east; said alley being bounded by Mercer Street, Westlake Avenue North, Republican Street and 9th Avenue North.

Please forward the petition to the City Council for introduction and referral to the Transportation Committee.

Please notify me when you have assigned the clerk file number; 4-8272 or moira.gray@seattle.gov.

Thank you for your assistance.

Attachments



Seattle Municipal Tower, 700 5th Avenue, Suite 3800, PO Box 34996, Seattle, WA 98124-4996

Tel: (206) 684-ROAD Tel: (206) 684-5000 Fax: (206) 684-5180

Web: www.seattle.gov/transportation

An equal opportunity employer. Accommodations for people with disabilities provided on request.



**VACATION PETITION TO THE HONORABLE CITY COUNCIL OF
THE CITY OF SEATTLE**

We, the undersigned, being the owners of more than two-thirds of the property abutting on:

The alley in Block 93 D.T. Denny's 1st Addition to North Seattle

Petition the City to vacate:

All of that portion of the alley as shown in Block 93 D.T. Denny's 1st Addition to North Seattle, according to the plat recorded in Volume 1, page 79, Records of King County Washington, lying north of a line drawn 20.00 feet north of the south line of Lot 10 of said plat projected east; said alley being bounded by Mercer Street, Westlake Avenue North, Republican Street and 9th Avenue North.

OR in the alternative, to vacate any portion of said right-of-way so particularly described;

RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of any right-of-way abutting upon said property after said vacation; and further,

RESERVING to the City of Seattle the right to reconstruct, maintain and operate any existing overhead or underground utilities in said rights-of-way until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

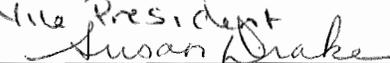
SIGNATURE OF PETITIONER:

I hereby declare that I am an owner of property that abuts the particular right-of-way described in the petition to the City Council for the above noted right-of-way and understand the discretionary nature of the City Council decision and the vacation review process and all fees and costs and time frame involved. For corporately held property, provide documentation of signatory authority.

OWNER

(Printed Name and Signature)

PROPERTY:

	5/24/12	See above description
OWNER Ada M. Healey Vice President	DATE	Lot, Block, Subdivision
	5/24/12	See above description
OWNER Susan Drake Vice President	DATE	Lot, Block, Subdivision
	DATE	Lot, Block, Subdivision
	DATE	Lot, Block, Subdivision

ACKNOWLEDGMENT:

Susan Drake or
I/we Adam M Healey acknowledge that:

any expense that may be incurred in preparing, applying or obtaining any land use or construction permits in contemplation of such vacation is the sole risk of the petitioners;

the City Council decision is at the end of the review process;

the City Council decision on the vacation is discretionary, and will be based on the City's Street Vacation Policies adopted by Resolution 310078 and other adopted policies; and

a Council decision to grant the vacation request does not exempt the property from the requirements of the City's Land Use Code or from conditioning of development pursuant to the State Environmental Policy Act (SEPA).

I/we have been informed of the cost, obligations, petition requirements, Street Vacation Policies, the time frame involved in the review of a vacation petition, the street vacation fee and the appraisal process to determine the fee.

Adam M Healey *Susan Drake*

Petitioner	Date	Petitioner	Date
<i>Adam M Healey</i>	<i>5/24/12</i>	<i>Susan Drake</i>	<i>5/24/12</i>
<i>Vice President</i>		<i>Vice President</i>	

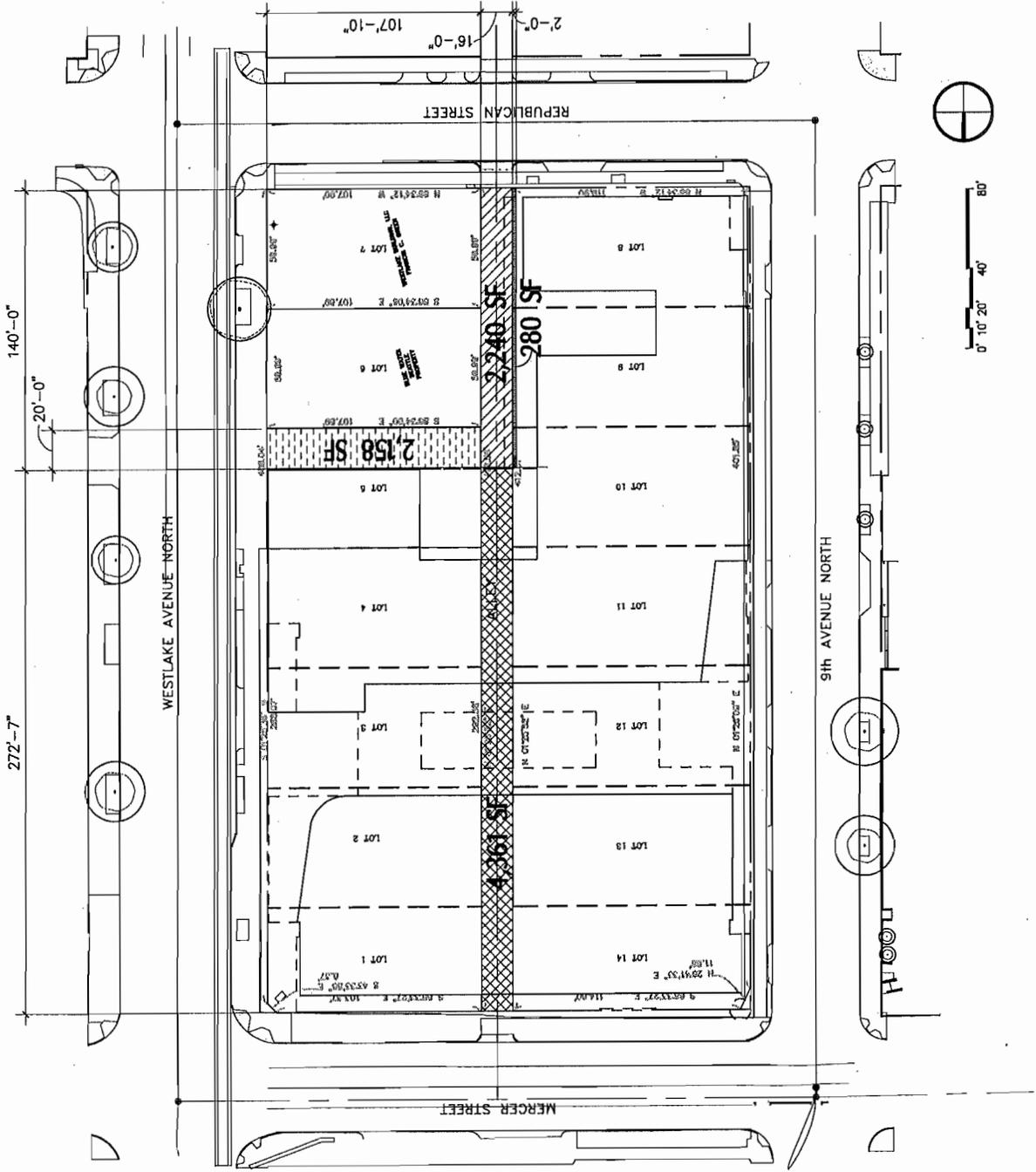
CONTACT INFORMATION:

Petitioner:

City Investors XX, LLC
505 5th Avenue, Ste. 900
Seattle, WA 98104
206 342-2000

Contact:

Rachel Ben-Shmuel
505 5th Avenue, Ste. 900
Seattle, WA 98104
206 342-2000



	VACATED	4,361 SF
	TO REMAIN	2,240 SF
	EASEMENT	2,158 SF
	2' DEDICATION	280 SF
	PRESENT ALLEY AREA	6,601 SF
	NEW ALLEY AREA WITH EASEMENT	4,678 SF
	ALLEY AREA LOST	1,923 SF

BLOCK 44
APRIL 18, 2012

ALLEY AREA CALCULATIONS



SITE LEGAL DESCRIPTION:

DESCRIPTION:

LOTS 1 THROUGH 14, BLOCK 93, D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 79, IN KING COUNTY, WASHINGTON;
EXCEPT THE EAST 12 FEET OF LOTS 1 THROUGH 7 CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NO. 47549 FOR THE WIDENING OF WESTLAKE AVENUE, AS PROVIDED BY CITY OF SEATTLE ORDINANCE NO. 12023;
ALSO EXCEPT THAT PORTION OF LOT 14 CONVEYED TO CITY OF SEATTLE, A MUNICIPAL CORPORATION BY DEEDS RECORDED SEPTEMBER 11, 2009 UNDER RECORDING NO. 20090911000662 AND 20090911001472, IN KING COUNTY, WASHINGTON

TITLE REPORT REFERENCE:

THIS SURVEY WAS CONDUCTED ACCORDING TO THE DESCRIPTION SHOWN, FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-471506-WAI, DATED JANUARY 7, 2011. THE EASEMENTS SHOWN OR NOTED HEREON RELATE TO THIS COMMITMENT.

NOTE: EASEMENTS CREATED OR RESCINDED AFTER THIS DATE ARE NOT SHOWN OR NOTED HEREON.

TITLE REPORT SCHEDULE B EXCEPTIONS:
ITEMS CIRCLED ARE SHOWN ON MAP.

12. RESTRICTIONS, CONDITIONS, DEDICATIONS, NOTES, EASEMENTS AND PROVISIONS, IF ANY, AS CONTAINED AND/OR DELINEATED ON THE FACE OF THE PLAT OF D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE RECORDED IN VOLUME 1 OF PLATS AT PAGE 79, IN KING COUNTY, WASHINGTON.
13. EASEMENT IN FAVOR OF THE CITY OF SEATTLE FOR THE RIGHT TO CHANGE AND ESTABLISH STREET GRADES, ACQUIRED BY DECREE ENTERED IN KING COUNTY CAUSE NO. 47549, AS PROVIDED BY CITY OF SEATTLE.
17. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF EXPANSION OPTION AGREEMENT" RECORDED AUGUST 28, 2008 AS RECORDING NO. 20080828001598 OF OFFICIAL RECORDS.
(AFFECTS LOTS 1-4 AND 8 THROUGH 14)

⑱ EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN:
RECORDING INFORMATION: SEPTEMBER 11, 2009 UNDER RECORDING NO.
20090911000663
IN FAVOR OF: CITY OF SEATTLE, A MUNICIPAL CORPORATION
FOR: TEMPORARY CONSTRUCTION
AFFECTS: (LOTS 1, 13, 14) AS DESCRIBED THEREIN

⑲ EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN:
RECORDING INFORMATION: SEPTEMBER 11, 2009 UNDER RECORDING NO.
20090911000664
IN FAVOR OF: CITY OF SEATTLE, A MUNICIPAL CORPORATION
FOR: ADEQUATE SIDEWALK AREA
AFFECTS: (LOT 1) AS DESCRIBED THEREIN



BLOCK 44
APRIL 18, 2012

EASEMENT DESCRIPTION - BLOCK 93 D.T. DENNY'S
FIRST ADDITION TO NORTH SEATTLE

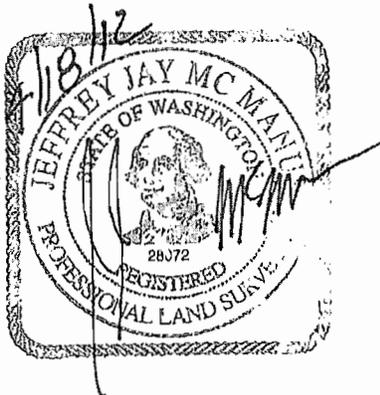
VULCAN PROJECT "BLOCK 44"

THE SOUTH 20.00 FEET, AS MEASURED AT RIGHT ANGLES, OF LOT 5,
BLOCK 93 OF D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE AS
RECORDED IN VOLUME 1 OF PLATS, PAGE 79, RECORDS OF KING
COUNTY, WASHINGTON.

EASEMENT CONTAINS 2,158 SQUARE FEET OR 0.0495 ACRES.

VULCAN
BLOCK 44
JEFFREY J. MCMANUS, P.L.S.
BRH JOB NO. 2010115.02
APRIL 17, 2012

BUSH, ROED & HITCHINGS, INC.
2009 MINOR AVENUE EAST
SEATTLE, WA 98102
(206) 323-4144



BLOCK 44
APRIL 18, 2012

ALLEY DEDICATION - BLOCK 93 D.T. DENNY'S
FIRST ADDITION TO NORTH SEATTLE

VULCAN PROJECT "BLOCK 44"

THE EAST 2.00 FEET OF LOTS 8, 9, AND 10, BLOCK 93 OF D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE AS RECORDED IN VOLUME 1 OF PLATS, PAGE 79, IN KING COUNTY, WASHINGTON, LYING SOUTH OF A LINE 20.00 FEET NORTH, AS MEASURED AT RIGHT ANGLES, OF THE SOUTH LINE OF SAID LOT 10.

DEDICATED AREA CONTAINS 280 SQUARE FEET OR 0.0064 ACRES.

VULCAN
BLOCK 44
JEFFREY J. MCMANUS, P.L.S.
BRH JOB NO. 2010115.02
APRIL 17, 2012

BUSH, ROED & HITCHINGS, INC.
2009 MINOR AVENUE EAST
SEATTLE, WA 98102
(206) 323-4144



BLOCK 44
APRIL 18, 2012

ALLEY VACATION - BLOCK 93 D.T. DENNY'S
FIRST ADDITION TO NORTH SEATTLE

VULCAN PROJECT "BLOCK 44"

ALL OF THAT PORTION OF THE ALLEY AS SHOWN IN BLOCK 93 OF D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE ACCORDING TO THE PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 79, RECORDS OF KING COUNTY, WASHINGTON, LYING NORTH OF A LINE DRAWN 20.00 FEET NORTH OF THE SOUTH LINE OF LOT 10 OF SAID PLAT PROJECTED EAST. VACATED AREA CONTAINS 4,361 SQUARE FEET OR 0.1001 ACRES.

VULCAN
BLOCK 44
JEFFREY J. MCMANUS, P.L.S.
BRH JOB NO. 2010115.02
APRIL 17, 2012

BUSH, ROED & HITCHINGS, INC.
2009 MINOR AVENUE EAST
SEATTLE, WA 98102
(206) 323-4144



BLOCK 44
APRIL 18, 2012

Vacation Application

for

**515 Westlake Ave. N
& 500 9th Ave. N
in South Lake Union**

June 11, 2012

prepared for

Seattle Department of Transportation

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STREET VACATION CHECKLIST

1. FILING FEE

Check for \$450.00 filing fee for the petition payable to City of Seattle Dept of Finance.

PG 3 AND
PETITION FORM

2. REQUIRED SIGNATURES

Signed and completed petition with signatures representing ownership of 2/3 of the property abutting the right-of-way to be vacated as required by state law. Specifically, the petition must contain the signatures of the property owners on both sides of the affected street (alley), even though only a portion (or side) is sought for vacation. For property owned by a business entity, the petition must contain notarized signatures of two authorized officers. The submittal must include documentation (such as articles of incorporation or other organizational documents demonstrating the authority to bind the organization) and names and titles of officers who are authorized to bind the corporation.

NARRATIVE

3. COMMUNITY NOTIFICATION

The Street Vacation Policies require community notification prior to beginning the vacation review process. List the community or neighborhood organizations and business groups that were provided information about the project, and include contact names, addresses, phone numbers, and e-mail addresses.

NARR

4. DEVELOPMENT TEAM

Provide information about the development team, including the architect, engineer, land use attorney, artist, or other team members and include name, address, phone number and email address.

PG 4
NARR

5. RIGHT OF WAY PROPOSED FOR VACATION

Identify the public right-of-way proposed for vacation. Provide a legal description of the right-of-way proposed to be vacated; survey and title work may be required.

PG 2-5
NARRATIVE

6. PROJECT LOCATION

Provide the project address; the boundaries of the block where the project is located; the neighborhood or area of the City; the Neighborhood Planning Area; the current zoning for the area and any zoning overlays or special review districts.

PG 14-16
NARRATIVE

7. REASONS FOR THE VACATION

Describe why the vacation is being sought and list specifically what the vacation contributes to the development of the project. Provide a "no vacation" alternative that describes what could be built on the site without a vacation. Include existing conditions and any constraints, such as the topography that impact the potential development of the site.

PG 2, 10-12,
14-21, NARR

8. PROJECT DESCRIPTION

Describe the current conditions on the site and the existing uses. Provide specific project information. This should include a clear description of the project, including: the uses, dimensions, height, stories, parking spaces, etc in sufficient detail to understand how the site will be developed and how the project will function.

NARRATIVE

9. OTHER LAND USE ACTIONS

Provide information about other land use actions, such as a rezone, Major Institution Master Plan, or administrative or Council conditional use, or review from the Landmarks Preservation Board, or any other special review. SDOT will need final recommendations resulting from these reviews when it becomes available.

PG 6, 11-12
NARR

10. VACATION POLICIES / TRANSPORTATION IMPACTS

Describe the transportation impacts and address both the impacts from the loss of the right-of-way currently and in the future as well as the transportation impacts from the new development. Describe any impacts on the transportation system, which includes impacts to pedestrians, bicycles, transit and vehicles. Describe impacts to the street grid and development pattern in the area and open space value of the street right-of-way; address both current and future impacts. A traffic analysis will be required but you may submit the traffic analysis later in the process with any other required environmental documents.

PG 2, VAC.
POLICIES

11. TRANSPORTATION / UTILITY IMPACTS

During the City review of the proposed vacation, the Petitioner should work with the utilities that may be impacted by the vacation and develop a utility mitigation plan to address, in detail, how utilities impacts will be addressed. This plan must be completed before the petition proceeds to City Council review.

PG 5-21
NARRATIVE

12. VACATION POLICIES / LAND USE IMPACTS

Address the land use impacts; specifically address the increase in development potential attributable to the vacation. Provide specific information on the difference in the development of the site with or without a vacation. Address issues such as scale, building orientation, and access to the site that may be impacted by the vacation. Address neighborhood character and design issues and describe how you project fits into the specific neighborhood in which it is located. Discuss applicable Comprehensive Plan goals and other City and neighborhood land use and planning goals for the area.

NARRATIVE

13. VACATION POLICIES / PUBLIC BENEFIT

Provide a discussion of the public benefit proposal including how the public benefit proposal serves the general public. Include an itemized list that provides a detailed description of each element of the proposed public benefit. Benefits must be long term and must serve the general public not merely the users of the development. The public benefit must be benefits that are not required by the land use code or other regulations and for which no other development credit is sought.

NARRATIVE

14. PUBLIC BENEFIT MATRIX

A number of factors will be considered in balancing your public benefit proposal with the public interest, provide a matrix that includes:

- Zoning designation: i.e. commercial, industrial, residential
- Street classification: i.e. arterial, alley, residential
- Assessed value of adjacent property: per square foot
- Lease rates in the general vicinity for similar projects: per square foot
- Size of project: in square feet
- Size of area to be vacated: in square feet; and
- Contribution of vacated area to the development potential of the site: percentage increase of the project and additional square feet.

PG 3,
NARRATIVE

15. SITE MAPS

A copy of the plat map is required. Provide maps of the block(s) containing the project site that show all dimensions of the property and the development, and include total square footage. Provide the current ownership of each lot on the subject block.

PG 15-21
NARR

16. PROJECT MAPS

Provide maps and sketches of the project design; include plot plans, elevations, project sketches or conceptual drawings.

PG 5-6
NARR

17. 9-BLOCK URBAN DESIGN ANALYSIS

Provide maps of the 9-block area to show the urban design context of the proposed project. Include current development showing current uses and development patterns, zoning of the area, the street grid and traffic patterns, and public uses.

NARR

18. IMPACT ON PUBLIC TRANSPORTATION PROJECTS

If your project site is in the vicinity of a major transportation project such as Sound Transit, provide information about how your project responds to the public project.

SUBMIT
W/ MDP

19. ENVIRONMENTAL IMPACT STATEMENT (EIS)

If DPD determines that an EIS is required, the Petition may not proceed to City Council until this work is completed. DPD will require that the EIS contain a "No Vacation" alternative. Provide a copy of the Draft and Final EIS with vacation/no vacation alternatives, or an environmental checklist, if applicable.

NARR

20. NEIGHBORHOOD PLAN

If your project is located within the boundaries of an adopted neighborhood plan, demonstrate how your project advances the goals of the plan. Provide a map of the neighborhood planning area.

NARR

21. COMPREHENSIVE PLAN AND OTHER CITY PLANS AND GOALS

Provide information as to how your project advances City goals as identified in the Comprehensive Plan and any other relevant plans.

NARR

22. SUSTAINABLE PRACTICES

Provide information if you plan to implement any sustainable practices on the project.

NARR
EDG

23. DESIGN REVIEW BOARD

Provide copies of the minutes and design material presented to the Design Review Board.

NARRATIVE

24. COMPANY / AGENCY INFORMATION

Include background information about your business or agency, its history, how long at your present location, number of employees, etc. Describe how your business or agency will grow with the vacation, such as number of employees or patients, or students served by the proposed development.

NARR

25. DEVELOPMENT SCHEDULE

Provide a proposed development schedule and timeline.

**Alley Vacation Petition – Block 93
515 Westlake Ave. N & 500 9th Ave. N –
South Lake Union
June 2012**

Summary of Proposed Petition Request

This petition is for a partial alley vacation for the northern half of the alley on Block 93. The block is in South Lake Union and is bounded by Westlake and 9th Avenues North and Mercer and Republican Streets. There are three owners on the block. City Investors XX LLC owns lots 1-5 along Westlake Avenue North and lots 6-14 along 9th Avenue North, 12 lots in total. This ownership represents 83 percent of the block. Westlake Building LLC/Frances Green (Antique Liquidators) own lot 7 at the SE corner of the block; and Blue Water Seattle Property LLC (MBI Building), owns lot 6.

The southern third of the alley, which will not be vacated, will be 139.98 feet long and 18 feet wide, 2,520 SF, and will be configured to allow two-way traffic entering and exiting onto Republican Street. The vacated portion of the alley will be 272.58 feet long. The dog-leg, which will also accommodate two-way traffic, will head east onto Westlake Avenue North and be 107.89 feet long and 20 feet wide, 2,158 SF.

Proposed for the site is a six-story commercial office building with approximately 375,000 rentable square feet of office space and 15,000 square feet of retail at grade. Three levels of below-grade parking, approximately 546 stalls, are provided. Structure height is 85 feet.

Accompanying this application is a **Figures Section** with informational graphics prepared by ZGF Architects. Figures include the 9-block urban context maps, site plans, lot and building dimensions, lot ownership, illustrations of alley vacation and non-vacation alternatives, building elevations, sketches of the courtyard, landscaping, and the proposed pedestrian connection between Westlake and 9th avenues.

1. **Filing Fee:** A check in the amount of \$450.00 and made payable to City of Seattle Department of Finance is included as part of this petition application.
2. **Required Signatures:** *Signed and completed petition with signatures representing ownership of 2/3 of the property abutting the right-of-way to be vacated as required by state law. Specifically, the petition must contain the signatures of the property owners on both sides of the affected street (alley), even though only a portion (or side) is sought for vacation. For property owned by a business entity, the petition must contain notarized signatures of two authorized officers. The submittal must include documentation (such as articles of incorporation or other organizational documents demonstrating the authority to bind the organization) and names and titles of officers who are authorized to bind the corporation.*

The required signatures of the property owners are included on the Petition Form. There are three property owners on the block: City Investors XX, LLC owns lots 1-5 along Westlake Avenue North and lots 6-14 along 9th Avenue North (12 lots in total). This ownership represents 83 percent of the block. Westlake Building LLC/Frances Green (Antique Liquidators) own lot 7 at the SE corner of the block; and Blue Water Seattle Property LLC (MBI Building), owns lot 6. The Applicant has contacted each of these two to tell them about the proposed vacation. Page 2 in the **Figures Section** of this packet shows the block's ownership. The petition is signed and included in **Appendix A** of this Vacation application packet.

3. **Community Information:** *The Street Vacation Policies require community notification prior to beginning the vacation review process. List the community or neighborhood organizations and business groups that were provided information about the project, and include contact names, addresses, phone numbers, and e-mail addresses.*

Listed below are the community and neighborhood organizations that have been contacted in order to communicate information regarding the proposed project.

Name/Description	Email	Address	Meeting Date	Outcome
South Lake Union Community Council, Planning & Policy Committee	dfoltz@weberthompson.com	225 Terry Ave N #200, Seattle, 98109	Tuesday, April 17	Supportive
Carl Smith Owner of Antique Liquidators, long time tenant	aliquidators@gmail.com	503 Westlake Ave N, Seattle, 98109	Friday, April 20	Supportive
Jay Harmeyer and Dick Petrait Property Owners, MBI Office Interiors	JayH@MBISeattle.com	507 Westlake Ave N, Seattle, 98109	Friday, April 20	Supportive
Jill Morelli Facilities Dir, UW Medicine	jmorelli@u.washington.edu	815 Mercer St, Seattle 98109	Monday, April 23	Supportive
Monty Holmes Property Owner, Athletic Awards	monty@athleticawards.com	817 Republican St, Seattle, 98109	Tuesday, April 24	Supportive
Cameron Smith Prop. Owner of Tesla/Republic bldg.	cameron@productcreationstudio.com	425 Westlake Ave N, Seattle, 98109	Wednesday, April 25	Supportive
Cascade Community Council	christineandco1@aol.com		Wednesday, May 29	Positive response-

4. **Development Team:** Provide information about the development team, including the architect, engineer, land use attorney, artist, or other team members and include name, address, phone number and e-mail address.

<p><u>Architect:</u> Zimmer Gunsul Frasca Architects LLP 925 Fourth Avenue, Suite 2400 Seattle, WA 98104</p>	<p>Principal: <i>Patrick Gordon</i> 206-521-3417 Patrick.gordon@zgf.com</p> <p>Associate Partner: <i>Bertha Martinez</i> (206) 521-3432 Bertha.martinez@zgf.com</p>
<p><u>Engineer:</u> Coughlin Porter Lundeen 413 Pine Street, Suite 300 Seattle, WA 98101</p>	<p>Principal Civil Engineer: <i>Steve Porter</i> 206-343-0460 stevep@cplinc.com</p> <p>Principal Structural Engineer: <i>Terry Lundeen</i> 206-618-0548 terryl@cplinc.com</p>
<p><u>Transportation Consultant:</u> Heffron Transportation 6544 NE 61st Street Seattle, WA 98115</p>	<p>Principal: <i>Marni Heffron</i> 206-523-3939 marni@hefftrans.com</p> <p>Sr Transportation Engineer: <i>Jennifer Barnes</i> 206.324.3623 jennifer@hefftrans.com</p>
<p><u>Utilities Consultant:</u> Coughlin Porter Lundeen 413 Pine Street, Suite 300 Seattle, WA 98101</p>	<p>Civil Engineer: <i>Steve Porter</i> 206-343-0460 stevep@cplinc.com</p> <p>Civil Engineer: <i>Jeff Peterson</i> 206-343-0460 jeffp@cplinc.com</p>
<p><u>SEPA Consultant:</u> EA/Blumen 720 Sixth Street S., Suite 100 Kirkland, WA 98033</p>	<p>Senior Planner: <i>Terry McCann</i> 425-284-5401 tmccann@eaest.com</p> <p>Senior Planner: <i>Michele Sarlitto</i> 425-284-5401 msarlitto@eaest.com</p>
<p><u>Landscape Architect:</u> Hewitt Architects 101 Stewart Street, Suite 200 Seattle, WA 98101</p>	<p>Principal: <i>Kris Snider</i> 206-834-3850 ksnider@hewittseattle.com</p>

5. **Right of Way Proposed for Vacation:** *Identify the public right-of-way proposed for vacation. Provide a legal description of the right-of-way proposed to be vacated; survey and title work may be required.*

Please refer to the **Figures Section** of this alley vacation petition for the following: a neighborhood map provided for overall orientation (**Figures Section**, Page 5), a vicinity map (**Figures Section**, Page 4), a site survey of the existing conditions on the block (**Figures Section**, Page 2), and a figure illustrating the proposed right-of-way (ROW) to be vacated, as well as ROW being re-dedicated to the City (**Figures Section**, Page 3). **Appendix B** to this Petition Narrative contains a plat map depicting **Block 93**.

The approximately 80,986 sq. ft. **Block 93** site is comprised of lots 1-5 and 8-14 (lots 6 and 7 are not a part of this project). The right-of-way that is proposed for vacation in **Block 93** is located in the northern part of the project site and will be roughly 273 feet long and 16 feet wide (totaling approximately 4,361 sq. ft.). The unvacated portion of the alley located in the southern part of the project site will be approximately 140 feet long and 18 feet wide (totaling roughly 2,240 SF) and will be configured to allow two-way traffic entering and exiting onto Republican Street. The dog-leg heading east onto Westlake Avenue North, which will be dedicated to the City, will be approximately 108 feet long and 20 feet wide (totaling roughly 2,158 SF), and will also accommodate two-way traffic. The legal description of the ROW to be vacated and dedicated, and the parcels that comprise **Block 93** are described as follows:

**EASEMENT DESCRIPTION FOR DOG-LEG FROM ALLEY TO WESTLAKE – BLOCK 93 D.T. DENNY’S
FIRST ADDITION TO NORTH SEATTLE
VULCAN PROJECT “BLOCK 44”**

THE SOUTH 20.00 FEET, AS MEASURED AT RIGHT ANGLES, OF LOT 5, BLOCK 93 OF D.T. DENNY’S FIRST ADDITION TO NORTH SEATTLE AS RECORDED IN VOLUME 1 OF PLATS, PAGE 79, RECORDS OF KING COUNTY, WASHINGTON.

EASEMENT CONTAINS 2,158 SQUARE FEET OR 0.0495 ACRES.

**ALLEY VACATION – BLOCK 93 D.T. DENNY’S
FIRST ADDITION TO NORTH SEATTLE
VULCAN PROJECT “BLOCK 44”**

ALL OF THAT PORTION OF THE ALLEY AS SHOWN IN BLOCK 93 OF D.T. DENNY’S FIRST ADDITION TO NORTH SEATTLE ACCORDING TO THE PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 79, RECORDS OF KING COUNTY, WASHINGTON, LYING NORTH OF A LINE DRAWN 20.00 FEET NORTH OF THE SOUTH LINE OF LOT 10 OF SAID PLAT PROJECTED EAST. VACATED AREA CONTAINS 4,361 SQUARE FEET OR 0.1001 ACRES.

6. **Project Location:** *Provide the project address; the boundaries of the block where the project is located; the neighborhood or area of the City; the Neighborhood Planning Area; the current zoning for the area and any zoning overlays or special review districts.*

Please refer to the **Figures Section**, Pages 2 -5 for the following:

- **Address of Block 93:** 515 Westlake Ave. N and 500 9th Ave. N
- **Streets Bordering Block 93:** Mercer Street on the north, Westlake Ave. N on the east, Republican Street on the south, and Ninth Ave. N on the west.
- **Neighborhood Planning:** Block 93 is located within Seattle's South Lake Union Neighborhood.
- **Zoning:** Block 93 is zoned Seattle Mixed 65 (SM-65) with a base height limit of 65', with provisions within the Land Use code that increase the height limit to 85'.

7. **Reason for the Vacation:** *Describe why the vacation is being sought and list specifically what the vacation contributes to the development of the project. Provide a "no vacation" alternative that describes what could be built on the site without a vacation. Include existing conditions and any constraints, such as the topography that impact the potential development of the site.*

Current Site Conditions and Use

The approximately 80,986-square foot **Block 93** project site is comprised of lots 1-5 and 8-14 (lots 6 and 7 in the southeast corner are not a part of this project) and is bounded by Mercer Street to the north, 9th Avenue N to the west, Republican Street to the south and Westlake Avenue N to the east. Most of the block is used as a 228-space parking lot. There are no trees on the site. An existing 16-foot alley traverses the block north to south. The site slopes nearly 15 feet across its 412 foot length, from a high point of 47' on the southwest corner to a low point of 33' at the northeast corner.

There is a scooter rental facility in a small (916 SF) temporary structure on the lot. In the southeast corner there are three buildings. The northernmost of these is vacant and will be demolished. The southeast corner of the block contains a two-story 6,472-square foot warehouse (503 Westlake Avenue N: Antique Liquidators), and a two-story 1,042 square foot retail building (507 Westlake Avenue N: MBI Seattle, office furniture store), both of which are not included in the proposed project. These two buildings will remain. Please refer to the **Figures Section**, Pages 1, 2 and 6 for additional information.

Site Constraints

Block 93 generally slopes in a northeasterly direction from an average elevation of 47 feet (southwest corner of the site) down to an elevation of 33 feet (northeast corner of the site). There do not appear to be physical constraints.

There are, however, site constraints having to do with SDOT's plans for vehicular and bicycle circulation in the area. They are as follows:

1. Along the north edge of the site is the newly reconfigured Mercer Street. Eliminating the access from the **Block 93** alley onto an unsignalized intersection at Mercer Street reduces congestion and improves safety.
2. Two existing buildings at the SE corner of the site, which will remain on the block, need to continue to have access to the alley.
3. 9th Avenue North, on the western side of the site, has north- and south-bound bicycle lanes and is designed to be a quieter street than Westlake. A curb cut onto this street is to be avoided.
4. The streetcar heads south along the west side of Westlake, along the curb of Block 93. There is a streetcar stop along this block.

To accommodate these constraints, an alley with a right-hand bend, a dog-leg alley, has been designed. It would start at Republican Street and exit onto Westlake Avenue North

Why the Vacation is Requested

If there were no alley vacation, the building along the east side, on 9th Avenue North, would be 412 feet long. The building along the west side, on Westlake Avenue North, would be 290 feet long.

With the alley vacation, there are two buildings breaking up the long north-south façade. The 9th Avenue side has a northern building at 119 feet long and a southern building at 240 feet long. The Westlake Avenue side has a northern building at 119 feet long and a southern building at 120 feet long.

The design, which results from the alley vacation, with one building oriented east-west and the other north-south, creates the opportunity for better urban design and a better experience for the public than the side-by-side configuration of two very long buildings flanking the alley (**Figures Section**, Pages 15 and 16).

Between the two buildings, an east-west courtyard varying from 30 to 50 feet in width would be created (**Figures Section**, Pages 16, 19, 21 and 22-27). The courtyard would invite pedestrians traveling east-west to cut through the block from 9th Avenue North to Westlake Avenue North. Because the connection is separate from the vehicular access to the garage, it offers a safe and inviting pathway to and from the streetcar. Pedestrians and employees in University of Washington School of Medicine buildings in the two blocks to the west will be able to use this connection. The two University of Washington blocks also have existing pedestrian connections in the mid-block, creating a three-block-long east-west pedestrian-oriented link to the Streetcar, from Dexter to Westlake.

What the Vacation Contributes to the Proposed Project (bulleted list)

The project seeks to meet the City's goals for South Lake Union, namely to develop "a vital and eclectic neighborhood...where use of transit, walking, and bicycling is encouraged, and where there...is a lively and inviting street life..."(South Lake Union Urban Center goals, SLU-G1). The alley vacation associated with the proposed project would contribute to the development in the following ways:

- The vacation eliminates vehicular access to Mercer Street, as requested by SDOT, removing a potential impediment to traffic flow;
- The vacation allows the northern building to be oriented east-west while the southern building is oriented north-south, creating a courtyard between 30 and 50 feet wide between the northern and southern buildings; Since the blocks in this part of South Lake Union are over 400 feet long, breaking down the block into two buildings and maintaining a rhythm of similar cross-block connections reinforces a more intimate, pedestrian-oriented scale;
- Building services (loading area and parking entrance) on the east and west half of the block could be shared and co-located;
- More efficient underground parking could be provided;
- The vacation would provide opportunities for enhanced public benefits as discussed in Section 13 (page 16 of this petition application).

Development that Could Occur as No Vacation Alternative

Without the alley vacation, two long, north-south oriented buildings, separated by the existing alley, could be developed under the standards of the SM-65 zone. The 9th Avenue North building could be up to 412 feet long. The buildings could be as tall as 85 feet, if provisions within the Land Use Code to increase the height limit are used, and one of the buildings on the west side could be about 400 feet in length (**Figures Section**, Pages 14 and 16).

The no vacation alternative has an additional 29,000 SF in comparison to the alley vacation alternative. The two buildings that could be built without the alley vacation would function separately and eliminate the ability to create an east-west mid-block connection between Westlake and Ninth Avenue. The separate buildings would also require duplication of building infrastructure, such as loading areas and parking entrances, and would require vehicular access to and from the new Mercer Street corridor. The alley would allow unsignalized right-hand turn movements onto Mercer Street. Such a development would be less attractive and less consistent with City and South Lake Union Neighborhood planning goals than the “vacation” proposal.

8. **Project Description:** *Describe the current conditions on the site and the existing uses. Provide specific project information. This should include a clear description of the project, including: the uses, dimensions, height, stories, parking spaces, etc in sufficient detail to understand how the site will be developed and how the project will function.*

Current Site Conditions and Use

The approximately 80,986-square foot **Block 93** project site is comprised of lots 1-5 and 8-14 (lots 6 and 7 in the southeast corner are not a part of this project) and is bounded by Mercer Street to the north, 9th Avenue N to the west, Republican Street to the south and Westlake Avenue N to the east. Most of the block is used as a 228-space parking lot. There are no trees on the site. An existing 16-foot alley traverses the block north to south. The site slopes nearly 15 feet across its 412 foot length, from a high point of 47’ on the southwest corner to a low point of 33’ at the northeast corner.

There is a scooter rental facility in a small (916 SF) temporary structure on the lot. In the southeast corner there are three buildings. The northernmost of these is vacant and will be demolished. The southeast corner of the block contains a two-story 6,472-square foot warehouse (503 Westlake Avenue N: Antique Liquidators), and a two-story 1,042 square foot retail building (507 Westlake Avenue N: MBI Seattle, office furniture store), both of which are not included in the proposed project. These two buildings will remain. Please refer to the **Figures Section**, Pages 1, 2 and 6 for additional information.

Proposed Project

The proposed project involves development of a 6-story commercial office complex on the site. The proposed development would include a total of approximately 375,000 sq. ft. of office space, roughly 15,000 sq. ft. of street-level retail space, and below-grade parking for approximately 546 vehicles. As noted previously, the proposed project would require demolition of an existing building on-site, removal of existing surface parking, and vacation of the northern portion of the existing mid-block alley.

The development would contain two buildings, a northern rectangular building and a southern L-shaped building with its long edge facing 9th Avenue North. There would be connectors at the third and fourth levels in conditioned space and an exterior, roofless link on level five. A public east-west cross-block connection would be created that is pedestrian friendly and visually accessible. Public open space design would be enhanced by separating the cross-block connection from all vehicular and service traffic (see **Figures Section**, Pages 15 and 20)

9. ***Other Land Use Actions: Provide information about other land use actions, such as a rezone, Major Institution Master Plan, or administrative or Council conditional use, or review from the Landmarks Preservation Board, or any other special review. SDOT will need final recommendations resulting from these reviews when it becomes available.***

The applicant is seeking a Master Use Permit (MUP). An Expanded Environmental Checklist with traffic analysis is being prepared in conjunction with the MUP in coordination with the Seattle Department of Planning and Development (DPD).

10. ***Vacation Policies/Transportation Impacts: Describe the transportation impacts and address both the impacts from the loss of the right-of-way currently and in the future as well as the transportation impacts from the new development. Describe any impacts on the transportation system, which includes impacts to pedestrians, bicycles, transit and vehicles. Describe impacts to the street grid and development pattern in the area and open space value of the street right-of-way; address both current and future impacts. A traffic analysis will be required but you may submit the traffic analysis later in the process with any other required environmental documents.***

Policy 1 – Circulation and Access: Vacations may be approved only if they do not result in negative effects on both the current and future needs for the City's vehicular, bicycle, or pedestrian circulation systems or on access to private property, unless the negative effects can be mitigated.

Guideline 1.1 (F) Alleys

Proposed alley vacations will be considered according to the following guidelines.

1. *The primary purpose of an alley is to provide access to individual properties for loading functions and to provide utility corridors and access to off-street public services such as water, sewer, solid waste and electricity. In addition, alleys may provide other public purposes and benefits including pedestrian and bicycle connections, and commercial and public uses. Alleys should be retained for their primary purposes and other public purposes and benefits. Alley vacations may be provided only when they would not interrupt an established pattern in a vicinity, such as continuity of an alley through a number of blocks or a grid, which is a consistent feature of neighborhood scale. The impacts on future service provision to adjacent properties if utilities are displaced will be reviewed.*

3. **Commercial Zones.** *In general, alleys in commercial zones will be preserved. Such alleys may be considered for vacation only when:*

a) *their loading, service, and delivery, and access to parking functions will be retained on the petitioner's property; and*

b) *the number of curb cuts along commercial frontage is not likely to be increased as a result of the proposed vacation.*

Guideline 1.2 Traffic Code Compliance

Proposed vacations, which would encourage violation of the traffic code will not be approved. An example is a vacation eliminating one exit to an alley, requiring vehicles to back from the alley on to a street.

Guideline 1.3 Cumulative Effects to be Assessed

When several vacations are proposed for a particular area of the City, such as within the boundaries of a major institution, a comprehensive review will be undertaken to determine the cumulative effects of the vacations on circulation and access.

Guideline 1.5 Circulation/Access Conditions on Vacations

The City Council may impose conditions on vacations to mitigate negative effects of the vacation on vehicular, pedestrian, and bicycle travel.

Guideline 1.6 Vehicular and Pedestrian Access by Agreements with Property Owners

A. Vehicular Access

Vehicular traffic functions will not be provided by agreement across private property. When the traffic functions of a street are necessary to the operation of the circulation system, the street will be retained as a dedicated right-of-way.

B. Pedestrian Access

Pedestrian circulation functions may be provided by an agreement which provides for public access across private property only when a major public benefit is provided by such an arrangement.

DISCUSSION: *The portion of the existing **Block 93** alley that is proposed for vacation would be replaced by a midblock east-west section, and the alley would be in the shape of a dog-leg. It would connect Republican Street to Westlake Avenue N instead of Mercer*

Street. The alley would serve the functions of providing vehicular access to parking for the **Block 93** development, and accommodate vehicle delivery and loading activities. Since two alley access points would be maintained with the reconfigured alley, no backing would be required for vehicles to enter or exit the reconfigured alley (**Figures Section**, Page 18).

The **Block 93** alley is the northernmost portion of a 4-block alley that is located between Mercer Street and John Street. The proposed reconfiguration would not interrupt the continuity of the alley, but would result in a bend in the northernmost portion so that it terminates at Westlake Avenue N, about one-half block south of Mercer Street, instead of terminating directly at Mercer Street. The alley vacation would eliminate the existing unsignalized intersection of the **Block 93** alley with Mercer Street. With the Mercer Corridor Improvement Project complete, Mercer Street will consist of a two-way, seven-lane section with high traffic volumes; elimination of this unsignalized alley intersection with Mercer Street would remove a potential vehicle conflict point and is considered a safety improvement.

The pedestrian circulation system in the area is served by a complete sidewalk network located along the streets. Bicycle circulation is served on area streets through a combination of marked bicycle lanes and sharrows, and signed as well as unsigned bicycle routes. City designated bicycle routes adjacent to the site include Mercer Street, 9th Avenue N and Westlake Avenue. The existing alley does not serve as an integral part of the surrounding pedestrian or bicycle circulation systems. However, with the proposed reconfigured alley, a thru-block pedestrian connection would be created between Westlake Avenue N and 9th Avenue N. This east-west thru-block connection continues on and beyond the adjacent blocks. When **Block 93** is complete, it would extend from Westlake Avenue on the east to Dexter Avenue on the west.

The proposed project would eliminate existing parking lot driveways on all four sides of the **Block 93** site and provide vehicle access to on-site parking only at the reconfigured alley. Consolidating site access at the reconfigured alley would reduce the number of potential conflict points between entering/exiting vehicles and vehicles, bicyclists and pedestrians traveling on the roadways and sidewalks adjacent to the site.

The proposed alley vacation would result in safety and circulation benefits, and would not negatively affect current or future needs for the City's vehicular, bicycle, or pedestrian circulation systems. The proposed alley vacation would be accompanied by a reconfiguration that would result in a dog-leg alley between Republican Street and Westlake Avenue N. The alley's primary function of providing on-site access, delivery and loading functions would be retained. The reconfigured alley would not interrupt the continuity of the alley system in the area for vehicles, and would allow the completion of an east-west thru-block connection for pedestrians. The project would result in a reduced number of curb cuts along the commercial frontage. Therefore, the proposed alley vacation meets the intent of the City's policy.

- 11. Vacation Policies/Utility Impacts: *During the City review of the proposed vacation, the Petitioner should work with the utilities that may be impacted by the vacation and develop a utility mitigation plan to address, in detail, how utilities impacts will be addressed. This plan must be completed before the petition proceeds to City Council review.***

Policy 2 – Utilities: *Rights-of-way which contain or are needed for future utility lines or facilities maybe vacated only when the utility can be adequately protected with an*

easement, relocation, fee ownership or similar agreement satisfactory to the utility owner.

Public rights-of-way provide utilities with corridors for the efficient transportation and delivery of utility services to the public in the least costly manner possible. Utilities generally assess vacation petitions from an operational perspective in order to ensure that a vacation will not impair current service reliability and capacity levels nor limit the ability to expand services in the future. The growth of telecom utilities above and below ground, increased urban densities, and demand for undergrounding of utility facilities all place pressure on the value of public rights-of-way, particularly alleys, for future utility needs.

Guideline 2.1 Review of Petitions by Affected Utilities

Utilities will be given an opportunity to review the proposed vacation, to identify its existing and future interests in the right-of-way and to indicate what actions would be necessary to protect its interests. The Petitioner is responsible for working with the various utilities to identify and address the utility issues. The Petitioner bears the costs of addressing the utility issues relating to the vacation and shall ensure that the utility is in a similar position as prior to the vacation without a detriment to current or future utility services. Enhancement of utility services at the Petitioner's expense shall not be required.

Guideline 2.2 Utility Conditions on Vacations

The City Council may impose conditions on vacations to assure continued service to the public in the most efficient, least costly manner possible.

Guideline 2.3 Utility Easement Provisions/Property Owners Risk and Responsibility

A. Easement agreements should clearly state the rights and responsibilities of each party.

B. Utilities may prohibit construction of buildings, structures, grading and filling, and other uses over or under their easements where such activities would inhibit operation of or prevent access to the utility facilities for maintenance and repair, or would cause extra cost or liability to the utility, or would affect the safety and integrity of those facilities.

C. Any costs for the repair of damages to the improvements placed on or over the utility easement by the property owner due to the utility maintenance repair or installation will be the express responsibility of the property owner.

DISCUSSION: Three utilities currently have infrastructure within the portion of the alley proposed to be vacated on **Block 93** -- Seattle City Light, Century Link, and Seattle Department of Transportation. Of these, only a Seattle City Light overhead electrical system would be affected by the alley vacation. This utility provider has been consulted and has provided conceptual approval to re-route this system underground. To date, preliminary engineering plans have been provided to the Seattle Department of Transportation and Seattle City Light, the utility permitting process has been initiated with the City, and bi-weekly meetings to coordinate a design and construction schedule are occurring. All utilities

and planned easements for future utilities located within vacated rights-of-way would be adequately protected by easements, relocation, or agreement(s) satisfactory to the utility owner.

As well, a private side sewer from lot 12 through to lots 2 and 3 discharges to the existing combined sewer main in Westlake. This side sewer will be removed as part of the development and will no longer be required.

See **Appendix C** of this Petition Narrative for further information on consultation that has occurred to-date, as well as conceptual drawings depicting existing and proposed utility locations. As project design evolves, additional information will be provided and details will be added to the mitigation plans.

- 12. Vacation Policies/Land Use Impacts: Address the land use impacts; specifically address the increase in development potential attributable to the vacation. Provide specific information on the difference in the development of the site with or without a vacation. Address issues such as scale, building orientation, and access to the site that may be impacted by the vacation. Address neighborhood character and design issues and describe how your project fits into the specific neighborhood in which it is located. Discuss applicable Comprehensive Plan goals and other City and neighborhood land use and planning goals for the area.**

POLICY 4 –Land Use: A proposed vacation may be approved only when the increase in development potential that is attributable to the vacation would be consistent with the land use policies adopted by the City Council. The criteria considered for making individual vacation decisions will vary with the land use policies and regulations for the area in which the right-of-way is located. The City Council may place conditions on a vacation to mitigate negative land use effects.

Vacations can affect the land use and development patterns in an area by adding to the developable land base, altering the local pattern of land division, and increasing the development potential on the vacated and abutting properties. These changes may allow development that is inconsistent with adopted land use policies and have a negative effect on the area of the proposed vacation and other rights-of-way. The Petitioner shall provide the City with information about the expected completed density of the project and the development potential of the property without a vacation. Such information should be provided as both the percentage increase in the development potential and the additional square footage added to the project. The Petitioner shall also provide the City with information as to how the project advances City planning goals and meets the zoning criteria in the area where the project is located. It is the obligation of the Petitioner to provide a justification for the vacation and to provide information on whether there are feasible alternatives that do not require a vacation.

Guideline 4.6 Zone Specific Review

Adopted City Land Use Policies to be used

In addition to the general street vacation policies and guidelines contained in this document, the adopted City land use policies for the zone in which a vacation is located, will be used to determine whether or not the land use effects of each vacation are in the public interest. These include policies such as the Comprehensive Plan, particularly its

land use, urban village, transportation and neighborhood elements. Vacations will be reviewed according to Land Use Policies as now constituted or hereafter amended.

Area Specific Guidelines

Guidelines related to various land use areas are stated below. They are provided in order to highlight special concerns related to each area. They shall be used to supplement the general provisions and guidelines of the Seattle Vacation Policies and other land use policies for protection of the public interest.

D. Commercial Areas

In general, streets and alleys in commercial areas will be preserved in order to aid in the movement of goods and people, unless it can be demonstrated that the vacation meets another important public purpose without jeopardizing the functioning of the commercial area and its compatibility with surrounding areas. Such petitions shall be reviewed according to the provisions of the Comprehensive Plan, particularly its land use, urban village, and transportation elements.

Access to off-street loading and parking areas and the continuity of street fronts, particularly in areas with pedestrian activity will be preserved.

DISCUSSION: The proposed project is located within one of the City of Seattle's six designated Urban Centers – the South Lake Union Urban Center. The applicant represents one of the largest property holders in the South Lake Union Neighborhood, with its existing presence providing a vital and active urban employment environment. This project would be consistent with and a continuation of the emerging higher-density development in the South Lake Union neighborhood.

Block 93 is zoned Seattle Mixed 65 (SM-65), which allows buildings with a maximum height of 65 feet, although buildings could be as tall as 85 feet, if provisions within the Land Use Code to increase the height limit are used (**Figures Section**, Page 5).

The proposed project would be a mixed-use development that is consistent with the City's Land Use Code. The proposed development on ***Block 93*** would consist of a 6-story, 85 ft. tall building. The uses that are proposed (office, retail and structured parking) would be consistent with land uses that are allowed in the SM-65 zone.

The alley vacation that is proposed within ***Block 93*** is requested to comply with the Seattle Department of Transportation's preference that development of this block be designed to avoid vehicular access from the alley onto Mercer Street. Reducing local access onto Mercer would improve the street's capacity by removing impediments from smooth traffic flow. Eliminating access from the ***Block 93*** alley onto Mercer Street would reduce traffic congestion and improve safety.

Increase in Development Potential

The proposed vacation of the alley on ***Block 93*** is not being requested to increase the development potential of the site or of the overall project. Rather, the alley vacation is intended to eliminate vehicular access onto Mercer Street; to develop a more attractive site;

to allow flexibility in building placement, orientation, and design; and to increase flexibility in the design of the below-grade parking. The alley vacation will also provide an improved design over the side-by-side buildings flanking the alley and will provide additional flexibility in the amount, design, and type of public amenities and open space that could be provided on the site.

The increase in development potential attributable to the partial vacation is offset by provision of the public courtyard and the dedication of land required to form an "L"-shaped alley exiting to Westlake Avenue rather than Mercer Street. Net development potential for the site will **decrease** by approximately 29,000 sq. ft. (**Figures Section**, Page 17).

Scale, Building Orientation and Access to the Site

The site is currently developed with one-story commercial buildings and surface parking areas. The block is approximately 413' long and 245' wide. The buildings would be six stories high, consistent with SM-65' zoning, in contrast to the one-two story existing buildings nearby.

The vacation allows the introduction of a distinctive difference in building form and pattern similar to several newer buildings in the area whose north-south orientation is reinforced by very long (360-400 foot long) blocks. The proposed project would continue the east-west pedestrian connection from the block to the west, which would represent the third contiguous cross-block connection in the area, extending a pedestrian-oriented link from Dexter Avenue North to Westlake Avenue North (**Figures Section**, Pages 15, 16 and 19-21).

The design, which results from the alley vacation, creates the opportunity for better urban design and a better experience for the public than the side-by-side configuration of two very long buildings flanking the alley. There would two buildings breaking up the long north-south façade. The 9th Avenue side has a northern building at 119 feet long and a southern building at 240 feet long. The Westlake Avenue side has a northern building at 119 feet long and a southern building at 120 feet long.

Between the two buildings, an east-west courtyard varying from 30 to 50 feet in width would be created. The courtyard would invite pedestrians traveling east-west to cut through the block from 9th Avenue North to Westlake Avenue North. Because the connection is separate from the vehicular access to the garage, it offers a safe and inviting pathway to and from the streetcar.

Without the alley vacation, two long, north-south oriented buildings, separated by the existing alley, could be developed under the standards of the SM-65 zone. These buildings could be as tall as 85 feet, if provisions within the Land Use Code to increase the height limit are used. The building along the east side, on 9th Avenue North, would be 412 feet long. The building along the west side, on Westlake Avenue North, would be 290 feet long.

The two buildings that could be built without the alley vacation would function separately and eliminate the ability to create an east-west mid-block connection between Westlake and Ninth Avenue. The separate buildings would also require duplication of building infrastructure, such as loading areas and parking entrances, and would require vehicular access to and from the new Mercer Street corridor. The No Alley Vacation scenario would

provide only limited opportunities for street-level amenities and public open space and no public benefits associated with the proposed alley vacation would be provided. Such a development would be less attractive and less consistent with City and South Lake Union Neighborhood planning goals than the "vacation" proposal.

Neighborhood Character and Design

The character of the South Lake Union neighborhood varies widely due to substantial growth and changes in building types and uses in recent decades. The variety of building types demonstrates the changing nature of the neighborhood, which was predominantly light industrial and commercial in nature for most of the twentieth century with residential uses in several areas. The largest residential area is the Cascade subarea, which is located to the southeast of **Block 93**. The Industrial Commercial (IC) and later Seattle Mixed (SM) zoning has accommodated a wide variety of commercial and light industrial uses, as well as continued multi-family residential development. Numerous underdeveloped and vacant parcels have buffered land uses from each other and kept the population density (day and night) at relatively low levels. This pattern began to change after the Seattle Commons initiative in the 1990s, when development attention turned toward this neighborhood.

Ongoing development in the immediate project area is contributing to a transition from past industrial and warehouse uses to more commercial office-oriented and biotech/research uses mixed with retail and residential uses (**Figures Section**, Pages 4-6). This change is consistent with the City's Urban Center planning designation in this area, and the *Proposed Action* would continue the trend toward commercial development in the South Lake Union area.

The overall project is consistent with the vision for the neighborhood that is articulated in the *South Lake Union Neighborhood Plan*, and would be reflective of ongoing development trends that have been occurring. The alley vacation in conjunction with the land dedication that is proposed as part of the proposed project is integral to the overall development concept in that it would allow improved access and circulation, and an enhanced pedestrian experience at the street level.

Comprehensive Plan and other City and Neighborhood Land Use and Planning Goals

See Sections 20 and 21 below, for a discussion of applicable Comprehensive Plan and Other City and neighborhood land use and planning goals for the area.

- 13. Vacation Policies/Public Benefit: *Provide a discussion of the public benefit proposal including how the public benefit proposal serves the general public. Include an itemized list that provides a detailed description of each element of the proposed public benefit. Benefits must be long term and must serve the general public not merely the users of the development. The public benefit must be benefits that are not required by the land use code or other regulations and for which no other development credit is sought.***

Policy 5 – Public Benefit.

A. A vacation petition shall include a public benefit proposal. The concept of providing a public benefit is derived from the nature of street right-of-way. Right-of-way is dedicated for use by the general public in perpetuity whether or not a public purpose can be currently

identified. The City acts as a trustee for the public in its administration of rights-of-way. Case law requires that in each vacation there must be an element of public use or benefit, and a vacation cannot be granted solely for a private use or benefit. Therefore, before this public asset can be vacated to a private party, there must be a benefit that accrues to the general public.

B. Proposed vacations may be approved only when they provide a long-term public benefit. Vacations will not be approved to achieve short-term public benefits or for the sole benefit of individuals. The following do not constitute a public benefit: Mitigation of the adverse effects of a vacation; Meeting code requirements for development; Paying the required vacation fee; Facilitating economic activity; or Providing a public, governmental or educational service; while the nature of the project is a factor in determining the adequacy of a public benefit proposal, it does not in and of itself constitute an adequate public benefit.

Guideline 5.1 Public Benefits Identified

Public benefits may include, but are not limited to:

A. On-site Public Benefits: on-site benefits are favored as the provision of the public benefit can also act to offset any increase in scale from the development. On-site public benefits may include:

- Publicly accessible plazas or other green spaces, including public stairways;
- Streetscape enhancements beyond that required by codes such as widened sidewalks, additional street trees or landscaping, street furniture, pedestrian lighting, wayfinding, art, or fountains;
- Pedestrian or bicycle trails;
- Enhancement of the pedestrian or bicycle environment;
- View easement or corridors; or
- Preservation of landmark buildings or other community resources.

B. Off-site Public Benefits: where it is not practicable to provide the public benefit or more than a portion of the public benefit on the development site, the public benefit may be provided off-site. This may include:

- Pedestrian or bicycle trails or public stairways;
- Enhancement of the pedestrian or bicycle environment;
- Enhancement of existing public open space such as providing playground equipment in a City park;
- Improvements to designated Green Streets;
- Funding an element from an adopted Neighborhood Plan;
- Providing wayfinding signage; or
- Providing public art.

DISCUSSION: Consistent with City of Seattle criteria for the approval of alley vacations, a broad range of improvements are intended to provide long term public benefits. The public benefits associated with the vacation for **Block 93** focus on public enhancements on the site to improve the overall project in a manner consistent with goals identified in the South Lake Union Neighborhood Plan and the South Lake Union/Uptown Triangle Mobility Plan, and to enable improved pedestrian, bicycle and vehicular circulation.

There are two categories of public benefit envisioned with this alley vacation proposal. The first is to create a public, landscaped, east-west connection for pedestrians and cyclists to move through the block from Ninth Avenue North to Westlake Avenue North. The second is related to improving mobility, particularly walking and bicycling. The attached chart summarizes the public benefits.

Priority Emphasis	Courtyard Connection to Streetcar	Sidewalk Improvements, Westlake Avenue North	Sidewalk Improvements, 9th Avenue North
Transit Oriented Development	<p>Pull back the building facades to create open space zones on both Westlake and 9th Avenue North approximately 50 feet wide</p> <p>Entice people to walk or cycle to transit by creating an inviting pedestrian environment through the ADA-accessible cross-block connection. This would be the third east-west cross-block walkway, forming a continuous connection from Dexter to Westlake and the streetcar</p> <p>Incorporate the streetcar stop into the building design.</p> <p>Locate the interactive Commuter Information Center kiosk so it is available both to building employees and users outside the building</p> <p>Commit to providing up to 400 SF for the future Bikeshare facility along 9th Avenue North</p>	<p>Provide seating and weather protection to accommodate transit patrons waiting for the streetcar</p>	<p>Underground overhead utilities on 9th Avenue North</p> <p>Provide for seating, landscape</p> <p>Provide a bicycle repair station. The repair station will give cyclists convenient access to tools that keep bicycles on the go</p>

Priority Emphasis	Courtyard Connection to Streetcar	Sidewalk Improvements, Westlake Avenue North	Sidewalk Improvements, 9 th Avenue North
Pedestrian Amenities in Midblock Connection	<p>Provide food-oriented retail</p> <p>Provide overhead weather protection</p> <p>Provide an inviting, safe place for people to gather by incorporating "Crime Prevention through Environmental Design" (CPTED)</p> <p>Provide fixed benches and well as moveable tables and chairs</p> <p>Provide amenities to activate this area. Examples are: Passive reading space Newsstand with international magazines like the one in the Market</p>		
Sustainable Initiatives	<p>Target LEED Gold</p> <p>Orient northern building in an E-W orientation for better solar access</p> <p>Use native landscaping</p>		
Other	<p>Provide diversity in building form, better solar exposure and a better architecture than the non-vacation alternative</p> <p>Eliminate automobile access to Mercer Street to improve Mercer traffic flow</p>		

Creating a Cross-Block Connection/Courtyard

The east-west courtyard will be developed as a public space, open 24/7 (**Figures Section**, Pages 19-27). The courtyard will be inviting to the public, animated by inviting retail spaces, and accessible for active and passive uses. Direct visual access through the courtyard from one street to the other will make the environment feel safe and comfortable.

Building facades are pulled back to create courtyard openings approximately 50 feet wide. The portals into this public space are defined by eroding building edges and integrating the retail and lobby entrances with permeable walls in a manner that blurs the line between the public and private realm and creates a visual expansion of the public realm beyond the courtyard itself.

Planned are three separate but linked courtyard spaces defined by landscaping that create a varying sense of place as well as mediating the grade differential. The overhead links connect the north and south portions of the building and provide overhead weather protection and, in combination with the at-grade courtyard spaces, break down the scale of the mid-block connector by providing an orderly cadence to the space. In addition to creating the feel of an exterior great room, the overhead weather protection will encourage year-round use of the space.

From 9th Avenue to Westlake, the pathway will accommodate a drop in vertical grade of about 9 feet. The courtyard will achieve the change in grade with a cascade of terraces which will provide a variety of spaces and acknowledge the slope with a meandering, ADA-accessible pathway. The landscape will be particularly verdant at the center and terminate at either end with a strong landscape stroke to signal this new portal through the block. Pedestrian amenities such as lighting and fixed and movable seating will add human scale and entice pedestrians to enter and explore. Food carts and/or “market-like” vending opportunities to animate the courtyard are under consideration.

Encouraging Transit Use

Creation of the courtyard/cross-block connection realizes several of the goals of the South Lake Union/Uptown Triangle Mobility Plan published May, 2011. Recommendations in the plan enhance walking, biking and transit usage in the South Lake Union/Uptown Triangle.

“Connect Communities” is one of the 7 key mobility themes in the Mobility Plan. This will be the third contiguous cross-block connection, extending a pedestrian connection from Dexter Avenue North to Westlake Avenue North, making it easier to reach the South Lake Union Streetcar. The two blocks to the west of *Block 93* have existing cross-block connections, creating an inviting and safe three-block pedestrian link to the Streetcar.

“Encourage Walking” is another mobility theme in the Plan. The east-west courtyard, which varies in width from 30 to 50 feet, is separated from vehicular access to the garage. The courtyard will be at its widest at the entry points, reinforcing the public invitation into the space. The courtyard will be open 24 hours a day and will offer an inviting space for the public and employees to stop and linger.

An interactive Commuter Information Center Kiosk will be sited in the courtyard or projected onto a retail or lobby window where it will be handicap-accessible and available for use by the public and employees alike. The kiosk will assist in planning trips combining transit, walking and biking in a single itinerary.

Importantly, the new cross-block connection aligns with the South Lake Union streetcar stop on Westlake, providing an opportunity to create a direct link to 9th Avenue and provide additional connectivity through the neighborhood. The streetcar stop weather protection, information kiosk and other system amenities may be incorporated into the mid-block building entrance..

Providing Bicycle Enhancements on 9th Avenue North and the Courtyard

“Support Biking” is a theme in the Mobility Plan. A bicycle repair station will be installed in or near the courtyard. <http://www.dero.com/products/fixit/>. The repair station features an air pump and essential bike tools like tire irons, screwdrivers and a hex wrench set. The repair station will give cyclists convenient access to tools that keep bicycles on the go.

Vulcan Real Estate submitted a 5/11/12 letter in support of an SDOT and King County Metro grant application to the Puget Sound Regional Council for a bike share program launch, committing to providing up to 400 SF of space in this development to site a bike share facility.

Provide support for additional measures to improve 9th Avenue for bicycle safety, for example a bike box at the intersection of 9th Avenue and Mercer Street. There is a right-hand turn pocket for vehicles turning from 9th Avenue North to Mercer Street. A bike box at the north end of the intersection would provide refuge for cyclists from vehicular right-hand turning movements.

Provide pedestrian- and bike-level lighting, in addition to standard lighting, along 9th Avenue North. Such lighting, to improve safety and make the area inviting for cyclists and pedestrians, is identified in the Mobility Plan.

14. Public Benefit Matrix: A number of factors will be considered in balancing your public benefit proposal with the public interest, provide a matrix that includes:

- *Zoning designation: i.e. commercial, industrial, residential*
- *Street classification: i.e. arterial, alley, residential*
- *Assessed value of adjacent property: per square foot*
- *Lease rates in the general vicinity for similar projects: per square foot*
- *Size of project: in square feet*
- *Size of area to be vacated: in square feet; and*
- *Contribution of vacated area to the development potential of the site: percentage increase of the project and additional square feet.*

DISCUSSION: The proposed public benefit matrix is contained in **Appendix D.**

- 15. Site Maps:** *A copy of the plat map is required. Provide maps of the block(s) containing the project site that show all dimensions of the property and the development, and include total square footage. Provide the current ownership of each lot on the subject block.*

A copy of the plat map is provided in **Appendix C**. A project site map with dimensions and current ownership is also included in the **Figures Section** on pages 2 and 10.

- 16. Project Maps:** *Provide maps and sketches of the project design; include plot plans, elevations, project sketches or conceptual drawings.*

Project maps including sketches of the proposed project design are included in the **Figures Section** on Pages 15-21.

- 17. 9-block Urban Design Analysis:** *Provide maps of the 9-block area to show the urban design context of the proposed project. Include current development showing current uses and development patterns, zoning of the area, the street grid and traffic patterns, and public uses.*

A 9-block urban design analysis is included in the **Figures Section** on Pages 5-13.

- 18. Impact on Public Transportation Projects:** *If your project site is in the vicinity of a major transportation project such as Sound Transit, provide information about how your project responds to the public project.*

The proposed project would increase employment in a location with direct access to the South Lake Union Streetcar and major bus routes. The Streetcar provides direct connections to downtown bus routes and Sound Transit Light Rail. The reconfigured alley would intersect Westlake Avenue N along the southbound line of the Streetcar, but would be located away from the station. The project would improve the street frontage adjacent to the streetcar station. Elimination of an existing parking lot driveway may allow the station platform to be lengthened so that cars do not extend into Mercer Street when stopped at the station. See the **Figures Section**, Page 6 for the location of **Block 93** in relation to major transit routes and stops.

- 19. Environmental Impact Statement (EIS):** *If DPD determines that an EIS is required, the Petition may not proceed to City Council until this work is completed. DPD will require that the EIS contain a “No Vacation” alternative. Provide a copy of the Draft and Final EIS with vacation/no vacation alternatives, or an environmental checklist, if applicable.*

An Expanded Environmental Checklist will be prepared for the proposed project in order to provide additional, site-specific analysis and information concerning **Block 93**. The Environmental Checklist will identify and evaluate environmental impacts that could result from the *Proposed Action* and identify measures to mitigate those impacts. A copy of the environmental checklist will be provided to SDOT when completed. An EIS is not anticipated to be required for this project.

20. **Neighborhood Plan:** *If your project is located within the boundaries of an adopted neighborhood plan, demonstrate how your project advances the goals of the plan. Provide a map of the neighborhood planning area.*

The **Block 93** site is located within the South Lake Union Urban Center Neighborhood; see the **Figures Section**, Page 5 for a map of this neighborhood planning area. More specifically, the west half of the site is located within the neighborhood's Denny subarea and the east half of the site within the Westlake subarea.

See discussion of South Lake Union Urban Center Goals and Policies in the comprehensive Plan section below.

21. **Comprehensive Plan and Other City Plans and Goals:** *Provide information as to how your project advances City goals as identified in the Comprehensive Plan and any other relevant plans.*

City of Seattle Comprehensive Plan

*The City of Seattle's Comprehensive Plan – Toward a Sustainable Seattle, was originally adopted in 1994, amended each year, and substantially updated in 2005. The City's updated Comprehensive Plan consists of eleven major elements – urban village, land use, transportation, housing, capital facilities, utilities, economic development, neighborhood, human development, cultural resources and environment. Each element contains goals and policies that are intended to "guide the development of the City in the context of regional growth management" for the next 20 years. The **Block 93** project site is part of the South Lake Union Urban Center.*

Urban Village Element

Summary: *The Urban Village Element establishes the City's urban village strategy for growth, by guiding the designation of urban centers, urban villages, and manufacturing industrial centers (all of which are broadly referred to as "urban villages"), and by defining the priorities for land use in these areas. General goals and policies for urban villages call for: promoting densities, mixes of uses, and transportation improvements that support walking use of public transportation, and other transportation demand management (TDM) strategies, especially within urban centers and urban villages (UVG4); directing the greatest share of future development to centers and urban villages, and reducing the potential for dispersed growth not conducive to walking, transit use, and cohesive community development (UVG5); accommodating planned levels of household and employment growth (UVG6); Accommodating a range of employment activity to ensure employment opportunities are available for the city's diverse residential population, including maintaining (UVG7); using limited land resources more efficiently and pursuing a development pattern that is more economically sound by encouraging infill development on vacant and underutilized sites, particularly within urban villages (UVG9); and, promoting physical environments of the highest quality, which emphasize the special identity of each of the City's neighborhoods, particularly within urban centers and villages (UVG13). The Urban Village element designates the **Block 93** site as an Urban Center (UV15 and UV16) with a functional designation of "mixed residential and employment" (UV17). The 20-year growth estimates (2004-2024) for the South Lake Union Urban Center are identified as 16,000 new jobs and 8,000 new households (Urban Villages Appendix A to the Comprehensive Plan).*

Relevant goals and policies guiding the distribution of growth call for: concentrating a greater share of employment growth in locations convenient to the City's residential population to promote walking and transit use and reduce the length of work trips (UVG31); planning for urban centers to receive the most substantial share of Seattle's growth, consistent with their role in shaping the regional growth pattern (UVG32); and, encouraging growth in Seattle between 2004-2024, to be generally distributed across the City (UVG33).

DISCUSSION: The proposed project is located within one of the City of Seattle's six designated Urban Centers – the South Lake Union Urban Center. The applicant represents one of the largest property holders in the South Lake Union Neighborhood, with its existing presence providing a vital and active urban employment environment. This project would be consistent with and a continuation of the emerging higher-density development in the South Lake Union neighborhood.

The proposed vacation would promote increased mixed-use density (office and retail) on a site that is currently mostly surface parking. Consistent with the goals and policies identified for Urban Centers, **Block 93** would provide a mix of employment-generating uses onsite in a compact, mixed use pattern. The range of potential employment uses would contribute to providing jobs for the City's diverse residential population. The project would also concentrate employment growth in a location with direct access to the Seattle Streetcar network, major bus routes, and Sound Transit Light Rail, as well as convenient access to residential areas in nearby neighborhoods, such as Queen Anne and Belltown.

The potential vacation on **Block 93** would enable redevelopment of a site that is currently underutilized in terms of density, consistent with the goal to use limited land resources in Urban Centers more efficiently, and would contribute towards meeting or exceeding established employment growth targets identified in the Comprehensive Plan for the South Lake Union Urban Center. The proposed development associated with the potential vacation on **Block 93** would consume less land than would lower density development and could be viewed as being more efficient from a land use perspective. The proposed development would also be consistent with the type and scale of surrounding land uses within the South Lake Union Urban Center.

Land Use Element

Summary: *The Land Use Element defines land use city-wide and in specific use categories. In the City of Seattle Comprehensive Plan, the GMA requirement for a Land Use Element is fulfilled by both this element and the Urban Village Element (described above), which further defines land use policies to implement the City's urban village strategy. This element also provides a framework for land use regulations contained in the City's Land Use Code (Seattle Municipal Code Title 23). Relevant land use goals and policies that apply city-wide call for: providing for a development pattern consistent with the urban village strategy by designating areas within the City where various types of land use activities, building forms, and intensities of development are appropriate (LG1); Relevant goals and policies that apply to Mixed-Use Commercial Areas call for: creating strong and successful commercial and mixed-use areas that encourage business creation, expansion and vitality by allowing for a mix of business activities, while maintaining compatibility with the neighborhood-serving character of business districts, and the character of surrounding areas (LUG17); Supporting the development and maintenance of areas with a wide range of characters and functions that provide for the employment, service, retail and housing needs of Seattle's existing and future population (LUG18); Prioritize the preservation, improvement*

and expansion of existing commercial areas over the creation of new business districts (LU103); Consistent with the urban village strategy, prefer the development of compact, concentrated commercial areas, or nodes, in which many businesses can be easily accessed by pedestrians (LU104); Encouraging diverse uses that contribute to the city's total employment base and provide the goods and services needed by the city's residents and businesses to locate and remain in the city's commercial areas (LUG20); Providing for a wide range of uses in commercial areas. Allowing, prohibiting or allowing under specified conditions uses according to the intended pedestrian, automobile or residential orientation of the area (LU108); Discouraging establishment or expansion of uses identified as heavy traffic generators. Review proposals for such uses in order to control traffic impacts associated with such uses and ensure that the use is compatible with the character of the commercial area and its surroundings (LU110); Seeking to focus development in transit and pedestrian-friendly urban villages while maintaining compatibility between new development and the surrounding area through standards regulating the size and density of development (LU116); Managing the bulk of structures in commercial areas to maintain compatibility with the scale and character of commercial areas and their surroundings, to limit the impact on views, and to provide light, air, and open space amenities for occupants (LU119); Seeking to limit impacts on pedestrian and traffic circulation and on surrounding areas when locating access to off-street parking. Generally encouraging alley access to off-street parking, except when an alley is used for loading (LU127);

DISCUSSION: The Future Land Use Map in the Seattle Comprehensive Plan identifies the **Block 93** site as a Commercial/Mixed-Use Area. Urban Centers are intended to provide mixed-use neighborhoods with nearby access to housing, jobs, and transportation. The proposed project involves the establishment of new office, retail and structured parking uses. The redevelopment concept proposed would be consistent with the current Urban Center/Urban Village land use designation, and would be consistent with promoting increased density and a broader mix of activities in the South Lake Union Neighborhood.

The potential vacation would enable the establishment of a dynamic, coherent ensemble of buildings, integrating public open space, pedestrian amenities, and retail uses at the street level, as well as public open space. The project would increase employment density within the South Lake Union Urban Center, which would help to create an urban mixed-use area in close proximity to services, employment, and transit facilities. The building's employees and activation of the streetscape with retail/restaurant uses and open space would substantially increase pedestrian activity in this portion of the South Lake Union Neighborhood. Additional pedestrian activity would result in greater transit ridership, due to the site's proximity to numerous bus routes, the South Lake Union Streetcar, and Sound Transit's Link Light Rail Westlake Station. This result is consistent with the Comprehensive Plan's land use goals of fostering development that continues to promote the economic vitality of the South Lake Union Neighborhood, generates significant increases in pedestrian activity and transit ridership, and promoting the greatest intensity of development.

City of Seattle Neighborhood Plans

Summary: *The City of Seattle Comprehensive Plan established guidelines for neighborhoods to develop their own plans to allow growth in ways that provide for a neighborhood's unique character needs and livability. The proposed **South Lake Union Block 44 Project** is located within the South Lake Union Neighborhood (please refer to the **Figures Section** on Page 5 for a neighborhood map). A discussion of relevant goals and policies from this neighborhood plan is provided below.*

Goal SLU-G1 -- A vital and eclectic neighborhood where people both live and work, where use of transit, walking and bicycling is encouraged, and where there are a range of housing choices, diverse businesses, arts, a lively and inviting street life and amenities to support and attract residents, employees and visitors.

Goal SLU-G2 -- A neighborhood that recognizes its history as a maritime and industrial community and embraces its future as a growing urban center that provides for a wide range of uses.

Goal SLU-G3 -- A neighborhood that serves as a regional center for innovative organizations and that supports a diverse and vibrant job base.

Policy SLU-P1 – Encourage the co-location of retail, community, arts and other pedestrian-oriented activities in key pedestrian nodes and corridors.

Policy SLU-P2 – Promote diversity of building styles and support the diverse characters of neighborhood sub-areas.

Policy SLU-P3 – Encourage public and private developers to consider existing neighborhood character when designing projects adjacent to parks and historical sites.

Policy SLU-P5 – Encourage designs of public spaces and private buildings that can accommodate the needs of people across a range of ages and abilities, allowing residents to age in place.

Policy SLU-P9 – Support the growth of innovative industries in South Lake Union including biotechnology, information technology, environmental services and technology, and sustainable building

Goal SLU-G6 – A livable, walkable community that is well served by transit and easy to get around by foot, bike or transit.

Goal SLU-G7 – A transportation system that provides safe, convenient access to businesses, residences, and other activities in the neighborhood.

Goal SLU-G8 – A well-connected neighborhood with bicycle, pedestrian, waterborne and vehicular access to adjacent neighborhoods.

Policy SLU-P18 – Promote a system of safe pedestrian and bicycle connections linking key activity areas and destinations, such as open spaces, schools and arts facilities.

Policy SLU-P22– Explore transportation improvements to link South Lake Union with its surrounding neighborhoods.

Policy SLU-P24 – Create a street network that enhances local circulation and access for all modes of travel by balancing the need to move people and freight efficiently through the neighborhood with the need for increased accessibility and safety for pedestrians and bicyclists.

Policy SLU-P25 – Encourage improvements to Mercer and Valley Streets that support Development of South Lake Union Park, improve neighborhood circulation for all modes, and move people and freight efficiently through this corridor.

Goal SLU-G10 – Parks and open spaces provide an obvious and inviting purpose, accessible to and meeting the needs of an increasingly diverse neighborhood as it grows and changes.

Goal SLU-G13 – A neighborhood that acts as a model for sustainable redevelopment

Policy SLU-P41 – Encourage low-impact development and activities that can control consumption of resources, improve public health and safety, and provide for multiple environmental benefits.

Policy SLU-P45 – Encourage building designs that allow for public view corridors through the neighborhood to Lake Union and the Space Needle and natural light at street level.

Policy SLU-P46 – Seek to increase tree coverage, reintroduce native plant species into the neighborhood and provide for additional wildlife habitat appropriate to the urban environment.

DISCUSSION: Consistent with the goals and policies identified in the *South Lake Union Urban Center Neighborhood Plan*, the proposed **Block 93** project would redevelop an area that consists mainly of surface parking into a dynamic, mixed use building complex, integrating pedestrian amenities and retail uses at the street level. The development would continue the current trend of high density development in the South Lake Union Urban Center. The project would increase employment density within the neighborhood, which would help to create a mixed-use area in close proximity to services, employment, numerous bus routes, the South Lake Union Streetcar, and Sound Transit's Link Light Rail Westlake Station. Additionally, the applicant would implement a Transportation Management Plan (TMP) to encourage the use of alternative transportation modes and reduce the number of peak period commute trips associated with the office use on the site. The alley vacation that is proposed as part of the **Block 93** project is integral to the overall development concept in that it would allow more flexibility in building orientation, spacing and design, improved access and circulation, and a greater amount of open space at the street level. Public benefits proposed as part of the alley vacation would provide improved vehicular and pedestrian circulation in the immediate area, a continuation of cross-block pedestrian connections in this part of South Lake Union, public open space/courtyard, and an enhanced streetcar stop adjacent to the new building.

22. Sustainable Practices: *Provide information on green and sustainable construction and operational practices and the level of LEED certification associated with the project.*

The proposed project would be built and operated to meet LEED Gold standards. Specific sustainable strategies would be further developed during the Schematic and Design Development phases of design.

23. Design Review Board: Provide copies of the minutes and design material presented to the Design Review Board.

The proposed project was presented to the West Design Review Board (DRB) in an Early Design Guidance Meeting on June 6, 2012. Design review materials from this meeting are provided in **Appendix E**. Meeting minutes from this and future meetings with the West DRB will be provided when they become available.

24. Company/Agency Information: Include background information about your business or agency, its history, how long at your present location, number of employees, etc. Describe how your business or agency will grow with the vacation, such as number of employees or patients, or students served by the proposed development.

The applicant is proposing the alley vacation and project on behalf of a major tenant in South Lake Union. It will be possible to name the tenant once the contract is signed.

25. Development Schedule: Provide a proposed development timeline and schedule.

Proposed significant milestones include:

Early Design Guidance Presentation – June 6, 2012
Alley Vacation Petition Submittal – June 11, 2012
Design Commission Meetings - June 21, 2012 and July 5, 2012
MUP Submittal – July 6, 2012
Design Commission Recommendation to SDOT – July 18, 2012
Transmittal of SDOT Vacation Recommendation to City Council – August 2, 2012
Vacation Public Hearing – October 16, 2012
MUP Issuance – December 20, 2012
City Council Conditional Concept Approval – November 19, 2012
Building Permit Submittals –

- Excavation/Shoring Permit October 19, 2012
- Structural Permit December 21, 2012
- Building Permit December 21, 2012

Begin Construction – January 7, 2013
Occupancy – July 25, 2014

FIGURES

BLOCK 93 ALLEY VACATION PETITION

SOUTH LAKE UNION

BUILDING ADDRESSES:

515 WESTLAKE AVENUE NORTH
500 9th AVENUE NORTH

DPD MUP #3012560 & #3012563



South Lake Union Block 93

JUNE 11 2012

ALLEY VACATION PETITION

ZGF
ZIMMER GAMBRE THACKER AND PARTNERS LLP

VULCAN



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South Lake Union BLOCK 93

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ALLEY VACATION PETITION

ZGF
ZAVAT CONSULTING ARCHITECTS LLP

VULCAN



STATEMENT OF DEVELOPMENT OBJECTIVES

Design and build a six-story commercial office building with approximately 72,000 rentable square feet per floor at Levels 2-5 and approximately 51,000 rentable square feet per floor at Levels 1 and 6, for a total of 390,000 rentable square feet. Level 1 will be occupied by approximately 3.8% retail and levels 2-6 will be occupied by office, for a sum of approximately 375,000 rentable square feet of office space and 15,000 rentable square feet of retail. Three levels of below-grade parking will be provided with approximately 546 stalls.

The project goals are to:

- Establish a sense of place
- Create a street presence and provide unique retail vitality
- Respect and contribute to the character of the neighborhood
- Foster connection to transportation networks, including South Lake Union Streetcar, bicycle routes and pedestrian-oriented streets
- Create open space in a thoughtful manner
- Maximize building area on the site
- Build a sustainable project striving for LEED Gold
- Achieve efficient floor plates and overall high efficiency of project
- Locate parking below grade

PROJECT INFORMATION

ADDRESS:

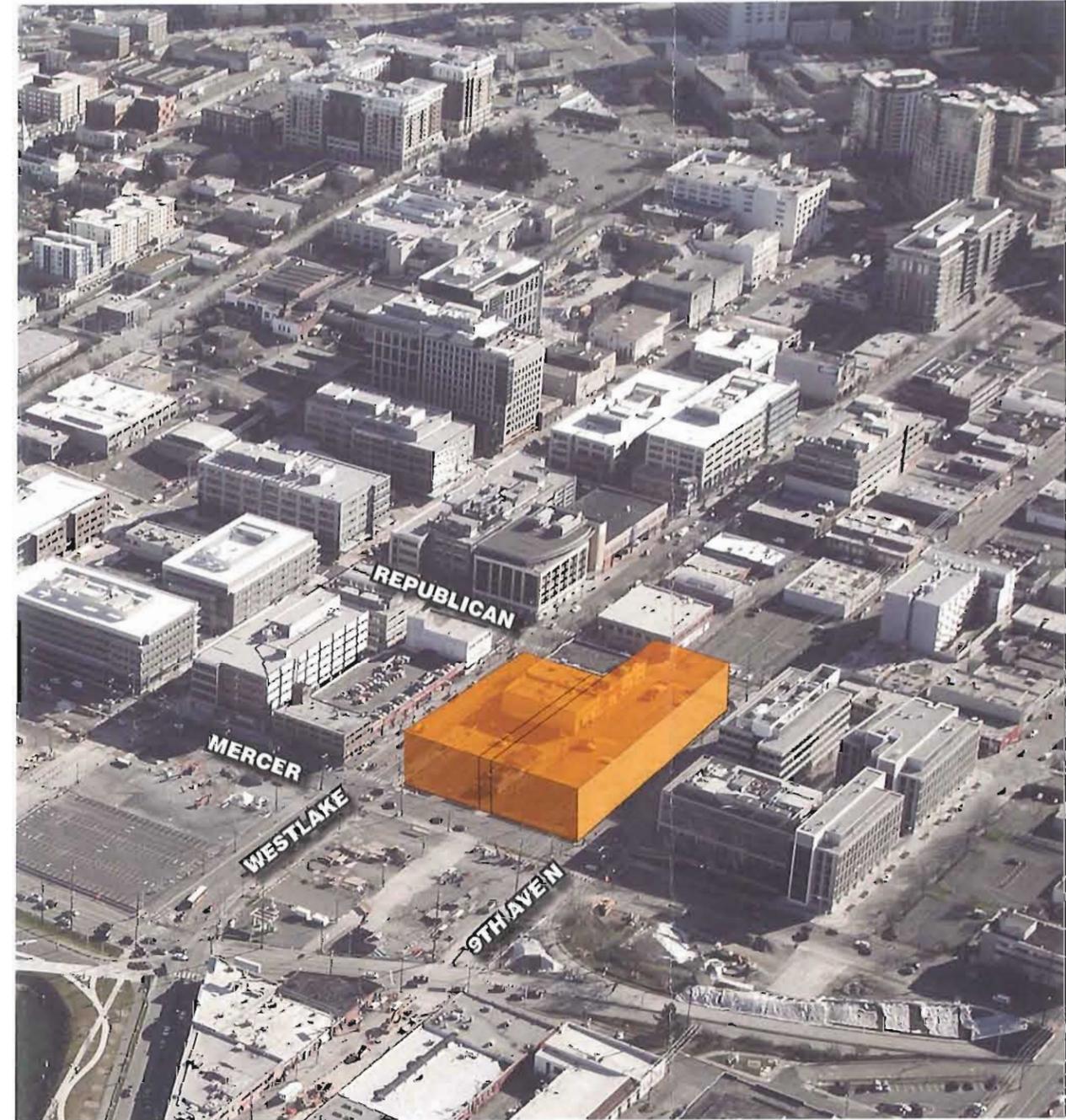
- 515 WESTLAKE AVENUE NORTH
- 500 9th AVENUE NORTH
- WESTLAKE NEIGHBORHOOD OF SOUTH LAKE UNION

SITE AREA:

- Project site area contains approximately 80,986 square feet or 1.8591 Acres
- Lots 8-14 (West Site) contains approximately 49,434 square feet or 1.1348 Acres
- Lots 1-5 (East Site) contains approximately 31,552 square feet or 0.7243 Acres

TAX ACCOUNT:

198320-0085-03 (LOT 5 & SOUTH HALF OF LOT 4)
198320-0075-05 (LOT 3 & NORTH HALF OF LOT 4)
198320-0065-07 (LOTS 8-14 & LOTS 1-2)



390,000 SF
RENTABLE SQUARE FOOTAGE

546
PARKING SPACES PROVIDED AT 1.4 RATIO



INTRODUCTION

DEVELOPMENT OBJECTIVES
AND PROJECT INFORMATION

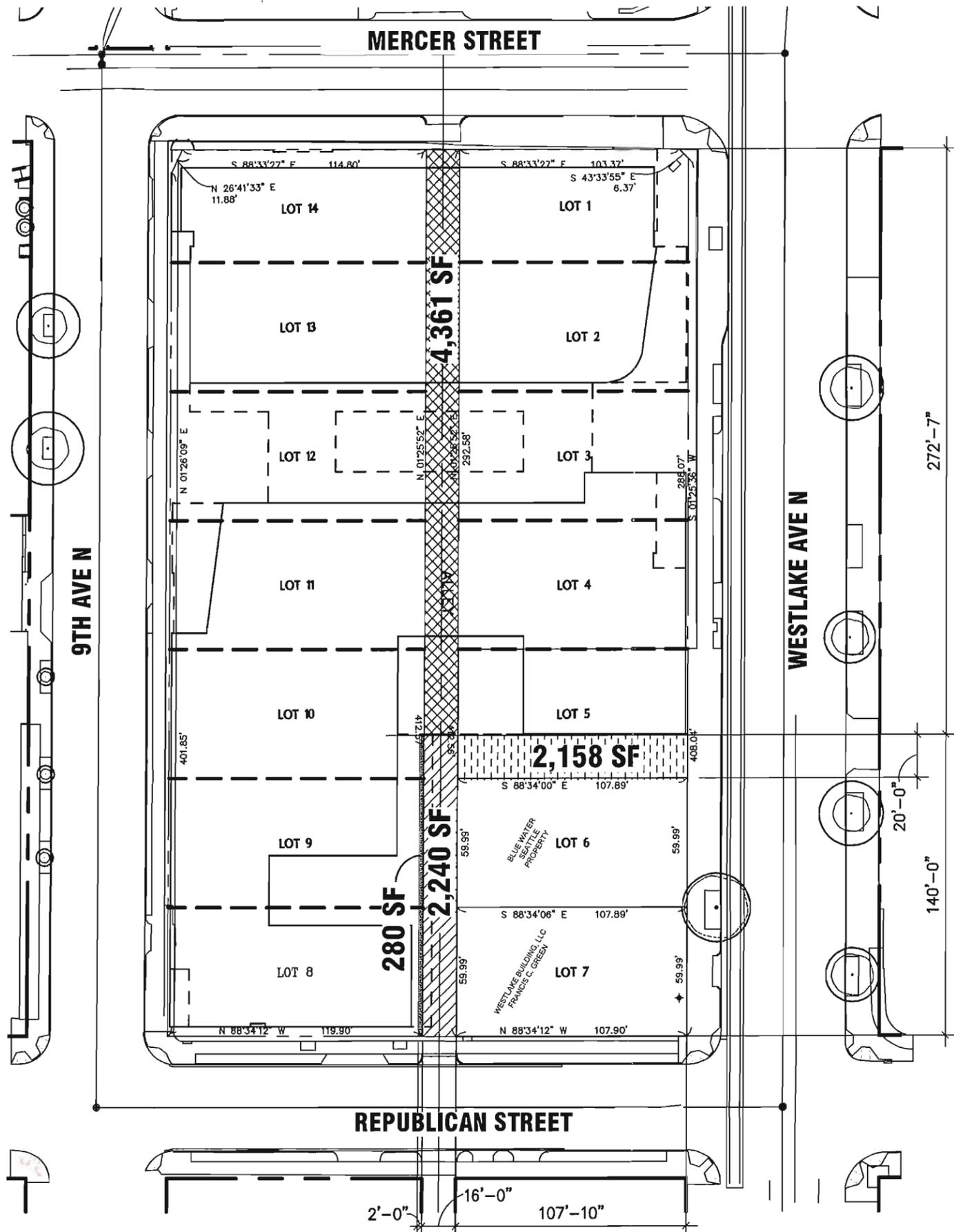
ALLEY VACATION PETITION

South Lake Union BLOCK 93

ZGF
SMART GROWTH. BOLD. AMBITIOUS.

VULCAN





	VACATED	4,361 SF
	TO REMAIN	2,240 SF
	NEW ALLEY	2,158 SF
	2' DEDICATION	280 SF

PRESENT ALLEY AREA	6,601 SF
NEW ALLEY AREA	4,678 SF
ALLEY AREA LOST	1,923 SF



INTRODUCTION

South Lake Union BLOCK 93



QUEEN ANNE

UPTOWN

Seattle Center

Gates Fnd

BLK 93

SOUTH LAKE UNION

CAPITOL HILL

WATERFRONT

BELLTOWN

DENNY TRIANGLE

PIKE/PINE

RETAIL CORE

FIRST HILL

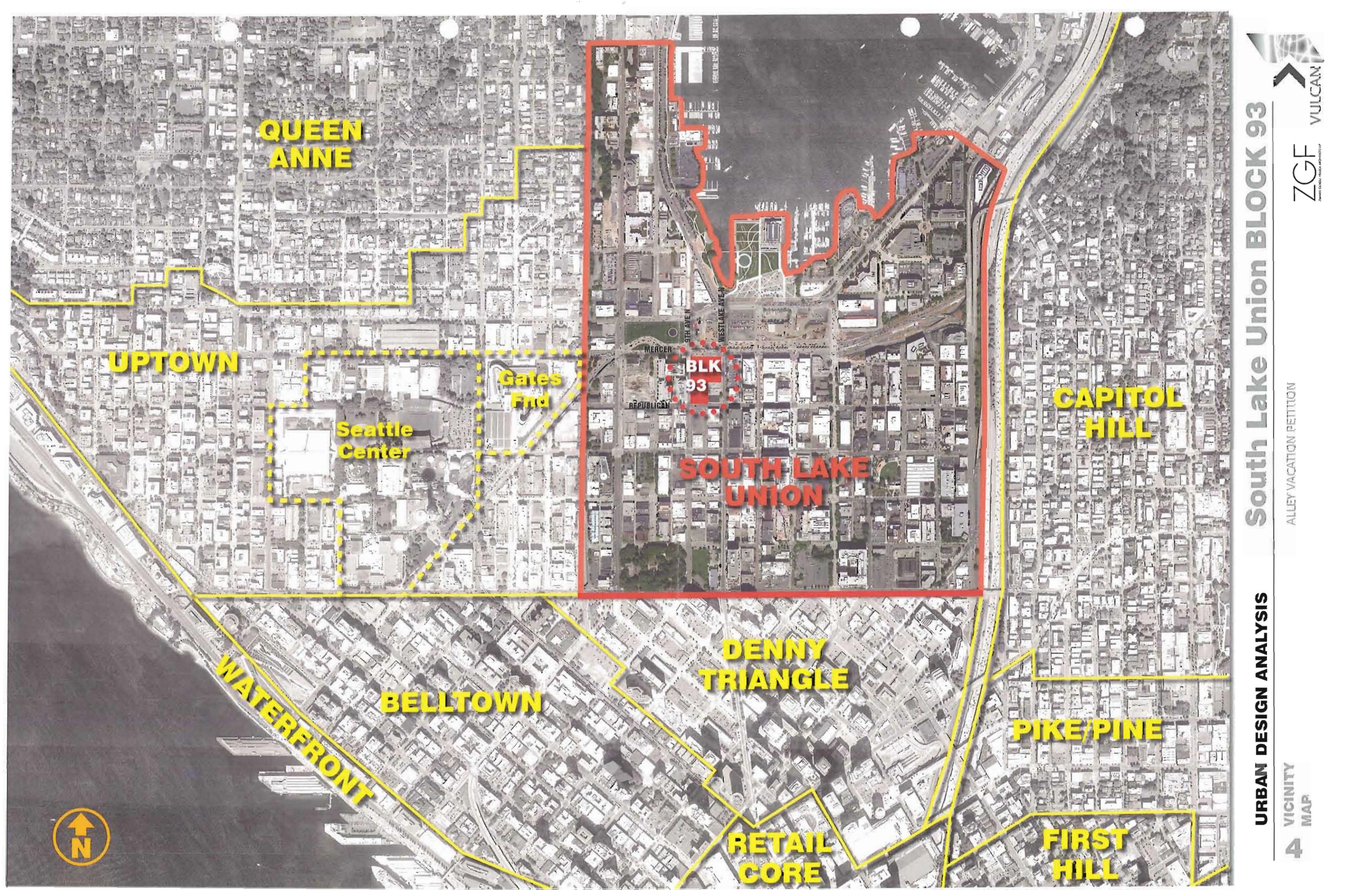
URBAN DESIGN ANALYSIS

South Lake Union BLOCK 93

4 VICINITY MAP

ALLEY VACATION PETITION

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PLANNING ARCHITECTURE



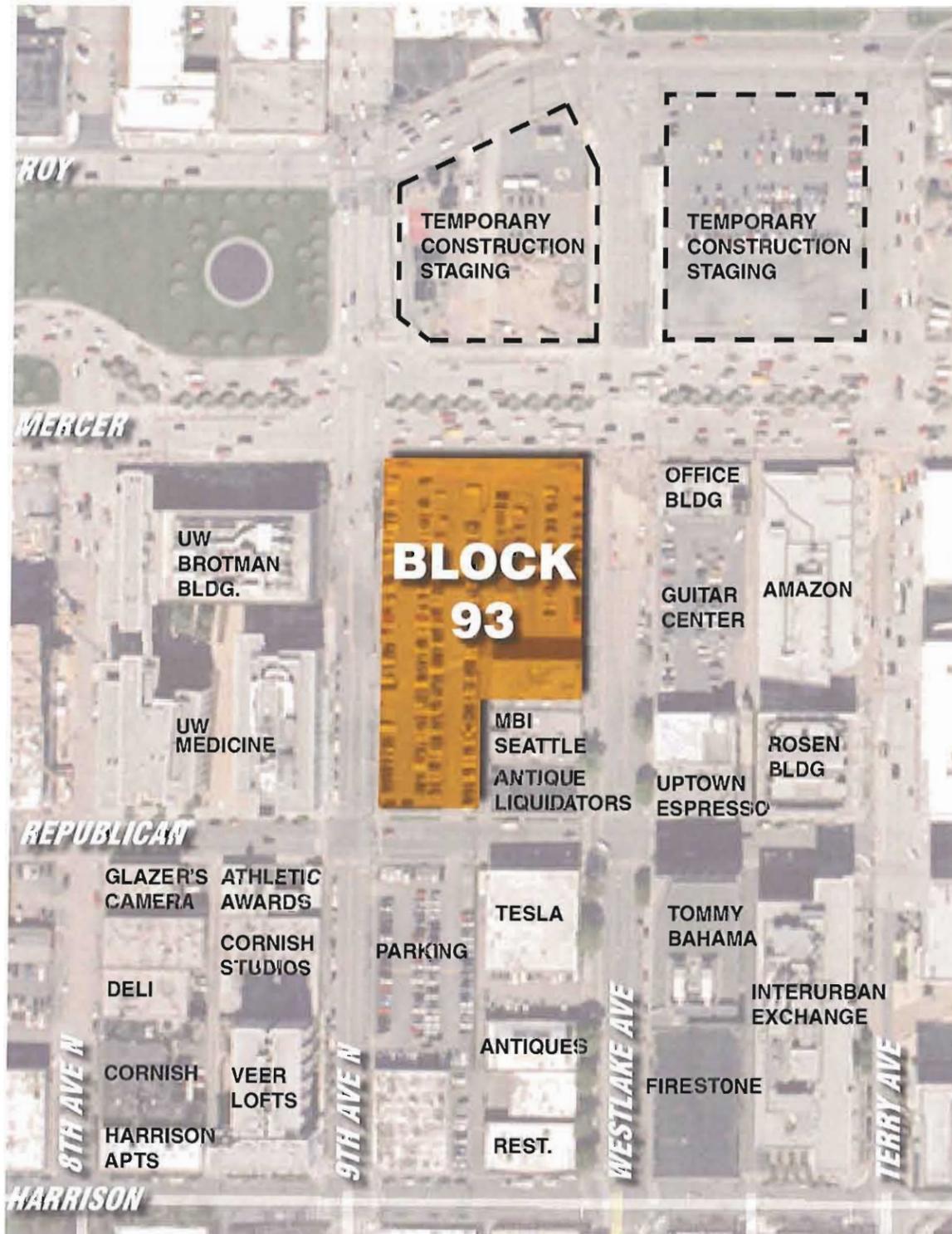


LOCATION OF BLOCK 93 WITHIN SOUTH LAKE UNION.
 Block 93 is located at the intersection of Mercer and Westlake in the northern portion of the Westlake Subarea of South Lake Union.

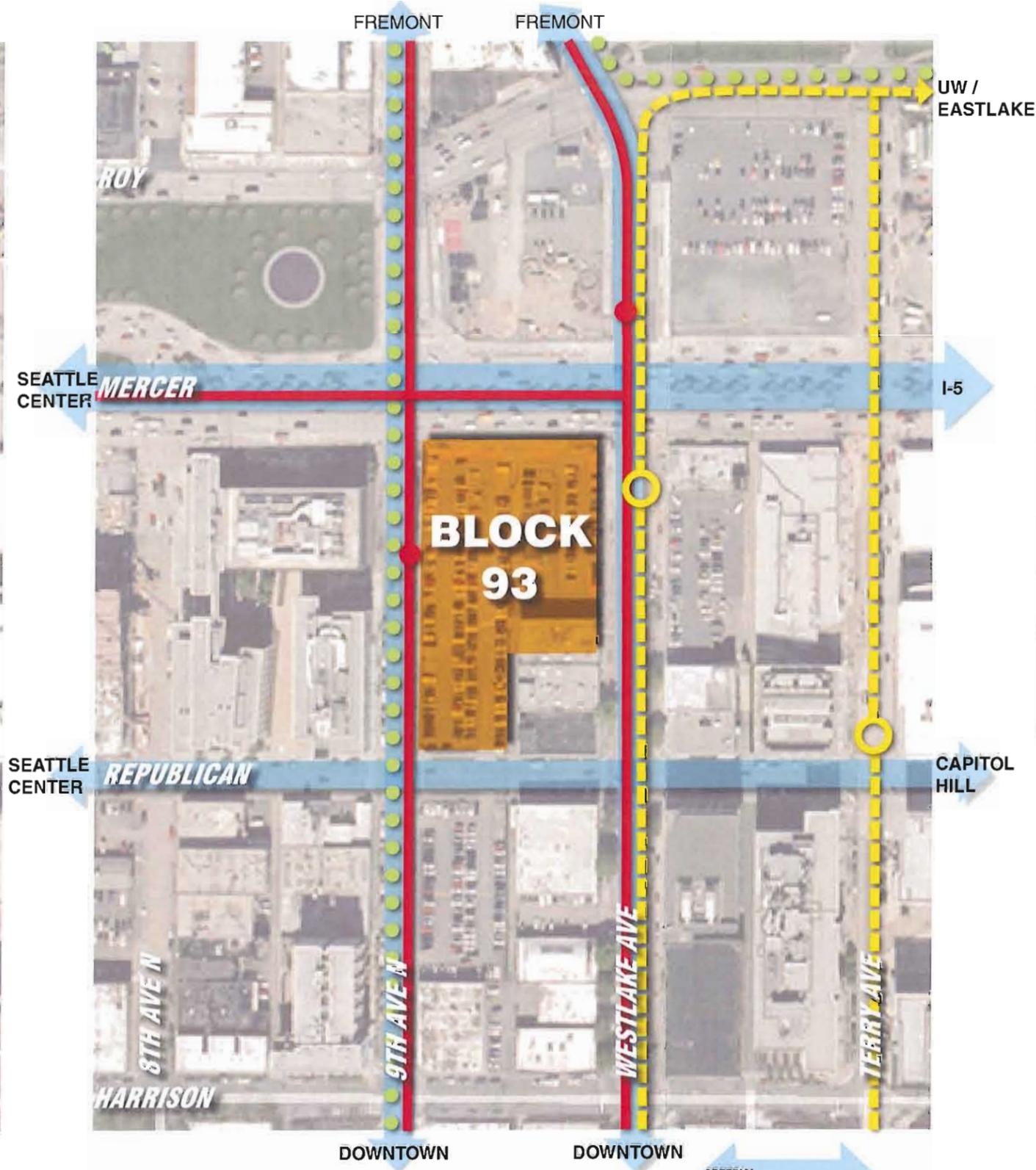


ZONING AND USE TYPES NEAR BLOCK 93
 Block 93 is zoned SM-65, Seattle Mixed 65 feet. It is surrounded by commercial and light industrial buildings.

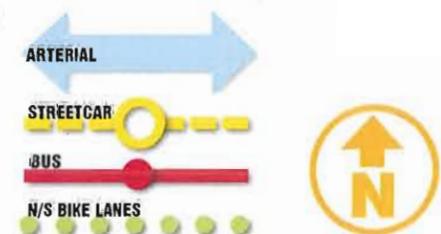




9-BLOCK SURROUNDING USES



9-BLOCK TRANSPORTATION ANALYSIS



South Lake Union Block 93

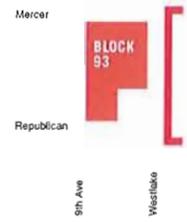
ALLEY VACATION PETITION

6 SURROUNDING USES AND TRANSPORTATION ANALYSIS

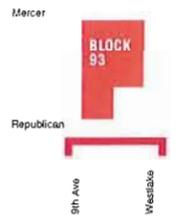
ZGF

VULCAN

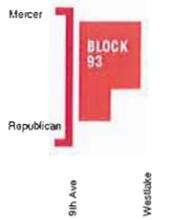




WESTLAKE
LOOKING EAST



REPUBLICAN
LOOKING SOUTH



9TH
LOOKING WEST



South Lake Union BLOCK 93

URBAN DESIGN ANALYSIS

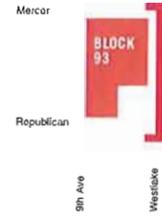
ALLEY VACATION PETITION

CONTEXT
PHOTOS

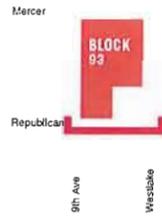
ZGF
ZIMMER GANZ AND PARTNERS LLP

VULCAN

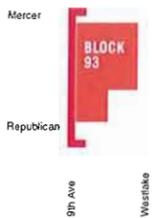




WESTLAKE
LOOKING WEST



REPUBLICAN
LOOKING NORTH



9TH
LOOKING EAST

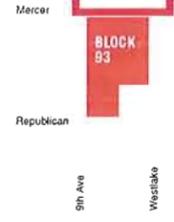


South Lake Union BLOCK 93

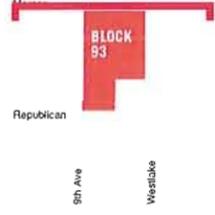
ALLEY VACATION PETITION

URBAN DESIGN ANALYSIS

CONTEXT PHOTOS



MERCER
 LOOKING NORTH



MERCER
 LOOKING SOUTH

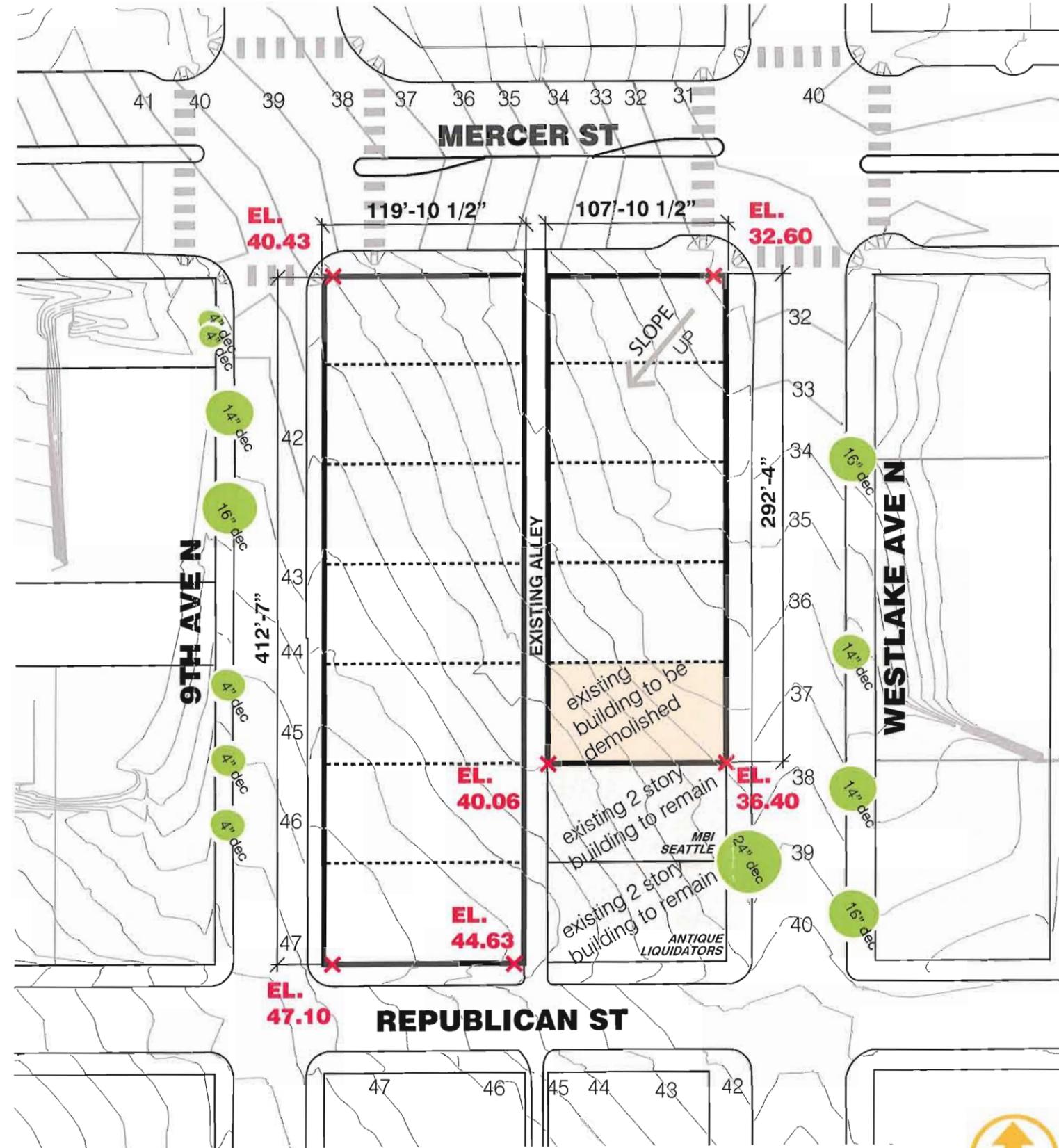


SITE ANALYSIS

Block 93 is currently being used as a parking lot and hosts a scooter rental facility. Two other buildings are currently in operation and will remain - MBI Seattle and Antique Liquidators. A third building, currently vacant, is scheduled for demolition.

There is an existing 16-foot alley traversing the block north to south. All new developments are required to provide a 2-foot easement from the existing property line to create a clear alley width of 20 feet.

There are no trees on the site. The site slopes nearly fifteen feet across its length. Topography changes from a high point of 47' on the southwest corner to a low point of 32' at the northeast.



SITE ANALYSIS

EXISTING STRUCTURES,
TOPOGRAPHY & TREE SURVEY

ALLEY VACATION PETITION

South Lake Union BLOCK 93

ACCESS

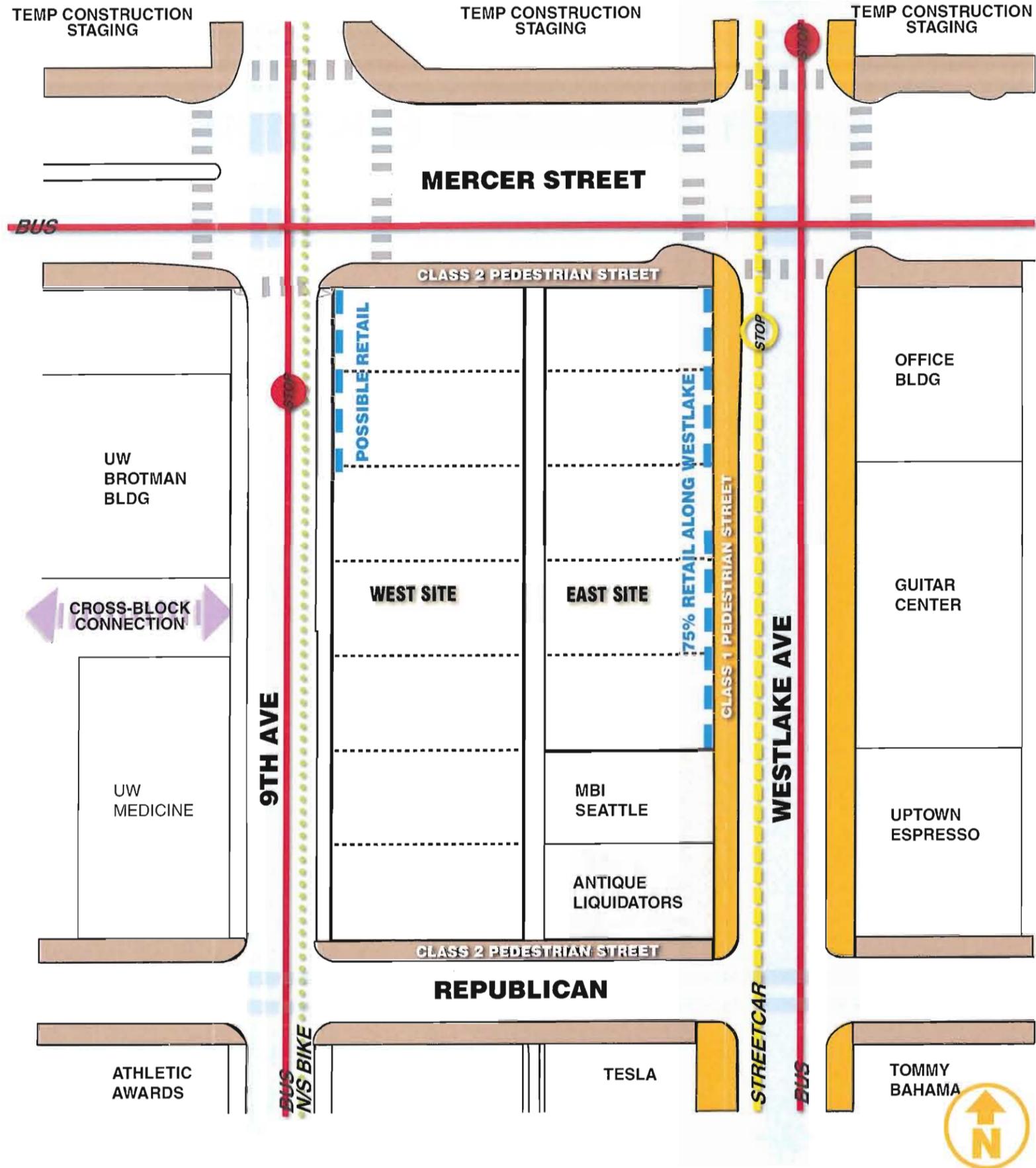
Block 93 is bounded by Westlake Avenue N to the east which is a Class 1 Pedestrian Street requiring a minimum of 75% of the street frontage to be retail. This avenue is two-way running north-south and includes transit with a bus stop north of Mercer Street and a streetcar stop on the northeast corner of the site. The new Mercer Street corridor to the north is a two-way Class 2 Pedestrian Street with a bus line that turns on Westlake. Republican Street is to the south and it is also a two-way Class 2 Pedestrian Street. To the west is 9th Avenue N which is a two-way street with both transit and a bike route.

Both Class 1 and Class 2 Pedestrian streets have a requirement that 60% of the width of the street level façade must be transparent. Blank facades are limited to 15 foot wide segments with an option to increase it to 30 feet if the Director of DPD determines that the façade enhances visual interest. The façade facing 9th Avenue N is required to have a minimum of 30% of street level façade transparent and is limited to a 30 foot wide segment of blank façade with the option to increase it to 60 feet if approved by the Director of DPD.

In reviewing the developments in the area, we noted the new cross-block connections depicted in the diagram below.



CROSS-BLOCK CONNECTORS



Urban Design Context:

Block 93 development is bounded by Westlake Avenue N to the east, Mercer to the north, Republican to the south and 9th Avenue N to the west. Westlake Avenue N is a Class 1 Pedestrian Street while Mercer Street and Republican Street are Class 2 Pedestrian Streets.

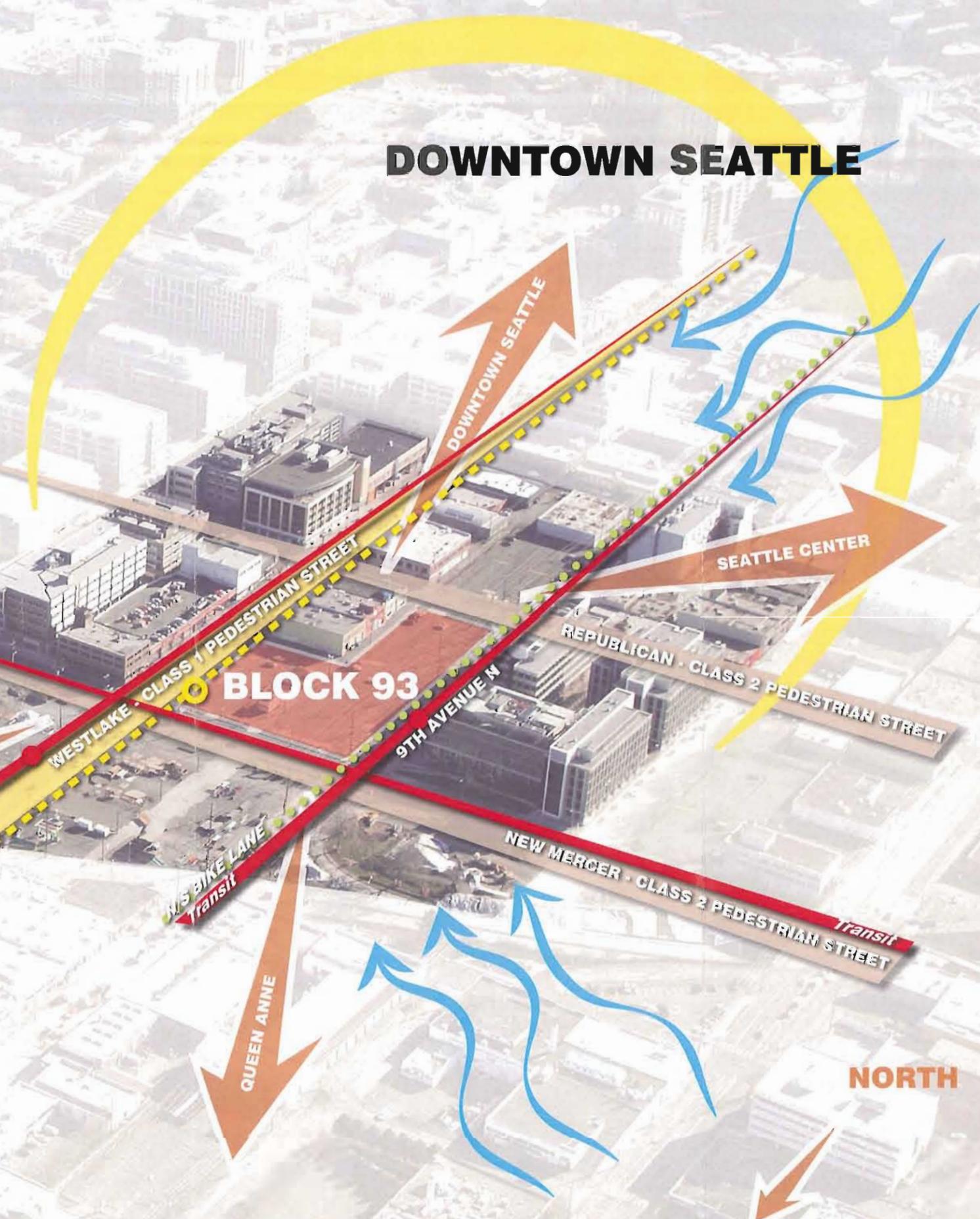
The north side of the site has views of the lake, the park and Queen Anne. To the south and southwest, there are views of Downtown Seattle and Seattle Center.

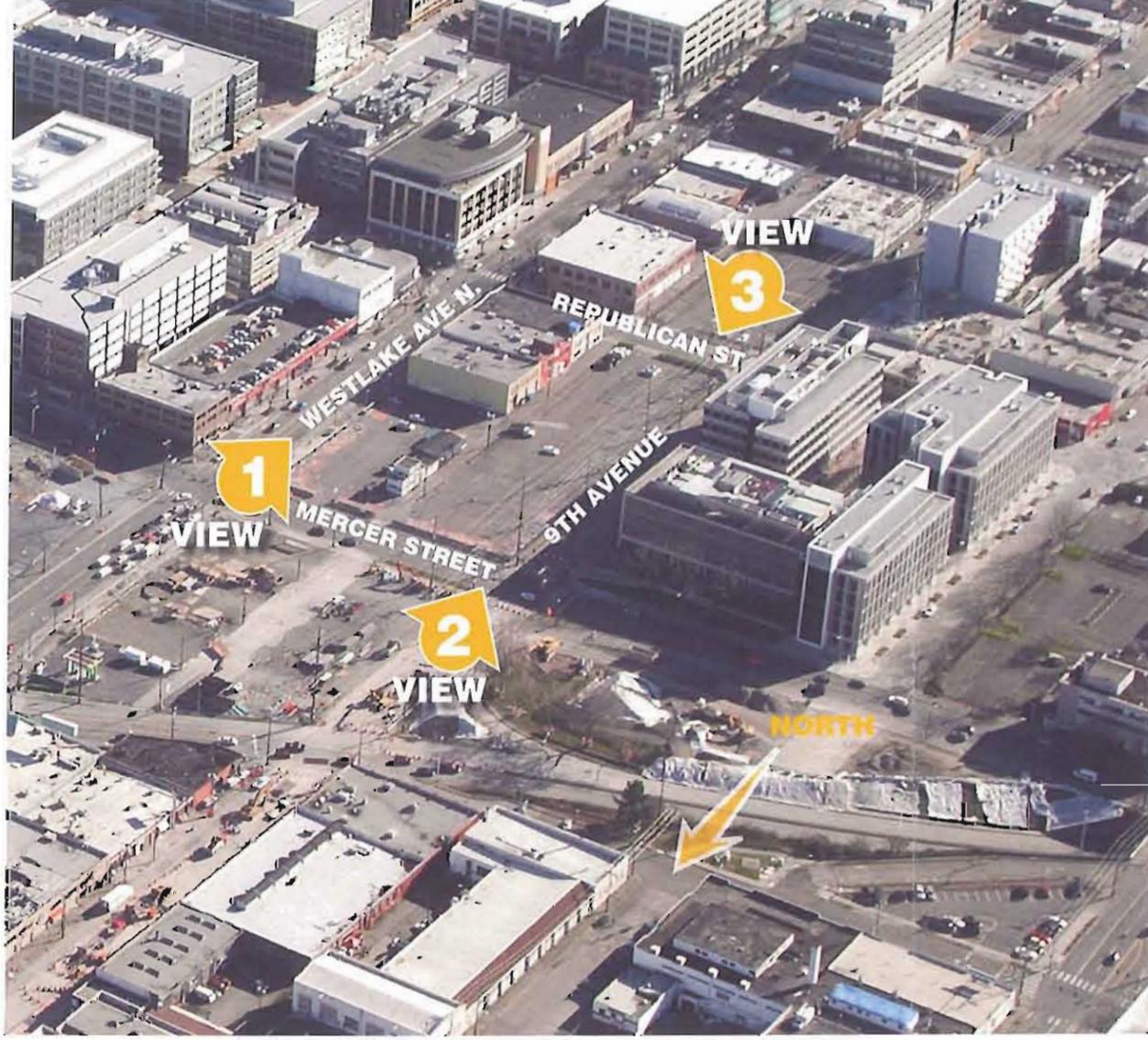
The Streetcar line runs southbound on Westlake Avenue N with a stop at the NW corner of the site. There are transit buses running along Westlake Avenue N, 9th Avenue N, and the Mercer Street corridor. The bike lane routes run north and south along 9th Avenue N.

SOUTH LAKE UNION

DOWNTOWN SEATTLE

NORTH

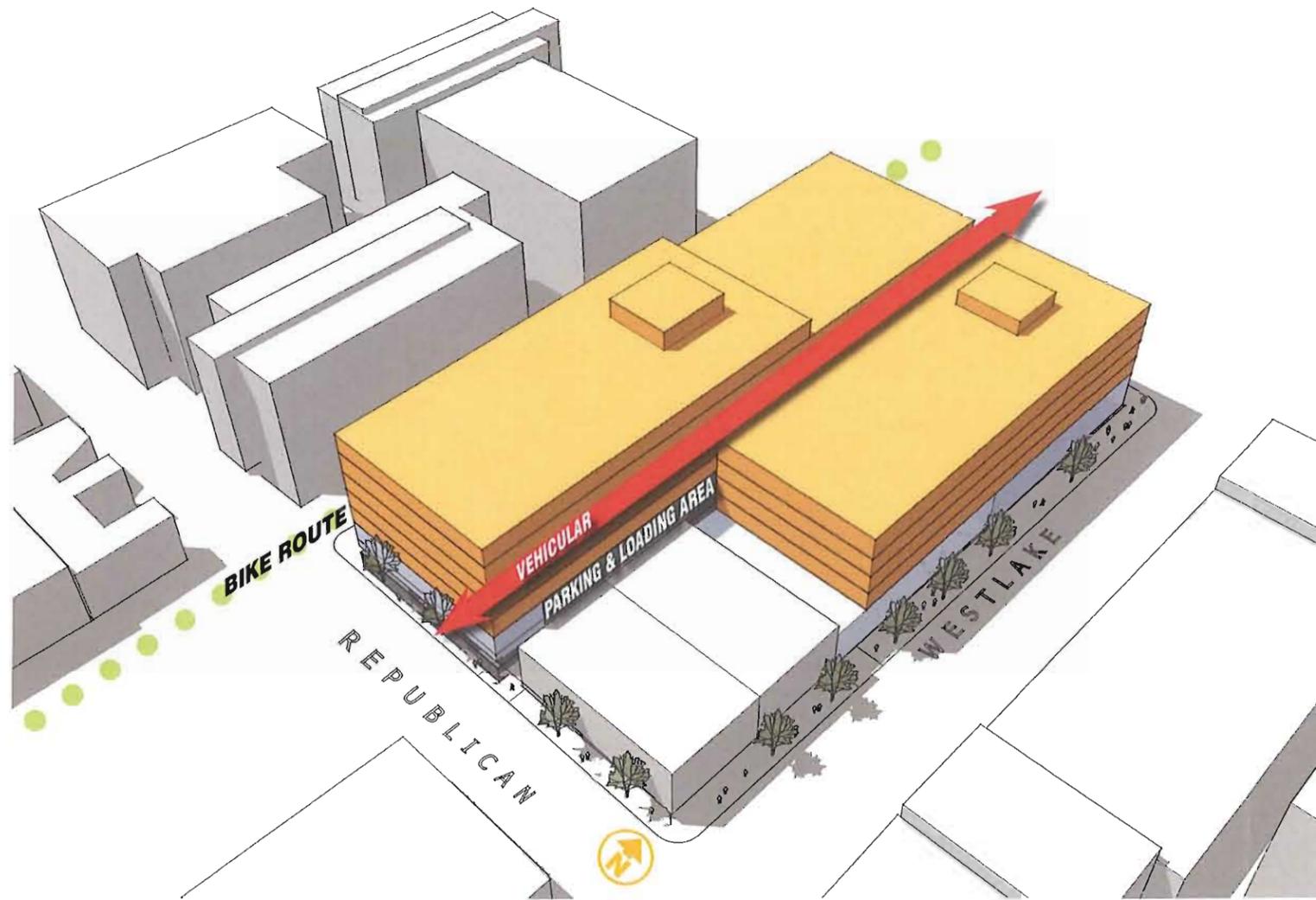




South Lake Union BLOCK 93

ALLEY VACATION PETITION

SITE ANALYSIS

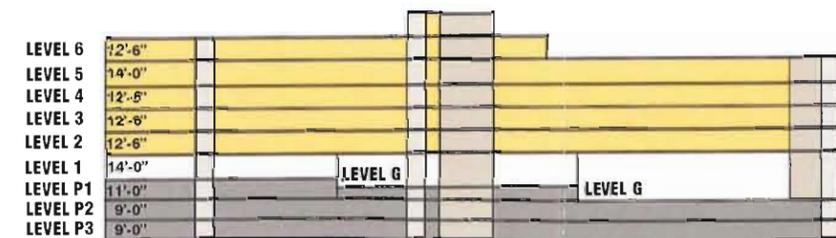
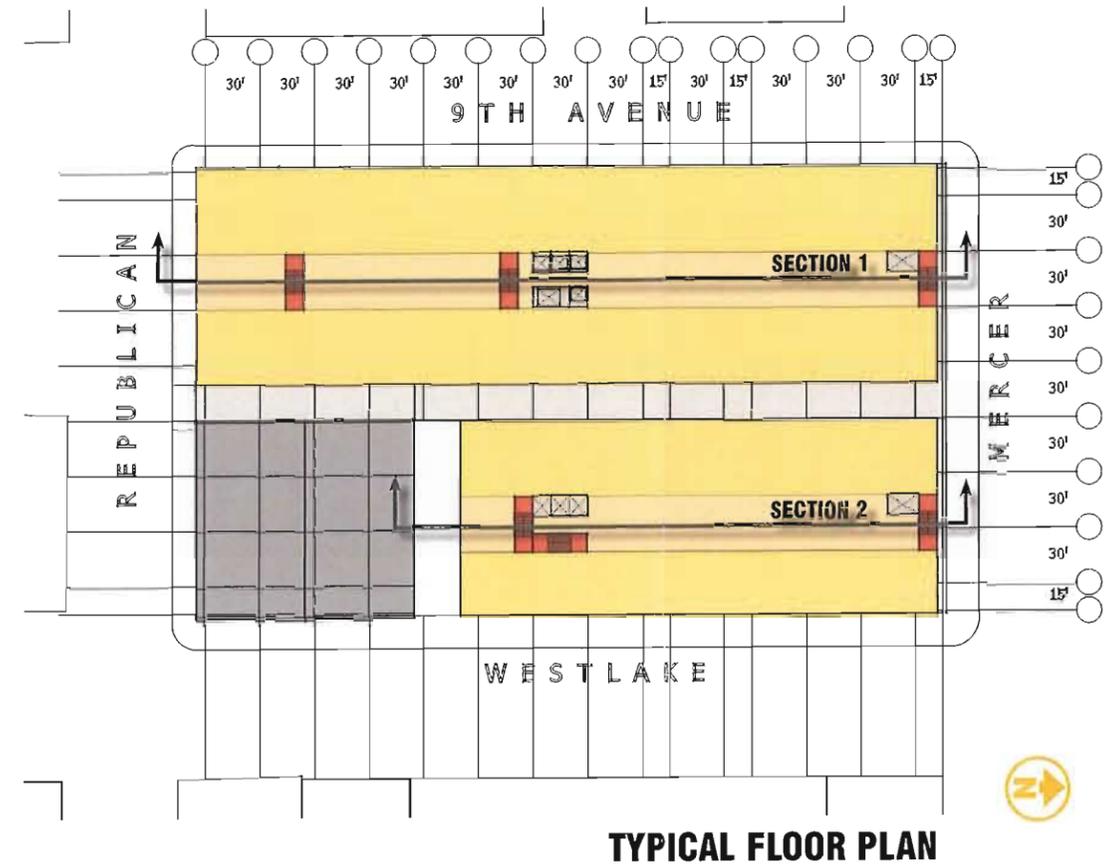


BASE CONCEPT WITH NO ALLEY VACATION

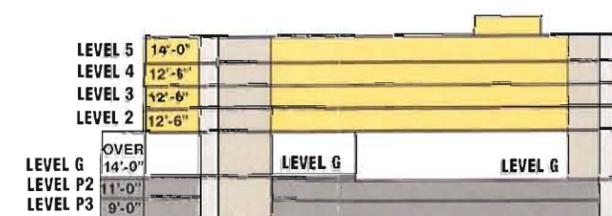
This concept explores the development of two separate buildings with an alley separation between them. It is appealing because it gives the opportunity to easily phase the project. It also has the simplest entitlement process because it does not require an alley vacation. Although we have the ability to introduce setbacks to enhance the street experience and public space amenities, it is impossible to create an exterior public cross-block connection between Westlake and 9th Avenue. The separate buildings require duplication of building infrastructure such as loading area and parking entrances. It also requires vehicular access to and from the new Mercer Street corridor.

PROS:
Simplicity of form
Building phasing opportunity
Simpler entitlement process -
Avoids alley vacation

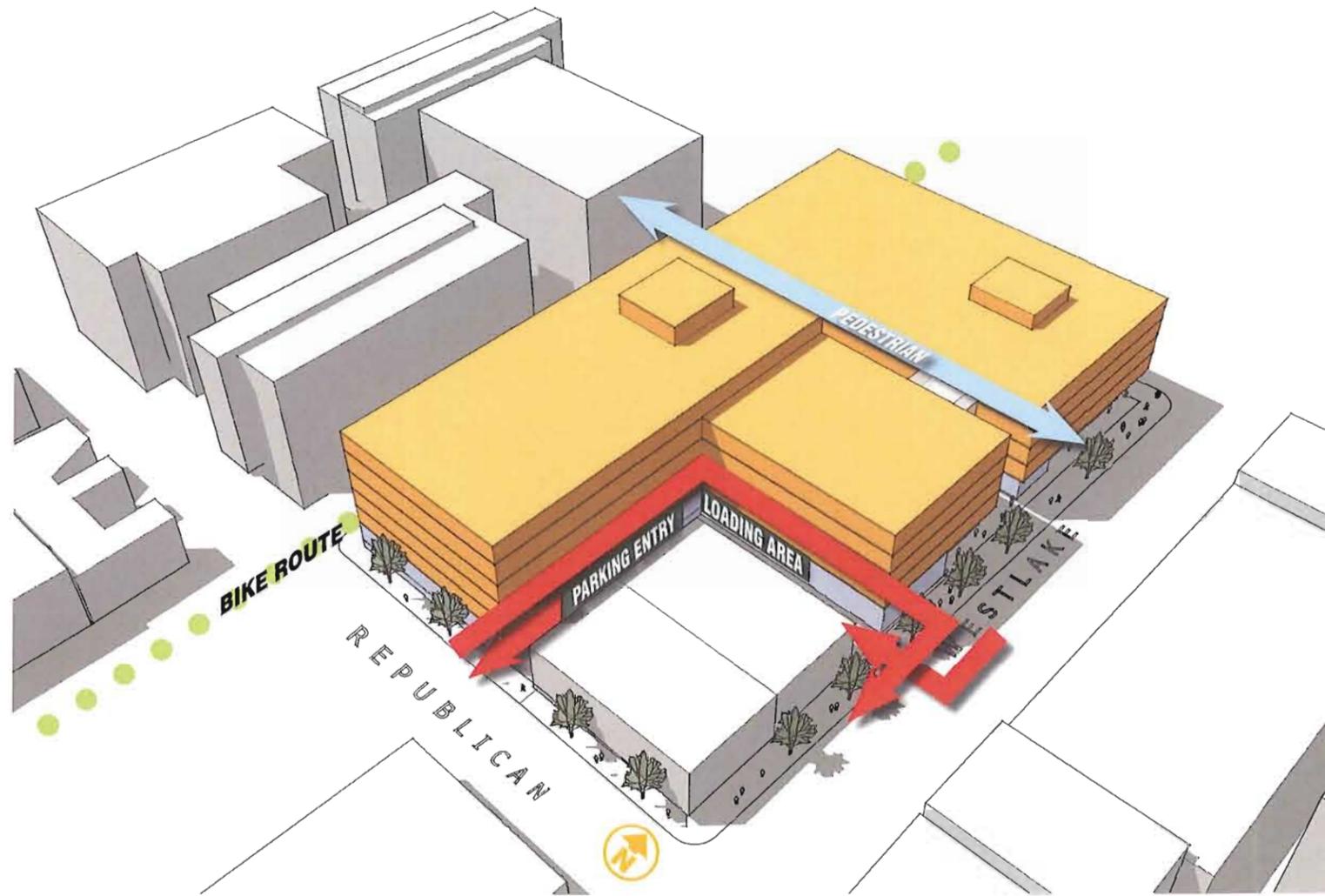
CONS:
Access to and from Mercer required
Elevations look onto service alley
Disconnected floor plates
Duplication of building infrastructure
No thru-block connection
Reduced public space opportunities



SECTION 1



SECTION 2

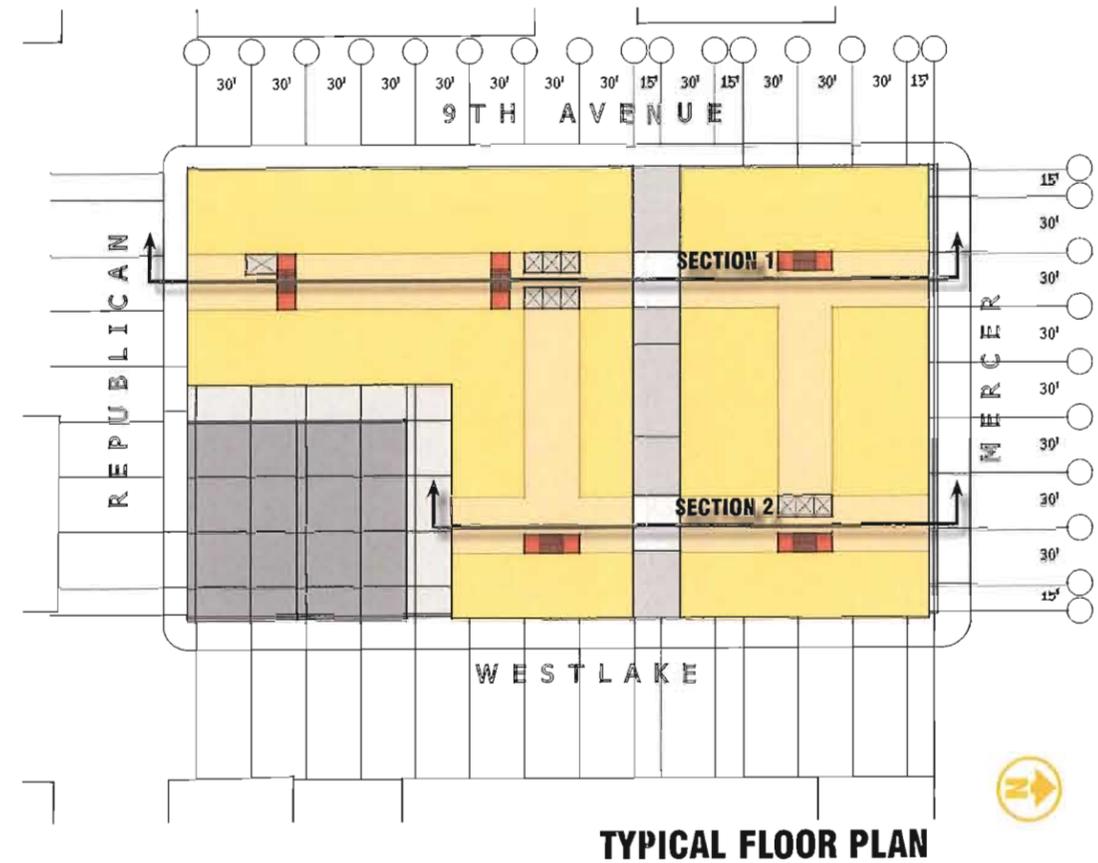


PROPOSED CONCEPT WITH ALLEY VACATION

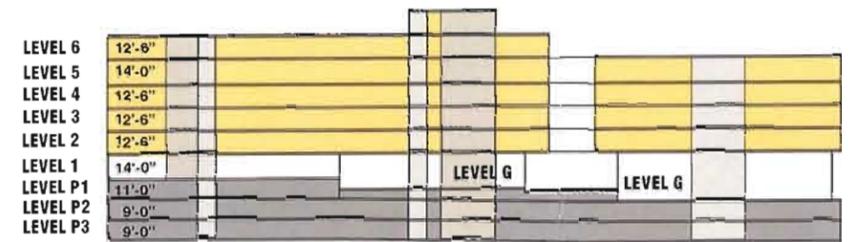
This concept explores development of two buildings with connectors at the 3rd and 4th levels. It is appealing because it creates a public cross-block connection that is pedestrian friendly and visually accessible. Public space opportunities are enhanced by separating this space from all vehicular and service traffic. There is minimal building frontage to the alley and the service corridor. It eliminates the vehicular access to and from the new Mercer Street corridor but this requires a partial alley vacation which complicates the entitlement process. Building services, such as loading area and parking entrance, can be shared and co-located. With this option, we do not have the ability to phase the project.

- PROS:**
- Public open space amenity
 - Shared building services
 - Connected floor plates
 - Eliminates access to Mercer corridor
 - Premium visual thru-block connection
 - Optimized perimeter space

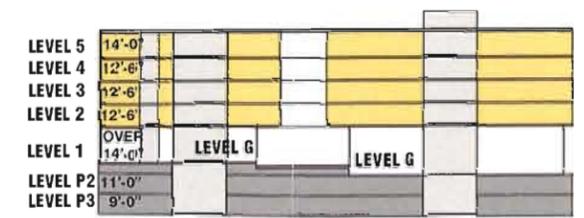
- CONS:**
- Alley vacation required
 - L-shaped building is more difficult to lease
 - Not able to phase construction
 - Loading area less desirable for north retail areas



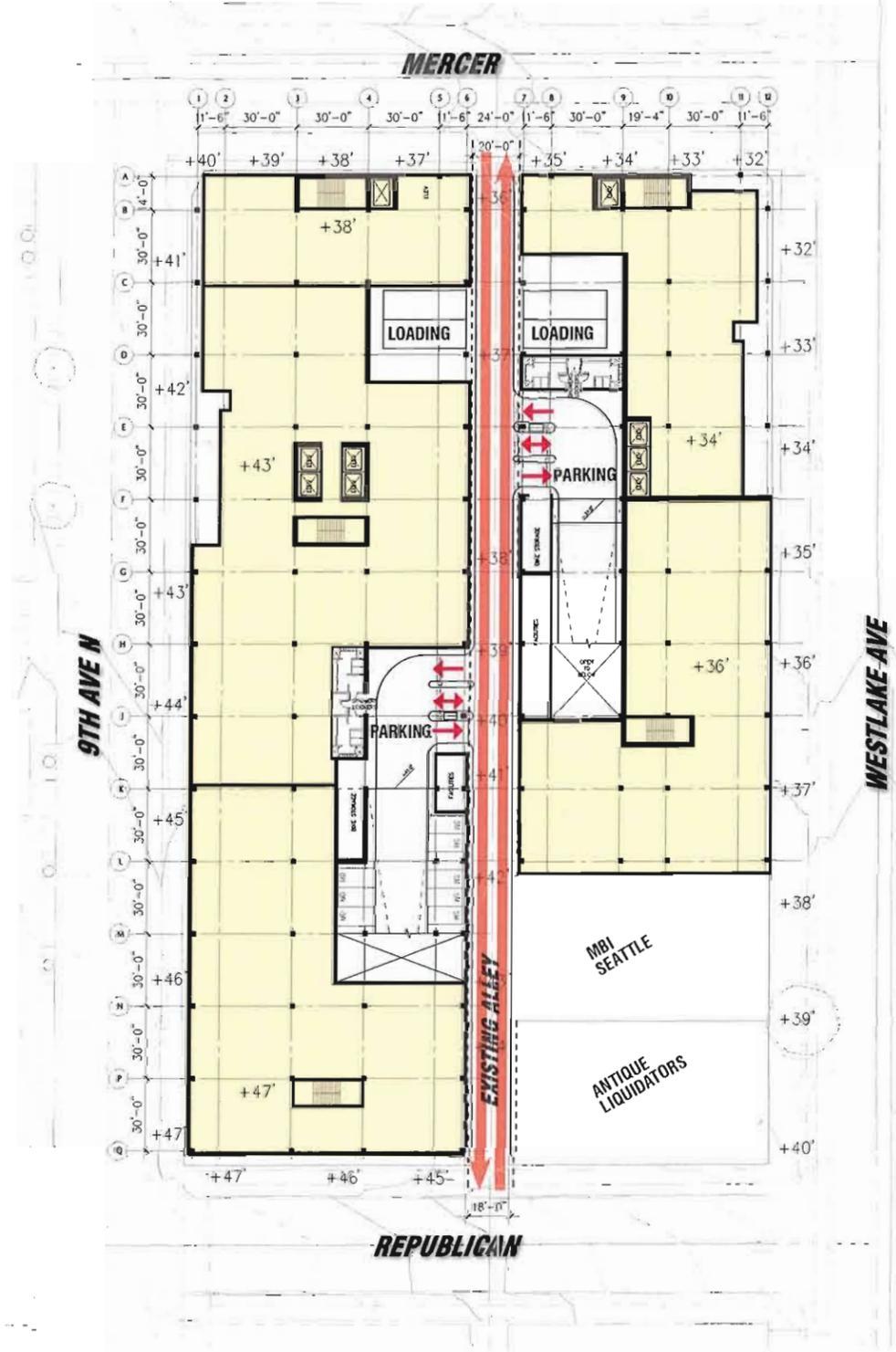
TYPICAL FLOOR PLAN



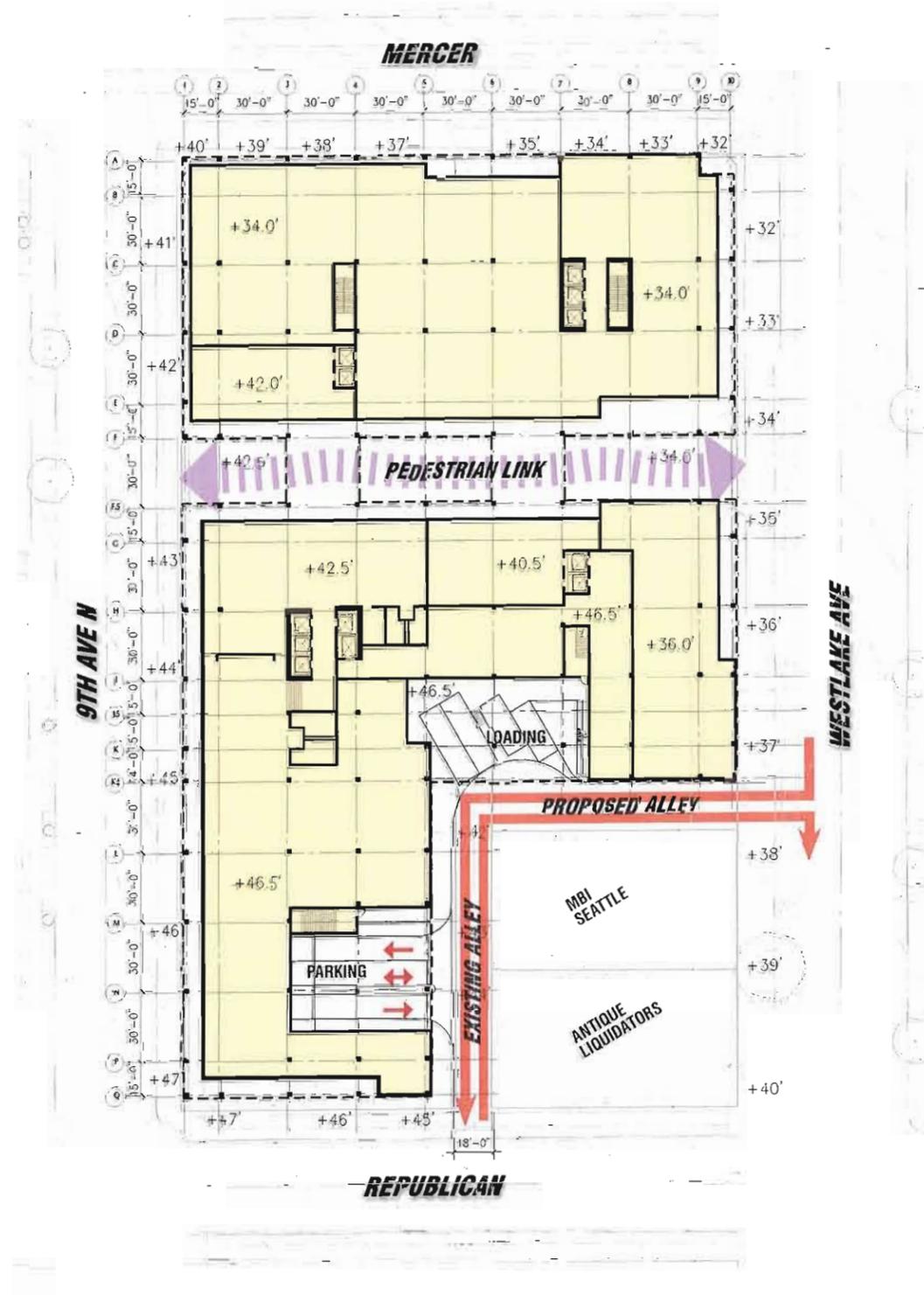
SECTION 1



SECTION 2



**BASE CONCEPT
WITH NO ALLEY VACATION**



**PROPOSED CONCEPT
WITH ALLEY VACATION**



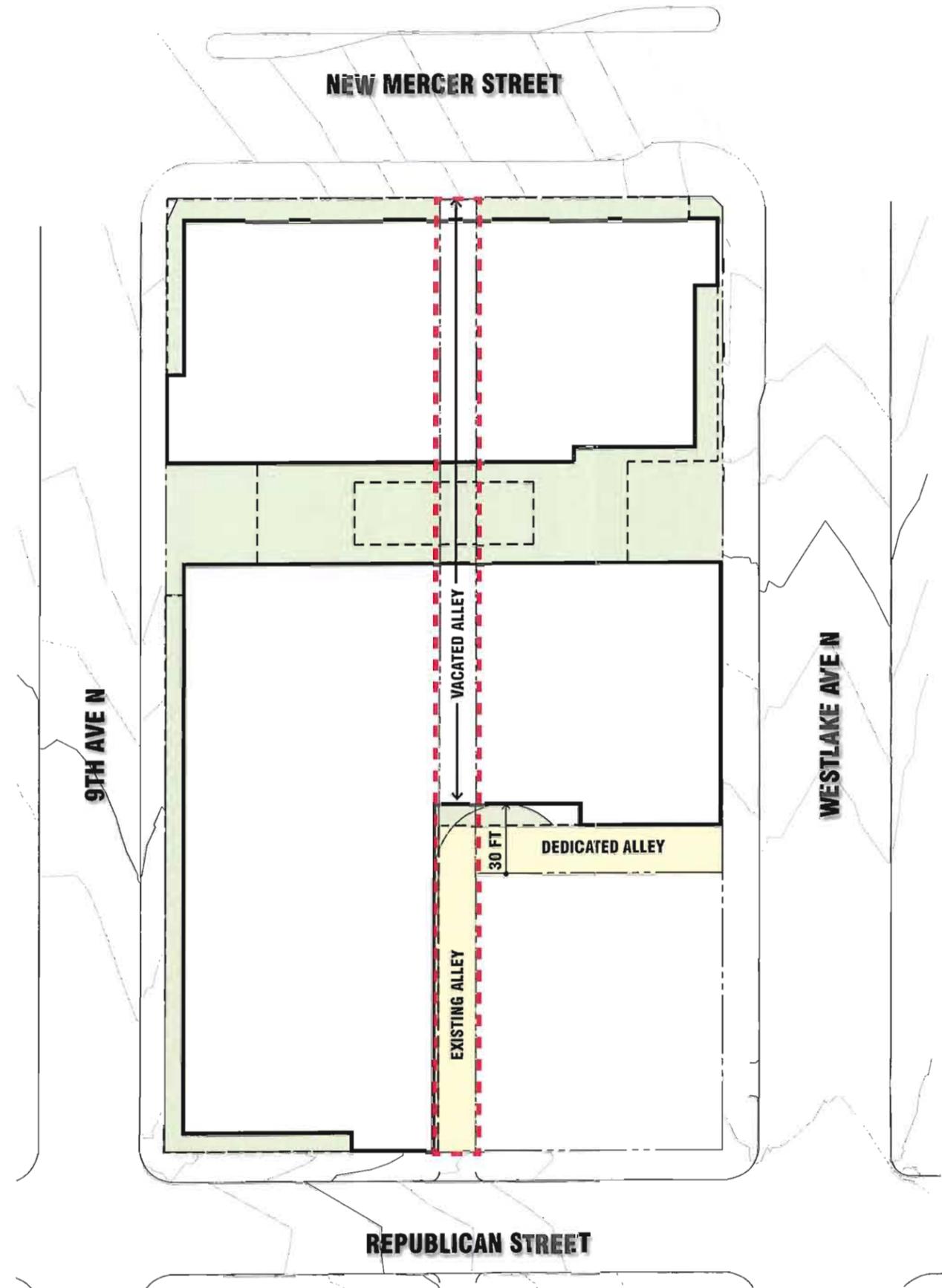
COMPARISON BUILDABLE GROSS FLOOR AREA WITH AND WITHOUT ALLEY VACATION

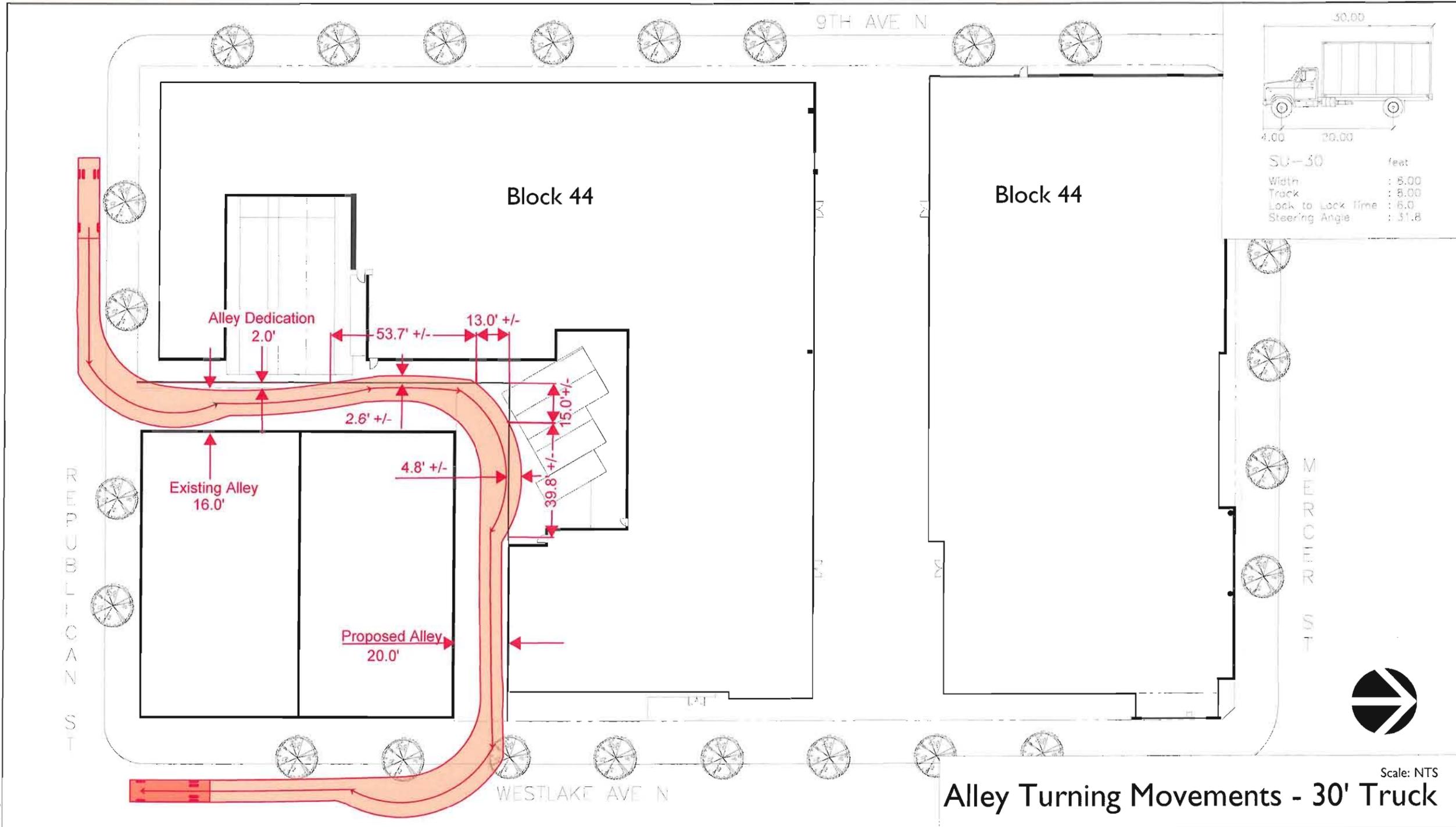
BASE CONDITION WITHOUT ALLEY VACATION

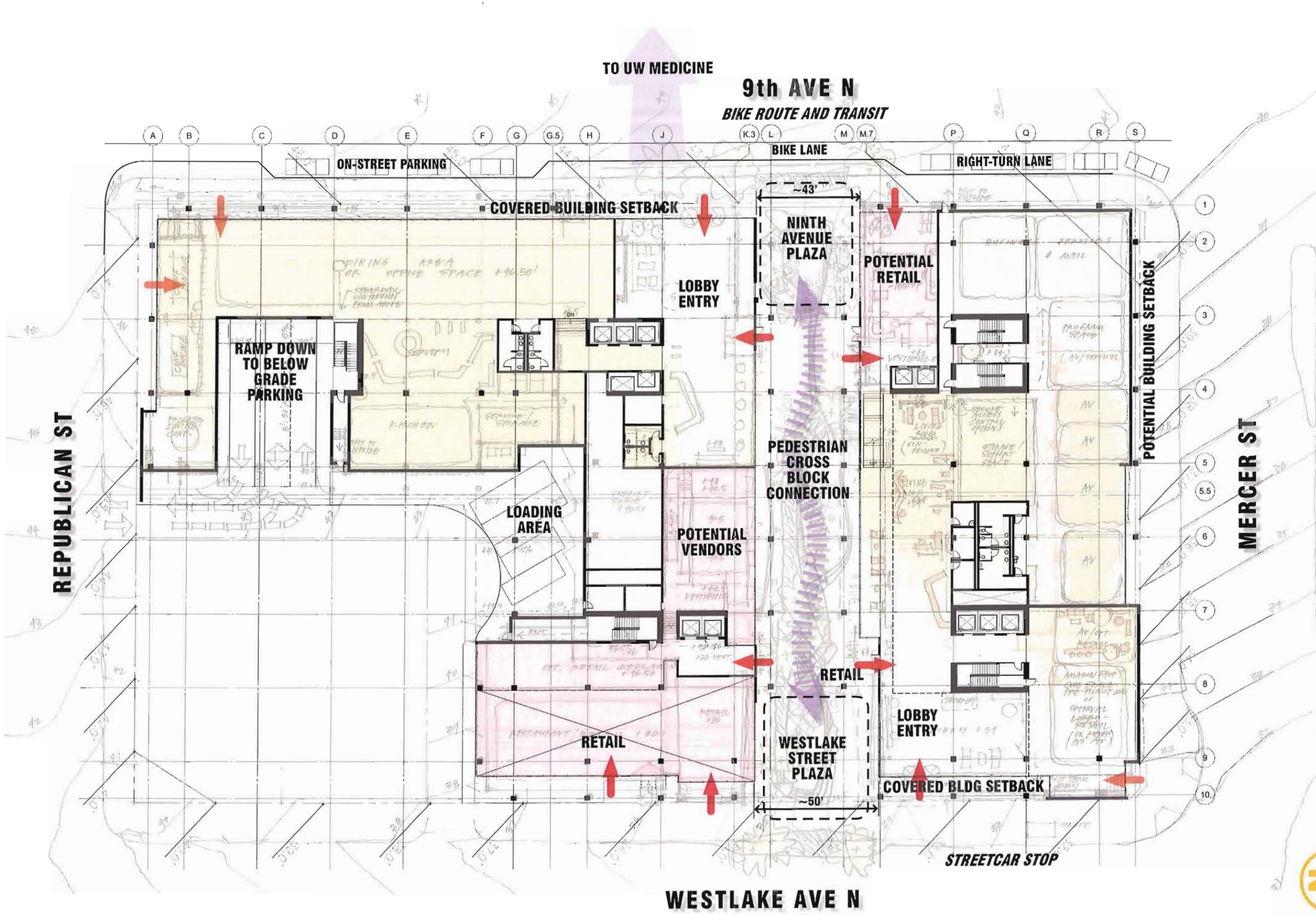
- 7,971 SF = AREA OF EXISTING ALLEY WITH 2-FOOT EASEMENT
- 455,000 SF = APPROX. MAXIMUM GROSS FLOOR AREA WITHOUT ALLEY VACATION

PROPOSED CONDITION WITH ALLEY VACATION

- 4,678 SF = AREA OF PROPOSED ALLEY WITH 2-FOOT EASEMENT AND DEDICATION
- 20,000 SF = AREA OF PROPOSED PUBLIC REALM WITH ALLEY VACATION
- 426,000 SF = PROPOSED MAXIMUM GROSS FLOOR AREA WITH ALLEY VACATION
- (29,000 SF) = CONTRIBUTION (REDUCTION) OF THE VACATED AREA TO THE PROPOSED DEVELOPMENT







ARCHITECTURAL CONCEPTS South Lake Union Block 93

ALLEY VACATION PETITION

PEDESTRIAN CROSS-BLOCK PLAN DIAGRAM





WEST ELEVATION [9TH AVENUE]



EAST ELEVATION [WESTLAKE AVENUE]

South Lake Union BLOCK 93

ARCHITECTURAL CONCEPTS

ALLEY VACATION PETITION

PEDESTRIAN CROSS-BLOCK
EXTERIOR ELEVATIONS

NO

ZGF
ZOHN GRIFFIN FRIEDL





“PARASOL” CONCEPT: ENHANCE DAYLIGHT, PROVIDE SHELTER



South Lake Union BLOCK 93

ALLEY VACATION PETITION

ARCHITECTURAL CONCEPTS

PEDESTRIAN CROSS-BLOCK SECTION, PERSPECTIVE & CONCEPTS



VIEW OF WESTLAKE PLAZA

ARCHITECTURAL CONCEPTS

PEDESTRIAN CROSS-BLOCK
PERSPECTIVE

South Lake Union BLOCK 93

ALLEY VACATION PETITION

ZGF
ARCHITECTS

VULCAN
ARCHITECTS



LOOKING WEST FROM WESTLAKE PLAZA

ARCHITECTURAL CONCEPTS

PEDESTRIAN CROSS-BLOCK
PERSPECTIVE

ALLEY VACATION PETITION

South Lake Union BLOCK 93

ZGF
ARCHITECTS

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VIEW OF 9TH AVENUE PLAZA

ARCHITECTURAL CONCEPTS

**PEDESTRIAN CROSS-BLOCK
PERSPECTIVE**

South Lake Union BLOCK 93

ALLEY VACATION PETITION

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JOHN CRONIN ARCHITECTS

VULCAN



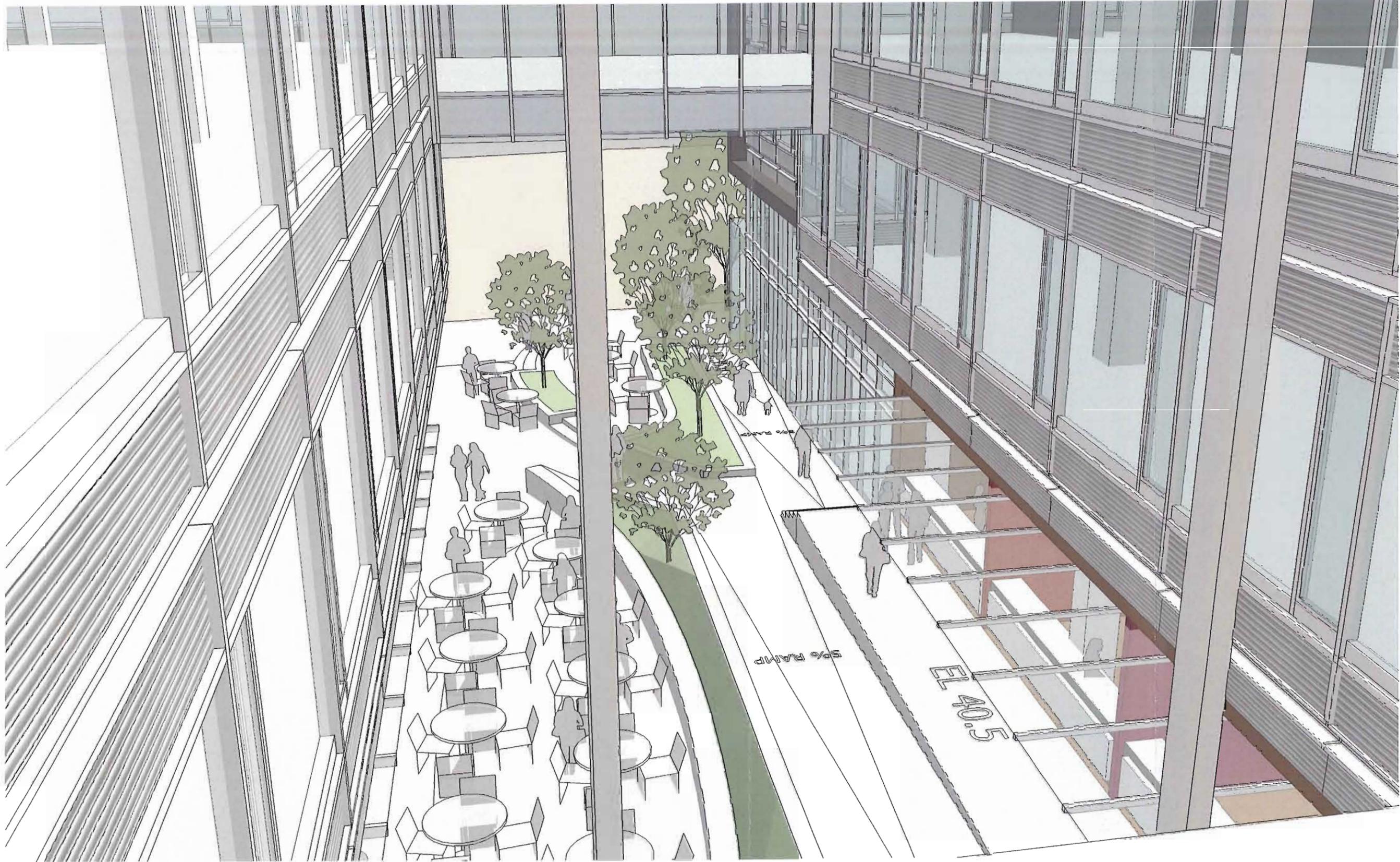
LOOKING EAST FROM 9TH AVENUE PLAZA

ARCHITECTURAL CONCEPTS

**PEDESTRIAN CROSS-BLOCK
PERSPECTIVE**

ALLEY VACATION PETITION

South Lake Union BLOCK 93



VIEW FROM ABOVE

ARCHITECTURAL CONCEPTS

**PEDESTRIAN CROSS-BLOCK
PERSPECTIVE**

ALLEY VACATION PETITION

South Lake Union BLOCK 93

ZGF
ZUMT GILBERT FINKA ARCHITECTS





PEDESTRIAN CROSS-BLOCK CONNECTION



ARCHITECTURAL CONCEPTS

**PEDESTRIAN CROSS-BLOCK
PERSPECTIVES**

South Lake Union BLOCK 93

ALLEY VACATION PETITION

ZGF
ARCHITECTS

VULCAN

Appendix A

SIGNED VACATION PETITION

**VACATION PETITION TO THE HONORABLE CITY COUNCIL OF
THE CITY OF SEATTLE**

We, the undersigned, being the owners of more than two-thirds of the property abutting on:

The alley in Block 93 D.T. Denny's 1st Addition to North Seattle

Petition the City to vacate:

All of that portion of the alley as shown in Block 93 D.T. Denny's 1st Addition to North Seattle, according to the plat recorded in Volume 1, page 79, Records of King County Washington, lying north of a line drawn 20.00 feet north of the south line of Lot 10 of said plat projected east; said alley being bounded by Mercer Street, Westlake Avenue North, Republican Street and 9th Avenue North.

OR in the alternative, to vacate any portion of said right-of-way so particularly described;

RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of any right-of-way abutting upon said property after said vacation; and further,

RESERVING to the City of Seattle the right to reconstruct, maintain and operate any existing overhead or underground utilities in said rights-of-way until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

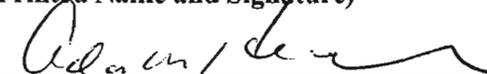
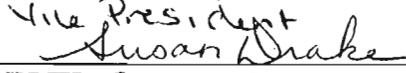
SIGNATURE OF PETITIONER:

I hereby declare that I am an owner of property that abuts the particular right-of-way described in the petition to the City Council for the above noted right-of-way and understand the discretionary nature of the City Council decision and the vacation review process and all fees and costs and time frame involved. For corporately held property, provide documentation of signatory authority.

OWNER

(Printed Name and Signature)

PROPERTY:

	5/24/12	See above description
OWNER Ada M. Healey Vice President	DATE	Lot, Block, Subdivision
	5/24/12	See above description
OWNER Susan Drake Vice President	DATE	Lot, Block, Subdivision
	DATE	Lot, Block, Subdivision
	DATE	Lot, Block, Subdivision

ACKNOWLEDGMENT:

Susan Drake &
I/we *Adia M Healey* acknowledge that:

any expense that may be incurred in preparing, applying or obtaining any land use or construction permits in contemplation of such vacation is the sole risk of the petitioners;

the City Council decision is at the end of the review process;

the City Council decision on the vacation is discretionary, and will be based on the City's Street Vacation Policies adopted by Resolution 310078 and other adopted policies; and

a Council decision to grant the vacation request does not exempt the property from the requirements of the City's Land Use Code or from conditioning of development pursuant to the State Environmental Policy Act (SEPA).

I/we have been informed of the cost, obligations, petition requirements, Street Vacation Policies, the time frame involved in the review of a vacation petition, the street vacation fee and the appraisal process to determine the fee.

Adia M Healey *Susan Drake*

Petitioner	Date	Petitioner	Date
<i>Adia M. Healey</i>	<i>5/24/12</i>	<i>Susan Drake</i>	<i>5/24/12</i>
<i>Vice President</i>		<i>Vice President</i>	

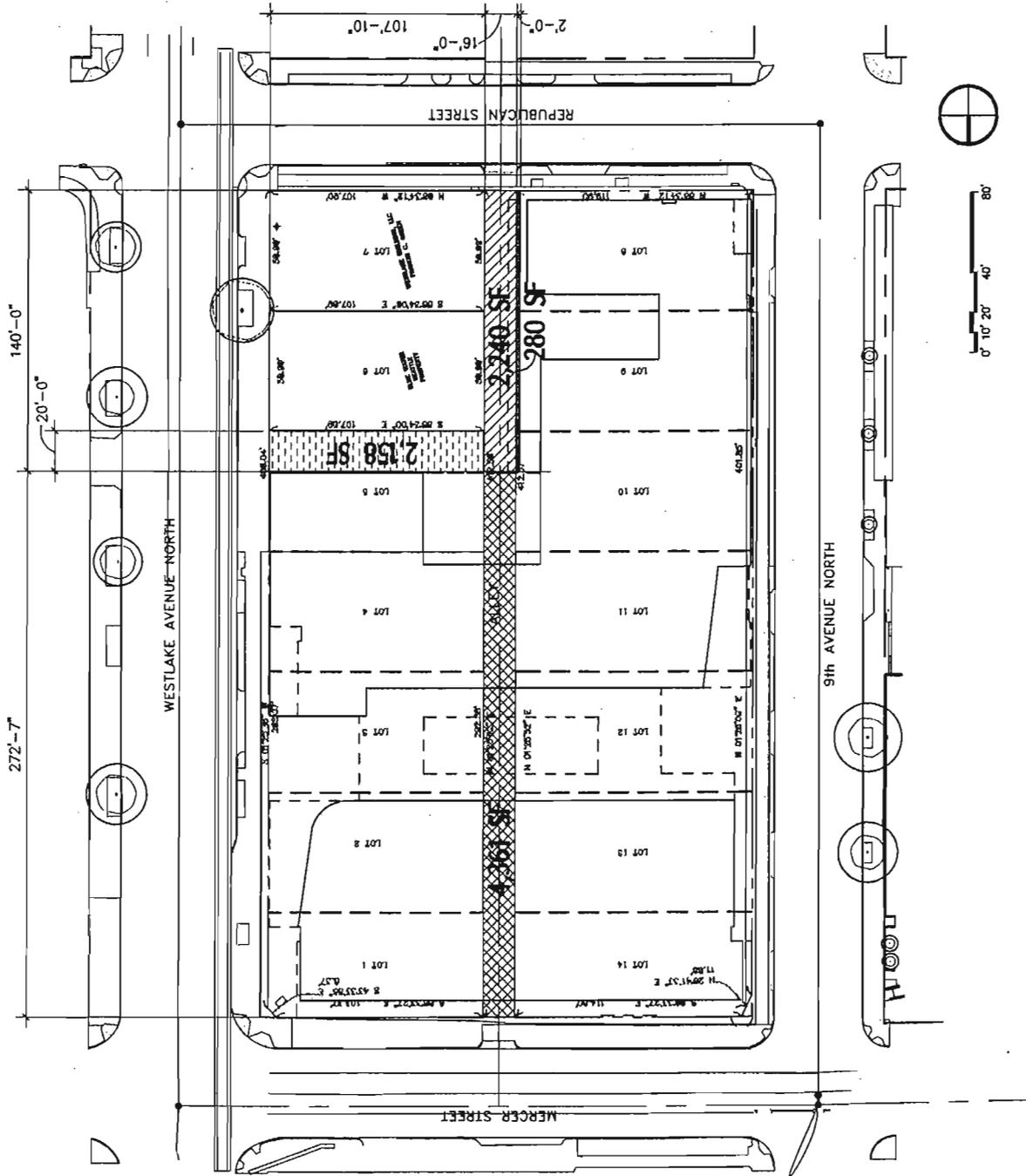
CONTACT INFORMATION:

Petitioner:

City Investors XX, LLC
505 5th Avenue, Ste. 900
Seattle, WA 98104
206 342-2000

Contact:

Rachel Ben-Shmuel
505 5th Avenue, Ste. 900
Seattle, WA 98104
206 342-2000



	VACATED	4,361 SF
	TO REMAIN	2,240 SF
	EASEMENT	2,158 SF
	2' DEDICATION	280 SF
	PRESENT ALLEY AREA	6,601 SF
	NEW ALLEY AREA WITH EASEMENT	4,678 SF
	ALLEY AREA LOST	1,923 SF

ALLEY AREA CALCULATIONS

BLOCK 44

APRIL 18, 2012



ZGF

VULCAN

SITE LEGAL DESCRIPTION:

DESCRIPTION:

LOTS 1 THROUGH 14, BLOCK 93, D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 79, IN KING COUNTY, WASHINGTON;
EXCEPT THE EAST 12 FEET OF LOTS 1 THROUGH 7 CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NO. 47549 FOR THE WIDENING OF WESTLAKE AVENUE, AS PROVIDED BY CITY OF SEATTLE ORDINANCE NO. 12023;
ALSO EXCEPT THAT PORTION OF LOT 14 CONVEYED TO CITY OF SEATTLE, A MUNICIPAL CORPORATION BY DEEDS RECORDED SEPTEMBER 11, 2009 UNDER RECORDING NO. 20090911000662 AND 20090911001472, IN KING COUNTY, WASHINGTON

TITLE REPORT REFERENCE:

THIS SURVEY WAS CONDUCTED ACCORDING TO THE DESCRIPTION SHOWN, FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-471506-WAI, DATED JANUARY 7, 2011. THE EASEMENTS SHOWN OR NOTED HEREON RELATE TO THIS COMMITMENT.

NOTE: EASEMENTS CREATED OR RESCINDED AFTER THIS DATE ARE NOT SHOWN OR NOTED HEREON.

TITLE REPORT SCHEDULE B EXCEPTIONS:
ITEMS CIRCLED ARE SHOWN ON MAP.

12. RESTRICTIONS, CONDITIONS, DEDICATIONS, NOTES, EASEMENTS AND PROVISIONS, IF ANY, AS CONTAINED AND/OR DELINEATED ON THE FACE OF THE PLAT OF D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE RECORDED IN VOLUME 1 OF PLATS AT PAGE 79, IN KING COUNTY, WASHINGTON.
13. EASEMENT IN FAVOR OF THE CITY OF SEATTLE FOR THE RIGHT TO CHANGE AND ESTABLISH STREET GRADES, ACQUIRED BY DECREE ENTERED IN KING COUNTY CAUSE NO. 47549, AS PROVIDED BY CITY OF SEATTLE.
17. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF EXPANSION OPTION AGREEMENT" RECORDED AUGUST 28, 2008 AS RECORDING NO. 20080828001598 OF OFFICIAL RECORDS.
(AFFECTS LOTS 1-4 AND 8 THROUGH 14)

⑱ EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN:
RECORDING INFORMATION: SEPTEMBER 11, 2009 UNDER RECORDING NO. 20090911000663
IN FAVOR OF: CITY OF SEATTLE, A MUNICIPAL CORPORATION
FOR: TEMPORARY CONSTRUCTION
AFFECTS: (LOTS 1, 13, 14) AS DESCRIBED THEREIN

⑲ EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN:
RECORDING INFORMATION: SEPTEMBER 11, 2009 UNDER RECORDING NO. 20090911000664
IN FAVOR OF: CITY OF SEATTLE, A MUNICIPAL CORPORATION
FOR: ADEQUATE SIDEWALK AREA
AFFECTS: (LOT 1) AS DESCRIBED THEREIN



EASEMENT DESCRIPTION - BLOCK 93 D.T. DENNY'S
FIRST ADDITION TO NORTH SEATTLE

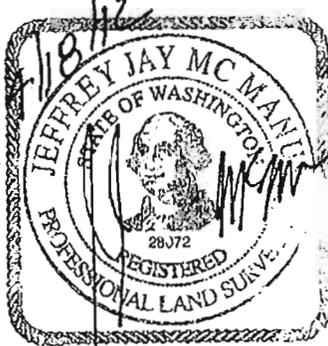
VULCAN PROJECT "BLOCK 44"

THE SOUTH 20.00 FEET, AS MEASURED AT RIGHT ANGLES, OF LOT 5,
BLOCK 93 OF D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE AS
RECORDED IN VOLUME 1 OF PLATS, PAGE 79, RECORDS OF KING
COUNTY, WASHINGTON.

EASEMENT CONTAINS 2,158 SQUARE FEET OR 0.0495 ACRES.

VULCAN
BLOCK 44
JEFFREY J. MCMANUS, P.L.S.
BRH JOB NO. 2010115.02
APRIL 17, 2012

BUSH, ROED & HITCHINGS, INC.
2009 MINOR AVENUE EAST
SEATTLE, WA 98102
(206) 323-4144



BLOCK 44
APRIL 18, 2012

ALLEY DEDICATION - BLOCK 93 D.T. DENNY'S
FIRST ADDITION TO NORTH SEATTLE

VULCAN PROJECT "BLOCK 44"

THE EAST 2.00 FEET OF LOTS 8, 9, AND 10, BLOCK 93 OF D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE AS RECORDED IN VOLUME 1 OF PLATS, PAGE 79, IN KING COUNTY, WASHINGTON, LYING SOUTH OF A LINE 20.00 FEET NORTH, AS MEASURED AT RIGHT ANGLES, OF THE SOUTH LINE OF SAID LOT 10.

DEDICATED AREA CONTAINS 280 SQUARE FEET OR 0.0064 ACRES.

VULCAN
BLOCK 44
JEFFREY J. MCMANUS, P.L.S.
BRH JOB NO. 2010115.02
APRIL 17, 2012

BUSH, ROED & HITCHINGS, INC.
2009 MINOR AVENUE EAST
SEATTLE, WA 98102
(206) 323-4144



BLOCK 44
APRIL 18, 2012

ALLEY VACATION - BLOCK 93 D.T. DENNY'S
FIRST ADDITION TO NORTH SEATTLE

VULCAN PROJECT "BLOCK 44"

ALL OF THAT PORTION OF THE ALLEY AS SHOWN IN BLOCK 93 OF D.T. DENNY'S FIRST ADDITION TO NORTH SEATTLE ACCORDING TO THE PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 79, RECORDS OF KING COUNTY, WASHINGTON, LYING NORTH OF A LINE DRAWN 20.00 FEET NORTH OF THE SOUTH LINE OF LOT 10 OF SAID PLAT PROJECTED EAST. VACATED AREA CONTAINS 4,361 SQUARE FEET OR 0.1001 ACRES.

VULCAN
BLOCK 44
JEFFREY J. MCMANUS, P.L.S.
BRH JOB NO. 2010115.02
APRIL 17, 2012

BUSH, ROED & HITCHINGS, INC.
2009 MINOR AVENUE EAST
SEATTLE, WA 98102
(206) 323-4144



BLOCK 44

APRIL 18, 2012

**STATEMENT
AND
OPERATING AGREEMENT
OF
CITY INVESTORS XX L.L.C.**

This Statement and Operating Agreement (the "Agreement") is made and entered into as of the 9th day of February, 2000, by and between **CITY INVESTORS INC.**, a Washington corporation, (the "Member") and, upon the filing of the Certificate of Formation of City Investors XX L.L.C., **CITY INVESTORS XX L.L.C.**, a Washington limited liability company (the "Company"). The undersigned Member desires to form and operate a limited liability company under the laws of the State of Washington on the terms and conditions set forth below:

The parties hereto agree as follows:

1. Formation; Name.

1.1 Formation and Name. The Member hereby forms and agrees to operate the Company to be known as "**CITY INVESTORS XX L.L.C.**" in accordance with RCW 25.15, the Washington Limited Liability Company Act (the "Act") under the terms and conditions set forth herein. Except as otherwise provided herein, the rights and liabilities of the Member shall be governed by the Act.

1.2 Defects as to Formalities. A failure to observe any formalities or requirements of this Agreement, the Certificate of Formation for the Company or the Act shall not be grounds for imposing personal liability on the Member for liabilities of the Company.

1.3 No Partnership Intended. The Company has been formed under the Act and is expressly not intended to be a partnership under either the Washington Uniform Partnership Act or the Washington Uniform Revised Limited Partnership Act or a corporation under the Washington Business Corporation Act. For so long as the Company has only one Member, the Company is intended to be treated as a branch of its Member for federal and state income tax purposes except as otherwise required under applicable law. The Company shall take such actions, including the making of available tax elections, as are reasonably necessary to ensure that the Company will be so classified.

1.4 Rights of Creditors and Third Parties. This Agreement is entered into for the exclusive benefit of the Company, its Member and its successors and assigns. This Agreement is expressly not intended for the benefit of any creditor of the Company or any other person. Except and only to the extent provided by applicable statute, no such creditor or third party shall have any rights under this Agreement or any agreement between the Company and any Member with respect to any contribution or otherwise.

2. Office and Registered Agent. The principal office of the Company is 110-110th Avenue N.E., Suite 550, Bellevue, Washington 98004, or at such other place designated by the

Member. The Company's registered agent and registered office in Washington shall be as provided in the Certificate of Formation, as it may be amended from time to time by the Company.

3. Purpose. The primary purpose and general character of the business of the Company is to, directly and indirectly, acquire, own, develop and operate real property. In addition, the Company may engage in any other business and will have such other purposes as may be necessary, incidental or convenient to carry on the Company's primary purpose, or as may be decided on by the Member.

4. Percentage Interests; Capital Contributions. The Member is the sole member of the Company and shall have a 100% percentage interest in the Company. The Member shall make capital contributions to the Company at such times and in such amounts as determined necessary in the sole discretion of the Member. The Member shall not be required to make any additional capital contributions to the Company, and the Member shall not be liable for the debts, liabilities, contracts, or any other obligation of the Company.

5. Allocations and Distributions. All net income and net loss of the Company shall be allocated 100% to the Member and all distributable cash shall be distributed 100% to the Member.

6. Management; Officers. The affairs of the Company shall be managed exclusively by the Member in its membership capacity, and the Member shall have the authority to bind the Company. The Member may appoint officers of the Company to carry out the day to day activities of the Company, who will have the duties determined appropriate for each officer by the Member.

7. Transfers. Interests in the Company may be freely transferable in the sole discretion of the Member, provided appropriate amendments are made to this Agreement.

8. Term; Dissolution. The term of the Company shall be perpetual unless dissolved in accordance with the provisions of the Act or in the sole discretion of the Member. Upon the dissolution and liquidation of the Company, the Member shall file a Certificate of Cancellation with the Secretary of State in accordance with the Act.

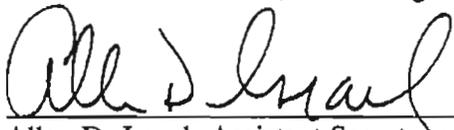
9. Amendment. This Agreement may only be amended by a written amendment signed by the Member and the Company.

10. Entire Agreement. This Agreement constitutes the entire agreement among the parties. This Agreement supersedes any prior agreement or understanding among them, oral or written, all of which are hereby cancelled. This Agreement may not be modified or amended other than pursuant to Section 9.

11. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington without reference to conflicts of law principles.

MEMBER:

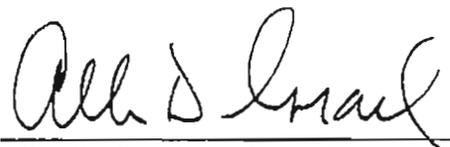
CITY INVESTORS INC., a Washington corporation

By: 
Allen D. Israel, Assistant Secretary

COMPANY:

CITY INVESTORS XX L.L.C., a Washington limited liability company

By: CITY INVESTORS INC., a Washington corporation, Member

By: 
Allen D. Israel, Assistant Secretary

w2 012 565

CERTIFICATE OF FORMATION
OF
CITY INVESTORS XX L.L.C.

FILED
STATE OF WASHINGTON

FEB 10 2000

RALPH MONRO
SECRETARY OF STATE

ALLEN D. ISRAEL, hereby executes this Certificate of Formation for the purpose of forming a limited liability company under Title 25 of the Revised Code of Washington.

1. The name of the limited liability company is:

CITY INVESTORS XX L.L.C.

2. The name of the initial registered agent is:

FPS CORPORATE SERVICES, INC.

3. The address of the initial registered office is:

1111 Third Avenue, Suite 3400
Seattle, WA 98101-3299

4. The address of the principal place of business of the limited liability company is:

Ste. 550, 110 – 110th Ave. N.E.
Bellevue, Washington 98004

5. The latest date on which the limited liability company is to dissolve is: December 31, 2049.

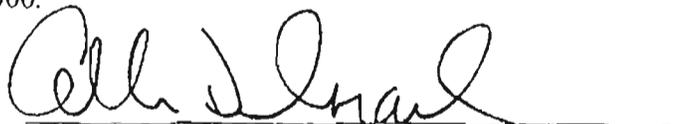
6. Management of the limited liability company is vested in one or more managers:

YES NO

7. The name and address of the person executing this certificate of formation is:

ALLEN D. ISRAEL
1111 Third Avenue, Suite 3400
Seattle, Washington 98101

DATED this 9th day of February, 2000.


Allen D. Israel, Executer

**PLAN OF MERGER
OF
CITY INVESTORS INC.
INTO
CITY INVESTORS ACQUISITION LLC**

This PLAN OF MERGER is made by and between **CITY INVESTORS ACQUISITION LLC**, a Washington limited liability company ("LLC" or "Surviving LLC"), and **CITY INVESTORS INC.**, a Washington corporation ("CII"). The parties hereby agree:

1. Merger. Upon the terms and subject to the conditions of this Plan of Merger, at the Effective Time (as defined below), in accordance with the Washington Business Corporation Act and the Washington Limited Liability Company Act, CII shall be merged with and into LLC (the "Merger") and the separate existence of CII shall thereupon cease. LLC shall be the surviving limited liability company in the Merger (the "Surviving LLC").

2. Effective Time. The Merger shall become effective as of the later of (the "Effective Time"): (a) 12:01 a.m. on January 1, 2004; or (b) the date on which a copy of this Plan of Merger and any other documents necessary to effect the Merger shall be filed with the Secretary of State of the State of Washington.

3. Terms and Conditions of Merger. At the Effective Time of the Merger:

(a) Each share of CII common stock that is issued and outstanding immediately prior to the Merger shall be canceled and all the stock certificates evidencing CII stock shall be surrendered to the LLC.

(b) Upon the Merger, the sole shareholder of CII shall receive in consideration of the Merger a ninety-nine percent (99%) membership interest in LLC.

4. Name. The name of the Surviving LLC shall be:

CITY INVESTORS LLC

5. Officers. The officers of the LLC immediately prior to the Merger shall serve as the officers of the Surviving LLC after the Merger; provided, however, that the LLC shall be managed by City Investors MM Inc.

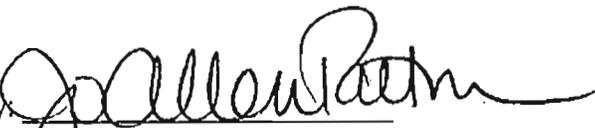
6. Statement and Operating Agreement. The Statement and Operating Agreement of City Investors Acquisition LLC and Bylaws in effect immediately prior to the Merger shall be amended and restated effective at the Effective Time of the Merger.

7. Certificate of Formation. The Certificate of Formation of City Investors Acquisition LLC shall be amended as follows:

- (a) Paragraph 1 shall be amended to read in its entirety as follows: "The name of the limited liability company is: **CITY INVESTORS LLC**; and
- (b) Paragraph 6 shall be amended to read in its entirety as follows: "Management of the limited liability company is vested in one or more managers: YES NO."

DATED this 29th day of December, 2003.

CITY INVESTORS INC.

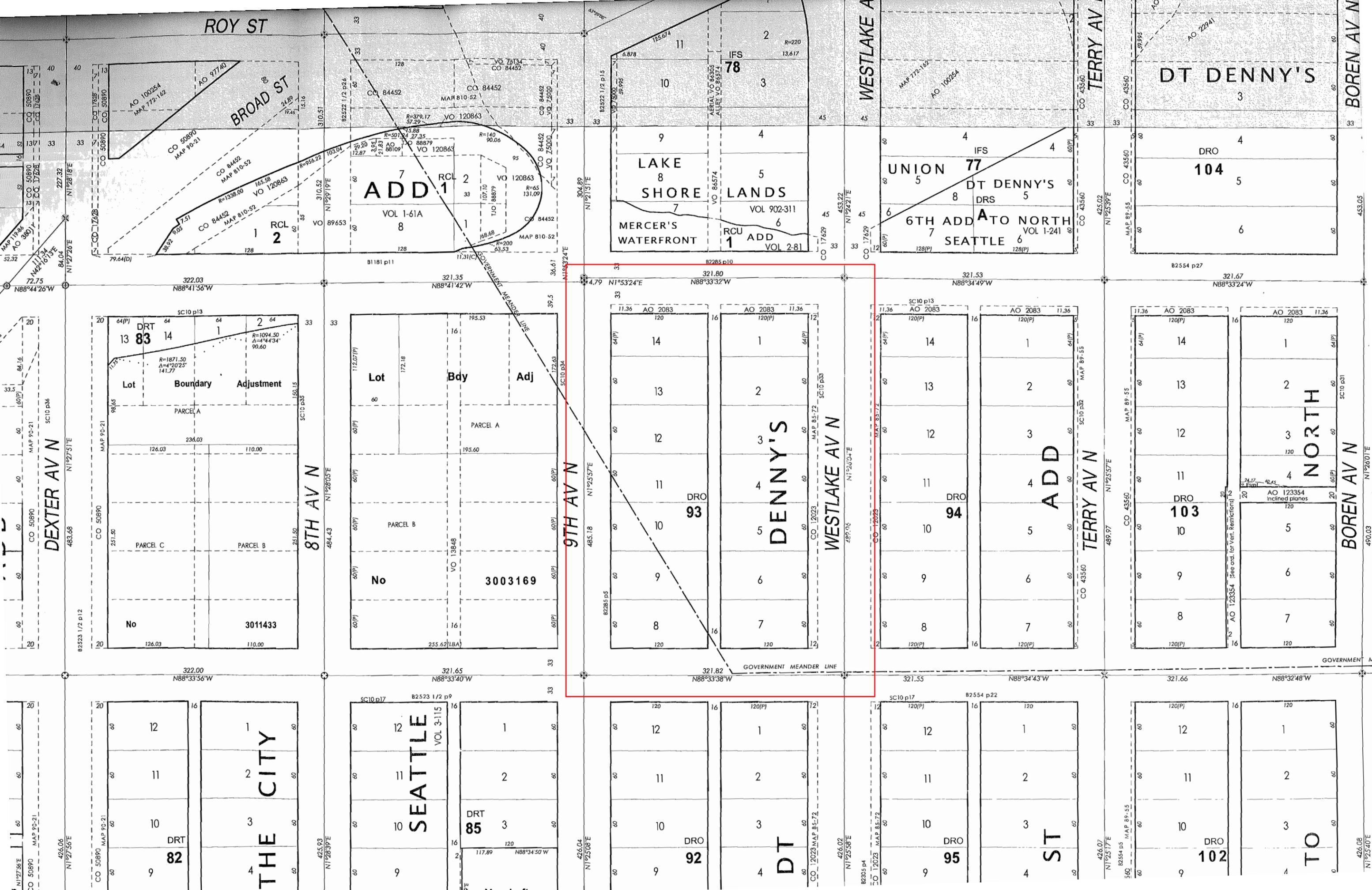
By: 
Jo Allen Patton
President

CITY INVESTORS ACQUISITION LLC

By: 
Jo Allen Patton
President

Appendix B

PLAT MAP



ROY ST

BROAD ST

WESTLAKE AV N

TERRY AV N

BOREN AV N

DT DENNY'S

ADD 1

LAKE SHORE LANDS

UNION 77
6TH ADD A TO NORTH SEATTLE

DRO 104

DEXTER AV N

8TH AV N

9TH AV N

DENNY'S

WESTLAKE AV N

TERRY AV N

BOREN AV N

NORTH

THE CITY

SEATTLE

DT

ST

TO

AO 100254
MAP 772-162
CO 50890
MAP 90-21

CO 84452
MAP 810-52

VO 120863
VOL 1-61A

IFS 78
VOL 902-311
VOL 2-81

IFS 77
DRS 5
VOL 1-241

SC10 p13
DRT 83
Lot Boundary Adjustment
PARCEL A
PARCEL B
PARCEL C
No
3011433

Lot Bdy Adj
PARCEL A
PARCEL B
No
3003169

AO 2083
DRO 93

SC10 p13
AO 2083
DRO 94

AO 2083
DRO 103

CO 50890
MAP 90-21
DRT 82
THE CITY

SC10 p17
B2523 1/2 p9
VOL 3-115
DRT 85

CO 12023
MAP 85-72
DRO 92

SC10 p17
B2554 p22
DRO 95

CO 43560
MAP 89-55
DRO 102

Appendix C

UTILITY IMPACTS

May 1, 2012

Terry McCann
EA Blumen
720 Sixth Street South
Suite 100
Kirkland, WA 98033

RE: *Block44 – Alley Vacation
Utility Impacts*

Dear Terry:

The intent of this letter is to summarize the Utility Impacts associated with the alley vacation petition for Block 44. A portion of the alley between Republican and Mercer Street will be vacated as part of the block 44 Development. We have conducted a site visit, reviewed survey and GIS information and contacted several agencies to determine the infrastructure that will be impacted by the alley vacation with a summary of potential impacts below.

We have reached out to both public and franchise utilities that could potentially be located in the alley and identified three utilities that currently have infrastructure in the alley. The only utility in the alley identified as being impacted is the Seattle City Light electrical system. We have been working with SCL over the past year and have received conceptual approval to re-route this system underground.

A private side sewer from lot 12 through to lots 2& 3 discharges to the existing combined sewer main in Westlake. This side sewer will be removed as part of the development and will no longer be required.

We have included at the end of this letter a list of the utilities we have contacted regarding the alley vacation as well as a map depicting the impacted utility.

Below is a summary of our discussions with the utilities in the alley to date.

Seattle City Light:

Gerard Legal

We have had on-going meetings with SCL for about 1-year to coordinate undergrounding the SCL system along 9th Avenue and specifically the alley and have received conceptual approval from them to proceed with the undergrounding.

Preliminary engineering plans have been provided to both SDOT and SCL and the team has established a bi-weekly meeting to coordinate the design and construction schedule. The design team has submitted a “*Service Application*” as requested by SCL as the permit mechanism for the infrastructure relocation.

Seattle Department of Transportation (SDOT)

Leo Kaarrekoski, Street Improvement Analyst

Engineered plans depicting the SCL re-route have been submitted to SDOT under a Major Utility Permit. We anticipate on-going discussion with SDOT to define the details and finalize the permit. Construction of the underground work is anticipated to begin in the summer of 2012.

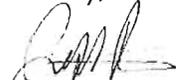
The partial alley vacation will re-route the alley approximately mid-block and turn it 90-degrees to the east such that it will connect to Westlake Avenue. The alignment and geometry of this new alley will be coordinated with SDOT through a formal Street Improvement Permit (SIP).

The design team has identified one utility impacted by the proposed alley vacation and are actively working with said utility to coordinate mitigating the loss of infrastructure due to the alley vacation by re-routing under-grounding in the portion of the alley to remain.

We can provide additional information and detail to the mitigation plans as the design evolves.

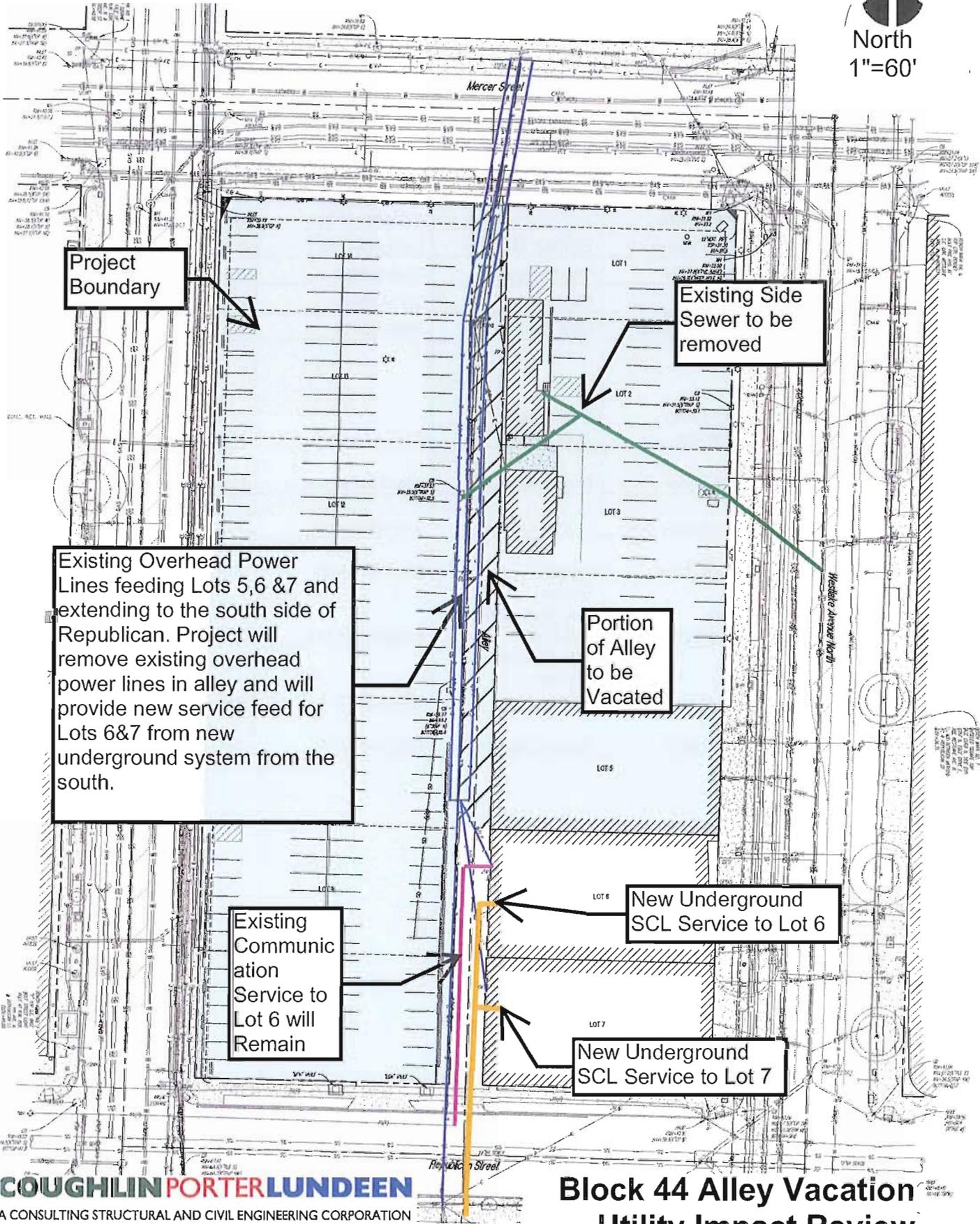
Sincerely,

Sincerely,


Jeff Peterson, PE

Utility Contacts

Company	Name	Title	Phone Number	Infrastructure in Alley
Comcast Cable	Art Nettles	Construction Coordinator	(425)263-5364	No
Electric Lightwave	Bob Robertson	Sr. OSP Engineer	206-812-3300	No
Verizon	Brad Landis		(425)201-0901	No
Century Link	Chris Mapes	Engineer III	(206)346-7484	Yes
AboveNet	Dan Walla	City Manager	2068324868	No
Time Warner	Fred Luco	Engineer	2066768066	No
Level 3	James Crooker	Field Manager	3606075438	No
City of Seattle, Department of Information Technology (DoIT)	Kris Henry-Simmons	Field Program Manager	(206) 684-0265	No
Ledcor Technical Services	Phil Taylor	Project Engineer	2062756754	No
Seattle City Light	Gerard Legall	Project Engineer	206-386-0048	Yes
Seattle Public Utilities	Tanya Treat	Engineer	(206) 615-1636	No
Seattle Department of Transportation	Leo Kaarrekoski	Street Improvement Analyst	(206)684-5234	Yes
Seattle Steam	David Easton	Vice President Business Development	(206)658-2025	No
360 Networks/Zayo	Phil Taylor	Project Engineer	(206)619-1570	No



Project Boundary

Existing Side Sewer to be removed

Existing Overhead Power Lines feeding Lots 5,6 & 7 and extending to the south side of Republican. Project will remove existing overhead power lines in alley and will provide new service feed for Lots 6&7 from new underground system from the south.

Portion of Alley to be Vacated

Existing Communication Service to Lot 6 will Remain

New Underground SCL Service to Lot 6

New Underground SCL Service to Lot 7

Appendix D

DEVELOPMENT MATRIX

South Lake Union Block 93 Project Vacation Petition – Development Matrix

Site and Project Description

Zoning Designation: SM-65

Street Classification: Alley

Assessed Value of Adjacent Property:

- Parcel 198320-0065 Total Assessed Value = \$10,790,600 / \$175 per sq. ft.¹
- Parcel 198320-0075 Total Assessed Value = \$1,701,000 / \$175 per sq. ft.²
- Parcel 198320-0085 Total Assessed Value = \$1,701,000 / \$175 per sq. ft.³

Lease rates in the General Vicinity for Similar Projects: \$15 to \$20 net per sq. ft.

Size of the Project:

- 390,000 sq. ft. office
- 12,000 sq. ft. retail
- 550 parking spaces

Size of the Alley to be Vacated: 2,203 sq. ft.

South Lake Union Block 44 Development Potential and Proposed Development

Property	Land Area – Alley	Maximum Development Potential	Proposed Development Sq. Ft. <u>without</u> Alley Vacation	Proposed Development Sq. Ft. <u>with</u> Alley Vacation
Alley – Block 93	7,971 sq. ft.	466,000 sq. ft.	497,000 sq. ft.	422,000 sq. ft.

¹ Based upon *King County Assessor's Office* data - \$10,790,600 total assessed value/61,655 sq. ft. = \$175 per sq. ft.

² Based upon *King County Assessor's Office* data - \$1,701,000 total assessed value/9,720 sq. ft. = \$175 per sq. ft.

³ Based upon *King County Assessor's Office* data - \$1,701,000 total assessed value/9,720 sq. ft. = \$175 per sq. ft.

Appendix E

PUBLIC BENEFITS MATRIX

South Lake Union Block 93 Project Vacation Petition – Public Benefits Matrix

Site and Project Description

Zoning Designation: SM-65

Street Classification: Alley

Assessed Value of Adjacent Property:

- Parcel 198320-0065 Total Assessed Value = \$10,790,600 / \$175 per sq. ft.¹
- Parcel 198320-0075 Total Assessed Value = \$1,701,000 / \$175 per sq. ft.²
- Parcel 198320-0085 Total Assessed Value = \$1,701,000 / \$175 per sq. ft.³

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³ Based upon *King County Assessor's Office* data - \$1,701,000 total assessed value/9,720 sq. ft. = \$175 per sq. ft.

Proposed Public Benefits: The public benefits proposed as part of the alley vacation petition are as follows:

Priority Emphasis	Courtyard Connection to Streetcar	Sidewalk Improvements, Westlake Avenue North	Sidewalk Improvements, 9th Avenue North
Transit Oriented Development	<p>Pull back the building facades to create open space zones on both Westlake and 9th Avenue North approximately 50 feet wide</p> <p>Entice people to walk or cycle to transit by creating an inviting pedestrian environment through the ADA-accessible cross-block connection. This would be the third east-west cross-block walkway, forming a continuous connection from Dexter to Westlake and the streetcar</p> <p>Incorporate the streetcar stop into the building design.</p> <p>Locate the interactive Commuter Information Center kiosk so it is available both to building employees and users outside the building</p> <p>Commit to providing up to 400 SF for the future Bikeshare facility along 9th Avenue North</p>	<p>Provide seating and weather protection to accommodate transit patrons waiting for the streetcar</p>	<p>Underground overhead utilities on 9th Avenue North</p> <p>Provide for seating, landscape</p> <p>Provide a bicycle repair station. The repair station will give cyclists convenient access to tools that keep bicycles on the go</p>
Priority Emphasis	Courtyard Connection to Streetcar	Sidewalk Improvements, Westlake Avenue North	Sidewalk Improvements, 9 th Avenue North

<p>Pedestrian Amenities in Midblock Connection</p>	<p>Provide food-oriented retail</p> <p>Provide overhead weather protection</p> <p>Provide an inviting, safe place for people to gather by incorporating "Crime Prevention through Environmental Design" (CPTED)</p> <p>Provide fixed benches and well as moveable tables and chairs</p> <p>Provide amenities to activate this area. Examples are:</p> <p>Passive reading space</p> <p>Newsstand with international magazines like the one in the Market</p>		
<p>Sustainable Initiatives</p>	<p>Target LEED Gold</p> <p>Orient northern building in an E-W orientation for better solar access</p> <p>Use native landscaping</p>		
<p>Other</p>	<p>Provide diversity in building form, better solar exposure and a better architecture than the non-vacation alternative</p> <p>Eliminate automobile access to Mercer Street to improve Mercer traffic flow</p>		

Appendix F

**WEST DESIGN REVIEW BOARD
MATERIALS**

BLOCK 44 - EARLY DESIGN GUIDANCE

SOUTH LAKE UNION - BLOCK 44

DPD MUP #3012560 & #3012563



26 APRIL 2012

South Lake Union BLOCK 44

EARLY DESIGN GUIDANCE

ZGF
ZIMMER GANTZ PARTNERS ARCHITECTS LLP

VULCAN



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- SURROUNDING USES AND TRANSPORTATION ANALYSIS 6
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STATEMENT OF DEVELOPMENT OBJECTIVES

Design and build a six-story commercial office building with approximately 72,000 rentable square feet per floor at Levels 2-5 and approximately 51,000 rentable square feet per floor at Levels 1 and 6, for a total of 390,000 rentable square feet. Level 1 will be occupied by approximately 3.8% retail and levels 2-6 will be occupied by office, for a sum of approximately 375,000 rentable square feet of office space and 15,000 rentable square feet of retail. Three levels of below-grade parking will be provided with approximately 546 stalls.

The project goals are to:

- Provide a Class A work environment
- Establish a sense of place
- Create a street presence and provide unique retail vitality
- Respect and contribute to the character of the neighborhood
- Foster connection to transportation networks, including South Lake Union Streetcar, bicycle routes and pedestrian-oriented streets (enhanced with City Council approval of alley vacation)
- Accommodate open space in a thoughtful manner
- Maximize building area on the site
- Build a sustainable project striving for LEED Gold rating
- Achieve efficient floor plates and overall high efficiency of project
- Locate parking below grade

PROJECT INFORMATION

ADDRESS:

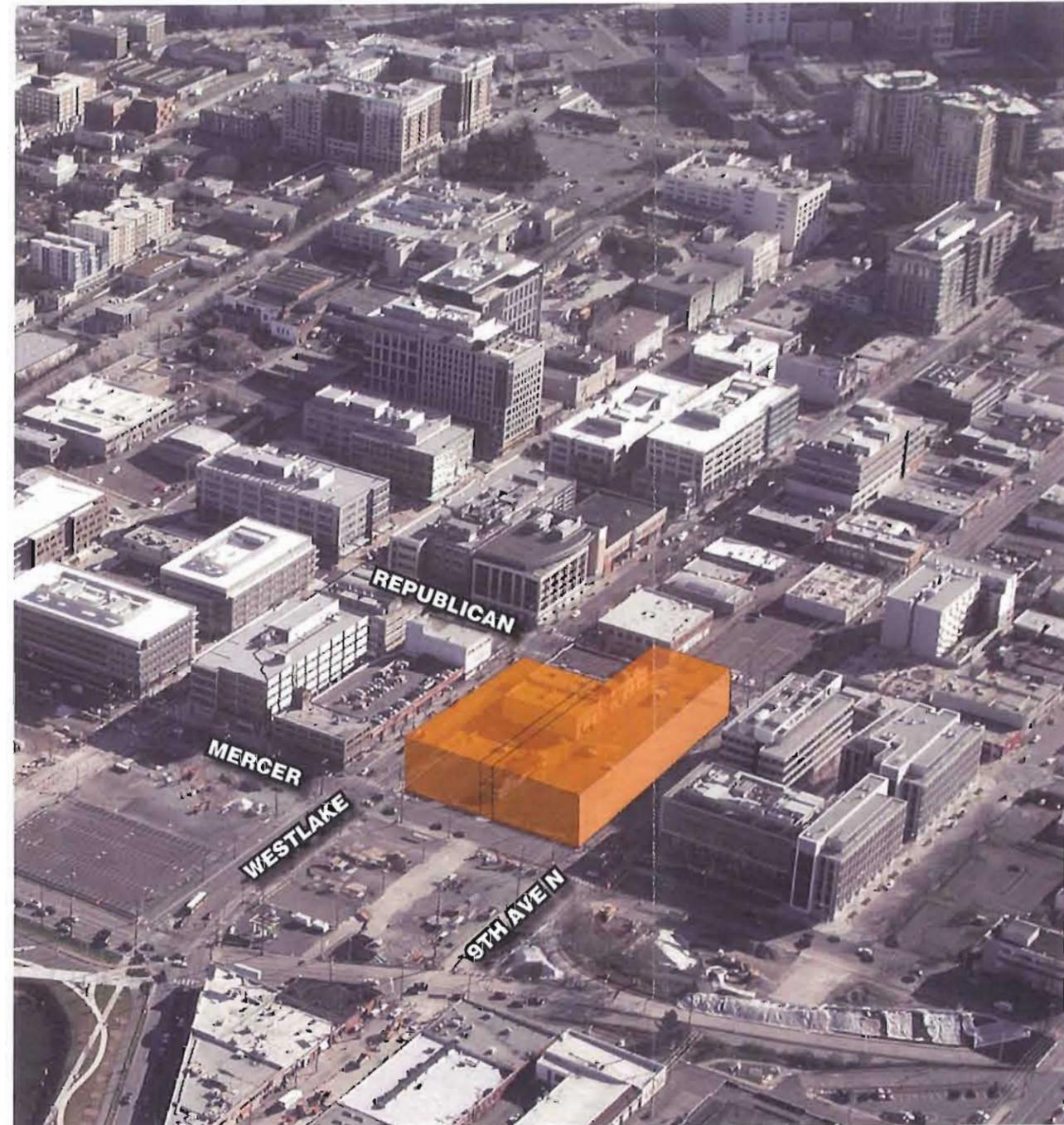
- 515 WESTLAKE AVENUE NORTH
- 500 9th AVENUE NORTH
- WESTLAKE NEIGHBORHOOD OF SOUTH LAKE UNION

SITE AREA:

- Project site area contains approximately 80,986 square feet or 1.8591 Acres
- Lots 8-14 contains approximately 49,434 square feet or 1.1348 Acres
- Lots 1-5 contains approximately 31,552 square feet or 0.7243 Acres
- Entire block without alley as shown contains approximately 93,931 square feet or 2.1564 Acres

TAX ACCOUNT:

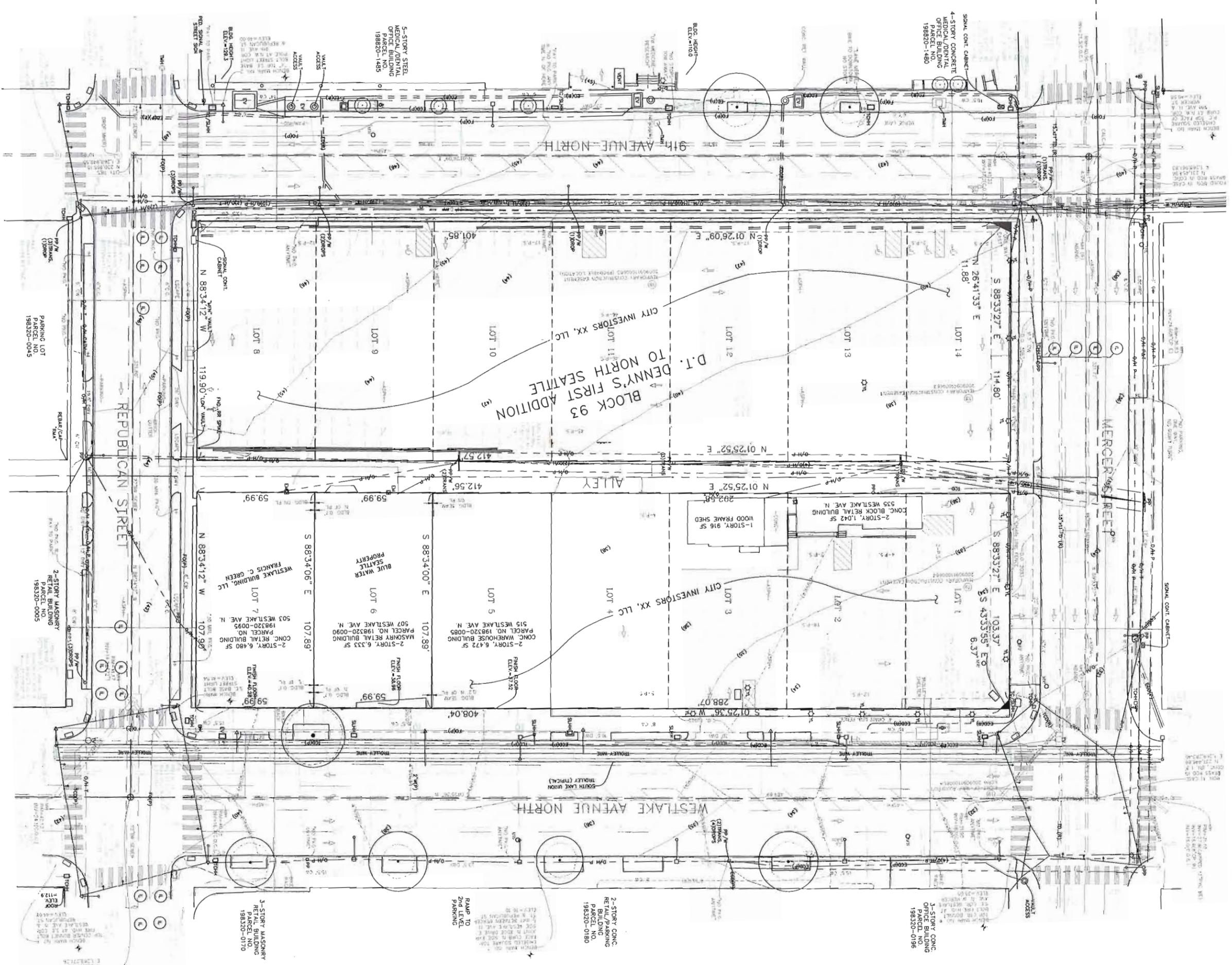
- 198320-0085-03 (LOT 5 & SOUTH HALF OF LOT 4)
- 198320-0075-05 (LOT 3 & NORTH HALF OF LOT 4)
- 198320-0065-07 (LOTS 8-14 & LOTS 1-2)



390,000 SF
RENTABLE SQUARE FOOTAGE

546
PARKING SPACES PROVIDED AT 1.4 RATIO





INTRODUCTION

South Lake Union Block 44

N SITE SURVEY

EARLY DESIGN GUIDANCE



ZONING CODE REVIEW

ZONING:	65' Seattle Mixed (SM-65)
CODE:	Seattle Municipal Code, Title 23 Land Use Code
DESIGN GUIDELINES:	City of Seattle Design Guidelines; South Lake Union Design Guidelines
HEART LOCATION:	Westlake Avenue North is identified as a heart location
OVERLAYS:	Westlake Avenue North is Class 1 Pedestrian Street Mercer and Republican Streets are City Class 2 Pedestrian Streets
FLOOR AREA RATIO:	None required

23.48.004 PERMITTED USES:

- All uses are permitted outright, either as principal or accessory uses except those specifically prohibited by Section 23.48.006 or conditional uses by Section 23.48.008
- Proposed development plans to have approximately 3% retail space and 97% commercial office space, all within the allowed uses.

23.48.010 STRUCTURE HEIGHT:

- Maximum structure height is sixty-five (65) feet
- Height limits may be increased to eighty-five (85) feet when:
 - Minimum of two (2) floors with a floor-to-floor height of fourteen (14) feet.
 - Additional height to accommodate mechanical equipment
 - No more than six (6) floors
 - Rooftop features may extend above height limit

23.48.012 SETBACK REQUIREMENTS:

- None required

23.48.014 FAÇADE REQUIREMENTS

- A primary building entrance shall be required from the street or street-oriented courtyards and shall be no more than three (3) feet above or below the sidewalk grade.
- MINIMUM FAÇADE HEIGHT:
 - Class 1 Street (Westlake Avenue North) – forty-five (45) feet minimum
 - Class 2 Street (Mercer & Republican Streets) – twenty-five (25) feet minimum
 - All other streets (9th Avenue North) – fifteen (15) feet minimum
 - Façades on Class 1 Street shall be built to the street property line along a min of 70% of the façade length
- STREET LEVEL SETBACK:
 - Except on Class 1 Pedestrian Streets, structures may be set back up to 12 feet from the property lines.
 - Additional setbacks permitted up to thirty percent (30%) of the length of the set-back street wall, provided the additional setback is located a distance of twenty (20) feet or greater from the street corner.

23.48.018 TRANSPARENCY AND BLANK FAÇADE

- Transparency required: Class 1 and 2 Pedestrian Streets (Westlake Avenue N, Mercer and Republican Streets) - Sixty Percent (60%) minimum of the width of the street-level façade
- All other Streets (9th Avenue North)- Thirty Percent (30%) minimum of the width of the street-level façade

BLANK FAÇADE LIMITS

- Class 1 and 2 Pedestrian Streets:
 - Limited to segments fifteen (15) feet wide
 - May be increased to thirty (30) feet wide if Director determines that façade enhances the visual interest.
- All other Streets:
 - Limited to segments thirty (30) feet wide
 - May be increased to sixty (60) feet wide if Director determines that façade enhances the visual interest.

23.48.019 STREET-LEVEL USES: (Class 1 Pedestrian Streets - Westlake Avenue N)

- Required uses must include one or more of the following: General sales and services uses, Eating and drinking establishments, Entertainment uses, Public libraries, Public Parks
- Minimum seventy-five percent (75%) of each street frontage at street level
- Minimum floor-to-floor height of thirteen (13) feet extending at least thirty (30) feet in depth at street level
- Located within ten (10) feet of the street property line or abut to open space
- Pedestrian access required no more than three (3) feet above or below sidewalk grade

23.48.024 SCREENING AND LANDSCAPING STANDARDS

- Where required, three (3) foot high screening on street property lines
- Landscaping for Setback areas and berms
- Screening for Specific Uses
- Street Trees

23.48.032 REQUIRED PARKING AND LOADING

- Off-street parking spaces per Section 23.54.015 / Loading berths per Section 23.54.035
- Where access to loading berth is from the alley, and truck loading is parallel to the alley, a setback of twelve (12) feet is required for the loading berth, measured from the centerline of the alley
- Setback shall have sixteen (16) feet height clearance

23.48.034 PARKING AND LOADING LOCATION

- When a lot abuts more than one (1) right-of-way, the location of access for parking and loading shall be determined by the Director
- Access to parking and loading shall be from the alley when the lot abuts and alley
- Curbcut width and number of curbcuts shall satisfy the provisions of Section 23.54.030

23.53.030 ALLEY IMPROVEMENTS

- When existing alley is used for access to parking spaces, open storage, or loading berths and the alley does not meet the minimum width, a dedication equal to half the difference between the current alley right-of-way width and minimum right-of-way width is required
- Existing alley right-of-way width equals sixteen (16) feet
- Required alley right-of-way width equals twenty (20) feet; Proposed project will dedicate two (2) feet to alley

23.54.015 REQUIRED PARKING

- Eating and Drinking establishments – 1 space for each 250 square feet (Waiver up to a max of 5,000 sq ft)
- Offices – 1 space for each 1,000 square feet
- Sales and Services, general – 1 space for each 500 square feet
- Note that there are no minimum requirements for non-residential uses (other than institutions) in urban centers or the Station Area Overlay District (3)
- Bicycle parking shall be provided in a safe, accessible and convenient location

23.54.030 PARKING SPACE STANDARDS

- Small vehicles - Minimum thirty-five percent (35%); Maximum sixty-five percent (65%)
- Large vehicles – Minimum thirty-five percent (35%)

23.54.035 LOADING BERTHS

- Individual Buildings – 3 berths each building of 160-264 GSF area
- Combined site (378,000 GSF) – 4 loading berths
- Low-Medium Demand – 10 feet wide x 14 feet vertical clearance x 35 feet long (Possible to reduce to 25 feet long with Director's ruling)





QUEEN ANNE

UPTOWN

Seattle Center

Gates Fnd

BLK 44

SOUTH LAKE UNION

CAPITOL HILL

WATERFRONT

BELLTOWN

DENNY TRIANGLE

PIKE/PINE

RETAIL CORE

FIRST HILL



South Lake Union BLOCK 44

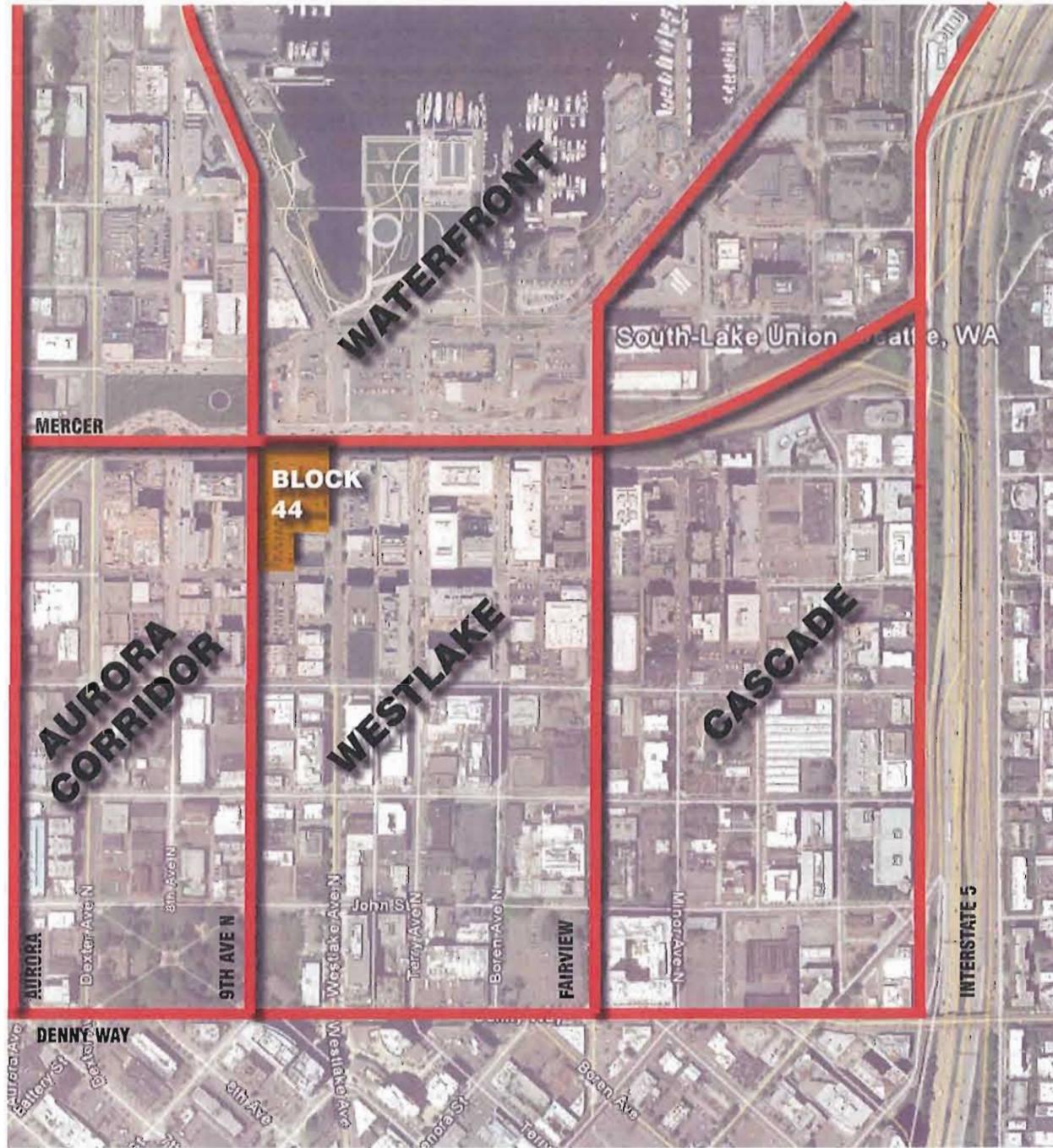
URBAN DESIGN ANALYSIS

4 VICINITY MAP

EARLY DESIGN GUIDANCE

ZGF
SMART. COLLAB. INSPIRE. ADAPT. UP.





LOCATION OF BLOCK 44 WITHIN SOUTH LAKE UNION.

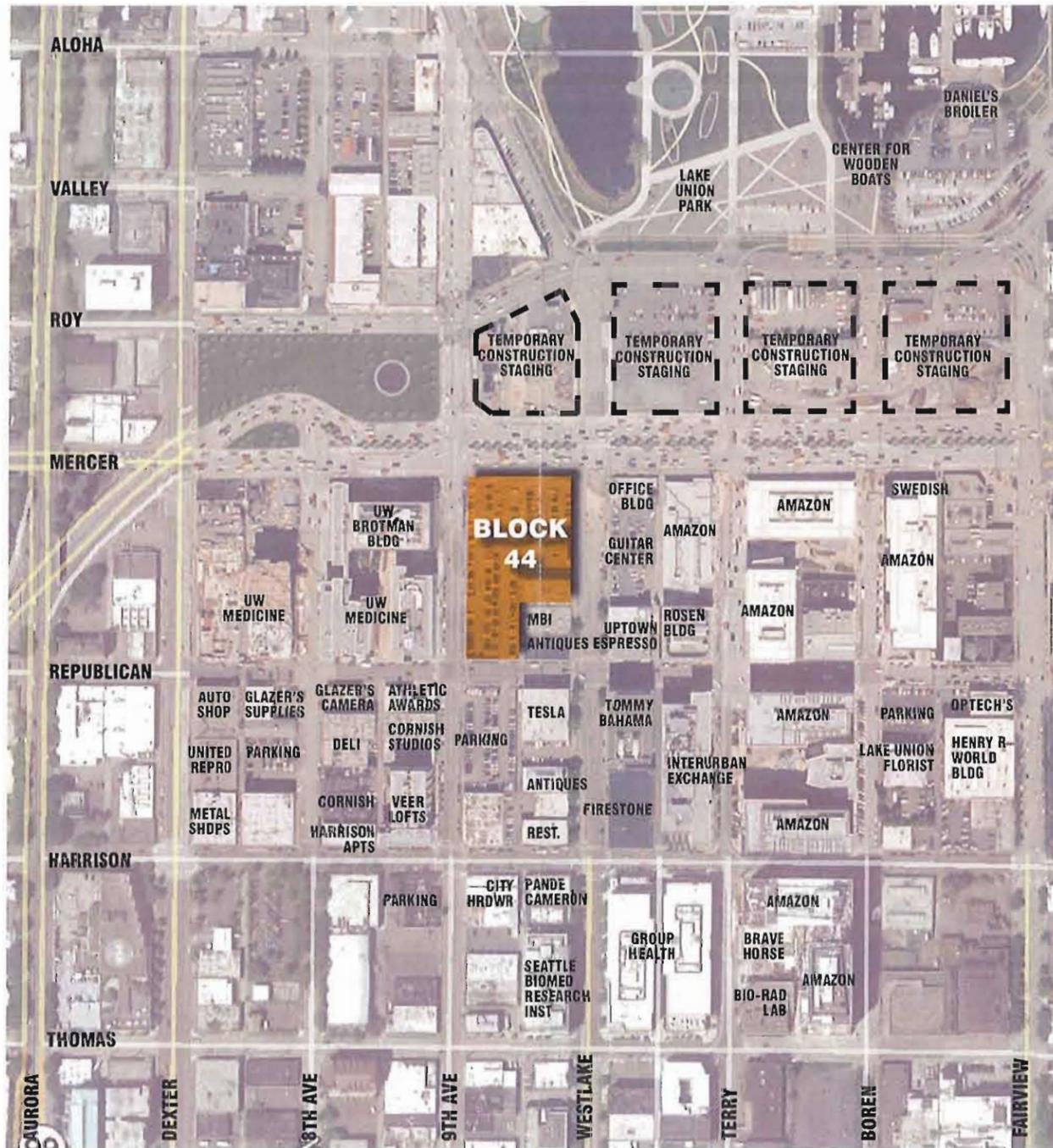
Block 44 is located at the intersection of Mercer and Westlake in the northern portion of the Westlake Sub Area of South Lake Union.



ZONING AND USE TYPES NEAR BLOCK 44

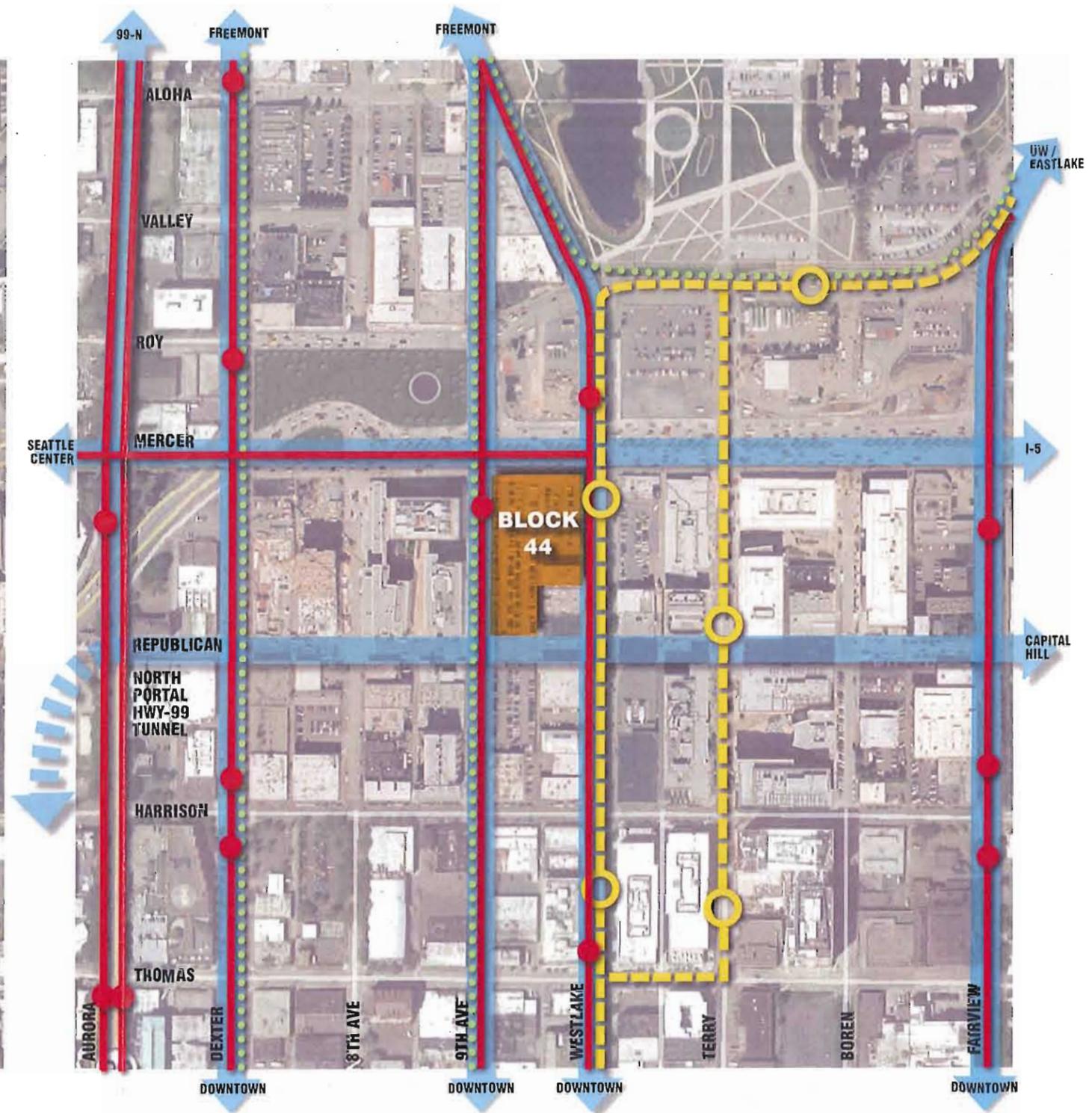
Block 44 is zoned SM-65, Seattle Mixed 65 feet. It is bounded by commercial and light industrial buildings.





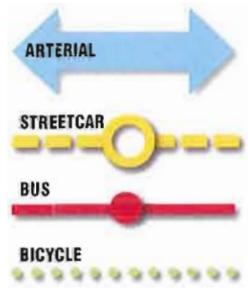
BLOCK 44 BOUNDING USES

Block 44 is located amidst low to mid rise commercial buildings. Several recent developments include the UW Medicine Block to the west and Amazon buildings to the east.



TRANSPORTATION ANALYSIS

Block 44 is located at the junction of several transit options. The corner of Westlake and Mercer features a street car stop. Buses and bicycle routes are also closely available.



South Lake Union BLOCK 44

URBAN DESIGN ANALYSIS

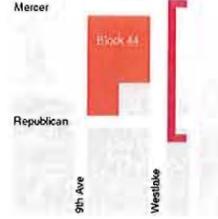
6 SURROUNDING USES AND TRANSPORTATION ANALYSIS

EARLY DESIGN GUIDANCE

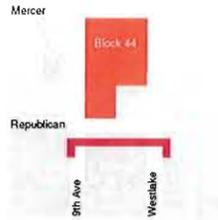
ZGF

VULCAN

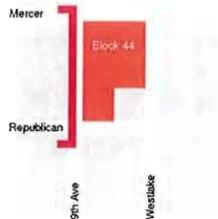




WESTLAKE
LOOKING EAST



REPUBLICAN
LOOKING SOUTH



9TH
LOOKING WEST



South Lake Union BLOCK 44

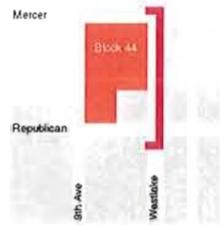
URBAN DESIGN ANALYSIS

EARLY DESIGN GUIDANCE

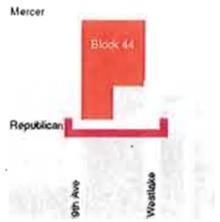
CONTEXT
PHOTOS

ZGF
ZUMUT, CORBIN, INABA, ARCHITECTS LP

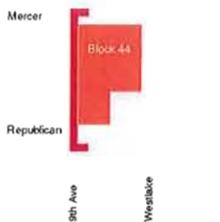




WESTLAKE
LOOKING WEST



REPUBLICAN
LOOKING NORTH

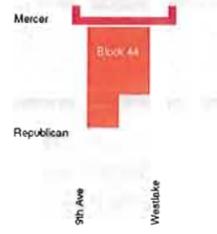


9TH
LOOKING EAST

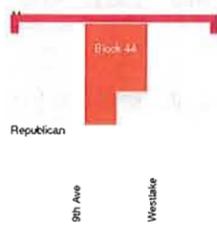


South Lake Union Block 44

URBAN DESIGN ANALYSIS



MERCER LOOKING NORTH



MERCER LOOKING SOUTH



South Lake Union Design Guidelines

In keeping with the intent of the Citywide Guidelines and the individual South Lake Union Design Guidelines as well as the Project Development Objectives noted previously, we are providing the following listing of specific guidelines for discussion with the Design Review Board:

A. Site Planning

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

SLU-specific supplemental guidance

- Encourage provision of "outlooks and overlooks" for the public to view the lake and cityscapes. Examples include provision for public plazas and/or other public open spaces and changing the form or façade setbacks of the building to enhance opportunities for views.

Heart Locations

Several areas have been identified as "heart locations". Heart locations serve as the perceived center of commercial and social activity within the neighborhood. Development at the heart locations should enhance their central character through appropriate site planning and architecture. These sites have a high priority for improvements to the public realm. A new building's primary entry and facades should respond to the heart location. Special street treatments are likely to occur and buildings need to respond to these centers of commercial and social activity. Amenities to consider are: pedestrian lighting, public art, special paving, landscaping, additional public open space provided by curb bulbs and entry plazas.

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable special characteristics of the right-of-way.

SLU-specific supplemental guidance

The vision for the street-level uses in South Lake Union is a completed network of sidewalks that successfully accommodates pedestrians. Streetscape compatibility is a high priority in the neighborhood with redevelopment. Sidewalk related spaces should appear safe, welcoming and open to the general public.

- Provide pedestrian-friendly streetscape amenities such as tree grates, benches and lighting
- Encourage provision of spaces for street level uses that vary in size, width and depth. Encourage use of awnings and weather protection along street fronts to enhance the pedestrian environments.
- Where appropriate, configure retail space so that it can spill out onto the sidewalk.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

SLU-specific supplemental guidance

- Create graceful transitions at the streetscape level between the public and private uses
- Keep neighborhood connections open, and discourage closed campuses
- Design facades to encourage activity to spill out from business onto the sidewalk and vice-versa.
- Reinforce pedestrian connections both within the neighborhood and to pother adjacent neighborhoods.
- Design for a network of safe and well-lit connections to encourage human activity and link exiting high activity areas.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to nearby, less intensive zones.

Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

SLU-specific supplemental guidance

- Address both the pedestrian and auto experience through building placement, scale and details with specific attention to regional transportation corridors such as Mercer, Aurora, Fairview and Westlake.
- Articulate the building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.
- Consider using architectural features to reduce building scale such as landscaping, trellis, complimentary materials, detailing, and accent trim.

C. Architectural Elements and Materials

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or compliment the architectural character and siting pattern of neighboring buildings.

SLU-specific supplemental guidance

Design the "fifth elevation" – the roofscape – in addition to the streetscape. As this area topographically is a valley, the roofs may be viewed from locations outside the neighborhood such as the freeway and Space Needle. Therefore, views from outside the area as well as from within the neighborhood should be considered, and roof-top elements should be organized to minimize view impacts from the freeway and elevated areas.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

SLU-specific supplemental guidance

- New developments are encouraged to work with the Design Review Board and interested citizens to provide features that enhance the public realm, i.e. the transition zone between private property and the public right-of-way. The Board is generally willing to consider a departure in open space requirements if the project proponent provides an acceptable plan for features such as pedestrian-oriented street lighting and/or street lighting.

D-7 Personal Safety and Security

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

SLU-specific supplemental guidance

- Enhance public safety throughout the neighborhood to foster 18-hour public activity. Methods to consider are enhanced pedestrian and street lighting; well-designed public spaces that are defensively designed with clear sight lines and opportunities for eyes on the street; police horse tie-up locations for routine patrols and larger event assistance.

E. Landscaping

E-1 Reinforce existing landscape character of neighborhood

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

SLU-specific supplemental guidance

- Support the creation of a hierarchy of passive and active open space within South Lake Union. This may include pooling open space requirements on-site to create larger spaces.
- Encourage landscaping that meets LEED criteria. This is a priority in the Cascade neighborhood.
- Where appropriate, install indigenous trees and plants to improve aesthetics, capture water and create habitat.
- Reference the City of Seattle Right Tree Book and the City Light Standards Manual for appropriate landscaping and lighting options for the area.

E-2 Landscaping to Enhance the Building and/or Site

Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

SLU-specific supplemental guidance

- Consider integrating artwork into publicly accessible areas of a building and landscape that evokes a sense of place related to the previous uses of the area. Neighborhood themes may include service industries such as laundries, auto row, floral businesses, photography district, arts district, maritime, etc.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

SLU-specific supplemental guidance

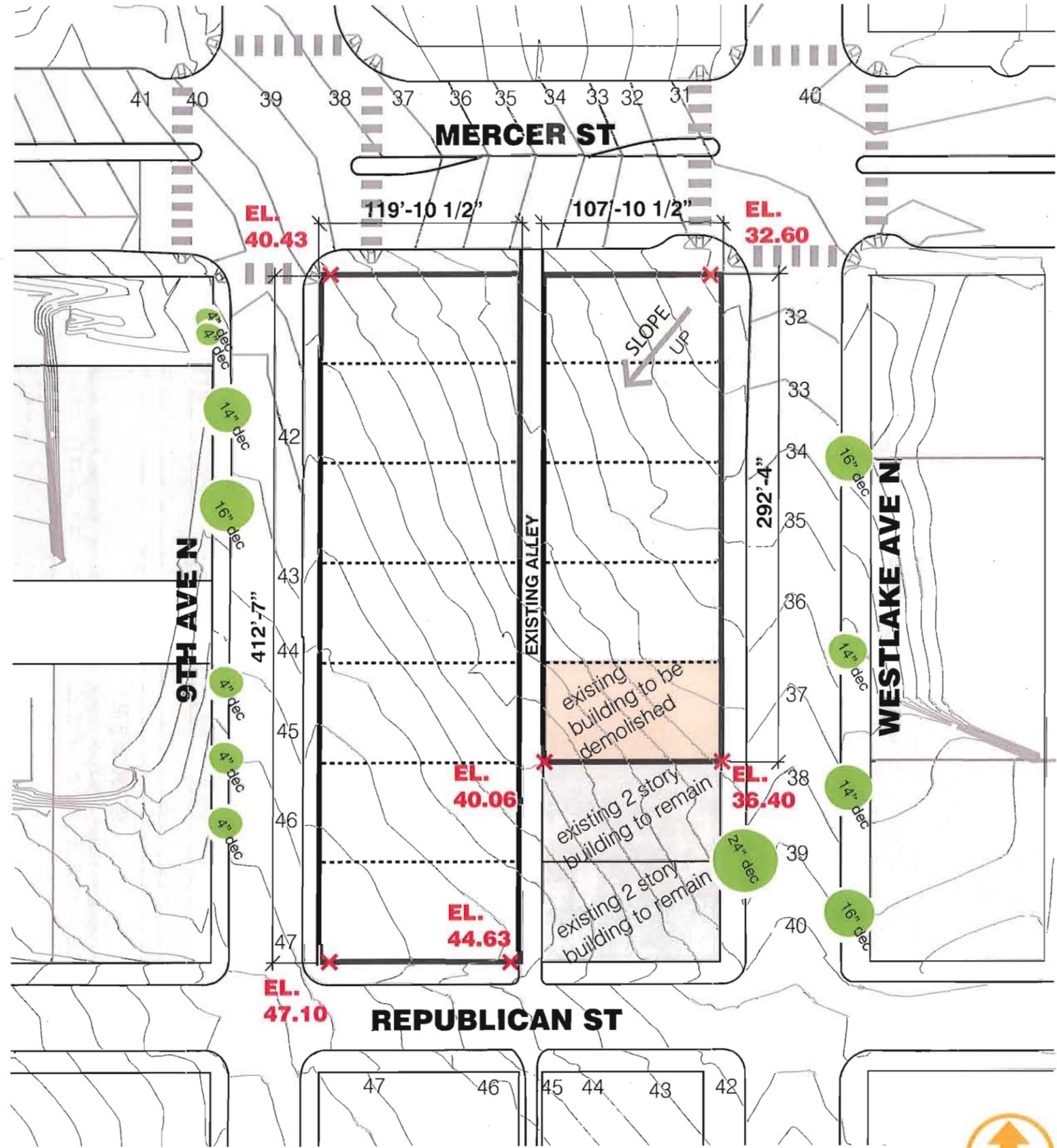
Landscaping should be designed to take advantage of views to waterfront and downtown Seattle.

SITE ANALYSIS

Block 44 is currently being used as a parking lot and hosts a scooter rental facility. Two other buildings are currently in operation and will remain - the MBI building and the Antiques Dealer. A third building, currently vacant is scheduled for demolition.

There is an existing 16-foot alley traversing the block (north to south). All new developments are required to provide a 2-foot easements from the existing property line to accommodate a clear alley width of 20 feet.

There are no trees on the site. The site slopes nearly fifteen feet across its length. Topography changes from a high point of 47' on the southwest corner to a low point of 32' at the northeast.



ACCESS

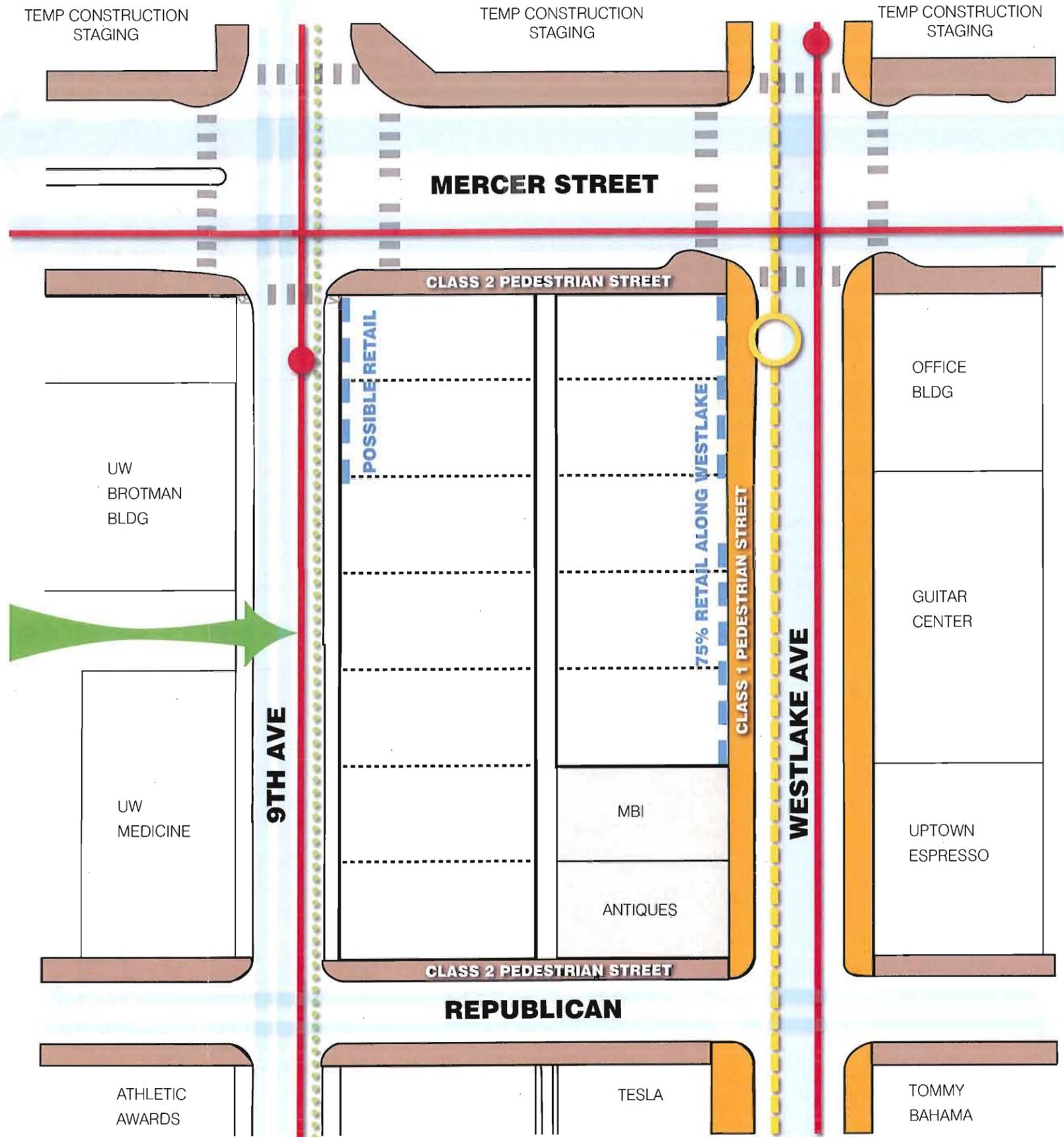
Block 44 is bounded by Westlake Avenue N to the east which is a Class 1 Pedestrian Street requiring a minimum of 75% of the street frontage to be retail. This avenue is one-way running south and includes transit with a bus stop north of Mercer Street and a streetcar stop on the northeast corner of the site. The new Mercer Street corridor to the north is a two-way Class 2 Pedestrian Street with a bus line that turns on Westlake. Republican Street is to the south and it is also a two-way Class 2 Pedestrian Street. To the west is 9th Avenue N which is a two-way street with both transit and a bike lane.

Both Class 1 and Class 2 Pedestrian streets have a 60% minimum width requirement of the street level façade. Blank facades are limited to 15 foot wide segments with an option to increase it to 30 feet if the Director determines that the façade enhances the visual interest. The façade facing 9th Avenue N is limited to a 30 foot wide segment of blank façade with the option to increase it to 60 feet if approved by the Director.

In reviewing the new developments in the area, we noted the cross-block connections that are being introduced as depicted in the diagram below.



CROSS-BLOCK CONNECTORS



Urban Design Context:

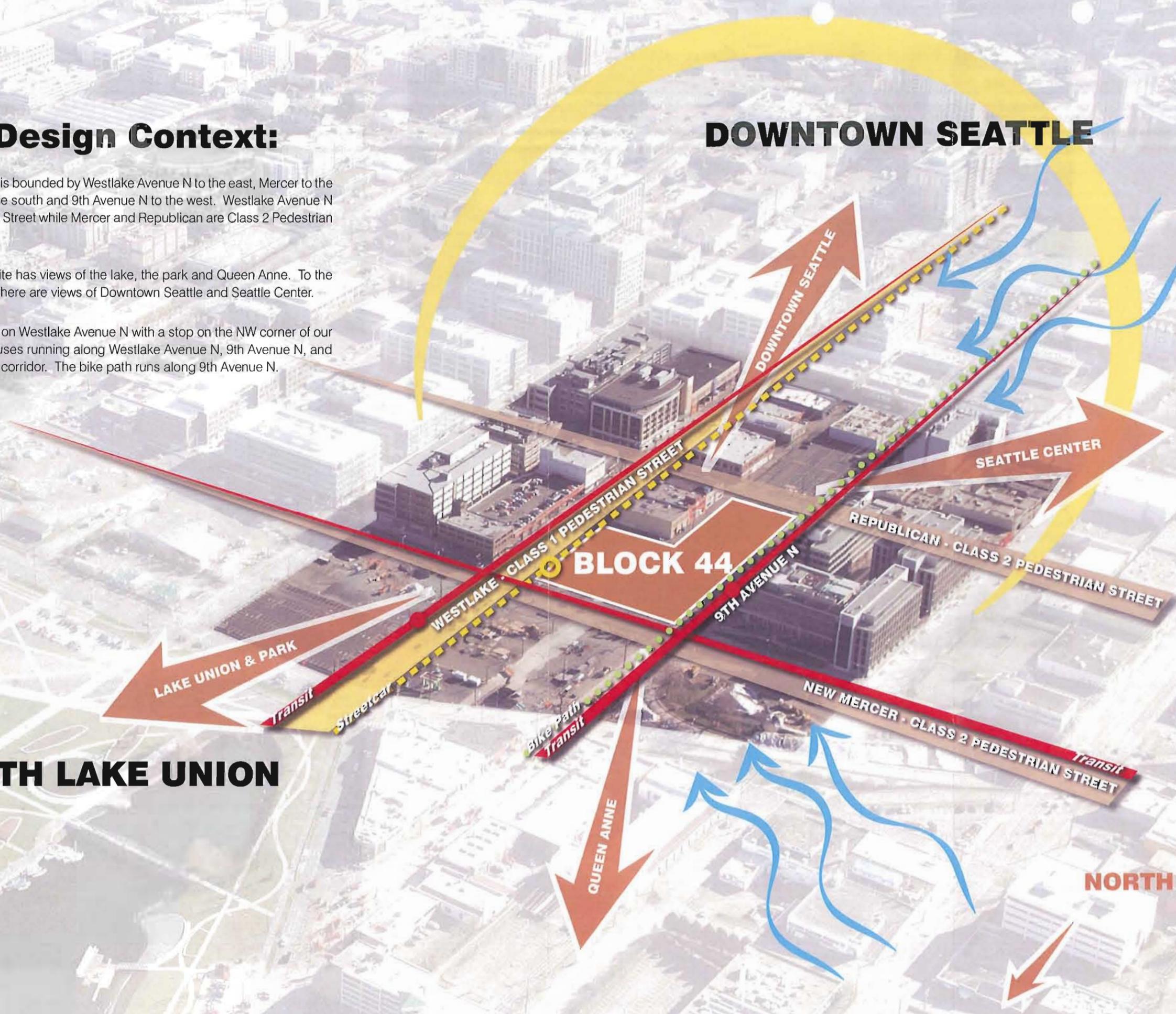
Block 44 development is bounded by Westlake Avenue N to the east, Mercer to the north, Republican to the south and 9th Avenue N to the west. Westlake Avenue N is a Class 1 Pedestrian Street while Mercer and Republican are Class 2 Pedestrian Streets.

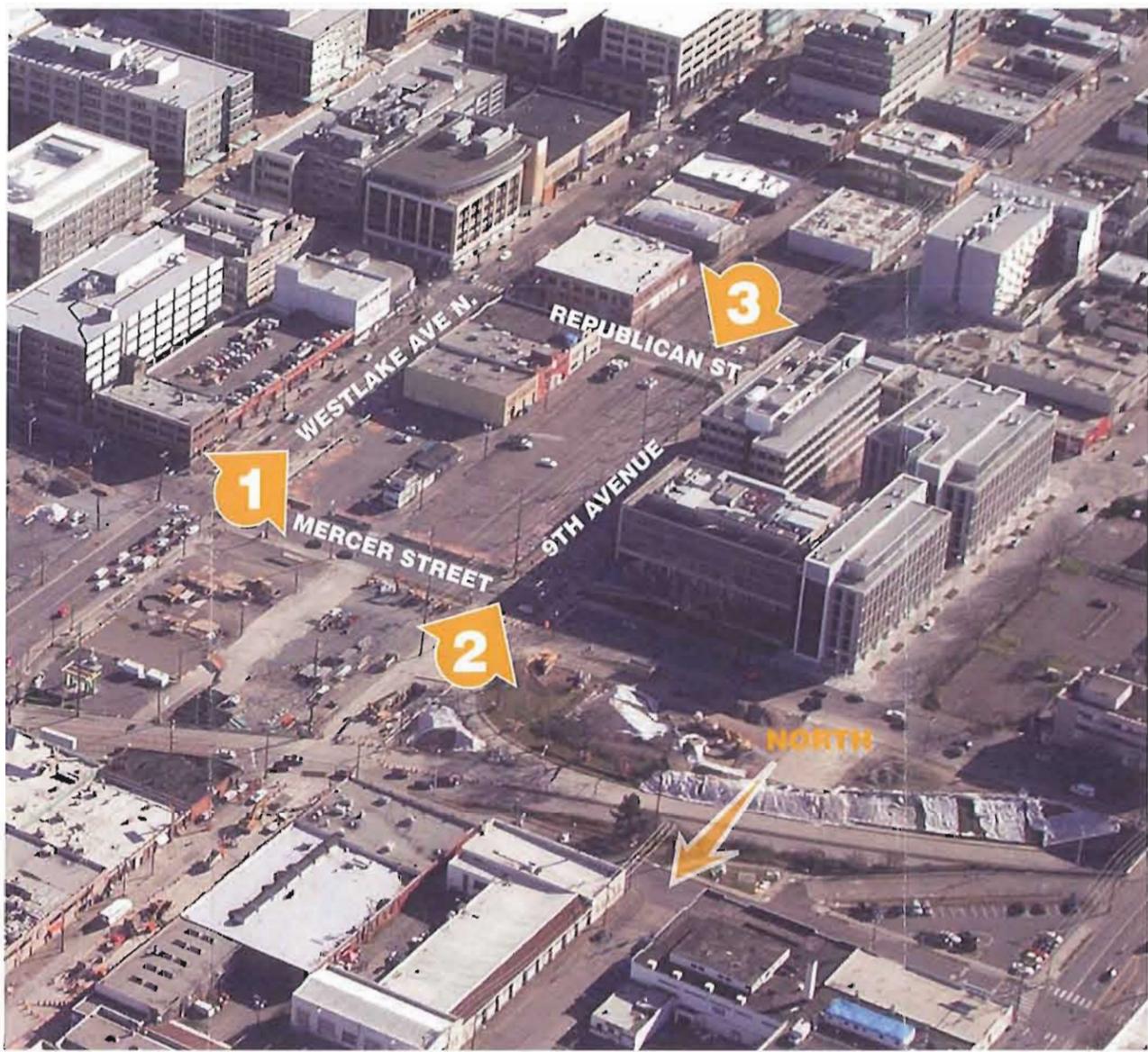
The north side of the site has views of the lake, the park and Queen Anne. To the south and southwest, there are views of Downtown Seattle and Seattle Center.

The Streetcar line runs on Westlake Avenue N with a stop on the NW corner of our site. There is transit buses running along Westlake Avenue N, 9th Avenue N, and the New Mercer Street corridor. The bike path runs along 9th Avenue N.

SOUTH LAKE UNION

DOWNTOWN SEATTLE





SITE ANALYSIS

**SITE
PHOTOS**

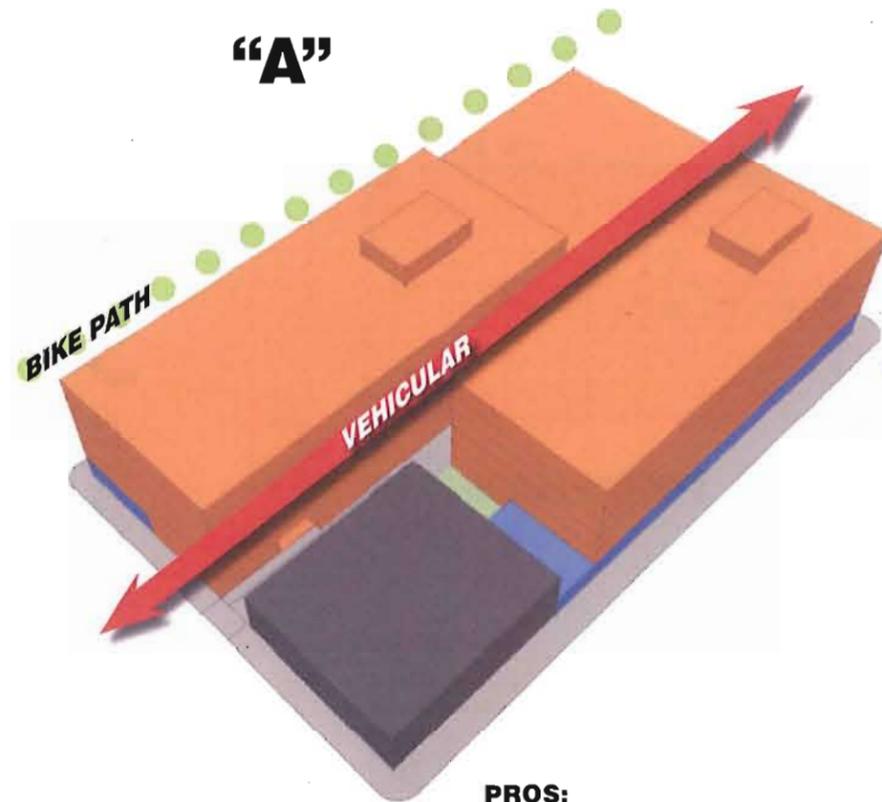
EARLY DESIGN GUIDANCE

ZGF
ZACHRY GROUP INC. ARCHITECTS OF

VULCAN

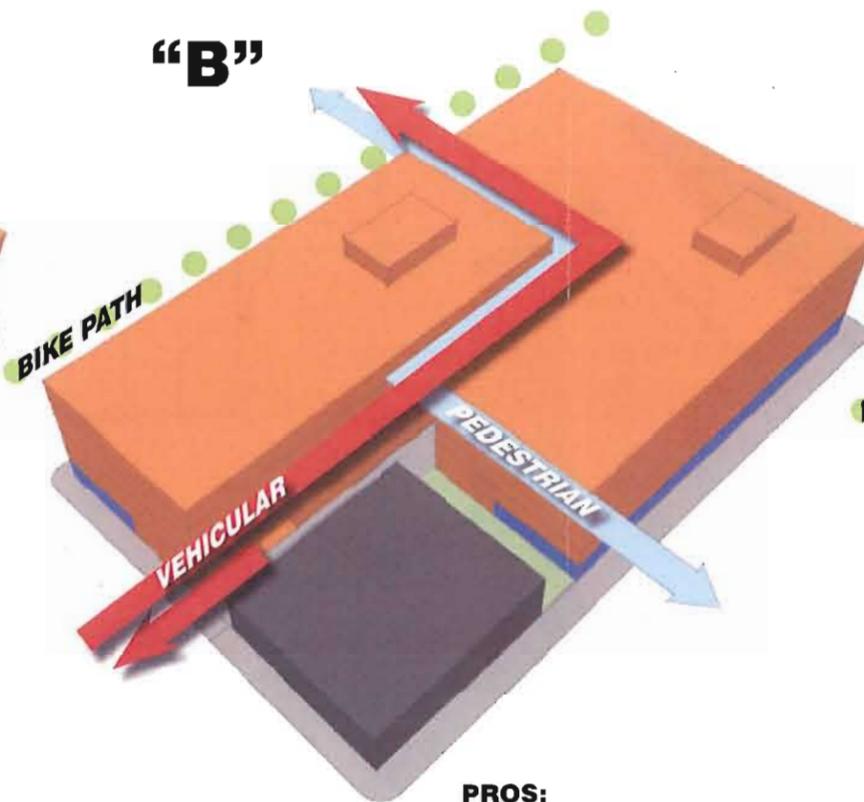
South Lake Union BLOCK 44

THREE FEASIBLE ALTERNATIVE ARCHITECTURAL CONCEPTS



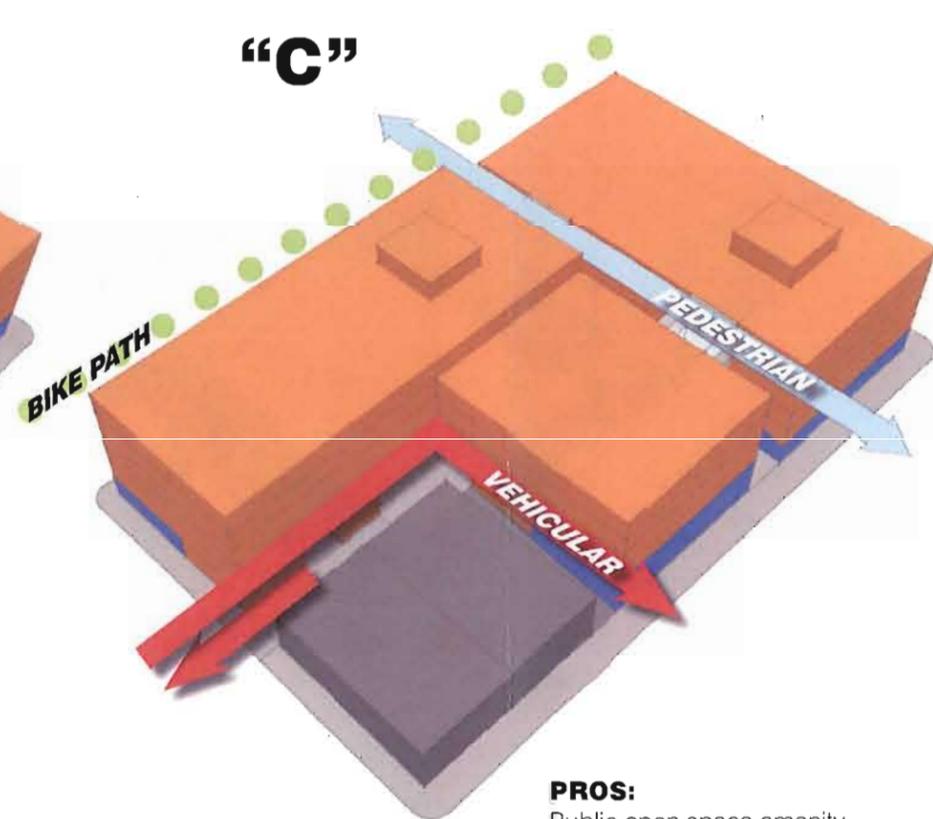
- PROS:**
- Simplicity of form
 - Building phasing opportunity
 - Simpler entitlement process - Avoids alley vacation

- CONS:**
- Access to and from Mercer required
 - Elevations look onto service alley
 - Disconnected floor plates
 - Duplication of building infrastructure
 - No thru-block connection
 - Reduced public space opportunities



- PROS:**
- Public space opportunities
 - Shared building services
 - Connected floor plates
 - Eliminates access to Mercer corridor

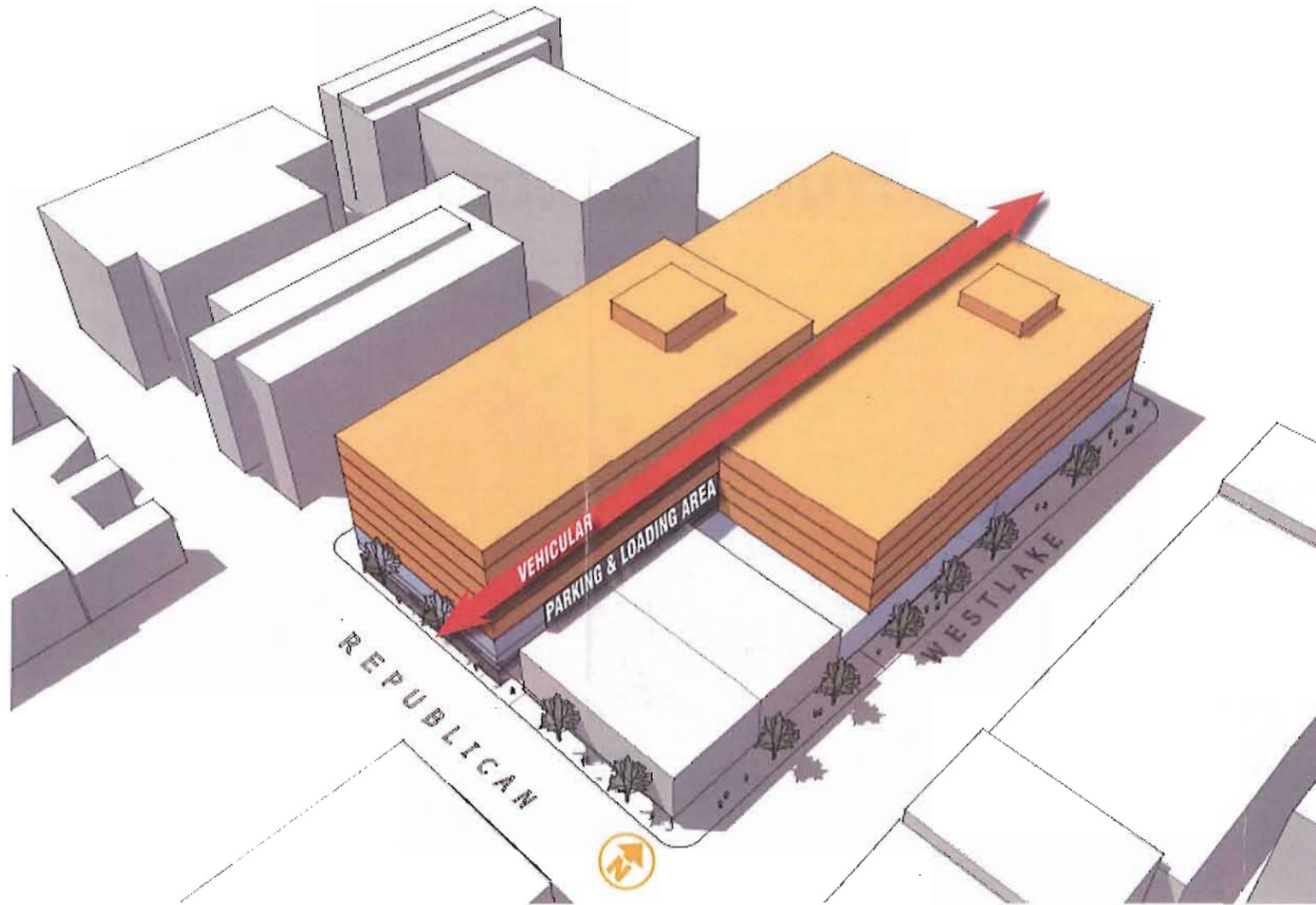
- CONS:**
- Alley vacation required
 - Public space is shared with service alley
 - No visual thru-block connection
 - Building vehicular traffic in conflict with bike path



- PROS:**
- Public open space amenity
 - Shared building services
 - Connected floor plates
 - Eliminates access to Mercer corridor
 - Premium visual thru-block connection
 - Optimized perimeter space

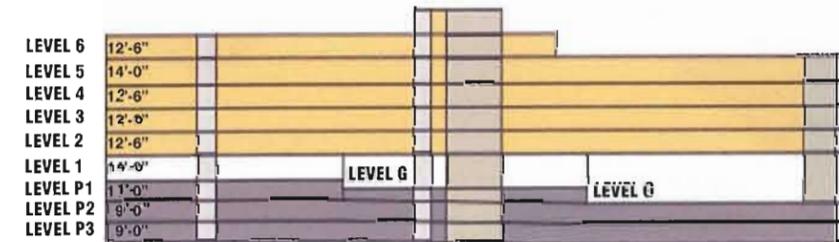
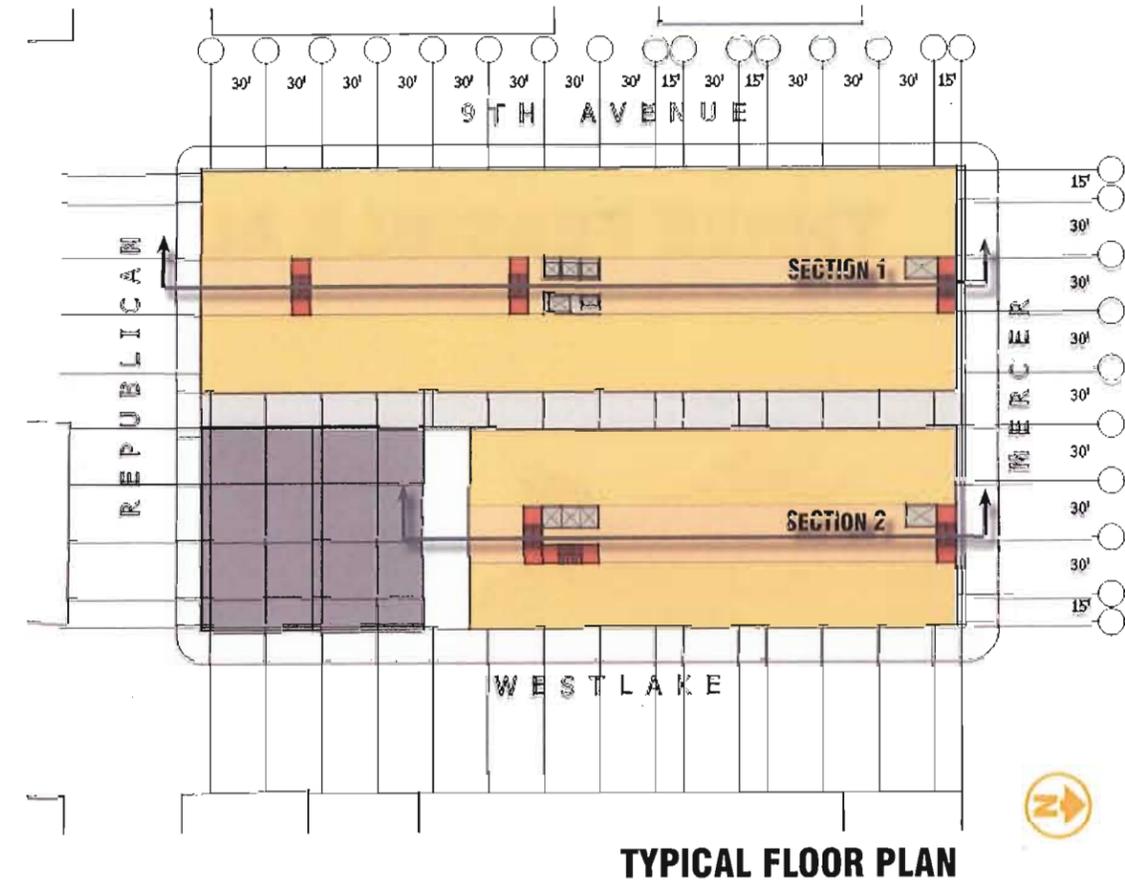
- CONS:**
- Alley vacation required



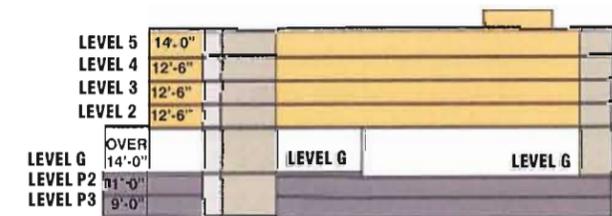


CONCEPT "A"

This concept explores the development of two separate buildings with an alley separation between them. It is appealing because it gives the opportunity to easily phase the project. It also has the simplest entitlement process because it does not require an alley vacation. Although we have the ability to introduce some setbacks to enhance the street experience and public space amenities, it is impossible to create an exterior public cross-block connection between Westlake and 9th Avenue. The separate buildings require duplication of building infrastructure such as loading area and parking entrances. It also requires vehicular access to and from the new Mercer Street corridor.

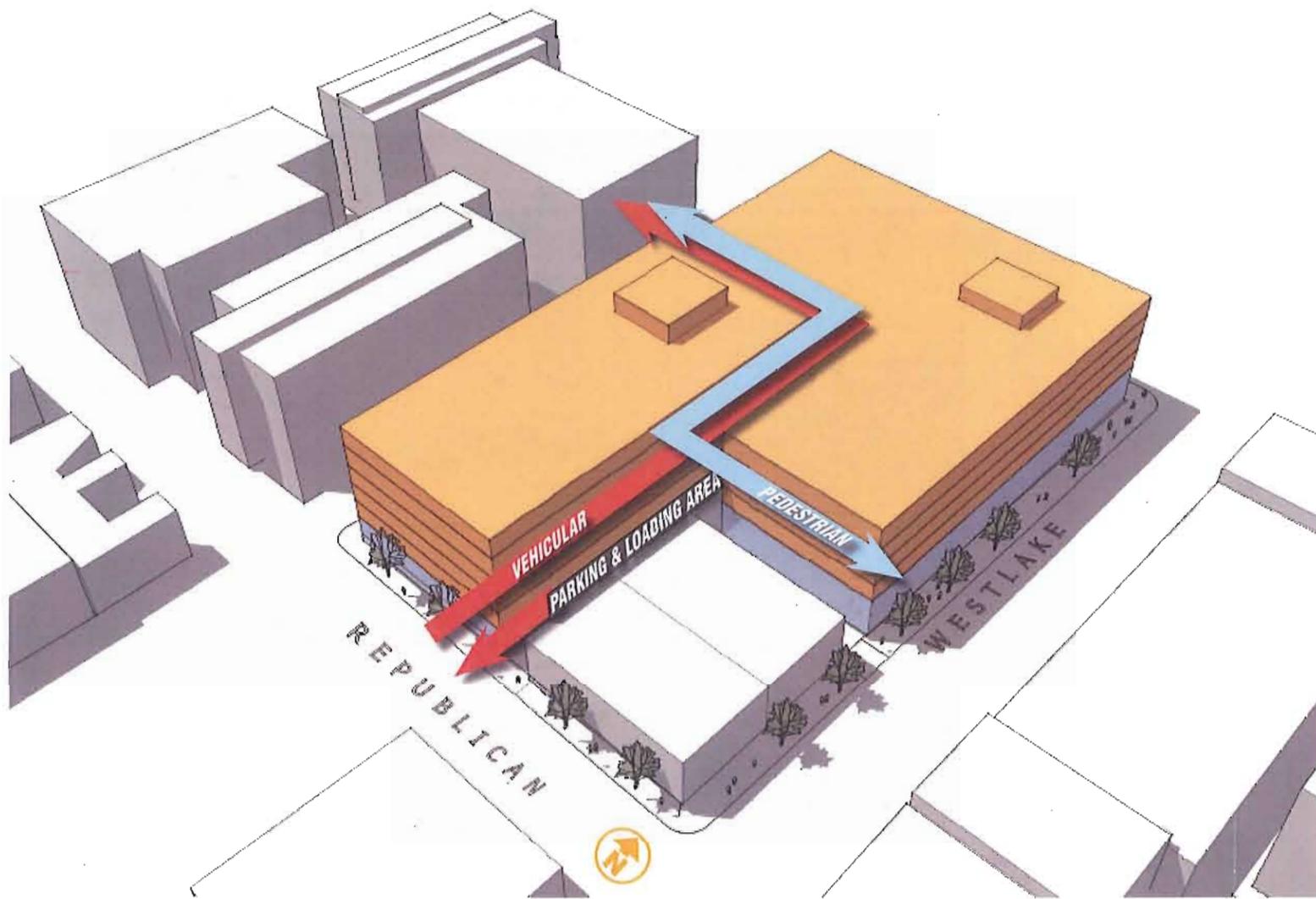


SECTION 1



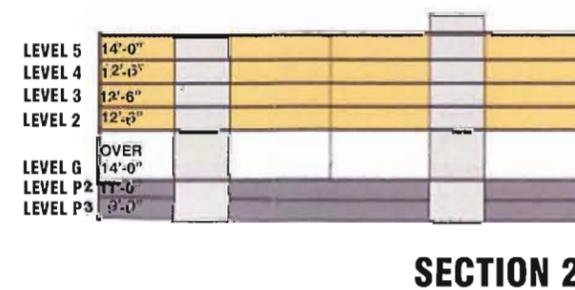
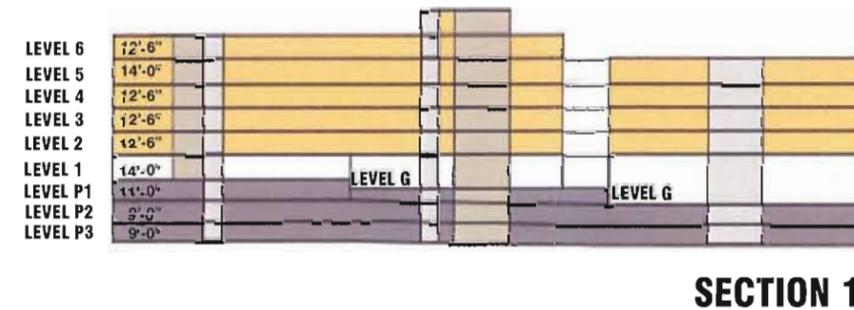
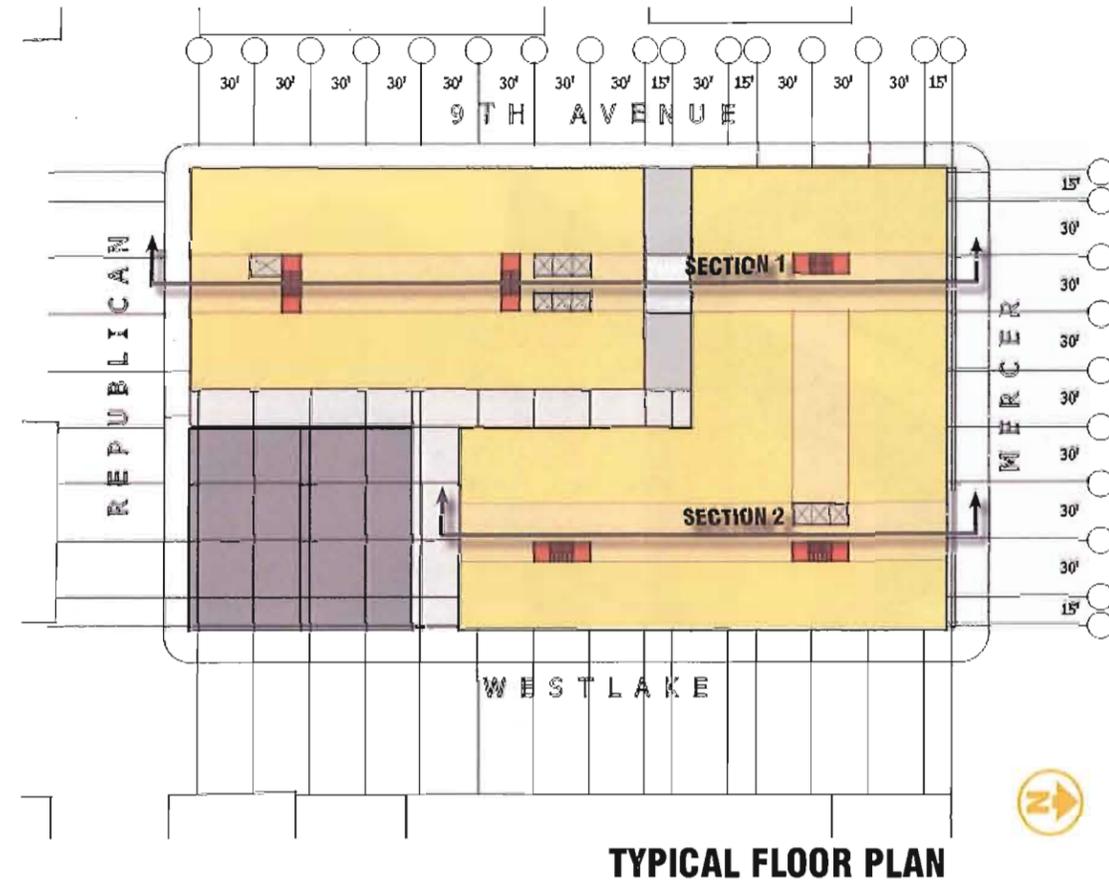
SECTION 2

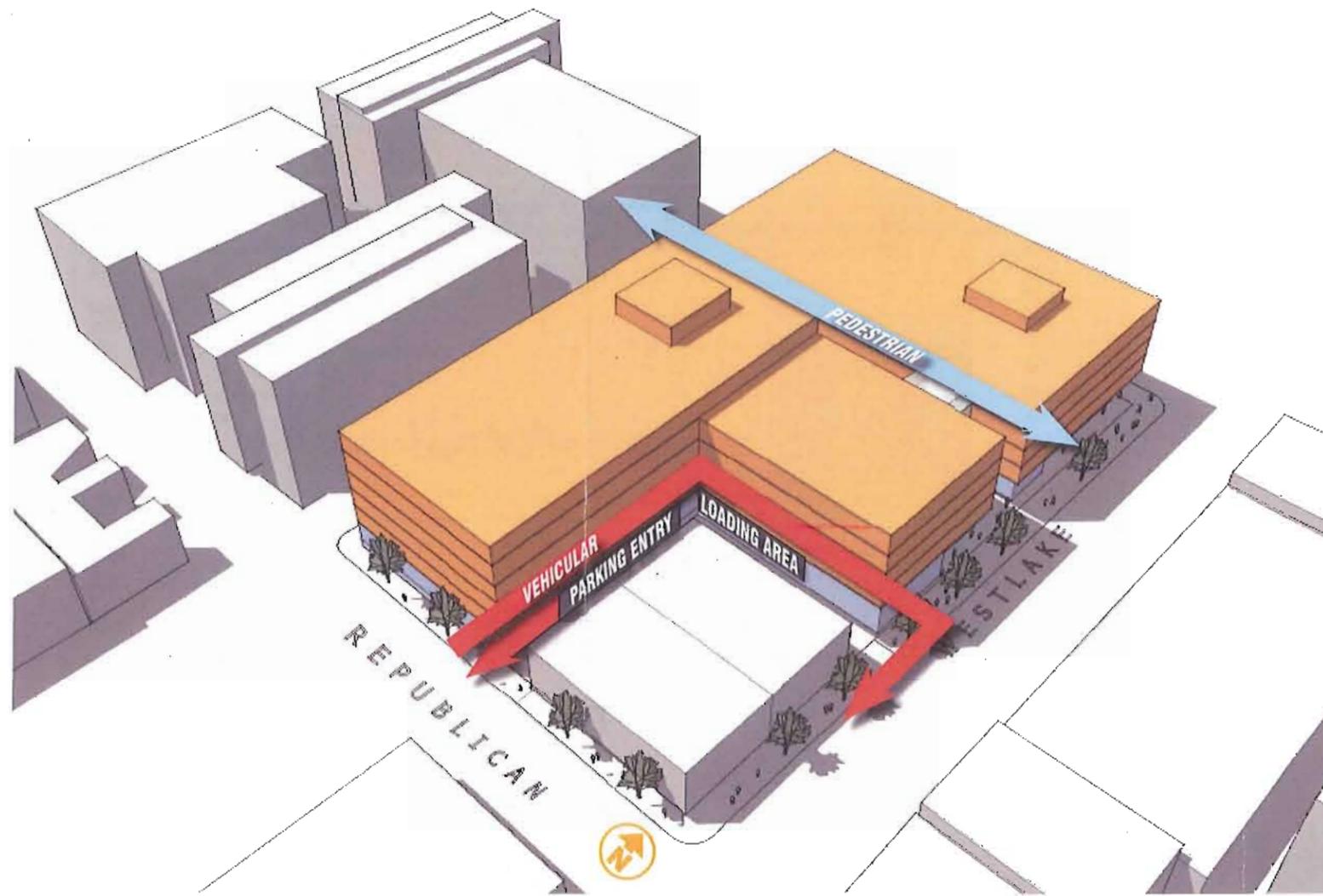




CONCEPT "B"

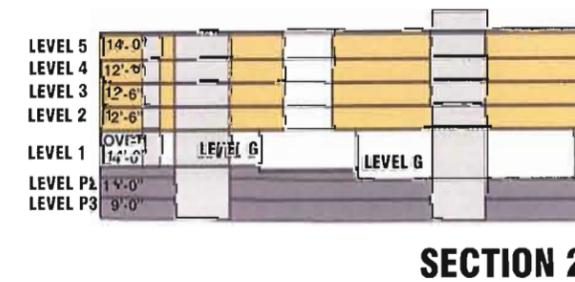
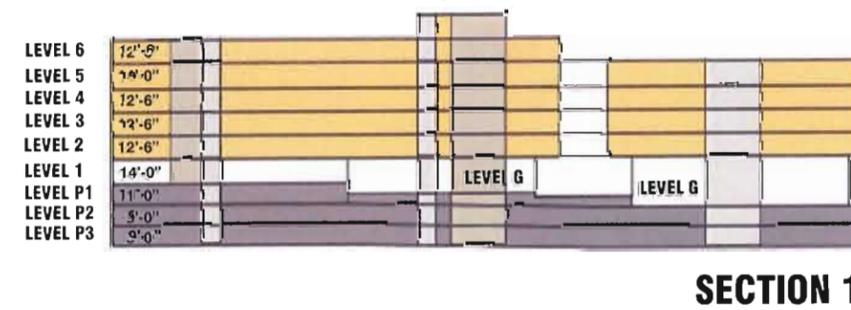
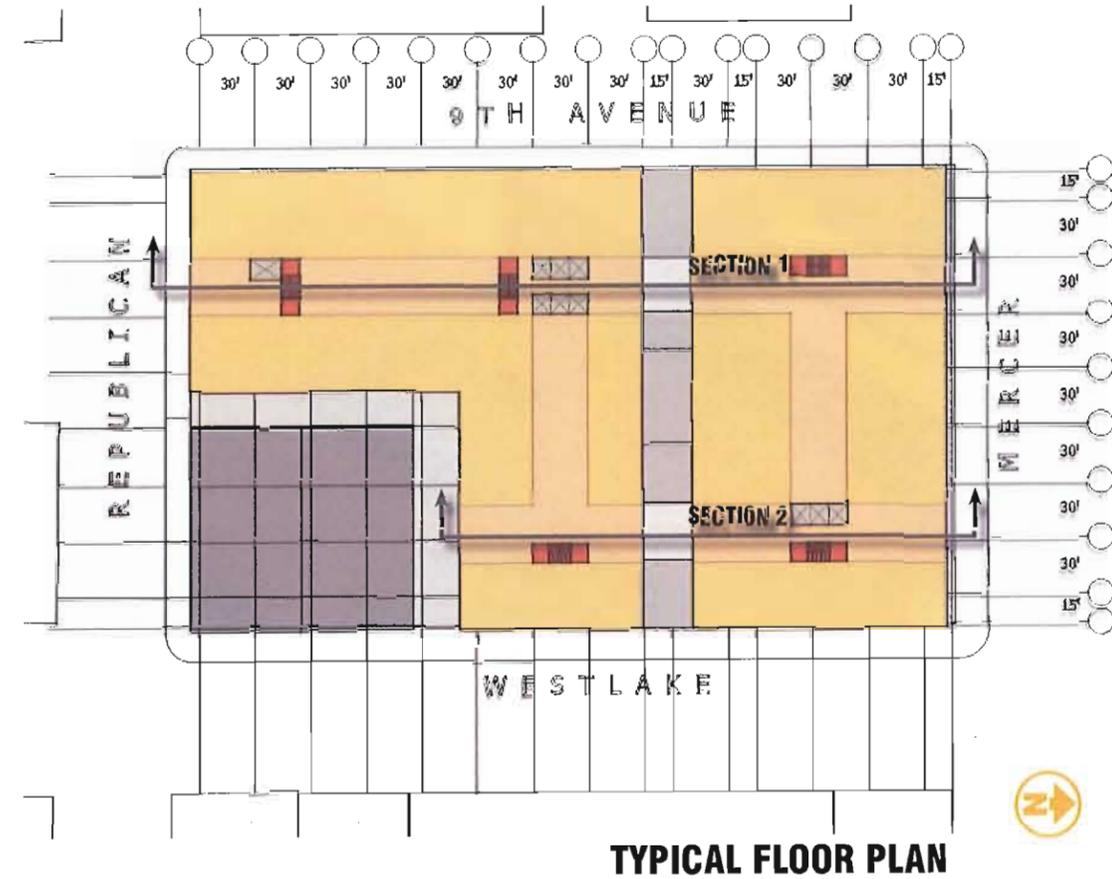
This concept explores development of two buildings with a connector at the higher levels. It is appealing because it creates better public space opportunities by creating a zig-zag exterior cross-block connection. Although the pedestrian experience is not optimal because access needs to be shared with the service alley, it is available to the public at all times. It eliminates the vehicular access to and from the new Mercer Street corridor but this requires a partial alley vacation which complicates the entitlement process. Building services, such as loading area and parking entrance, can be shared and co-located.

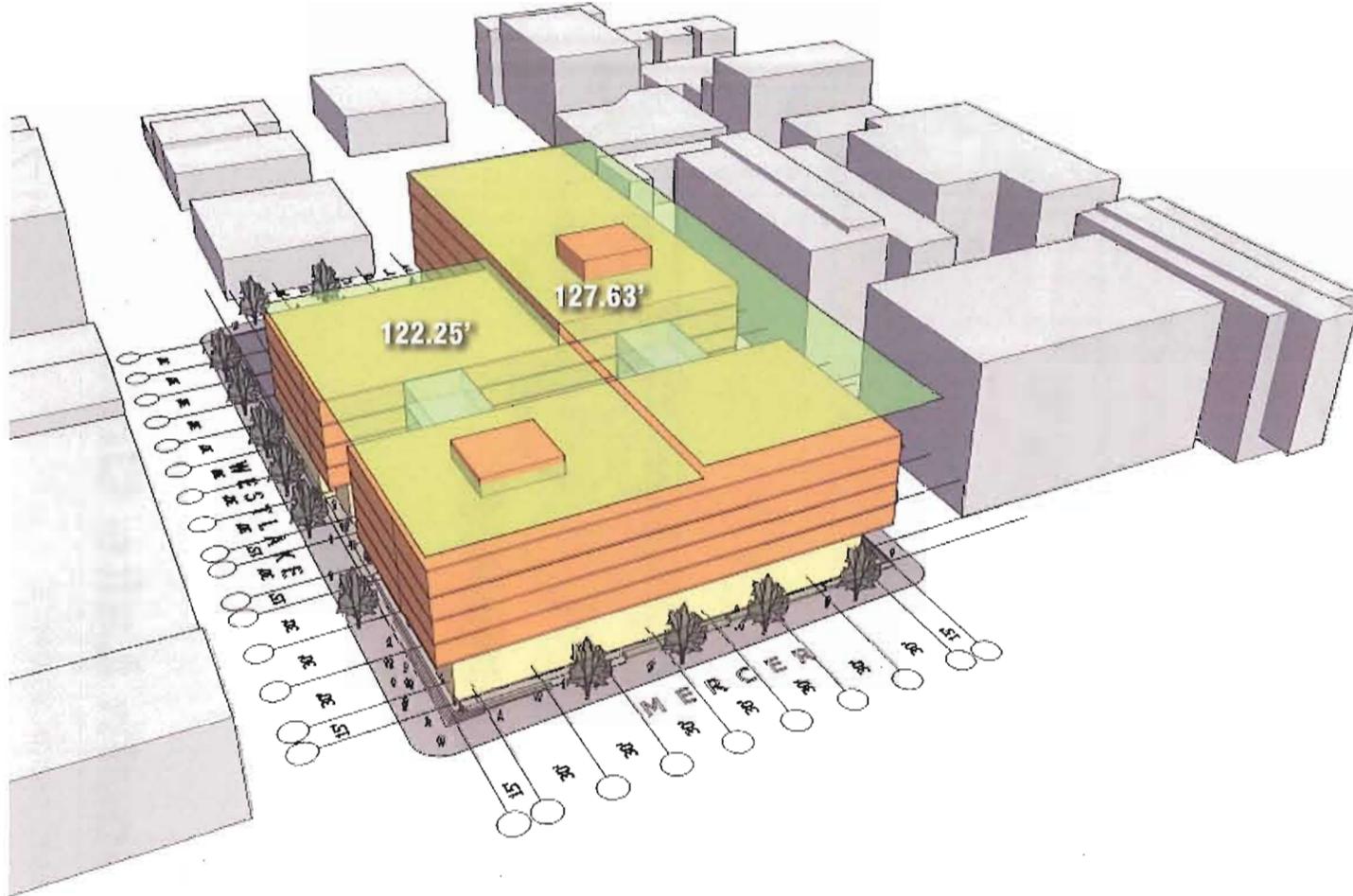




CONCEPT "C"

This concept explores development of two buildings with connectors at the higher levels. It is appealing because it creates a public cross-block connection that is pedestrian friendly and visually accessible. Public space opportunities are enhanced by separating this space from all vehicular and service traffic. There is minimal building frontage to the alley and the service corridor. It eliminates the vehicular access to and from the new Mercer Street corridor but this requires a partial alley vacation which complicates the entitlement process. Building services, such as loading area and parking entrance, can be shared and co-located.



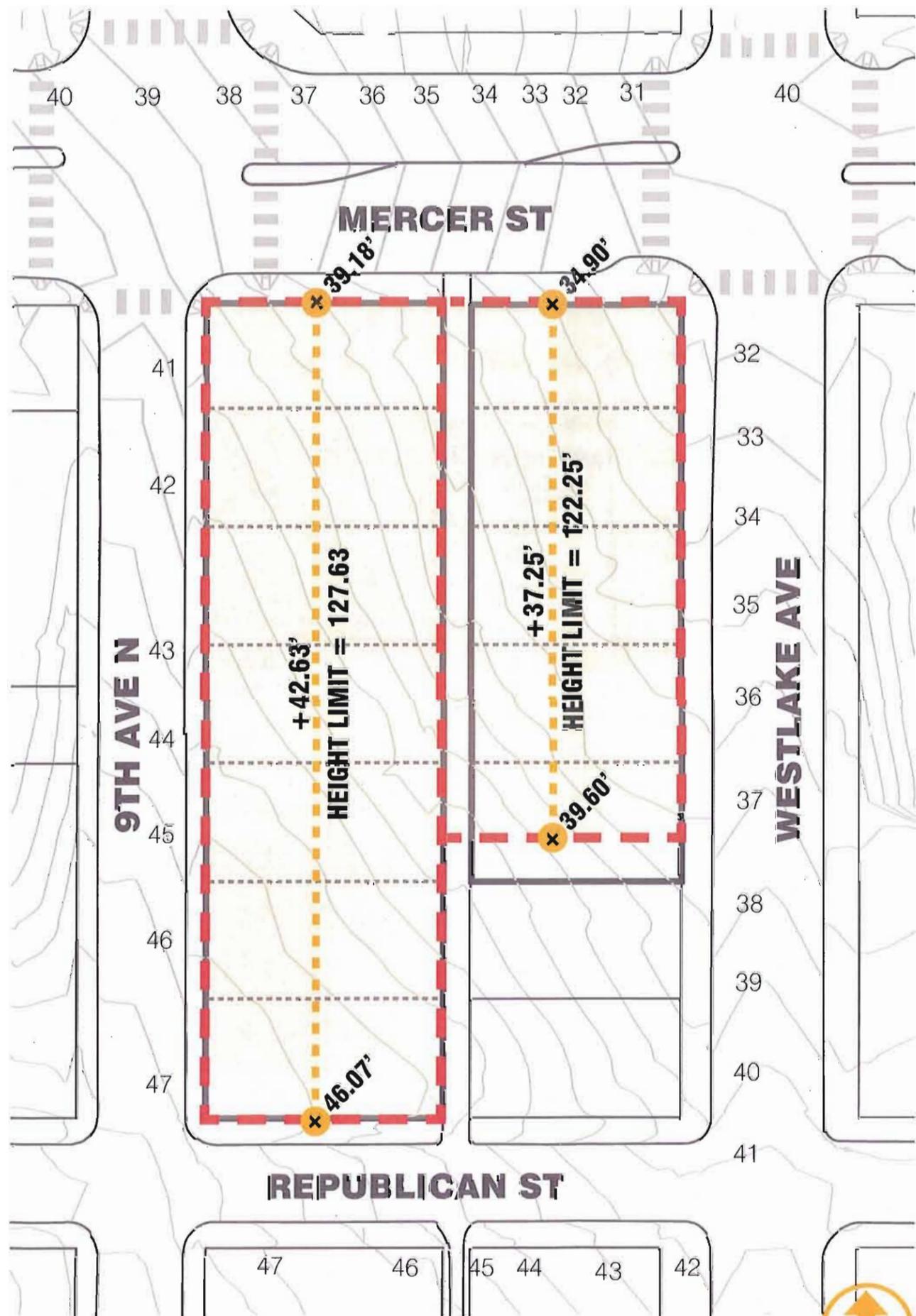


HEIGHT LIMITS

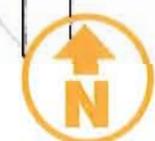
Formula 1 : Exterior Walls.

Under this formula, the average elevation of the topography, prior to any development activity, based on the elevations of existing grade at the center of each exterior wall. If there are multiple structures on a lot, the average grade elevation is calculated separately for each structure. For structures that contain attached but otherwise independent building units, the average grade level is calculated separately for each unit.

We calculated the height limit based on Option "A" which is has most restrictive height requirement. All three alternates fit within this height limit calculation.

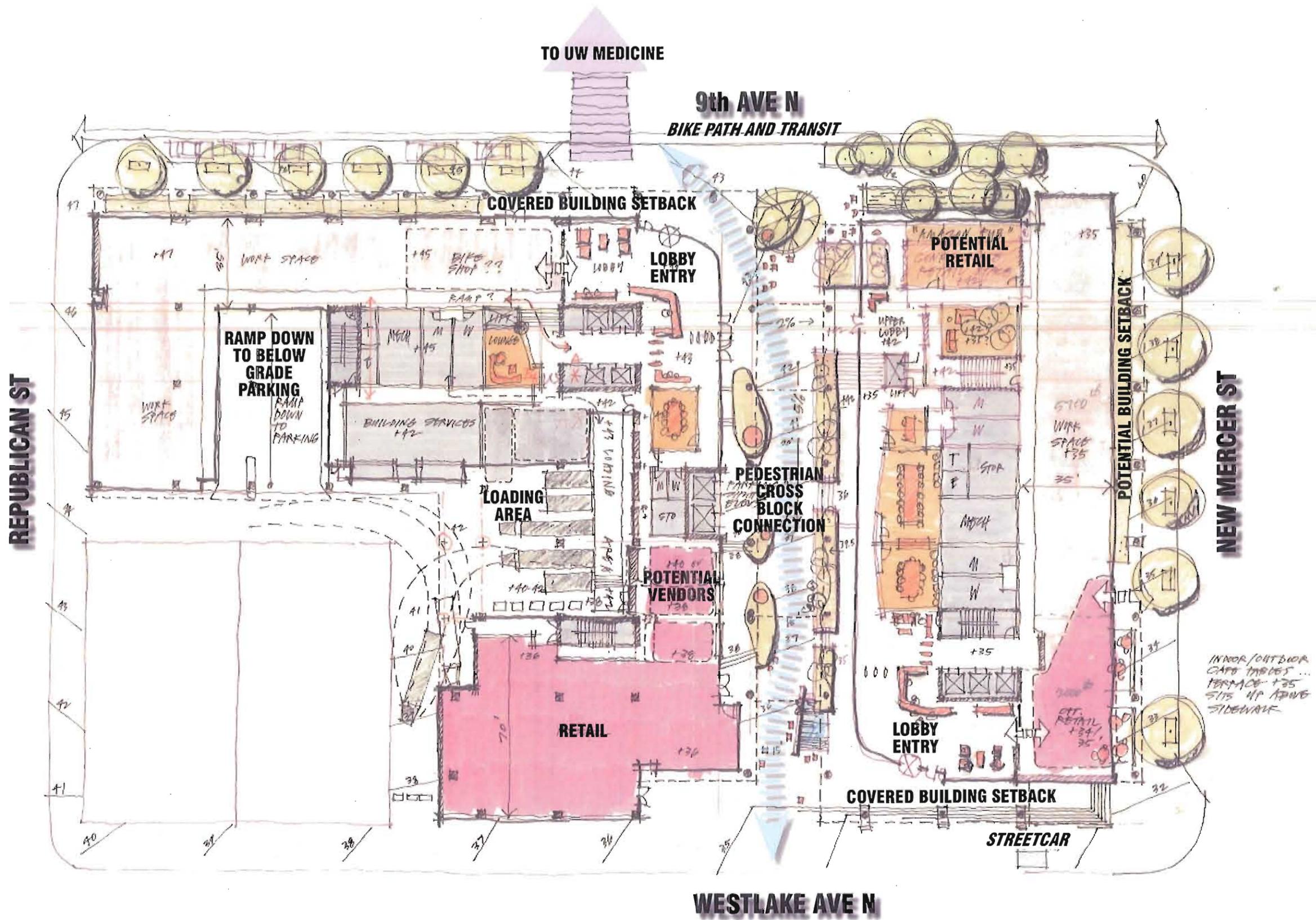


NOTE: Elevations along Mercer Street used for the height limit calculations are based on the new Mercer Street contours that have yet to be surveyed. The contour background shown on this diagram does not reflect the new work currently under construction.



EARLY DESIGN GUIDANCE

STREET ACTIVATION
DIAGRAM





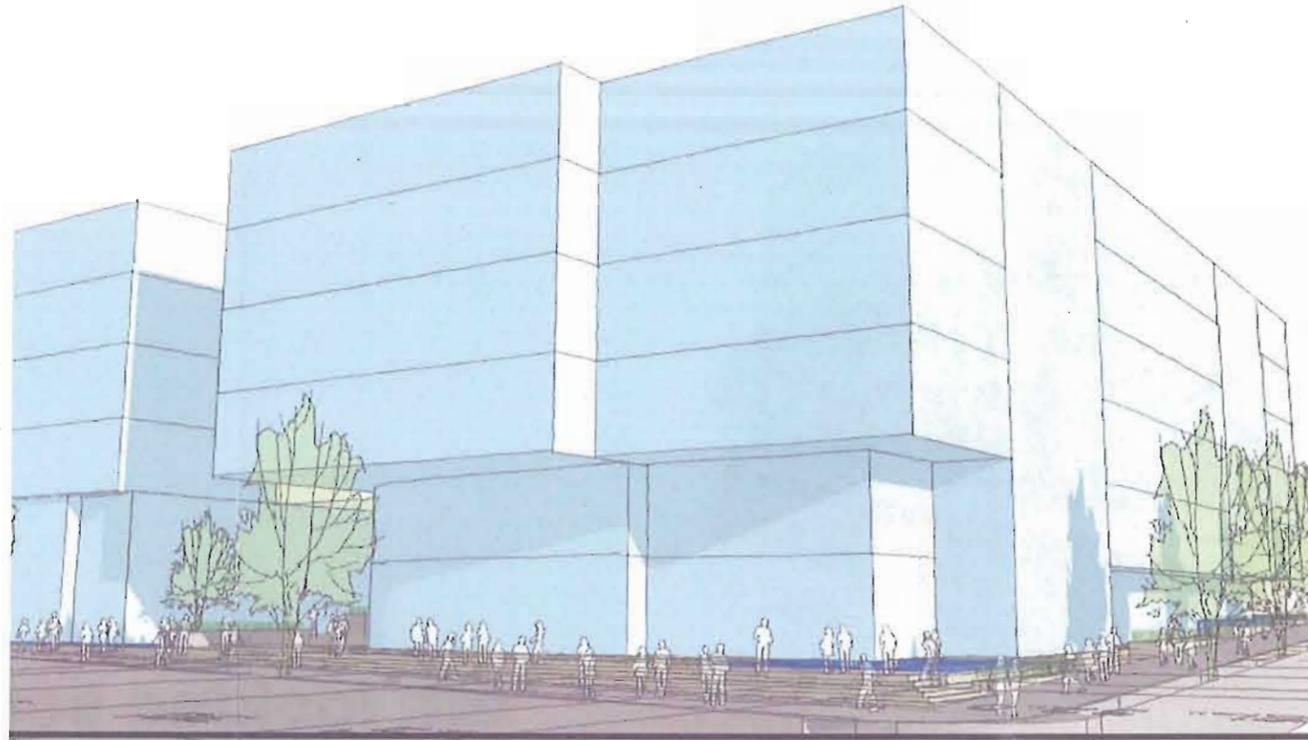
9th looking south

building articulation at the street level throughout the project responds to human scale



Westlake to 9th link

a proposed connector between building masses would provide a pedestrian-friendly public amenity space



Westlake to Mercer

a retail zone meets the intersection of these two primary streets



9th to Mercer

the building steps back along 9th Ave N



ZGF
ARCHITECTS

South Lake Union BLOCK 44

EARLY DESIGN GUIDANCE

ARCHITECTURAL CONCEPTS

3-D STREET LEVEL
SKETCHES

22