



City of Seattle
 Office of the City Clerk
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 CITY OF SEATTLE
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 Clerk's Office date stamp
 2014 NOV 19 AM 10: 52
 CITY CLERK

STANDARD TRANSMITTAL FORM

Sender's Name: Moira Gray Phone Number / Extension: 684-8272

Department: SDOT Date of Transmittal: November 19, 2014

Division / Workgroup: Street Use & Urban Forestry Date Executed: _____

Title of Document:	Alley Vacation Petition
Document Number:	
Authorizing or Related Legislation:	
For Council Consideration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
SMC or other statute / policy requiring filing with the City Clerk <i>See chart on InWeb 'What to File' page: http://inweb/legislative_dep/WhatToFile.htm #AllDepartments</i>	SMC 15.62.020
Other identifying Numbers: <i>(Related projects, permits, etc.)</i>	
Street address and abbreviated legal description:	a portion of the alley in Block 41, D.S. Maynard's Plat of the Town of Seattle; being the alley bounded by South Jackson Street, Maynard Avenue South, South King Street and 6 th Avenue South
Actions to be taken by the City Clerk's Office:	Assign Clerk File # and process for Introduction and Referral



City of Seattle
Edward B. Murray, Mayor

Department of Transportation
Scott Kubly, Director

MEMORANDUM

DATE: November 19, 2014
TO: Monica Martinez Simmons, City Clerk
FROM: Moira Gray, Seattle Department of Transportation, Street Vacations
SUBJECT: Vacation Petition for a Portion of the Alley in Block 41, D. S. Maynard's Plat of the Town of Seattle

The Seattle Department of Transportation has received a vacation petition from the Seattle Department of Parks and Recreation for a portion of the alley in Block 41, D. S. Maynard's Plat of the Town of Seattle. Our office has verified that the petition meets the filing requirements for the alley vacation as generally described:

A portion of the alley in Block 41, D. S. Maynard's Plat of the Town of Seattle, being the block bounded by South Jackson Street, Maynard Avenue South, South King Street and 6th Avenue South, from the north margin of South King Street to a line 120 feet north of and parallel to said margin.

A detailed legal description is contained in the vacation petition.

Please forward the petition to the City Council for introduction and referral to the Transportation Committee. I can be reached at 684-8272. Thank you for your assistance.

Attachments

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Petition to Vacate a Portion of the alley within Hing-Hay Park



**Submitted
November 13, 2014**

INTRODUCTION

The first Chinese pioneer came to Seattle in 1860, lured across the sea by the “mountain of gold” they hoped to find in California. With it, they hoped to return to their homelands and become landowners. Instead of the gold, they found only menial jobs, persecution, and misery. Many suffered and died of hardships during the construction of the railroads. After the railroads were built, jobs became scarce for everybody, and Anti-Chinese riots broke out across the western states. Seattle became the scene of such riots in 1886. Many Chinese people who at the time were not allowed citizenship were shipped out, some fled to Canada, relying on strong family bonds for survival.

Today the Asian-American community is an important part of Seattle’s community life. The protective societies, craft halls, and secret rooms that were once vital to survival are no longer necessary, and in their place a vital spirit has blossomed

Hing-Hay Park - "Park for Pleasurable Gatherings" - is a hub of the International District. Terrace-like stairs lead down from Maynard to a red brick square with an ornate Grand Pavilion designed and constructed in Taipei, Taiwan. Artwork on an adjacent building features a dragon in a depiction of Asian-American history in the Northwest. The park is a popular lunch spot, and meeting place for families and friends.

The original .33 acre park was purchased in 1970 with Forward Thrust money and designed by landscape architect S. K. Sakuma. The pavilion was constructed in 1974. In 2007 the post office property was acquired to expand the park to .64 acres. The post office building is scheduled to be demolished in 2014 and subsequent park development happening in 2015. The idea for the alley vacation has come about as an outgrowth of the public process for the park design and has strong local support

1. Filing Fees: \$450.00 fee will be paid by interdepartmental fund transfer.

2. Required Signatures: Attachment to this petition,

3. Community information:

The Seattle Parks Department is in the process of designing the expansion of Hing-Hay park and has engaged the Chinatown/International District community. In addition, a “Friends of Hing-Hay Park” (FOHH) group has recently formed to help with fundraising and programming in both the existing park before construction and after the expanded park is completed.

The following representatives of area businesses, building/property managers, and residents have been involved in this process:

Last name	First Name	Organization	Address	Phone	Email
Bailey	Adrienne	Central District Council	1012 26th Ave E	941-6057	kismit_2000@yahoo.com
Batayola	Maria	SCIDPDA	409 Maynard Ave S #200	624-8929	mbjumpstart@msn.com
Blakeney	Don	Chinatown Int'l District Business Assn,	409 Maynard Ave S - Suite P3		don@cidiba.org
Chan	Ching	IDHA	8252 121ST Street South		chingc@scidpda.org
Chinn	Cassie	Wing Luke Museum			cchinn@wingluke.org
Chiu	Bill	Cathay Post 186	3327 Cascadia S		
Chow	Brien	Chong Wa Assoc.			chowbw@gmail.com
DeCaro	Pio	Filipino-American Nat/Hist Society	2625 13th W. #201		pdecaro@hotmail.com
Eng	Tuck	Chinatown Gate Foundation	4716 S Morgan		deetuckeng@yahoo.com
Eng	Sue-May	Ching Wa Drill Team			martinjsho@msn.com
Esquivel	Lizette	Seattle Public Library	713 Eighth Avenue S		lizette.esquivel@spl.org
Fidelius	Kuo	Chong Wah	5720 28th Ave NE		fidykuo@gmail.com
Grace	Ben	Chinatown Int'l District Business Association	409 Maynard Ave S - Suite P3		ben@cidiba.org
Graff	Tom	Downtown District Council	2110 Western Ave	441-7900 x822	tomgraff@ewingandclark.com
Hwang	Chang-Chi	Chong Wa Asso.			cchwang@yahoo.com
Kim	Hyeok	InterIm Community Devel Assn	310 Maynard Avenue South		
Kimura	Lai Ping	Chong Wa Board	6132 S 125th St		
Lee	Kevin	Yee Fund Toy Assoc - Chong Wa	2709 21st. Ave. S.	323-1083	
Liu	George	NWAsian Weekly/Seattle Chinese Post	412 Maynard Ave S		georgeliu1005@gmail.com
Loh	Andre	Luke Family Association			

Mar	Dan	Seattle Chinese/Chinatown C of C	1223 S Weller	329-4992	
Nicholas	Terry	Cathay Post 186	510 6th Ave S - #505		lofon@hotmail.com
Pang	Jack	Tag American Legion			
Thompson	Lynn	Central Area Neighborhood Assn	905 20th Avenue	323-0923	lthompson@seattletimes.com
Williams	DeCharlene	Central Area Chamber of Commerce	2108 E Madison	325-2864	scacommerce@yahoo.com
Woo	Susan	Seattle Lee Family Assn.			sleewoo@yahoo.com
Wu	Paul	Chong Wa Hop Sing Assoc.			wuarchitecture@aol.com
Yeh	Yingju	IDEA Space (scidpda)	409 Maynard Ave S #200	624-8929	yingju.yeh@gmail.com
Young	Lillian	Seattle Chinese Times	316 Maynard Ave S - #101		lillian@seattlechinesetimes.com
Zeestraten	Pauline	Chinatown/International District BIA	409 Maynard Ave S	382-1197	

4. Development Team:

Christopher Williams, Acting Superintendent
Department of Parks and Recreation
Attention: Donald Harris, Manager, Property and Acquisition Services
800 Maynard Avenue South, Seattle, WA 98134
206-684-8018; donald.harris@seattle.gov

5. Right-of-Way proposed for legislation:

The Alley in Block 41, plat of D. S. Maynard running north of South King Street, between 6th Avenue South and Maynard Avenue South described as follows:

That portion of the sixteen foot wide alley in Block 41, plat of D. S. Maynard, Plat of the Town of Seattle, King County, Washington Territory recorded in the Records of King County, Washington Territory in Vol. "A" Page 6, transcribed Vol. 1, of Deeds, Page 86, re-recorded (per order County Com's at the Feby Term of Court 1875) in this plat book (Vol. 1, Page 23), more particularly described as follows:

Being that portion of said alley running from the north line of South King Street to the south line of South Jackson Street except that portion north of a line 105 feet south of said south line and parallel with said South Jackson Street.

All situate City of Seattle, King County, Washington, NW 1/4 Section 5, Township 24 North, Range 4 East, W .M.

6. Project location:

Project Address: 620 South King Street

Boundaries: The area is bounded on the east by King County tax parcel #5247801945 (City-owned Hing-Hay Park), on the west by King County tax parcel #5247801935 (City-owned Hing-Hay Park), on the north by King County tax parcel #1275150000 and on the south by South King Street.

Neighborhood: Chinatown/International District

Neighborhood Planning Area: Chinatown/International District

Zoning: IDM 75-85

(See also Location Maps, pages 17 and 18)



7. Reasons for vacation:

The alley vacation will place the whole Hing-Hay park area under the jurisdiction of the Seattle Department of Parks and Recreation, allowing cohesive design and management, increased safety through use of additional enforcement options against negative behavior, and assuring that the benefits of this downtown park and open space will be preserved permanently.

Cohesive Design and Management

The expanded Hing-hay park is bisected by the Alley right-of-way. By vacating the alley, the newly developed park can be designed and operated in a more cohesive manner.

Safety and enforcement

Park property is subject to Title 18 of Seattle Municipal Code, the Parks Code. That includes provisions established by Ordinance 118607, commonly referred to as the Exclusion Ordinance, that gives the Superintendent of Parks and Recreation *“an additional method for enforcing the Parks Code, the Seattle Municipal Code, and other laws; authorizing administrative suspension of park use by individuals who violate laws and rules in the parks; authorizing hearings on those suspensions; redefining the crime of trespass in parks; [and] establishing the punishment therefor.”* [SMC 18.12] Under this, chronic violators or problem-makers can be excluded from the park for specific lengths of time. *“The offender need not be charged, tried, or convicted of any crime or infraction in order for an Exclusion Notice to be issued or effective. The exclusion may be based upon observation by the Superintendent or upon the sort of civilian reports that would ordinarily be relied upon by police officers in the determination of probable cause.”* [SMC 18.12.278 A. 3.] This is a powerful tool for police and Park Rangers, applicable only in parks, not in street right-of-way.

Assurance of permanent park space

Unlike property held by other City Departments, park property is afforded special protection established under Ordinance 118477, commonly referred to as Initiative 42. It states *“All lands and facilities held now or in the future by The City of Seattle for park and recreation purposes, whether designated as park, park boulevard, or open space, shall be preserved for such use; and no such land or facility shall be sold, transferred, or changed from park use to another usage . . .”* This assures that the benefits Westlake Park offers downtown Seattle will be available permanently to be enjoyed by all.

8. Project Description: The Seattle Department of Parks and Recreation is in the process of designing and integrating the post office property into the existing park. The post office building will be demolished in late 2014 or early 2015 and park development will begin in mid 2015. The vacated alley will become an integral part of the whole park design.

9. Other Land Use Actions: No development activity is proposed on the property. No other land use actions are anticipated.

10. Vacation Policies/Transportation Impacts:

The portion of the Alley in Block 41, plat of D. S. Maynard, between South Jackson Street and a line 105 south of said, was vacated in 1963 under authority of Ordinance 92154. The portion of the Alley now proposed for vacation is closed to traffic and has been incorporated into the existing Hing-Hay Park. Vacation of the Alley will have no transportation impacts

11. Vacation Policies/ Utility Impacts: Subsurface utilities are located within the proposed vacation area. Seattle Parks does not propose removal of any existing utilities and will continue to allow maintenance/repair/replacement of those existing utilities under terms of Parks Revocable Use Permits (comparable to SDOT Street Use Permits).

12. Vacation Policies/ Land Use Impacts: Street vacation of the Alley in Block 41, plat of D. S. Maynard will place the former right-of-way under jurisdiction of Parks and Recreation to be managed and maintained permanently for park purposes.

13. Vacation Policies/Public Benefit:

The proposed vacation of the Alley in Block 41, plat of D. S. Maynard meets the criteria established the Street Vacation Policies, as most recently amended by Resolution 31142 in July 2009.

It meets the requirements of the Public Trust Functions by:

- Allowing continued use of the former right-of-way for subsurface utility purposes;
- Preserving light, air, open space and views as they currently exist and assuring the permanency of those benefits as park land;

It satisfies the intent of the Land Use Policy by:

- assuring protection of the Public Trust Functions and
- creating no long- or short-term effects on the development potential of the area.

It provides lasting Public Benefit by:

- expanding an existing park;

- maintaining critical downtown open space;
- assuring protection of light, air, and view attributes;
- providing additional enforcement tools to address safety and civility concerns;
- enhancing the downtown experience.

14. Public Benefit Matrix:

Zoning designation: IDM 75-85

Street Classification: Alley

Assessed value of adjacent property: \$300/sf

Lease rates in general area: \$25-\$35/sf

Size of Project: There is no project. Hing-Hay Park is .64 acres. (per King County Assessor data)

Size of area to be vacated: The Alley in Block 41, D. S. Maynard Plat: 1,920 sq ft.

Contribution of the vacated area to the development potential of the site: There is no development planned for the site.

15. Site Maps: See pages 10, 17, 18, 19

16. Project Maps: There is no project planned.

17. 9-Block Urban Design Analysis: See page 19

18. Impact on Public Transportation Projects: No anticipated impact on any adjacent transportation projects.

19. Environmental Impact Statement: No activity related to this vacation will trigger an environmental impact statement.

20. Neighborhood Plan Hing-Hay Park and the adjoining right-of-way is addressed in two neighborhood plans and its preservation as open space is supported by nearby community groups and neighbors.

The property is located inside the boundary of two neighborhood plans:

- Downtown Urban Center Neighborhood Plan
- Chinatown/International District Neighborhood Plan

DOWNTOWN URBAN CENTER NEIGHBORHOOD PLAN

POLICY OS-1 OPEN SPACE

Downtown open space shall be expanded as a comprehensive network to:

- 1) promote an orderly, visually pleasing and active environment for workers, residents and visitors;
- 2) reinforce desired land use patterns;
- 3) provide links among areas within and surrounding downtown; and
- 4) improve pedestrian circulation.

Highest priority for the development of new public open space shall be projects to enhance residential neighborhoods, reinforce the retail core and improve public access to and enjoyment of the downtown waterfront. A public open space priorities plan shall be prepared as part of the downtown urban design framework plan. This priorities plan ' shall identify open space priorities for public investment based on the urban village neighborhood plans and shall emphasize major public open space development in conjunction with planned public facilities, major street improvements, and related capital investment. The priorities plan shall also identify strategic locations for open space development using private contributions and funds provided through the public features benefit program. The open space system shall be expanded by development of new parks; adaptation of existing underutilized street rights-of-way for open space and pedestrian circulation; incorporation of open space in all major public projects; and development of a system of incentives to gain private development of open space as part of new downtown projects.

CHINATOWN/INTERNATIONAL DISTRICT STRATEGIC PLAN

Objective: active yet safe public spaces including parks, sidewalks, streets, alleyways, and parking lots.

21. Comprehensive Plan and other City Plans and Goals:

The vacation and protection of the properties identified above advances several of the City's goals as identified in the Comprehensive Plan:

UVG12: Increase public safety by making villages places that people will be drawn to at all times of the day.

UV45: In the neighborhood review process, identify appropriate responses to significant growth or changes, including but not limited to: working with other public agencies to address community goals.

UVG38: Provide safe and welcoming places for the people of Seattle to play, learn, contemplate, and build community.

LUG2: Foster neighborhoods in which current and future residents and business owners will want to live, shop, work, and locate their businesses.

LU128-5: Maintain areas that already possess these characteristics and encouraging the transition necessary in other areas to achieve these conditions: An active, attractive, accessible pedestrian environment.

DT-G12: Promote public safety by encouraging conditions that contribute to a safe and friendly urban environment including: maintaining streets and open spaces as active, well designed public places; supporting twenty-four hour activity in a manner that minimizes conflicts among different uses; accommodating a mix of people from all income, age, and social groups; and providing for needed human services within the limits of a neighborhood's capacity to support them.

DT-OSP1: Expand downtown open space as a comprehensive network to:

- Promote an orderly, visually-pleasing and active environment for workers, residents and visitors;
- Expand the open space system through development of new parks and/or other open space.

CR10: Foster public life throughout the city by providing open spaces that are well-integrated into the neighborhoods they serve and function as "public living rooms" for informal gathering and recreation, especially in more densely populated urban centers and urban villages.

22. Sustainable practices: The Parks Department strives to implement sustainable practices in the management of all park facilities. The Parks Department encourages design, development and management practices which:

- reduce operational and maintenance costs;
- reduce initial and ongoing adverse impacts to the environment;
- increase the ecological function of landscape and natural areas;
- increase the comfort, health and safety of parks visitors.

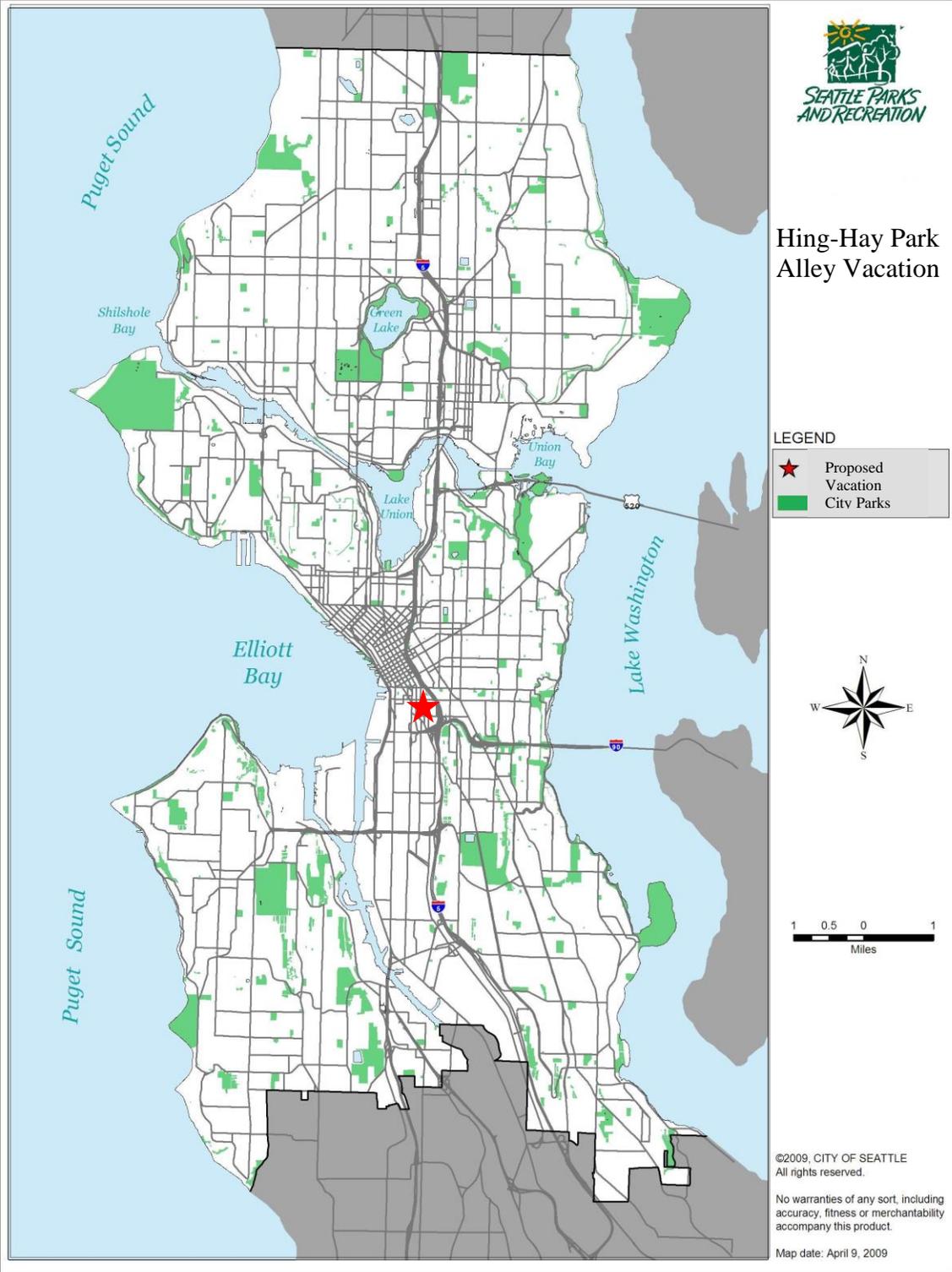
23. Design Review Board: Hing-Hay Park is undergoing an expansion and redevelopment. There will be physical changes to the Park that will be reviewed by the Design Review Board and the International Special Review District.

24. Company/Agency information: The Department of Parks and Recreation, established by City Charter, is headed by the Superintendent of Parks and Recreation, who has responsibility for the management and control of the park and recreation system of the City. The parks system includes over 6,200 acres of park lands, 20 miles of shoreline, and 22 miles of boulevards. The Department operates the City's 25 community recreation centers, nine swimming pools, a tennis center, and more than 400 smaller facilities. In addition, it is custodian for four public golf courses, three moorages, and several other athletic and cultural facilities. In 1884 David Denny donated a five-acre tract that was the site of a cemetery to the City of Seattle, stipulating that it be designated a public park. The site, initially named Seattle Park, later renamed Denny Park, was the first ordinance-designated public park in Seattle.

25. Development Schedule: The construction of Hing-Hay Park is scheduled for summer/fall 2015.

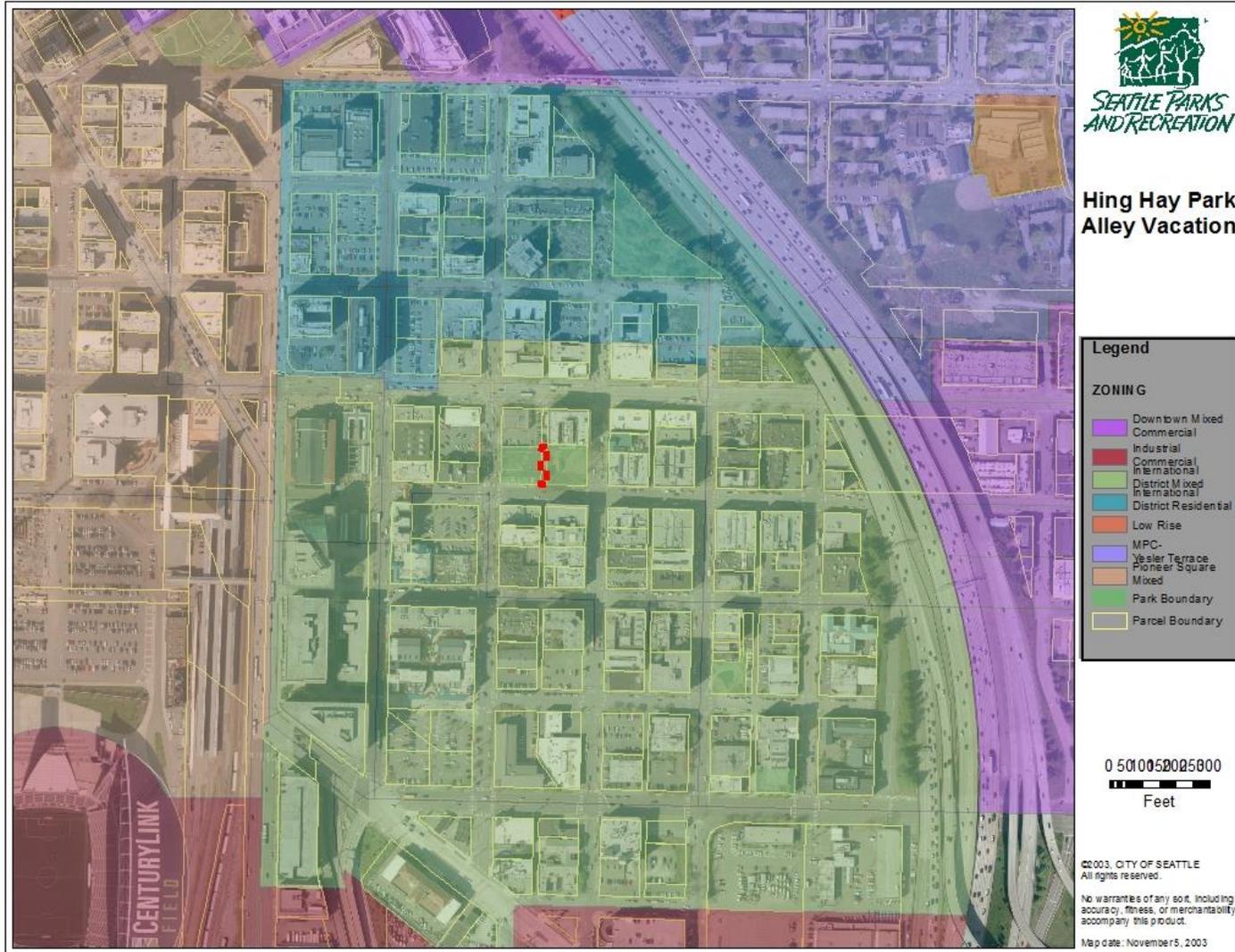


Schematic Design

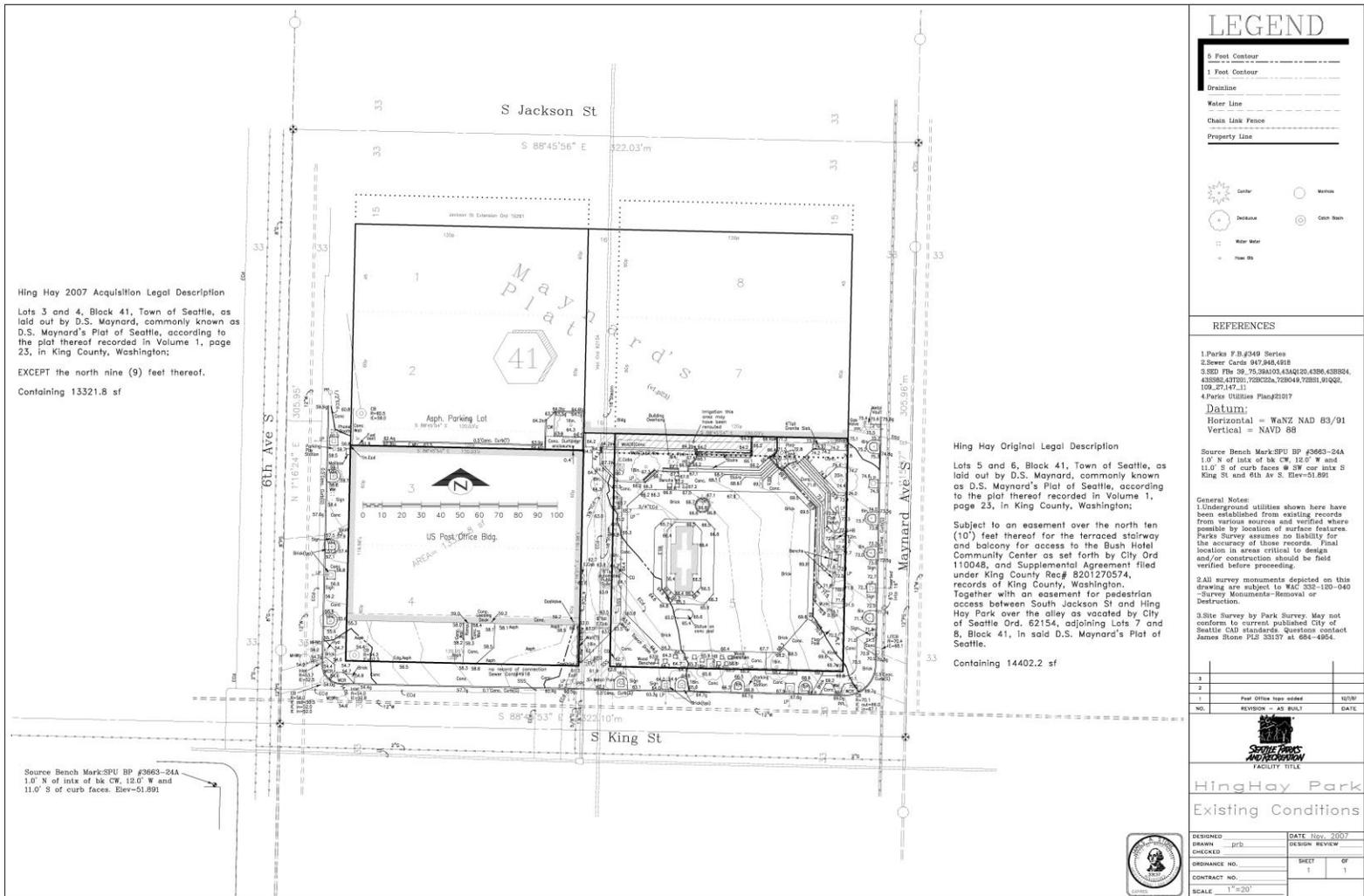




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HING-HAY VACATION
9-Block Aerial with Zoning Overlay





HING-HAY PARK
looking south towards King Street



HING-HAY PARK
Table Tennis



HING-HAY PARK
Chess



HING-HAY PARK
Pavillion



HING-HAY PARK
Seattle Chinese Community Girls Drill Team



HING-HAY PARK
Chinese New Year



HING-HAY PARK
Night Market

**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 41, D.S. Maynard's Plat of Seattle, being the alley in the block bordered by South Jackson Street, 6th Avenue South, South King Street and Maynard Avenue South

herein sought to be vacated, petition the City to vacate:

The portion of the alley in Block 41, Plat of D. S. Maynard from the north margin of South King Street to a line 120 feet north of and parallel therewith.

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 PETITIONERS:

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

OWNER (Printed Name, Signature and Title)

PROPERTY:

Seattle Department of Parks and Recreation

By:



5247801935 & 5247801945

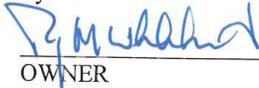
OWNER

DATE

Parcel No.

Own Real Property (Washington Federal Bank)

By:



9/15/14

5247801925

OWNER

DATE

Parcel No.

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

ACKNOWLEDGEMENT:

I/we _____ acknowledge that:
(legal owner/s)

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 contained in Clerk File 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.

I/we understand that property owners abutting the vacation area are obligated to pay a vacation fee in the amount of the appraised value of the right-of-way. State, federal or city agencies are not required to pay a vacation fee but are required to pay for all other fees and processing costs.



Christopher Williams
Petitioner

Date _____

CONTACT INFORMATION:

Petitioner:

Seattle Department of Parks and Recreation
Christopher Williams, Acting Superintendent

Contact:

Chip Nevins, Seattle Department of Parks and Recreation, chip.nevins@seattle.gov, 206.233.3879
800 Maynard Ave S, Seattle, WA 98134

If you have any questions regarding the vacation process, please call street vacation staff at 206.684.7564.
SDOT Street Vacation Petition 2013