

Vacation Application

for the

***Pike Place Market
Waterfront Entrance
Project***



City of Seattle

April 7, 2014

prepared for

Seattle Department of Transportation

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Pike Place Market Waterfront Entrance Development

Street Vacation Petition

April 7, 2014

The proposed ***Pike Place Market Waterfront Entrance Development*** would redevelop a surface parking lot with a new, mixed-use building containing low income residential uses, commercial space, social services space, below grade parking, and public terrace/walkways. The street that is proposed for vacation is 1,342 sq. ft.¹ of Armory Way (as condemned by Ordinance 67125) that is not connected to the street grid and provides no current transportation function.

This Vacation Petition application consists of descriptive text, which is presented below, followed by a **Figures Section** and **Appendices**. Key figures, prepared by The Miller Hull Partnership for this Vacation Petition, include: the 9-block urban context maps, site plans, lot and building dimensions, lot ownership, and illustrations of the street vacation, building elevations, landscaping, and proposed pedestrian amenities.

The following responds to each of the 25 requirements of a complete Vacation Petition application.

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 signed petition is included in **Appendix A** of this Vacation Petition application. The property adjoining the street to be vacated is owned by the City of Seattle Department of Transportation. **Figure 1** in the **Figures Section** of this packet shows the site's ownership.

¹ The site survey currently indicates that the area of the ROW proposed to be vacated is 1,342 sq. ft. - this number may be slightly refined upward or downward as design progresses.

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 groups, neighborhood organizations, and business groups that have been contacted regarding the proposed project. Additional information regarding public involvement is provided in **Appendix B** to this Vacation Petition application.

- Downtown District Council
- Downtown Seattle Association
- Market Stakeholders Group
- Market Community
- Market Historical Commission
- Central Waterfront Design Team
- Downtown Resident's Council
- Belltown Community Council
- Belltown Business Association
- Alliance for Pioneer Square
- BNSF

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.*

This information is included in **Appendix C** to this Vacation Petition application.

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.*

Appendix D contains a plat map depicting the ***Pike Place Market Waterfront Entrance*** project site and a site survey of the existing conditions on the site.

Please refer to the **Figures Section** of this street Vacation Petition for the following: a vicinity map (**Figure 2**) and a figure that illustrates the proposed right-of-way (ROW) to be vacated (**Figure 3**).

The petitioner seeks a vacation of 1,342 sq. ft.² along the western edge of the ***Pike Place Market Waterfront Entrance*** project site. The subject right-of-way is no longer used for transportation purposes. In 1936, the area was condemned to create Armory Way under Ordinance 66339, as amended by Ordinance 67125. In 1948, the City established the elevated viaduct over portions of City rights-of-way, including Armory Way, in Ordinance 77088, as amended by Ordinance 77749. The subject right-of-way is located between the viaduct and the project site (not directly under the viaduct). Neither the viaduct ordinances nor any subsequent ordinance vacated Armory Way. Even though the subject area is no longer used for transportation purposes, it is still designated as Armory Way.

See **Appendix D** for a copy of Ordinance 67125 and the historic right-of-way map.

The legal description of the right-of-way proposed to be vacated is described as below. Refer also to the figures noted above.

² The site survey currently indicates that the area of the ROW proposed to be vacated is 1,342 sq. ft. - this number may be slightly refined upward or downward as design progresses.

Right-of-Way

THAT PORTION OF ARMORY WAY (AS CONDEMNED BY ORDINANCE NO. 67125) RIGHT OF WAY, LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF VACATED STEWART STREET AND THE NORTHEASTERLY MARGIN OF SAID ARMORY WAY;
THENCE SOUTH 30°38'30" EAST ALONG SAID NORTHEASTERLY MARGIN, A DISTANCE OF 40.22 FEET;
THENCE CONTINUING ALONG SAID MARGIN SOUTH 59°24'35" WEST, A DISTANCE OF 2.40 FEET;
THENCE LEAVING SAID MARGIN, NORTH 30°35'35" WEST, A DISTANCE OF 103.91 FEET;
THENCE NORTH 42°22'49" WEST, A DISTANCE OF 201.38 FEET TO A POINT ON THE NORTHEASTERLY MARGIN OF SAID ARMORY WAY;
THENCE SOUTH 47°42'09" EAST, ALONG SAID NORTHEASTERLY MARGIN, A DISTANCE OF 64.11 FEET TO A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 556.05 FEET AND A CENTRAL ANGLE OF 17°03'40";
THENCE ALONG SAID CURVE, A DISTANCE OF 165.58 FEET;
THENCE SOUTH 30°38'30" EAST, A DISTANCE OF 36.43 FEET TO THE POINT OF BEGINNING.
CONTAINING 1,342 SQUARE FEET OR 0.0309 ACRES, MORE OR LESS.

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.

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.

- **Address of Project:** The PC1-N site consists of two parcels, which are addressed as follows according to King County Assessor records:

Parcel No. 197720-0330 – 1901 Western Avenue, Seattle WA 98101

Parcel No. 197720-0329 – 1900 Elliott Avenue, Seattle WA 98101 (this parcel is the subterranean BNSF right-of-way utility tunnel)

- **Streets Bordering Project:** The *Pike Place Market Waterfront Entrance* project is bordered by Western Avenue to the east and the street segment that is proposed for vacation to the west (that portion of Armory Way as condemned by Ordinance 67125). The elevated Alaskan Way Viaduct is located directly to the west of the right-of-way proposed for vacation.
- **Neighborhood Planning Area:** The *Pike Place Market Waterfront Entrance* project is located within the Commercial Core Neighborhood of Seattle's Downtown Urban Center, and within the *Pike Place Urban Renewal Plan* area. The site is identified as PC1-N in the *Pike Place Urban Renewal Plan*.
- **Zoning:** The site is currently zoned Pike Market Mixed-85 (PMM-85).

See **Appendix H** for figures showing the streets bordering the project site, neighborhood planning area and a zoning map.

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.

On August 13, 2012, the Seattle City Council unanimously adopted Resolution 31399. The Resolution directs the City’s Central Waterfront design team to work “collaboratively with the designers for the Pike Place Market’s proposed development on the PC-1 north site.” The Resolution also says, “By the end of 2012, the City should enter into agreements with the Pike Place Market and Seattle Aquarium to continue design collaboration and to develop a process for refining other aspects of these partnerships. The agreements should include principles to determine an appropriate City contribution to the public infrastructure improvements on the PC-1 north site and the Aquarium renovation, in coordination with the next phase of design work.” The City and the PDA entered into a Memorandum of Understanding (MOU), pursuant to Resolution 31399 on May 16, 2013. The City Council approved the concept with the MOU and then received a detailed project brief on August 5, 2013.

The proposed ***Pike Place Market Waterfront Entrance Development*** would redevelop a surface parking lot with a new, mixed-use building containing low income residential uses, commercial space, social services space, below grade parking, and public terrace/walkways. The street that is proposed for vacation is a small area of land (1,342 sq. ft.)³ that is not connected to the street grid and provides no current transportation function. The requested street vacation would straighten the property line, provide additional below-grade parking capacity, improve parking garage circulation, and provide additional public open space/walkway area.

Current Site Conditions and Use

The project site encompasses an area of 38,993 sq. ft. (0.89 acres). There are no buildings on-site; existing site uses include surface parking (84 spaces) with vehicular access from Western Avenue. The parking lot portion of the site is relatively flat and generally ranges between elevations of 80 and 75 feet, and slopes downward to the northwest. A retaining wall supports Western Avenue on the eastern side of the site, where the street level is up to approximately 15 feet above the parking lot grade. The southwest portion of the site is designated as a "Steep Slope" Environmentally Critical Area (ECA). The steepest slope on the site is approximately 50 percent. The street that is proposed for vacation is located on a steep slope that provides no current transportation function. Because the street is relatively sheltered from public view, it is used for illicit activities by transient populations at present, and is frequently littered with garbage and used drug paraphernalia.

³ The site survey currently indicates that the area of the ROW proposed to be vacated is 1,342 sq. ft. - this number may be slightly refined upward or downward as design progresses.

Pike Place Market Waterfront Entrance Project

The proposed ***Pike Place Market Waterfront Entrance Project*** involves development of a 7-level mixed-use structure containing approximately 210,000 gross sq. ft.⁴ The proposed building would have 3 to 4 levels above-grade and the amount of gross floor area above-grade would approximate 45,731 sq. ft. Included within the building would be approximately 12,700 sq. ft. of retail/commercial space, 27,000 sq. ft. of low-income housing (40 units), 1,700 sq. ft. of social services space, and 4 levels of below-grade parking (approx. 119,000 sq. ft.) to accommodate approximately 300 vehicles. In addition, approximately 35,500 sq. ft. of public roof terrace and walkways would be provided.

Site Constraints

The site is bordered to the east by Western Avenue, to the north by Victor Steinbrueck Park and the Market Place Garage, to the south by the existing Pike Place Garage and Heritage House senior housing and the street that is proposed for vacation to the west (that portion of Armory Way as condemned by Ordinance No. 67125). The existing elevated Alaska Way Viaduct which is scheduled for demolition in 2016 is located to the west of the right-of-way proposed for vacation. Upon demolition, the Viaduct right-of-way is planned to be redeveloped by the Waterfront Seattle project.

The program for this mixed-use project proposes a 7-level structure containing approximately 3 to 4 levels above-grade with low-income housing units, retail space, and below grade parking. Due to the already narrow east-west width of the project site, several key program requirements including the parking, residential, commercial, and public terrace portions of the project, would be constrained without the requested street vacation. The project has also been closely working with the future Waterfront Seattle design team which has assumed this vacation as a basis for integration between the two projects.

The development potential of the site is also constrained below-grade by the presence of the BNSF Railroad Tunnel, which crosses the PC1-N site below grade at an acute angle from the southeast corner to the northwest corner, and limits the excavation depth to four stories, and restricts the size of the bottom parking level (level P-4). Refer to **Figure 7** in the **Figures Section** for reference.

Development potential for the project is also constrained above grade by the need to limit the building's height in order to preserve view corridors from neighboring land uses including Pike Place Market and Victor Steinbrueck Park.

Why the Vacation is Requested

The street vacation is requested because it is the only way to accommodate the development program in its ideal configuration on the site and make the project viable. According to the *Pike Place Urban Renewal Plan*, the PC-1 land use area is to accommodate approximately 850 public parking stalls (PC-1 includes the project's PC-1N site, and the PC-1S site, which contains Pike Market Heritage House and a parking garage). The PC-1S site currently contains approximately 550 parking stalls within a parking garage.

⁴ The SEPA Checklist (**Appendix I**) prepared for this project contains analysis based on MUP drawings dated November 2013; the preferred concept has been refined, therefore project numbers contained in this vacation petition have the updated to reflect the most recent design on file at the City.

The proposed **Pike Place Market Waterfront Entrance** project would develop approximately 300 parking spaces, bringing the total parking count to 850, and in compliance with the intended parking count for the PC-1 land use area, as called for in the *Pike Place Market Urban Renewal Plan* of 1974. Without the requested street vacation, only roughly 254 parking stalls could be built on the PC-1N site, and the amount of parking would not be consistent with the *Plan* (804 spaces).

What the Vacation Contributes to the Proposed Project

The street vacation will contribute to the proposed project in the following ways:

- The street vacation will allow the proposed building to be configured in such a way as to maximize below-grade parking and provide approximately 300 parking stalls. This will contribute towards meeting the 850 parking stall criteria identified in the *Pike Place Urban Renewal Plan* for the PC-1 land use area.
- The proposed vacation allows for a more efficient parking & circulation layout that meets the requirements of the *Pike Place Urban Renewal Plan*.
- The proposed vacation allows for the parking within the **Pike Place Market Waterfront Entrance** project to partially contribute towards replacing parking that would be eliminated underneath the Alaskan Way Viaduct as part of the waterfront development.
- The proposed vacation allows for additional public open space along the public promenade above the garage. The street vacation allows the building to develop more public roof terrace to improve the pedestrian experience and enhance public enjoyment of water views.
- The proposed vacation contributes to the future integration of the **Pike Place Waterfront Entrance** and the Overlook Walk portion of the Waterfront Seattle redevelopment.
- The street vacation allows for ideal building size and configuration making the project unique and viable.

Development that Could Occur as No Vacation Alternative

Without the proposed vacated right-of-way, the project would lose approximately 48 of the planned parking spaces and would not meet the parking count called for in the *Pike Place Urban Renewal Plan*, the public promenade would decrease in size by approximately 1,390 sq. ft., and additional work would be required to redesign Overlook Walk in order to connect to this project. See **Figures 4** and **5** in the **Figures Section** for the public open space and parking that would be constrained without the requested street vacation.

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 Existing Uses

The project site consists of an area of 38,993 sq. ft. (0.89 acres). There are no buildings on-site; existing site uses include:

- Surface parking (84 spaces) with vehicular access from Western Avenue;
- Timber framed access stairs which connect the surface parking and Western Avenue to the Pike Place Market via the Joe Desimone Bridge;
- Two fluid cooler units that are connected to the Pike Place Market's central water plant; and,
- Foundations from a building that was previously on the site (Market Municipal Building, which was destroyed by fire in 1974).

Proposed Project

The proposed ***Pike Place Market Waterfront Entrance Project*** involves development of a 7-level mixed-use structure containing approximately 210,000 gross sq. ft.⁵ The proposed building would have 3 to 4 levels above-grade and the amount of gross floor area above-grade would approximate 45,731 sq. ft. Included within the building would be approximately 12,700 sq. ft. of retail/commercial space, 1,700 sq. ft. of social services space, 27,000 sq. ft. of low-income housing (40 units), and 4 levels of below-grade parking (approx. 119,000 sq. ft.) to accommodate approximately 300 vehicles. In addition, approximately 35,500 sq. ft. of public roof terrace and walkways would be provided. See **Figure 6** in the **Figures Section** for a site plan.

From the east (Western Avenue), the building would appear as a 2-story structure with the rooftop terrace at approximately the level of Pike Place Market. From the west (SR 99), the building would appear as a 4-story structure. The entrance lobby to the building would be centrally-located along the east side of the structure with direct access from Western Avenue. The building steps down toward the north and west preserving a "view cone" from Victor Steinbrueck Park and the upper market.

Open Space

Approximately 35,500 sq. ft. of public terrace and walkways are proposed for the ***Pike Place Market Waterfront Entrance Project***. The public terrace would connect to Pike Place Market and would have views of Elliott Bay, Puget Sound and the Olympic Mountains to the west.

The open space at the Pike Place Market level of the proposed building would include overhead weather protection (in places), precast concrete unit pavers, a wooden deck, and

⁵ The SEPA Checklist (**Appendix I**) prepared for this project contains analysis based on MUP drawings dated November 2013; the preferred concept has been refined, therefore project numbers contained in this vacation petition have the updated to reflect the most recent design on file at the City.

multiple seating elements. A ramp would lead down to the north, with two switch-backs traversing the length of the commercial portion of the building down to the first floor.

Pedestrian Circulation

Pedestrian street level access to the entrance lobby would be provided from Western Avenue, as well as a connection from Pike Place Market via the Joe Desimone bridge.

Parking, Access, and Loading

Below-grade parking would be provided for approximately 300 vehicles. One point of ingress and egress to the below-grade garage would be provided from Western Avenue. This access would be at the east end of the building. In the future, a second right-in/right-out only driveway is proposed on the Elliott-Western Connector that would be located in the footprint of the current Alaskan Way Viaduct. The proposed vacation of approximately 1,342 sq. ft. of Armory Way (as Condemned by Ordinance 67125), would not interfere with the future Elliott-Western Connector.

There would be an internal connection between level P-3 of the new parking garage and the existing, adjacent Pike Place Market parking garage to the north.

Loading and service access to the building would be provided from Western Avenue. See **Figure 7** in the **Figures Section** for the parking garage layout.

Proposed Design Concept

The proposed building massing is intended to preserve existing iconic views from the Market while creating new public view opportunities and connections afforded by the site and potential future developments. To achieve this, the four level parking garage has been placed below grade to create a platform at the level of Western Avenue for the proposed commercial and residential parts of the building.

The one story commercial component, with its roof terrace, provides public view and assembly opportunities, while maintaining clear view access to Elliot Bay from the existing Pike Place Market. Access from the Pike Place Market would be provided through the existing Joe Desimone Bridge, which aligns with the level of the roof terrace. An exterior public stairway and ramp further enhance porosity through the site from Pike Place Market and Western Avenue, and facilitate possible future connections to the Waterfront Seattle redevelopment.

The four story residential component at the south end of the project site further maintains the balance between zoning allowances and view preservation by setting back to the east as it increases in height.

The project would reference the vernacular concrete and timber structural systems of existing Pike Place Market buildings. Refer to **Figures 9, 10** and **11** for building elevations and **Figures 12** and **13** for renderings of the project.

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 No. 3015514) for development of this project.

A Certificate of Approval from the Pike Place Market Historical Commission will be required for the project.

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.*

Rights-of-way provide public transportation routes and access to abutting properties.

Guideline 1.1 - Protection of Circulation and Access According to Street Classification.

The following guidelines are organized by street classification consistent with the Transportation Strategic Plan (TSP)

A. **Arterials.** *Streets designated as Arterials may be vacated only when an alternative circulation route is substituted.*

B. **Access Streets: Residential and Commercial.** *Petitions for the vacation of streets designated as Access Streets may be approved only if:*

1. *Access is retained to properties on the block where the right-of-way is located;*
2. *Circulation to properties on neighboring streets is retained;*
3. *The right-of-way does not provide a necessary link in the continuity of a route to arterials;*
4. *Public parking provided by the right-of-way is not needed, can be provided on nearby rights-of-way, or can be replaced; and*
5. *Vacations that would result in diverting truck or commercial traffic to nearby residential streets will not be approved.*

- C. Transit Routes. Streets that contribute to the integrity and continuity of the public transit system will be considered for vacation only after review and comment by relevant public transportation agencies. .
- D. Truck Routes and Truck Streets (Arterials). Designated major truck streets may be vacated only when an alternative route is substituted.
- E. Boulevards. Designated boulevards and portions of boulevards may be vacated only for public purposes such as parks.
- F. Alleys. Proposed alley vacations will be considered according to the following guidelines.
1. The primary purpose of alleys 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 approved 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.
 2. Residential Zones. In general, alleys in residential zones will be preserved. Alley vacations associated with institutions (as defined in the Land Use Code) may be permitted only when:
 - a) steep topography prevents development and use of an unimproved alley for access; or
 - b) the alley is not needed for service functions; and
 - c) off-street parking access which meets the land use code requirements can be provided otherwise.
 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, delivery, and access to parking functions are 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.
 4. Downtown. The following criteria will be considered for specific downtown alley vacation petitions:
 - a) may be vacated only when their loading, service and access functions can be continued within the development site, and curbcuts are provided in conformance with the Comprehensive Plan and the land use code;

- b) alleys which are part of the primary pedestrian circulation system, such as Post Alley, may be vacated only when comparable public pedestrian circulation is provided and the pedestrian environment along the corridor is improved; and
- c) to ensure compatible scale and character of infill development, for example, alleys in special review districts or historic districts may be vacated only when compatible scale and character of development is assured.

G. Bicycle Routes. The continuity and integrity of designated bicycle routes, such as bicycle streets, bicycle paths, and bicycle lanes will be protected. Such rights-of-way may be vacated only when a comparable or better bicycle right-of-way is provided as part of the vacation. Bicycle access must be comparable in terms of safety, convenience, and directness.

H. Pedestrian Access.

1. Pedestrian routes including designated green streets, and public stairways may be vacated only for public purposes, such as parks.
2. Proposed vacations, which would result in a reduction of the sidewalk width in areas of existing or anticipated heavy pedestrian volume may be vacated only when provisions are made to otherwise accommodate the pedestrian traffic.
3. Proposed vacation of rights-of-way, which contain unimproved pedestrian trails, may be approved only when the public pedestrian function is protected.

I. Unimproved Streets and Alleys. Existing and potential uses for unimproved rights-of-way will be identified during the review process. These uses include development of vehicular circulation and access, pedestrian uses such as pedestrian access to schools, public facilities, shorelines, open space uses, bicycle use and access to public spaces or parks or adjacent streets. All or a portion of the right-of-way may be retained for these or other purposes.

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 1.4 Necessary On-Street Parking Must be Replaced

Streets which provide necessary on-street parking may be vacated only when the public parking can be otherwise provided.

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 right-of-way to be vacated is Armory Way as condemned by Ordinance No. 67125. It provides no current transportation function. The Alaskan Way Viaduct Replacement Program will be creating a new roadway—Elliott Way—in the footprint of the elevated Viaduct once it is removed. The vacation of this right-of-way would not affect the proposed new roadway, traffic circulation, service or pedestrians.

Vacation of the right-of-way would increase the footprint of the proposed project, providing improved on-site circulation as well as about 48 additional parking stalls. The *Pike Place Market Waterfront Entrance Traffic Analysis* evaluated the traffic impacts associated with the project, which included the parking accommodated with the vacation.⁶ That analysis concluded that the project would not adversely affect the transportation system. If the right-of-way is not vacated and the on-site parking were decreased, it would result in about 10 fewer trips during the Saturday peak hour.

As noted above, an Environmental Checklist was prepared for ***Pike Place Market Waterfront Entrance Project***, which included transportation analysis. The Checklist and Transportation memo are included in **Appendix I**.

- 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.

⁶ Heffron Transportation, Inc., November 13, 2013.

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: One utility currently has infrastructure within the right-of-way proposed to be vacated -- Seattle City Light (SCL). SCL has a 115 kV T-4 line within the right-of-way area to be vacated and this line would overlap the project site for a length of approximately fifty feet (50'). From pothole information it is known that the T-4 line within the proposed vacation area exists at a depth of cover ranging from 26" to 76". Based on the current PC-1N project design, the T-4 line could co-exist at the same depth as the P4 parking level. The PC-1N project has been designed to accommodate the preservation of the T-4 line in its current location. The protection and preservation of the T-4 line in place has been discussed with SCL on several occasions to develop PC-1N construction requirements for protecting the line during the PC-1N development. The applicant will continue to coordinate with SCL as the project team finalizes design and approaches the construction phase. 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.

BNSF also has a franchise tunnel that is located beneath the PC1-N project site (see **Figures 6 and 7** in the **Figures Section**) within the right-of-way area to be vacated and this line would overlap the project site. Based on the current PC-1N project design, the BNSF tunnel could co-exist at the same depth as the P4 parking level. The PC-1N project has

been designed to accommodate the preservation of the BNSF tunnel in its current location. The protection and preservation of the BNSF tunnel in place has been discussed with BNSF on several occasions to develop PC-1N construction requirements for protecting the tunnel during the PC-1N development. The applicant will continue to coordinate with BNSF as the project team finalizes design and approaches the construction phase.

See **Appendix E** for further information on consultation that has occurred to-date. 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.

A. Downtown

Petitions for vacations of right-of-way in the downtown area shall be reviewed according to the Comprehensive Plan, particularly its land use, urban village, transportation and neighborhood elements of the plan and other relevant adopted plans or goals.

DISCUSSION: The proposed **Pike Place Market Waterfront Entrance Development** is located within the Commercial Core neighborhood within one of the City of Seattle's six designated Urban Centers – the Downtown Urban Center. The potential vacation for the proposed **Pike Place Market Waterfront Entrance Development** would promote increased mixed-use density (low-income residential, retail, public terrace, and below-grade parking), which is consistent with the intent of Urban Centers.

The site of the proposed **Pike Place Market Waterfront Entrance Development** is zoned Pike Market Mixed-85 (PMM-85). Per SMC 25.24, permitted uses within the Pike Place Market zone are to be determined by the Pike Place Market Historical Commission, pursuant to the Pike Place Market Historical District Ordinance.

The site is located within the Pike Place Market Historic District, and the *Pike Place Urban Renewal Plan Area* of 1974. Under this plan, the site is designated as PC-1 North.

The proposed **Pike Place Market Waterfront Entrance Development** would be a mixed-use project that is consistent with the City's Land Use Code and with the land use and building controls identified for the PC-1N site within the *Pike Place Urban Renewal Plan*. The proposed development would consist of a 7-level mixed use structure containing approximately 210,000 gross sq. ft. The building would have 3 to 4 levels above grade and the amount of gross floor area above-grade would approximately 45,731 sq. ft.. Included within the building would be approximately 12,700 sq. ft. of retail/commercial space, 1,700 sq. ft. of social services space, 27,000 sq. ft. of low-income housing (40 units), and 4 levels of below grade parking (approximately 119,000 sq. ft.) to accommodate approximately 300 vehicles.

The *Pike Place Urban Renewal Plan* states that the PC-1 site shall be the location of structures containing public parking for the Project Area and should provide for development of commercial, residential and public spaces to complement the existing Market activity. The uses that are proposed for the PC1-N site (low income residential, retail, public parking, and public terrace) would be consistent with land uses that are permitted under the *Pike Place Urban Renewal Plan*.

The street vacation that is proposed is requested to improve the overall project in a manner consistent with the public interest and to provide for better urban design for the proposed development.

Increase in Development Potential

Net development potential for the ***Pike Place Market Waterfront Entrance*** would increase by approximately 5,556 sq. ft. with the street vacation. The area of the street vacation measures 1,342 sq. ft. and thus increases the development potential by 5,556 sq. ft. The site's development potential without the alley vacation is 209,279 sq. ft. The 5,556 sq. ft. net increase in proposed development potential is approximately a 2.58 % increase and would not significantly alter the land use impacts of development on the project site.

The increase in development potential attributable to the proposed vacation associated with ***Pike Place Market Waterfront Entrance Project*** is consistent with the provisions of the City's *Comprehensive Plan* and the *Commercial Core* neighborhood. Proposed development associated with the potential street vacation for the ***Pike Place Market Waterfront Entrance*** is also consistent with the City's Land Use & Zoning Code, and the *Pike Place Urban Renewal Plan* and the permitted uses and Special Controls identified for the PC-1 North site.

Refer to the Development Matrix in **Appendix F** of this vacation petition for more detailed calculations.

Scale, Building Orientation and Access to the Site

The design of the ***Pike Place Market Waterfront Entrance Development*** includes features to enhance the compatibility with the surrounding uses and minimize potential land use conflicts between the proposed site and surrounding uses. Such features include: building height, location and orientation, building design and materials, provisions for landscaping, creation of open space/gathering areas, and provisions for street and pedestrian improvements.

Development that is proposed for the PC-1 North site would include roughly 210,000 gross sq. ft. of with approximately 12,700 sq. ft. of retail/commercial space, 1,700 sq. ft. of social services space, 27,000 sq. ft. of low-income housing (40 units), and 4 levels of below grade parking (approx. 119,000 sq. ft.) to accommodate approximately 300 vehicles. In addition, approximately 35,500 sq. ft. of public roof terrace and walkways would be provided.

Pedestrian street level access to the entrance lobby would be provided from Western Avenue, as well as a connection from Pike Place Market via the Joe Desimone Bridge. A pedestrian walkway ramp would also be provided from the street level (SR-99) on the west side of the building. This walkway would provide access to the top of the building (Commercial Roof Terrace Level).

The bulk and scale of the project responds to the surrounding context by limiting the building height to four-stories, and stepping the massing down toward the north and west to preserve a "view cone" from Victor Steinbrueck Park and the upper Pike Place Market.

As noted previously, the site of the proposed ***Pike Place Market Waterfront Entrance Project*** is adjacent to the Alaskan Way Viaduct (SR-99), which is to be removed and replaced with a tunnel extending from approximately S. King Street on the south to the vicinity of the Battery Street Tunnel on the north. These changes are part of the Alaskan Way Viaduct and Seawall Replacement Programs. The new SR-99 tunnel beneath

Downtown is scheduled to open to traffic in 2015 and that segment of the existing Alaskan Way Viaduct that is adjacent to the project site is scheduled to be demolished in 2016. It is proposed, as part of the SR-99 project.

With removal of the viaduct, new opportunities to open the Seattle waterfront to the public would be presented. As such, one of the projects associated with the Waterfront Program is the Overlook Walk, a landscaped pedestrian connection that is proposed between Victor Steinbrueck Park and the Seattle Aquarium.

The proposed ***Pike Place Market Waterfront Entrance Project*** is independent of the Alaskan Way Viaduct replacement and the Overlook Walk. The project may proceed whether or not the Overlook Walk is built, and the project is not dependent on the Overlook Walk for its justification. However, once both programs are complete, the proposed new building can be linked to the Overlook Walk, providing a pedestrian connection between the Pike Place Market and the waterfront. See **Figures 14-18** in the **Figures Section** for depictions of the proposed project together with different phases of the waterfront redevelopment and a possible future linkage to the Overlook Walk.

Without the street vacation, the project would lose approximately 48 of the planned parking spaces, the public promenade would decrease in size by approximately 1,342 sq. ft.⁷, and additional work would be required to redesign Overlook Walk in order to connect to this project. This alternative is not viable for the project proponent.

Neighborhood Character and Design

The proposed ***Pike Place Market Waterfront Entrance Development*** would redevelop a site that is currently underutilized in this neighborhood. The ***Pike Place Market Waterfront Entrance Development*** would become a critical link between Pike Place Market to the east and the future waterfront Overlook Walk project to the west. Please refer to **Figures Section, Figure 14-18** for more information on how the two projects would be developed.

The overall project is consistent with the vision for the Pike Place Market Historic District that is articulated in the *Pike Place Urban Renewal Plan*. The street vacation that is proposed as part of the ***Pike Place Market Waterfront Entrance Development*** 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 public roof terrace and below-grade parking. Without the street vacation, the project would not be able to meet the parking

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.

⁷ The site survey currently indicates that the area of the ROW proposed to be vacated is 1,342 sq. ft. - this number may be slightly refined upward or downward as design progresses.

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.

Guideline 5.1 Public Benefits Identified

The City of Seattle has a set of adopted policies that guide the evaluation of street vacation petitions. CF310078. Under the current policies, Policy 5 addresses public benefits. The policy explains that each vacation must include an element of public use or benefit, and a vacation cannot be granted solely for a private benefit or use. Policy 5.A. Proposed vacations may only be approved when they provide a long-term public benefit. Policy 5.B.

A number of factors will be considered during review of a public benefits package for a proposed street vacation, including the zoning, street classification, assessed value of adjacent property, lease rates, project size, size of area to be vacated, and contribution of the vacated area to the development potential of the site. Policy 5.E. The city will also consider compliance of the project with the Comprehensive Plan, neighborhood planning and economic development goals; provision of affordable or special needs housing, public nature of the project, neighborhood support or opposition, among other listed considerations. Policy 5.F.

Street Vacation Policy 5 suggests specific public benefits in Guideline 5.1, which include the following:

- *On-Site Public Benefits: public plazas or green spaces, streetscape enhancements (widened sidewalks, street trees or landscaping, street furniture, pedestrian lighting, wayfinding, art, or fountains), pedestrian or bike trails, enhancement of the pedestrian or bike environment, view easement or corridors, or preservation of landmark buildings or other community resources.*
- *Off-Site Public Benefits: pedestrian or bike trails, public stairways, enhancement of the pedestrian or bike environment, enhancement of existing public open space (such as adding playground equipment), green streets improvement, funding an element of an adopted Neighborhood Plan, wayfinding signage, or public art.*

Guideline 5.1 says that on-site public benefits are favored over off-site public benefits. SDOT, the Seattle Design Commission, and City Council will evaluate the public benefits package based on these general categories and the criteria set out in Street Vacation Policy 5.

Discussion: Consistent with City of Seattle criteria for the approval of street vacations, a broad range of improvements associated with this project are intended to provide long-term public benefits. As discussed in this petition, the applicant seeks to vacate only a sliver of right-of-way to straighten out its property line. This petition does not involve a full street or alley vacation.

Street Vacation Policy 5.C says, “The public benefit should balance what the public loses through the vacation with what the public will gain from the project.” The public

benefits associated with this project more than outweigh the public's loss of a sliver of under-utilized right-of-way.

In addition to providing significant public benefits, described below, the proposed project also falls in line with the adopted *Pike Place Urban Renewal Plan*. The *Plan* specifically envisions development at this site. The project will provide affordable elderly housing, and there has not been neighborhood opposition to the proposal.

The entire project is public in nature and strives to improve the public experience at Pike Place Market. The applicant looks forward to further discussion with the City on the street vacation public benefits. The list below shows the public benefits provided by this project.

- **Public Plaza** – Approximately 35,500 sq. ft. of public terrace and walkways are proposed for the project. The public terrace would connect to Pike Place Market and would have views of Elliott Bay, Puget Sound and the Olympic Mountains. The open space at the Pike Place Market level of the proposed building would include overhead weather protection (in places, precast concrete unit pavers, a wooden deck and multiple seating elements. A ramp would lead down to the north, with two switch-back traversing the length of the commercial portion of the building to the first floor.
- **Future Link to the Waterfront** – The project has been designed to allow a future pedestrian walkway connection to the improved waterfront.
- **Public Art** – The project includes new outdoor public open space that would integrate outdoor art to enhance the pedestrian experience. The project will include three pieces of public art, including interactive media and a family-oriented play piece.
- **Public Parking** – The project will provide more than 300 public parking stalls to replace the public parking under the viaduct.
- **Low Income Senior Housing** – The project will include 40 studio units. Half of the new units will serve seniors at 30% AMI, and the other half of the new units will serve seniors at 50% AMI. These units will add to the PDA's current portfolio of 238 low-income housing units and 93 market-rate housing units.
- **Social Services Space** – The project will provide approximately 1,700 sq. ft. of space along Western Avenue dedicated to facilities for Pike Place Market's social service agencies. The social service space will be accessible to the onsite residents, as well as nearby PDA residents. The space could be used to provide services such as health classes, financial planning, and mental health services.

This public benefits package is graphically depicted in **Appendix G**. The applicant looks forward to further discussion with the City about the proposed public benefits package.

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 G**.

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 and a site survey map are provided in **Appendix D**. A project site map with dimensions and current ownership is included in the **Figures Section** see **Figure 5**.

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 and building elevations are included in the **Figures Section** see **Figures 6-13** and **19**.

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 **Appendix H**.

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 **Pike Place Market Waterfront Entrance Project** would concentrate public use and residential and employment growth in a location with access to major bus routes.

The right-of-way proposed for vacation has no current transportation function. No transit service or facilities would be affected if the right-of-way is vacated. See the **Appendix H** for the location of project 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.*

A SEPA Checklist was prepared for the proposed **Pike Place Market Waterfront Entrance Project** (November 18, 2013). A copy of the Checklist is included in **Appendix I**.

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.*

Pike Place Urban Renewal Plan, approved by Ordinance No. 102916

The project site is located in the *Pike Place Urban Renewal Project* area; a 22-acre planning area that establishes goals and objectives for Pike Place Market, and includes development, land use and building controls. Within this plan, the **Pike Place Market Waterfront Entrance Project** site is identified as PC-1 North in the Land Use Plan. The PC-1 land use area is noted to be the location of structures containing public parking and should provide for the development of commercial, residential and public spaces to complement the existing Market activity.

The Pike Place Market Historical Commission is in charge of reviewing and approving applications for design and use changes within the Pike Place Market Historical District (in which the **Pike Place Market Waterfront Entrance Project** site is located). Any changes within the District must be approved and a Certificate of Approval issued by the Commission. The Commission bases approval decisions on the standards set forth in the Pike Place Market Historical District Guidelines and the District Ordinance (SMC 25.24).

On August 13, 2012, the Seattle City Council unanimously adopted Resolution 31399. The Resolution directs the City’s Central Waterfront design team to work “collaboratively with the designers for the Pike Place Market’s proposed development on the PC-1 north site.” The Resolution also says, “By the end of 2012, the City should enter into agreements with the Pike Place Market and Seattle Aquarium to continue design collaboration and to develop a process for refining other aspects of these partnerships. The agreements should include principles to determine an appropriate City contribution to the public infrastructure improvements on the PC-1 north site and the Aquarium renovation, in coordination with the next phase of design work.” The City and the PDA entered into a Memorandum of Understanding (MOU), pursuant to Resolution 31399 on May 16, 2013. The City Council approved the concept with the MOU and then received a detailed project brief on August 5, 2013.

DISCUSSION: The *Pike Place Market Urban Renewal Plan* identifies parking, recreational commercial, residential and automobile service facilities inside parking structures as permitted uses on the PC-1N site. The plan notes that 100% site coverage is permitted, and the following Special Controls are detailed for the site:

1. Stored automobiles shall not be exposed to view
2. Top floor shall take maximum advantage of natural light by utilizing transparent roofs, skylights, monitors, clearstories, etc.
3. Pedestrian access shall be provided to adjacent land use areas. Pedestrian and vehicular access to Main Market structures shall be provided by the following bridges across Western Avenue, as illustrated on Land Use Map, Exhibit B:
 - B3 -- existing rehabilitated pedestrian bridge
 - B4 -- existing rehabilitated pedestrian/vehicular bridge providing access to Market parking facilities from Pike Place
 - B5 -- new covered pedestrian bridge connecting Pike Place level of Main Market building with top floor of structure in PC-1.

The proposed ***Pike Place Market Waterfront Entrance Project*** includes below-grade parking, low income housing, retail/commercial and public terrace uses; these are all uses that are permitted under the Plan. In accordance with all special controls: the parking would be below-grade, and would not be exposed to view; the top floor of the building would contain a public rooftop terrace designed to take maximum advantage of natural light and views. The new building would be connected to adjacent land use areas, including the Pike Place Market via the Joe Desimone Bridge.

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 project site is located in the Commercial Core neighborhood of the Downtown Urban Center. The Future Land Use Map in the Seattle Comprehensive Plan identifies the site as an Urban Center. Urban Centers are intended to provide mixed-use neighborhoods with nearby access to housing, jobs and transportation.

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 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, (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).

DISCUSSION: The proposed **Pike Place Market Waterfront Entrance** project is located within one of the City of Seattle's six designated Urban Centers – the Downtown Urban Center. The potential vacation for the proposed **Pike Place Market Waterfront Entrance** project would promote increased mixed-use density (low-income residential, retail, public roof terrace, and structured parking) on a site that is currently underutilized in this neighborhood, which is consistent with the intent of Urban Centers.

Consistent with the goals identified for Urban Centers, the concept for the **Pike Place Market Waterfront Entrance** project would provide a mix of residential, 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, and the affordable housing units would provide much-needed housing in this part of the City. The project would also concentrate residential and employment growth in a location with direct access to the major bus routes and Sound Transit Light Rail, as well as convenient access to areas in nearby neighborhoods, such as Belltown, First Hill, Capitol Hill, South Lake Union and the Central Area.

The potential vacation would enable the efficient 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 residential and employment growth targets identified in the Comprehensive Plan for the Downtown Urban Center. The proposed development, including the potential vacated right-of-way, 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 immediate vicinity.

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 Downtown Areas call for: Promoting Downtown Seattle as the home to the broadest mix of activities and greatest intensity of development in the region. Promoting the continued economic vitality of Downtown Seattle, with particular attention to the retail core and the tourism industry (LUG30); Promoting the integration*

of high capacity transit stations into the neighborhoods surrounding them and foster development appropriate to significant increases in pedestrian activity and transit ridership. Use overlay districts or other adjustments to zoning to cultivate transit-oriented communities (LU178).

DISCUSSION: The proposed **Pike Place Market Waterfront Entrance** project involves the establishment of new low-income residential, retail, public roof terrace, and structured parking uses on a site that currently contains only surface parking. The redevelopment concept proposed is consistent with the current Downtown Urban Center/Urban Village land use designation, and consistent with promoting increased density and a broader mix of activities in Downtown Seattle.

The project would increase residential and employment density within the Downtown Urban Center, which would further contribute to the urban mixed-use area in close proximity to services, residences, employment, and transit facilities. The development's new residents and employees and activation of the site and the streetscape with retail/restaurant uses and the public roof terrace, would substantially increase pedestrian activity in this portion of the neighborhood. Additional pedestrian activity could also result in greater transit ridership, due to the site's proximity to numerous bus routes. This result is consistent with the Downtown's land use goals of fostering development that continues to promote the economic vitality of Downtown, generates significant increases in pedestrian activity and transit ridership, and promoting the greatest intensity of development.

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

The **Pike Place Market Waterfront Entrance** project will embrace multiple sustainable design, construction and operational practices. The project is seeking LEED Gold Certification for the parking garage, retail and public areas, and Evergreen Sustainable Development Standard (ESDS) Certification for the housing portion of the project.

See **Appendix J** for the project's LEED Gold Certification Checklist and the current ESDS Checklist.

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

The Pike Place Market Historical Commission is in charge of reviewing and approving applications for design and use changes within the Pike Place Market Historical District (in which the **Pike Place Market Waterfront Entrance Project** site is located). Any changes within the District must be approved and a Certificate of Approval issued by the Commission. The Commission bases approval decisions on the standards set forth in the Pike Place Market Historical District Guidelines and the District Ordinance (SMC 25.24).

The project team has regularly briefed the Pike Place Market Historical Commission, providing progress updates on the project and design including, but not limited to the following dates:

- February 12, 2014
- November 13, 2013
- July 24, 2013
- April 24, 2013
- March 27, 2013
- February 27, 2013
- November 14, 2012
- July 25, 2012
- June 18, 2012
- May 30, 2012

After the project receives the SEPA approval, the ***Pike Place Market Waterfront Entrance*** project will seek Change of Use approval followed by overall project approval. Market Historical Commission approval must be received prior to the issuance of the MUP.

The proposed ***Pike Place Market Waterfront Entrance Project*** was also presented to the Seattle Design Commission on January 23, 2014. Design Commission review materials from this meeting, as well as meeting minutes are provided in **Appendix K**.

- 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.***

Nature of Operation

The Pike Place Market is owned and managed by the Pike Place Market Public Development Authority (PDA). Following passage of the Market Initiative No. 1 in 1971, the PDA was formed to rehabilitate, own, and operate the public Market. With an operating annual budget of over \$13 million, the PDA is a quasi-public municipal corporation chartered in 1973 by the City of Seattle with the mission to promote enterprises essential to the functioning of the historic Pike Place Market and which includes the preservation and expansion of the market's surrounding low-income residential community, the survival of small owner-operated businesses, the presence of fresh local farm produce and a wide range of ethnic goods, groceries, and sundries, as well as the expansion of services to the public market community. The PDA maintains and operates 14 buildings in the nine acre historic district, and is governed by a 12 member council with five standing committees.

The purpose of the PDA as the public market's redevelopment agency is to provide a legal entity through which citizens may fulfill the aims and objectives of the Pike Place Market Historical District Ordinance 10045, and the Historic Preservation Plan for the *Pike Place Urban Renewal Project Area*. The PDA, as authorized, may also be involved in the rehabilitation and redevelopment of surrounding areas that might impact the character of the Market Historic District. Accordingly, and consistent with the PDA's charter, the PDA has an ongoing interest and obligation to be engaged in plans for the removal of the Alaskan Way Viaduct and revitalization of the central waterfront.

History of the Institution

The Pike Place Market officially opened August 17, 1907 with much public outcry over middlemen and dishonest commission houses whose greed was undercutting the farmers. City Councilman Thomas P. Revelle, “Father of the Pike Place Market” was lead sponsor of the ordinance designating Pike Place as Seattle’s public market. On November 30, 1907, Revelle, in his speech before an excited crowd of thousands at the opening dedication ceremony of the first sheltered Market farmers’ stalls, was prophetic:

“This market is yours, I dedicate it to you, and may it prove a benefit to you and your children. It is for you to defend, protect, and to uphold, and it is for you to see that those who occupy it treat you fairly, that no extortion be permitted and the purpose for which created be religiously adhered to. This is one of the greatest days in the history of Seattle, but it is only the beginning for soon this city will have one of the greatest markets in the world.”

From that day forward, local farmers selling local produce directly to consumers would have first priority as the Market’s day stall tenants. In the early 1960’s in the era of suburbanization, advent of convenience store shopping and the auto-centric supermarket, the long neglected Public Market had fallen into disrepair and was declared an urban blight by the city. This opened the door for use of federal urban renewal funds to bulldoze the market and put in its place a massive complex of glitzy office towers, hotels, and a new boutique market along the high bluff overlooking Elliot Bay.

The Friends of the Market, led by architect and preservationist Victor Steinbrueck, was formed in 1964 to block the City’s plans to raze the Pike Place Market and entire surrounding area. After a protracted seven year civic battle led by the Friends, the Market was saved by a citizen led initiative, known as “Save the Market” Initiative No. 1 in November, 1971 (“Yes” 76,369, “No” 53,263), which established a seven acre historic district within the 22 acre federally designated *Pike Place Urban Renewal Project* area. The citizens’ initiative was the most far reaching preservation plan ever adopted in the United States and expanded the concept of historic preservation “In order to promote the educational, cultural, farming, marketing, and other economic resources,” and to include retention of traditional market related activities, goods and services supporting the low income community, small, owner operated shops and especially for the sale directly to consumer of “market fresh” local farm produce.

How Long at Present Location

Pike Place Market officially opened August 17, 1907.

Number of Employees

100

Economic Impact of Vacation

The PDA will grow by approximately 6-12 FTE’s; however, the larger benefit of this project is to the neighborhood and businesses in and around the Pike Place Market including vendors, restaurant owners and workers, and other businesses in the Market buildings. Other benefits include additional staff for social services, and most significantly, this project would

provide a critical connection between Downtown Seattle and the Waterfront that will enhance both areas. The Pike Place Market currently has approximately 10 million visitors a year.

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

See **Appendix L** for the proposed development timeline and schedule.