

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Transportation	Beverly Barnett/684-7564	Christie Parker/684-5211

Legislation Title:

AN ORDINANCE vacating the south 240 feet of the alley adjacent to Lots 4-11 in Block 33, D.T. Denny’s Home Addition to the City of Seattle, on the petition of the Burkheimer Family Limited Liability Company, a Washington limited liability company; and accepting a Property Use and Development Agreement as reflected in Clerk File 309868.

Summary of the Legislation:

This Council Bill completes the vacation process for the alley in Block 33, D.T. Denny’s Home Addition to the City of Seattle on the petition of the Burkheimer Family Limited Liability Company, a Washington limited liability company, and accepts a Property Use and Development Agreement for ongoing public-benefit obligations in connection with the alley vacation.

Background:

The Petitioner sought vacation of a portion of the alley in Block 33, D.T. Denny’s Home Addition to the City of Seattle, bordered by First Avenue North, Mercer Street, Warren Avenue North, and Republican Street in the Uptown Urban Center neighborhood, a subarea of the Queen Anne neighborhood of Seattle, to facilitate a mixed-use project that includes residential housing, retail space, and underground parking.

After the petition was filed, the development property was sold by the Petitioner to 100 Republican LLC, who in turn sold the property to Essex Queen Anne, LLC, the developer and current property owner (Developer); and

To compensate the City for this alley vacation, the Developer dedicated a portion of the block to the City in-lieu of the vacation fee as allowed by SMC 15.62.090 B. The dedicated parcel allows the City to reconfigure a portion of the block to create a new alley connection to Warren Avenue North which creates a “T” or hammerhead configuration.

On September 20, 2010, the City Council voted to conditionally grant the petition to vacate the alley for its mixed-use project. The Developer subsequently constructed a 360,000 square foot, six-story mixed-use building with 275 multi-family units, 10 ground-level townhouses, 17,580 square feet of retail space, and 279 underground parking stalls.

To meet its public benefit requirement, the Developer has provided streetscape improvements to

enhance the pedestrian environment that include: retail storefront and building setbacks, widened sidewalks, overhead weather protection, landscaping, lighting, a rain garden for natural drainage, and a pedestrian plaza. The pedestrian plaza is approximately 2,080 square feet and includes features designed to welcome and engage the public through the use of art, landscaped planters, concrete seat walls, special paving treatment, and pedestrian-level lighting.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

This legislation does not accept or appropriate funds. The Developer dedicated property to the City in lieu of paying the vacation fee as allowed by SMC 15.62.090 B.

b) What is the financial cost of not implementing the legislation?

The vacation petition, already approved by the Seattle City Council, obligates the City to complete the vacation process, provided the Petitioner meets all the conditions imposed by the Council and the vacation fee is paid or otherwise satisfied. The Developer has met all the street vacation conditions and deeded the in-lieu parcel to the City.

c) Does this legislation affect any departments besides the originating department?

No. As part of the initial vacation review process, all interested departments were notified of the vacation petition and asked to comment. Any identified issues were resolved prior to the approval of this final legislation.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

None. This legislation completes the vacation process.

e) Is a public hearing required for this legislation?

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

g) Does this legislation affect a piece of property?

Yes. It completes the vacation of right-of-way.

h) Other Issues:

None.

List attachments to the fiscal note below:

Attachment A: Alley Vacation Map

Alley Vacation
 Portion of Block 33
 D.T. Denny's Home Add.
 Clerk File 309868

Petitioner:
 Burkheimer Family LLC

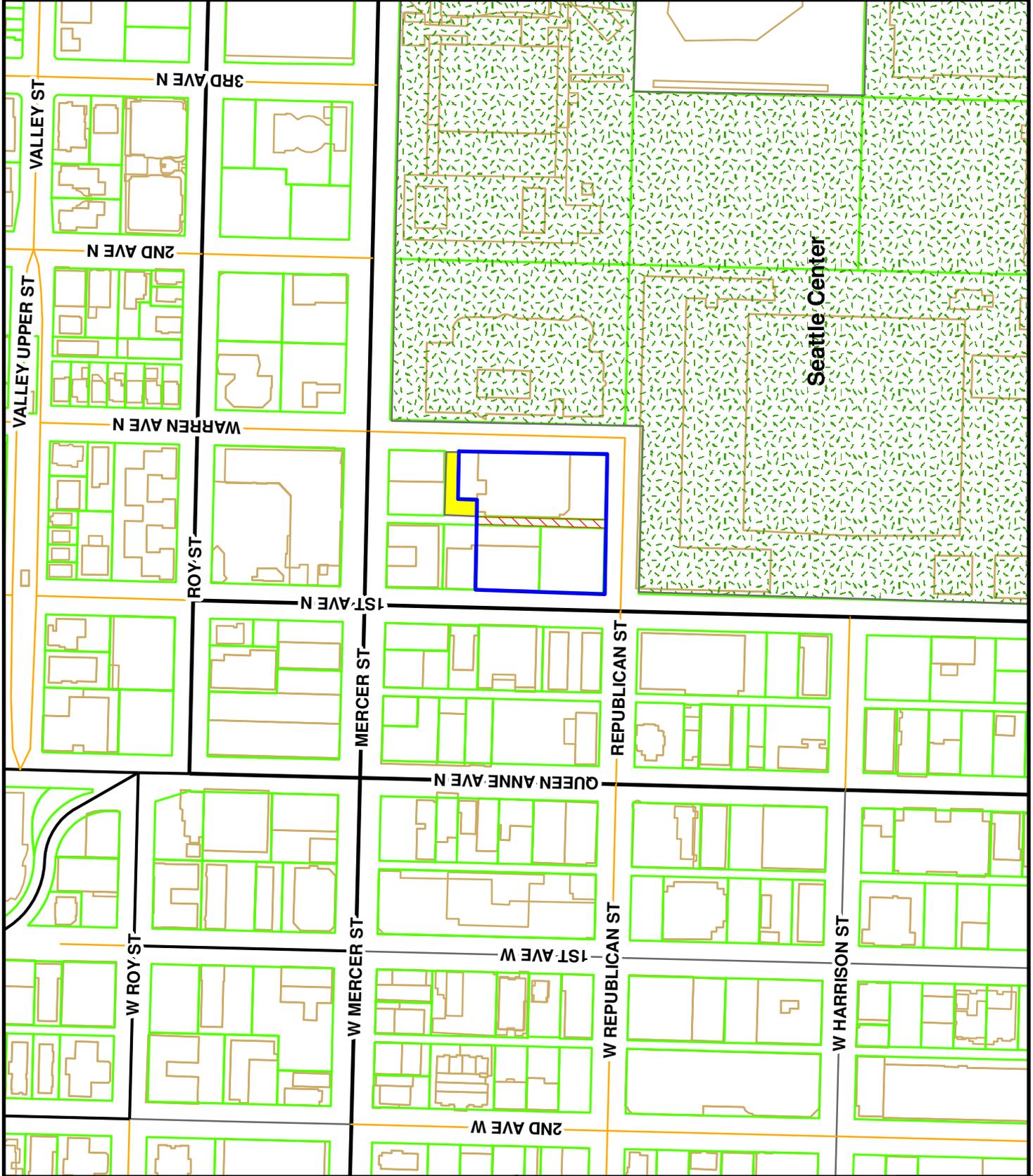
-  Project Boundaries
-  Vacation Area
3,840 sq ft
-  Dedication
3,981 sq ft

©2010 THE CITY OF SEATTLE
 All rights reserved.
 Produced by the Seattle
 Department of Transportation
 No warranties or any sort,
 including accuracy, fitness or
 merchantability, accompany
 this product.



Coordinate System:
 State Plane - North Zone
 Orthophoto Source:
 Picometry

PLOT DATE: March 2013
 AUTHOR: Street Vacation
 J Street Vacation



Portion of Block 33 Alley Vacation