

**Divided Report for Clerk File 312783  
For Consideration at Full Council on April 21, 2014**

On March 11, the City Council's Transportation Committee held a public hearing, discussed, and considered a petition by West Seattle Project X, LLC for the vacation of the northern portion of the Alley in Block 3, Norris Addition to West Seattle, in the West Seattle Junction Urban Village neighborhood of Seattle. The part of the alley to be vacated is 6,600 square feet.

On April 8, the Committee voted to approve the proposed alley vacation with a vote of 5 to 3.

Yes 5 (Rasmussen, Bagshaw, Burgess, Clark, Godden)

No 3 (Licata, O'Brien, Sawant)

**Majority Position (Rasmussen, Bagshaw, Burgess, Clark, and Godden)**

After a thorough review of the information and analysis provided by City Departments and the Seattle Design Commission, and the entire record before this Committee; we find that the information, analysis, and record demonstrates that the vacation petition for a portion of the alley on the block bounded by S.W. Alaska Street, Fauntleroy Way S.W., S.W. Edmunds Street, and 40th Ave S.W. is in the public interest and should be approved.

City street vacation policies state that the City will approve an alley vacation only if it is in the public interest. Those policies identify three public interest components: public trust functions, land use impacts, and public benefits.

*Public Trust*

When assessing public trust functions, the Council considers the impact of the proposed vacation on circulation, access, utilities, light, air, open space, and views. While some have urged the Council to reject the vacation because of the wage or labor policies of one of the possible tenants, concerns about the wage and labor aspects of a possible tenant are not among the public trust functions the Council may consider in determining if the vacation is the public interest.

In the proposal before the Council, the access that alleys traditionally provide will continue to be provided by the mid-block connector and the portion of the alley that will not be vacated. Based on the transportation impact analysis that was conducted, the Seattle Department of Transportation concluded the traffic flow at the surrounding intersections would remain at acceptable levels with the project's projected traffic. Impacts from truck traffic are anticipated to be minimal. In addition, the Seattle Department of Transportation conducted two design workshops with the developers to review the design of the mid-block connector. Seattle Department of Transportation is satisfied that the final design meets functional standards and responds to pedestrian safety questions.

Seattle Public Utilities, Seattle City Light, and CenturyLink have determined that the developer will be able to move or accommodate the utilities currently in the alley.

As to light, air, open space, and views; the current alley does not provide important views and does not provide usable public open space. In contrast, the mid-block connector will provide more light, air, and open space than the alley being vacated.

The proposed project will also significantly enhance the pedestrian environment. If the block were developed with the current alley in place, it is unlikely that the goals of the West Seattle Triangle Urban Design Framework for this block could be met. Instead, by vacating the alley and creating a mid-block connector, this proposal is able to provide a pedestrian walkway through the block. SDOT testified at two Transportation Committee meetings that it carefully reviewed the mid-block connector and determined it is safe for pedestrians. The proposed project, made possible by the vacation, also provides for small public plazas at key corners and encourages pedestrian activity around the block through widened sidewalks, additional landscaping, rain gardens, and street art and furniture.

#### *Land Use*

With regard to considering land use impacts, the street vacation policies require that the vacation be consistent with the City policies for the neighborhood. The project is consistent with the Neighborhood Commercial 3 zoning, and the proposed uses, including a grocery store, retail, housing, and associated parking, are permitted outright in the zone. Similar uses and density could occur without the vacation of the alley. Further, the West Seattle Triangle Urban Design Framework anticipated this level of development.

#### *Public Benefits*

As to public benefits, the street vacation policies require a long-term benefit for the general public, in addition to requiring the applicant to pay fair market value for the land in the vacated area. This project provides public benefits comparable in type but greater than those provided for the alley vacation directly across S.W. Alaska Street. The proposed public benefits include widened sidewalks, public plazas, a new pedestrian crosswalk and signal across S.W. Alaska Street, public art, a \$25,000 contribution for the adjacent public park, and other benefits. None of these public benefits would be provided without the alley vacation. The Transportation Committee added a requirement that the developer pay for the design and installation of a crosswalk connecting the mid-block crossing to the new park on the west side of 40<sup>th</sup> Ave. S.W.

In conclusion, we believe that this project will be better with a vacation than if development were to occur on this site without the vacation. The proposed public benefits associated with this vacation request are significant and support approving the vacation petition.

We recommend that the vacation petition be approved by the Council.

**Minority Position (Licata, O'Brien)**

We believe the proposed alley vacation does not provide sufficient public benefit to offset the loss of the City's right-of-way. When sufficient public benefit cannot be provided, or when the public interest is not met, it is incumbent on the Council to deny a vacation. There are many benefits arising from the project and we respect neighbors' support of those benefits. However, development can occur on the site without an alley vacation. When we look at the benefits of the project, and compare the impacts of traffic and trucks on the pedestrian environment, we do not think the proposed public benefit package merits vacating the alley.

This project design includes a mid-block connector, which came out of a neighborhood planning process. The West Seattle Triangle Urban Design Framework's intent was to create a pedestrian-oriented, mid-block connector, which would have divided a superblock by providing enhanced pedestrian connections from Fauntleroy to the 40th Ave. SW green street and the soon-to-be-park.

However, the amount of traffic from this project works against that. There will be 5,000 cars a day travelling to and from this project. At the peak hour, the traffic studies indicate that there will be 680 cars in one hour, much of which be traveling in and out of the mid-block connector to access the parking garages and loading dock. That's a lot of traffic. And as a result of the traffic from this proposal, the Urban Design Framework's proposal has been undermined.

While SDOT did a good job of designing the sidewalk through the mid-block connector to be safe, we do not think the resulting design will create a real pedestrian-friendly environment. As one of the members of the public commented, the mid-block sidewalk will be next to a loading dock. There does not seem to be a way to integrate the traffic from the proposed project with a pedestrian-friendly mid-block connector.

We are also concerned that the five small plazas scattered around the site are too small to provide public benefit. At approximately five hundred square feet, the size of a studio apartment, they are too small to act as community gathering spaces and offer little public benefit.

We don't think this proposal provides sufficient public benefit and don't see that there are sufficient conditions that could be placed on the project to meet our standards given the current design of the project as a whole. Consequently, we recommended denial of the vacation petition.

**Minority Position (Sawant)**

I believe that the proposed alley vacation is not appropriate. I would welcome vibrant development in this location, turning the existed blighted spaces into something that can engage the neighborhood. But I also believe that this decision needs to take place in the context of the impact approval of this proposal will have on the neighborhood and on jobs in the community.

While the City Council has historically required the public benefits of a street or alley vacation to be physical and tangible, I think that policy needs to evolve. New policy questions – questions of living wage jobs and social justice, questions of working conditions and wages - are important questions to address whether or not they have been included in our policies up to now. These issues have been part of the discussion of this project since the beginning. We need to expand our definitions of public benefit to include these questions starting with this project. If the project is analyzed along these lines, given what we know about the proposed tenant, it will harm the community. So I recommended denial of the vacation petition.

**IN THE MATTER OF THE PETITION OF PROJECT X, LLC FOR THE  
VACATION OF THE NORTHERN PORTION OF THE ALLEY IN  
BLOCK 3, NORRIS ADDITION TO WEST SEATTLE, IN THE  
WEST SEATTLE JUNCTION URBAN VILLAGE  
NEIGHBORHOOD OF SEATTLE**

**CLERK FILE 312783**

The City Council hereby grants approval of the vacation petition from Project X, LLC (hereafter Petitioner) for the vacation of the northern portion of the alley in Block 3, Norris Addition to West Seattle, in the West Seattle Junction Urban Village neighborhood of Seattle and described as:

**Those portions of the public alleys, lying within Block 3, Norris Addition to West Seattle, according to the plat thereof recorded in Volume 14 of Plats, Page 93, Records of King County;**

**Together with that property conveyed to the City of Seattle for street purposes as recorded under Recording Number 6689470 and 6689471, Records of King County, Washington;**

**Lying northerly of the southerly boundary, and its easterly and westerly extension thereof, of Lot 39, in said Block 3, Norris Addition to West Seattle. Excepting therefrom, any portion of said public alleys lying within said Block 3, Norris Addition to West Seattle, previously vacated by City of Seattle Ordinance Number 99278;**

**Said portion to be vacated contains 6,597 square feet, or 0.151 acres of land, more or less**

The vacation is granted upon the Petitioner meeting the following conditions. The Petitioner shall demonstrate, to the satisfaction of the City, that all conditions imposed by the City Council have been satisfied, all utility work including easements or other agreements is completed, all public benefit elements have been developed, and any other easements or agreements have been recorded, and all fees paid, prior to the passage of the street vacation ordinance.

1. The vacation is granted to allow the Petitioner to build a project substantially in conformity with the project presented to the City Council and for no other purpose. The project must be substantially in conformity with the proposal reviewed by the Transportation Committee in March of 2014.
2. All street improvements shall be designed to City standards, as modified by these conditions to implement the Public Benefit requirements, and be reviewed and approved by the Seattle Department of Transportation; elements of the street improvement plan and required street improvements to be reviewed include:
  - The mid-block connector shall include the following elements:

- The total width shall be no less than 44 feet in width to 50 feet in width;
  - Two-way vehicle traffic is required;
  - The drive lane for vehicles is 20 to 25 feet in width;
  - An 8-foot wide elevated, pedestrian sidewalk shall be located on the south side of the mid-block connector;
  - The pedestrian sidewalk shall be separated from the drive lane by a 3-foot landscaping strip;
  - The pedestrian sidewalk shall have continuous overhead weather protection;
  - The northwest side of the mid-block connector shall have landscaping to discourage pedestrians;
  - No pedestrian crossing north/south may be provided in the mid-block connector;
  - Pedestrian lighting shall be provided in the mid-block connector;
  - The northeast side of the mid-block connector will provide a sidewalk and landscaping at the residential entry;
  - Vehicles may turn right only when exiting at Fauntleroy Way SW;
  - Roll-up doors shall be added to the loading bay area; and
  - A drive-up window may not be provided.
- Street improvement plan showing sidewalks, street trees, bike racks, street furniture, lighting, art or artist-made elements, paving or special materials, wayfinding and landscaping around the site;
  - The design on the new alley segment, including the geometry of the turns and the connection at 40<sup>th</sup> Avenue SW, SW Edmunds Street, and Fauntleroy Way SW; and
  - Agreement between all property owners on the alley that protect use and access for all owners.
3. The utility issues shall be resolved to the full satisfaction of the affected utility prior to the approval of the final vacation ordinance. Prior to the commencement of any development activity on the site, the Petitioner shall work with the affected utilities and provide for the protection of the utility facilities. This may include

easements, restrictive covenants, relocation agreements, or acquisition of the utilities, which shall be at the sole expense of the Petitioner. Utilities impacted include:

- Seattle Public Utilities;
  - Seattle City Light; and
  - CenturyLink Communications.
4. It is expected that development activity will commence within 18 months of this approval and that development activity will be completed within 5 years. In order to insure timely compliance with the conditions imposed by the City Council, the Petitioner shall provide the Seattle Department of Transportation with Quarterly Reports, following Council approval of the vacation, providing an update on the development activity, schedule, and progress on meeting the conditions. The Petitioner shall not request or be issued a Final Certificate of Occupancy (C of O) for the project until SDOT has determined that all conditions have been satisfied and all fees have been paid.
  5. In addition to the conditions imposed through the vacation process, the project, as it proceeds through the permitting process, is subject to SEPA review and to conditioning pursuant to various City codes and through regulatory review processes including SEPA.
  6. Within one year after the completion of the public park planned on 40<sup>th</sup> Avenue SW, the Seattle Department of Transportation shall review the pedestrian and traffic volumes on 40<sup>th</sup> Avenue SW to determine whether a crosswalk from the Whittaker development to the park, midblock on 40<sup>th</sup> Avenue SW, is warranted. Should the Seattle Department of Transportation determine that a pedestrian crosswalk is warranted in the above-stated location, Project X, LLC shall pay for the installation of a pedestrian crosswalk. The installation of a pedestrian signal or other pedestrian actuated traffic controls is not required. The maximum amount to be paid for the crosswalk shall be \$24,000 and shall include ADA ramps and landings on both sides with ladder striping across the roadway per City standards. Such payment shall be made to the Seattle Department of Transportation within 120 days after the Seattle Department of Transportation determines that the pedestrian crosswalk is necessary in the above-stated location.
  7. The Petitioner shall develop and maintain the public benefit elements as defined by the City Council. A Property Use and Development Agreement (PUDA) or other binding mechanism shall be required to ensure that the public benefit elements remain open and accessible to the public and to outline future maintenance obligations of the improvements. The final design of the public benefit elements shall require the review and approval of SDOT Street Vacations. SDOT will request additional Design Commission review when the design is further developed to the 60% level and 90% level and may request additional

review as necessary. The public benefit requirement includes the following features as well as corresponding development standards, including approximate square footage dimensions, which shall be outlined in the PUDA:

Public benefit chart:

Description	Existing	Required	Quantity	Cost
1. Voluntary Street Level, Building Setback	No	No	5,134 s.f.	n/a
2. Gateway Plaza at Fauntleroy & Alaska	No	No	542 s.f.	\$37,820
3. Linear Plaza and 40 <sup>th</sup> Ave Streetscape	No	No	1,356 s.f.	\$147,140
4. Public "Outdoor Rooms" on Fauntleroy	No	No	1,088 s.f.	\$85,120
5. 40 <sup>th</sup> Avenue Off-Site Improvement	No	No	2,550 s.f.	\$93,260
6. Pedestrian Crosswalk and Signal Modification at Fauntleroy & Alaska	No	No	n/a	\$15,000
7. Cash Contribution for Public Outreach and Schematic Design (to 30% complete) for new City Park	No	No	n/a	\$25,000
8. Mid-Block pedestrian sidewalk	No	No	1,672 s.f.	\$10,030
9. Art: Inclusion of commission art pieces in public plazas and relocation/recreation of existing mural on-site	No	No	27 pieces	\$50,000
10. Pedestrian overhead weather protection & new bike lane	No	No	5,666 s.f.	\$853,680
11. Expanded public amenities along Fauntleroy & Alaska including widened public sidewalks and landscaping on-street parking and new bus pull out, all made possible removing existing power poles and undergrounding utilities	No	No	1,300 s.f.	\$1,100,000
			<b>Total:</b>	<b>\$2,417,050</b>

Project X, LLC (Fauntleroy) Block 3 Vacation Conditions  
Beverly Barnett, SDOT  
April 21, 2014  
Page 5 of 5

Signed by me in open session this \_\_\_\_\_ day of April, 2014.

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President \_\_\_\_\_ of the City Council



March 11, 2014

Honorable Tom Rasmussen, Chair  
Transportation Committee  
Seattle City Council  
600 Fourth Avenue  
Seattle, Washington 98104

**Subject: Petition of West Seattle Project X, LLC for the vacation of the northern portion of the Alley in Block 3, Norris Addition to West Seattle, in the West Seattle Junction Urban Village neighborhood of Seattle  
Clerk File 312783**

Dear Councilmember Rasmussen and Honorable Members of the Transportation Committee:

We are returning the vacation petition from West Seattle Project X, LLC; a Joint Venture between Lennar Multifamily and Weingarten Realty, developing a project named the Whittaker (hereafter Whittaker or Petitioner) for the vacation of the northern portion of the alley in Block 3, Norris Addition to West Seattle in the block bounded by SW Alaska Street, Fauntleroy Way SW, SW Edmunds Street, and 40<sup>th</sup> Avenue SW in the West Seattle Junction Urban Village neighborhood of Seattle, described as:

**Those portions of the public alleys, lying within Block 3, Norris Addition to West Seattle, according to the plat thereof recorded in Volume 14 of Plats, Page 93, Records of King County;**

**Together with that property conveyed to the City of Seattle for street purposes as recorded under Recording Number 6689470 and 6689471, Records of King County, Washington;**

**Lying northerly of the southerly boundary, and its easterly and westerly extension thereof, of Lot 39, in said Block 3, Norris Addition to West Seattle.**

**Excepting therefrom, any portion of said public alleys lying within said Block 3, Norris Addition to West Seattle, previously vacated by City of Seattle Ordinance Number 99278;**

**Said portion to be vacated contains 6,597 square feet, or 0.151 acres of land, more or less.**

The alley proposed for vacation includes approximately 6,597 square feet.



## **BACKGROUND**

The Whittaker owns most of the property on the block bounded by SW Alaska Street to the north, Fauntleroy Way SW to the east, Edmunds Street to the south, and 40<sup>th</sup> Avenue SW to the west. The block currently has a "T" shaped alley; the top of the "T" bisects the northern portion of the alley and runs east/west between 40<sup>th</sup> Avenue SW and Fauntleroy Way SW. The stem of the "T" extends south and connects to Edmunds Street. The Whittaker owns the property fronting on SW Alaska Street north of the alley; all of the property fronting along Fauntleroy Way SW east of the alley, and a parcel fronting on 40<sup>th</sup> Avenue SW to the west of the alley. About ¼ of the block at 40<sup>th</sup> Avenue SW and Edmunds Street and to the west of the alley is separately-owned private property that is outside of the project boundaries and not a part of this proposed development. That property is currently occupied by a Masonic Temple building and surface parking, these uses will remain.

The northern portion of the "T" shaped alley is proposed for vacation. This includes the top of the "T" running east/west between 40<sup>th</sup> Avenue SW and Fauntleroy Way SW. This segment of alley is approximately 258 feet in length and the width varies from 10 to 16 feet. This portion of the alley is currently paved with asphalt and provides for access to the adjacent properties on the block. Also proposed for vacation is the northern portion of the stem of the "T". The proposed vacation extends south from the top of the "T" for approximately 200 feet. This portion of the alley is also paved with asphalt and provides access to the adjacent parcels. There is no physical north/south connection for the length of the block due to the grade of the alley. A retaining wall blocks the alley at approximately 280 feet north of Edmunds Street.

The southern portion of the stem of the "T" is not proposed for vacation. The portion of the alley adjacent to the separately-owned private properties on the block will remain as public right-of-way. This portion of the alley will remain as public right-of-way but will be widened to meet current alley standards as the project is constructed. The development plan for the block provides that after the vacation of the northern portion of the existing "T" shaped alley, a new private alley will be developed. The new private alley will also be in a "T" shape with an east/west connection between 40<sup>th</sup> Avenue SW and Fauntleroy Way SW and a new stem extending south to connect to the remaining public alley and then to SW Edmunds Street. The approximate 275 feet of remaining public right-of-way will connect to the proposed private alley when the project is completed.

Following the vacation a shift in location will place the proposed private alley more towards the middle of the block creating a larger parcel fronting along SW Alaska Street. The new private alley is generally identified by the Petitioner as a "mid-block connector or connection." The use of this term is intended to indicate that the new mid-block connection is proposed to be a private

alley, not dedicated as public right-of-way, and also that the connection not only replaces the functions of the vacated alley (access to services and parking) but also provides a pedestrian walkway through the block with landscaping and lighting.

The site is zoned as Neighborhood Commercial 3 with an 85' height limit (NC3 85). The northern portion of the site has a Pedestrian classification overlay (NC3P 85). The site lies within the West Seattle Junction Urban Village.

NC3 85 extends eastward to the alley between Fauntleroy Way SW and 38<sup>th</sup> Avenue SW where the zoning changes to Lowrise 2 (LR 2) and NC3 with a 40 foot height limit. South of SW Edmunds Street the zoning shifts to NC3 40 and to LR2 and LR3. To the west, the zoning transitions to NC3 65. The total lot area of the development is approximately 115,223 square feet. The DPD project number is 3013803.

### **REASON FOR VACATION**

The existing east/west segment of the alley is not located in the middle of the block but rather is located closer to the northern edge of the block. This creates parcels fronting on SW Alaska Street that are shallow and more difficult to develop. Vacating the alley will allow the Whittaker to combine the parcels now separated by the east/west alley to create a more efficient development site. The project can include two buildings rather than four buildings. The space fronting along SW Alaska Street will be of sufficient size following the vacation to provide space for the grocery proposed as the anchor tenant for the development. The Petitioner has also indicated that the inclusion of a large anchor tenant in the development allows the project to be built to a lower height than allowed by the zoning designation. The Whittaker is proposed to be one story lower at 70 feet even though 85 feet is allowed by zoning.

The vacation also provides for a more efficient shared below-grade parking structure. A continuous below-grade parking structure can provide for all of the parking for both buildings proposed on the site. In addition, the consolidated development of the combined parcels allows for the various elements of the project to share utilities and services such as elevators, stairs, and mechanical, electrical, and fire suppression systems that would need to be duplicated in separate structures.

The proposed vacation is not being requested to increase the development potential of the site or the overall project. Rather, the alley vacation is being requested to create a larger and more efficient building site along SW Alaska Street and provide for service use and pedestrian access more in the middle of the block; to allow flexibility in building placement, and to accommodate a single below-grade parking structure.

### **PROJECT DESCRIPTION**

The site currently is occupied by a large vacant auto dealership building, the former Huling Brothers auto dealership, vacant associated out-buildings, a Shell gas station, a funeral home,

and associated large surface parking lots. All of these uses will be demolished to accommodate the new development.

The project is proposed to consist of two buildings separated by the mid-block connector that provides for private alley uses and a pedestrian walk way. The two buildings will be 7-stories tall and 70 feet in height. A total of approximately 370 residential units will be developed and the ground floor of the development will include approximately 62,750 square feet of retail space. Parking is provided below-grade in a garage that serves the entire site and is shared by both buildings. The garage will provide spaces for approximately 598 vehicles and 102 bicycles. Parking for 44 bikes will be provided at street level near the building entries.

The mid-block connector will include a 20 to 25-foot wide drive lane for cars and service and delivery vehicles. In addition, the mid-block connector will provide a weather-protected, grade-separated eight foot wide pedestrian zone. This pedestrian zone will be developed as a sidewalk and will be separated from vehicles by a curb and a three-foot planting strip. The alley being vacated includes approximately 6,597 square feet while the mid-block connector includes approximately 13,000 square feet to provide sufficient space for both vehicles and pedestrians.

The north building is proposed to include a Whole Foods Grocery store that will have two street-facing entries. One of the Whole Foods entries will be located on SW Alaska Street and the second entry will be located on 40<sup>th</sup> Avenue SW. The north building will also include residential uses above the grocery. The north building provides for a grocery store loading and service area which will be accessed from the mid-block connector. One of the entrance points to the below-grade parking garage is also provided from the mid-block connector.

The south building will provide space for several small retail or other small businesses fronting on Fauntleroy Way SW. A retail space is also planned for the south building. This retail space was proposed at one time to include a drugstore with drive-up window service. That element of the project has been changed and a drive-up window is no longer a part of the proposal, the retail space may be broken up into smaller spaces to accommodate smaller businesses. The south building also includes residential uses above the retail area and will include a second access to the below grade garage. This second garage entry will be from the north/south alley.

The public benefit proposal includes voluntary building setbacks to create wider pedestrian spaces, plazas around the project site, overhead weather protection, art pieces, streetscape enhancements such as landscaping and street furniture, and a contribution to the new City park across from the project site.

### **CIRCULATION/ISSUE IDENTIFICATION (NOT ISSUE RESOLUTION)**

The first step in the review of any vacation is to circulate the proposal widely to various City departments, outside agencies and community groups for comment. The purpose of the review of the petition is to identify issues, questions, or concerns. Once the issues have been identified the SDOT staff work with the Petitioner to find ways to resolve issues. After completing the review process the City may ultimately determine that the issues identified cannot be resolved

and the vacation petition should not be recommended. The main goal of the review is to identify and resolve issues but this step also identifies portions of the proposal that may be working well and should be retained or enhanced.

As issues are identified, a series of meeting would be set up to work on specific concerns. This project required a number of meetings with Seattle Public Utility (SPU) to review the drainage plan for the block before reaching agreement on how drainage would be managed. Separate meetings were required to design the proposed undergrounding of the City Light facilities. In addition to a number of meetings with SDOT staff, SDOT held two design workshops on March 22, 2013 and April 5, 2013 with the Petitioner and their traffic consultants to review the design for the proposed mid-block connector and address whether the design was adequate for the proposed uses and whether it was safe to add a pedestrian walkway as proposed.

The project was reviewed four times by the Design Review Board on September 27, 2012, November 8, 2012, March 28, 2013, and July 11, 2013 as part of the Master Use Permit process and four times by the Seattle Design Commission on March 7, 2013, April 18, 2013, May 16, 2013, and June 20, 2013 as part of the vacation petition review. As the process continues, the design is refined as necessary to reflect the resolution of issues and input from various reviewers. The drawings and project drawings attached to this recommendation reflect the final outcome of the vacation review.

With most vacation recommendations SDOT will provide a summary of the comments and a response from the Petitioner in the body of the recommendation for ease of review. The comments provided on this vacation were so extensive that the comments could not be easily summarized. Rather a chart prepared by the Petitioner summarizing the comments and the response from the Petitioner is included as Attachment A to this recommendation. A complete copy of all of the comments is included as a part of the record forwarded in the Clerk File.

## **POLICY FRAMEWORK**

Street vacation decisions are City Council decisions as provided by State statute (Chapter 35.79 RCW) and have not been delegated to any City department. There is no right under the zoning code or elsewhere to vacate or to develop public right-of-way. Vacation of public right-of-way requires discretionary legislative approval that must be obtained from the City Council, and the Council may not vacate a public right-of-way unless it determines that to do so is in the public interest. The decisions must assure that potential development and use of the vacated right-of-way is in the public interest. The Council may be guided by adopted land use policies, but the Council is not limited by land use policies and codes in making street vacation decisions and may condition or deny vacation as necessary to protect the public interest.

Rights-of-way are dedicated in perpetuity for use by the residents of Seattle for purposes of public travel and transportation of goods. The dedication carries with it certain public rights to circulation, access, utilities, light, air, open space, and views. City government acts as the public's trustee in administering streets and alleys.

The City Council adopted comprehensive, citywide Street Vacation Policies in 1986 in Resolution 27527. The purpose of the Street Vacation Policies is to provide consistency, equity, and predictability in determining what action on each petition would best serve and protect the public interest. The Policies provide procedural guidance for the City and Petitioners, and also express the City's values related to street rights-of-way and street vacations. A few sections of the policies were revised in 1991 in Resolution 28387, in 1993 in Resolution 28605 and in again in 2001 in Resolution 30297. Significant revisions were made to the Vacation Policies in 2004 in Resolution 30702. The Policies were again amended in 2009 in Resolution 31142 and the Policies are currently contained in Clerk File 310078.

## ANALYSIS

The City's Street Vacation Policies provide that vacation requests may be approved only when they significantly serve the public interest. The Street Vacation Policies provide for a three-step review of any vacation petition in order to determine if the vacation is in the public interest.

The Policies define the components of public interest as:

1. Protection of the public trust;
2. Protection from adverse land use impacts; and
3. Provision of public benefit.

The Street Vacation Policies provide that during the review of the petition, the public trust and land use effects of a vacation should be weighed against the mitigating measures and the public benefits provided by the vacation to determine whether the vacation is in the public interest. In balancing these elements of the public interest, primary importance should be placed upon protecting the public trust in rights-of-way.

**Protection of Public Trust:** The Policies define the public trust functions of rights-of-way as being circulation, access, utilities, light, air, open space, and views. Policy 1 of the Street Vacation Policies addresses the basic purpose of streets. Streets are created to provide for the free movement of people and goods throughout the City, to provide access to individual properties, and to provide space for utility services.

Through the vacation process, an adjacent property owner acquires public street right-of-way for private use or development purposes. Since the vacation is generally about the loss of some portion of a street, the review process must evaluate the loss of that street segment. The review normally looks at the impact on the grid pattern in the area, the impact on the provision of utility services, how the circulation pattern is altered and how that affects pedestrians, bicyclists, vehicular movements, emergency services, and commercial activity.

**Transportation Impacts:** Alleys are intended to provide for access to adjacent properties, to provide for service functions such as loading bays and access to parking and to provide space for utility infrastructure. In reviewing alley vacations the critical question is whether the vacation pushes traditional alley functions out onto the street or otherwise impairs the function of the

adjacent streets. This project is unusual because while a portion of the alley is being vacated, the traditional alley functions will continue to be provided with the proposed mid-block connector. The project is being designed so that typical functions of the alley will continue to be provided internal to the site and not on the public street. No additional curb cuts are requested and no service or loading areas are accessed from the adjacent streets. The existing public alley provides three points of entry to the block and after the vacation the mid-block connector and the remaining public alley will provide three points of access to the block. All of the service, loading, and garage entry points are interior to the site. Vehicles and deliveries will exit the street and enter the public/private alley before entering the parking garage or the service bay area.

The block will have a public alley and a private mid-block connector that serves both the new project and the other existing businesses on the site. The mid-block connector is intended to provide a replacement for the vacated alley and will provide for continued use by the remaining private property owners, the public, and provide for the customers, residents and delivery services for the new project. The remaining public alley could not function without access to the new mid-block connection. Two other private parcels abut the north/south segment of the public alley and will continue to need the alley. They will need to use the new private mid-block connector as a means to enter and exit the site as the service functions for the block will now be partially through the remaining public alley and partially through the new private mid-block connector.

Use of the mid-block connector needs to be open and available 24 hours per day to the other adjacent property owners as well as members of the public. It will be important that the adjacent property owners and the public are guaranteed the continued use of the mid-block connector in order to fully utilize the remaining public alley. The vacation should be conditioned to require an easement or other binding mechanism that provides for the use of the mid-block connector for the other property owners on the block as well as the general public.

The proposal to provide a mid-block connector between 40<sup>th</sup> Avenue SW and Fauntleroy Way SW raised a number of questions about whether the design was adequate and could provide safely for the vehicle functions and the addition of a pedestrian walkway. Alleys can serve to accommodate pedestrians, however, in most circumstances alleys are needed as the "back door" in commercial areas and the use of the alley keeps service and loading functions from spilling out into streets. In many circumstances, a 16 to 20 foot wide alley would be found to not provide sufficient space to safely accommodate pedestrians and vehicles, especially service delivery vehicles. In addition to the normal review of a proposed vacation and the Street Improvement Permit (SIP) process, SDOT held two design workshops to look in depth at the design, safety and functionality of the mid-block connector. The goal of adding pedestrian use to typical alley functions required that the alley be wider than other standard alleys.

The mid-block connector, as revised, can be supported by SDOT provided that the following elements are included as conditions of the vacation and provided for in the SIP and MUP. The mid-block connector shall include the following elements:

- The total width varies from 44 feet in width to 50 feet in width;

- Two-way vehicle traffic is accommodated;
- The drive lane for vehicles is 20 to 25 feet in width;
- An 8-foot wide elevated, pedestrian sidewalk is located on the south side of the mid-block connector;
- The pedestrian sidewalk is separated from the drive lane by a 3-foot landscaping strip;
- The pedestrian sidewalk has continuous overhead weather protection;
- The northwest side of the mid-block connector has landscaping to discourage pedestrians;
- No pedestrian crossing north/south is provided for in the mid-block connector;
- Pedestrian lighting in the mid-block connector;
- The northeast side of the mid-block connector has a sidewalk and landscaping at the residential entry;
- Vehicles may turn right only when exiting at Fauntleroy Way SW;
- Roll-up doors were added to the loading bay area; and
- A drug-store drive-up window was eliminated.

A Transportation Impact Analysis was prepared for this project by the Transpo Group. This project plans to include a Whole Foods grocery store so grocery delivery impacts were studied. While all the deliveries for the grocery store tenants are proposed to be accommodated in the mid-block connection, some retail tenants will use the mid-block connector and retail tenants in the southern building will use the existing north/south alley for access to the parking garage. It is anticipated that truck deliveries for the grocery store will consist of two semi-truck deliveries, one at 5 AM and the other in the evening between 7:30 PM and 9:30 PM. The traffic study also anticipates that an additional 20 to 40 deliveries from smaller trucks (such as small vendors and services such as UPS) will occur throughout the day between 5:30 AM and 2 PM from Monday through Saturday and 5:30 AM to noon on Sunday. Deliveries for smaller retailers around the site would utilize the curb, adjacent to the store fronts.

All trucks entering the site will be directed to exit via the north/south alley through a dock-management plan and signage. Through the design workshops with SDOT, the truck maneuvering was improved so that trucks do not cross over the pedestrian side-walk to enter the site.

The Traffic Impact Analysis concluded that the overall impacts of trucks on-site are anticipated to be minimal, with the majority of the large truck activity occurring during the off-peak hours in the morning and evening.

The Transportation Impact Analysis contained the following conclusions as a summary of the project impacts:

- Proposed project is located on the southwest corner of the Fauntleroy Way SW/SW Alaska Street intersection in West Seattle. The development will replace the existing buildings on-site and construct up to 370 residential units, a 41,000 square foot neighborhood grocery store, and 23,400 square feet of mixed retail. Access to the site would be provided via a midblock alley between Fauntleroy Way SW and 40<sup>th</sup> Avenue SW and an alley access off of SW Edmunds Street. All access points are proposed to provide full access in/out of the site.
- The proposed project is expected to generate 355 net new trips during the weekday PM peak hour.
- With the addition of project traffic, all of the study intersection and site access points operate at LOS D or better during the weekday PM peak hour, with the exception of SW Alaska Street/California Avenue SW, which operates at LOS E. The increase in delay at this intersection is less than 5 seconds difference from the “without project” conditions.
- An alternative analysis of the site access points along Fauntleroy was conducted to determine the impacts of a full access connection and whether a right-in/right-out only restriction was necessary. The traffic assignment considered the overall distribution patterns and practical capacity of left-turns to/from the access points. The analysis showed that left-turns from Fauntleroy would operate with nominal impacts to Fauntleroy considering the gaps in traffic created by the adjacent signal. Outbound left-turns would be limited in capacity during the peak hour, but alternate egress points exist within the site.
- The Concurrency analysis shows that City of Seattle concurrency standards would be met with the project. This indicates adequate capacity exists to serve the increase in travel demand resulting from the proposed project.
- No specific off-site mitigation measures are required to reduce/offset potential site-generated traffic impacts.

The Traffic Impact Analysis concluded that “with-project” traffic operations at surrounding intersections would remain at acceptable levels and are not anticipated to degrade in Level of Service (LOS), a measure of traffic congestion, from “without project” conditions. The project will now include right-in/right-out only on Fauntleroy Way SW.

No adverse impacts were identified and the proposed mid-block connection can provide a safe and functional private street when designed as outlined above. The vacation should be conditioned to require SDOT’s review and approval of the final design and dimensions of the alley. In addition, a Property Use and Development Agreement, an easement or other binding agreement to protect access to the mid-block connector for the public and the other users of the existing alley should be conditions of the vacation.

Utility Impacts: In addition to the transportation purposes, street rights-of-way provide space for utility lines and facilities. The vacation review must consider the impact on any public utilities and both current and future impacts must be assessed. If any utilities are located in the right-of-way, it must be possible for the utility to relocate or terminate those facilities or the vacation is not feasible. The utility should not be negatively impacted in its ability to deliver services, now or in the future, to access its facilities for repair or maintenance, or to update or expand services. Any proposal to relocate or alter utility services must be satisfactory to the utility provider and the costs to accommodate the utility needs are the obligation of the Petitioner.

City Light, SPU, and CenturyLink have all identified that they will be impacted by the vacation. In particular, the issues with SPU required careful review. One of the impacts of a partial vacation and a T-shaped alley configuration is that it creates the possibility of drainage problems at the center of the alley. SPU identifies this potential problem as a "closed contour alley" which means that the water can pond in the alley rather than being channeled into the drainage system. SPU has specified that the Petitioner must agree to an indemnity agreement related to the drainage systems in the alley and that the design cannot create a closed contour situation in the alley. The Petitioner must also install a 12" main in SW Alaska Street from Fauntleroy Was SW to main 3909 and transfer existing service to that drain. The parking lot at the existing Masonic Temple will need to be re-graded to provide for a coordinated drainage system serving the entire block.

City Light has noted that it has facilities including a three-phase overhead electric power line, with poles, transformers, and wire within the area proposed for vacation. City Light has provided conceptual approval to re-route the system underground along the project site noting that the cost of moving the service underground and restoring service is fully born by the Petitioner. The Petitioner must complete an agreement with City Light on the relocation and must provide an easement, deed restriction or other binding mechanism satisfactory to City Light for the location of the services.

CenturyLink also has facilities in the project area. The Petitioner proposes to move the CenturyLink facilities underground in the same location as the City Light facilities. CenturyLink has provided conceptual agreement with this proposal.

The Petitioner and development team have been meeting with staff from the utilities and outside agencies on the plans and have developed designs that appear to address all the concerns that have been identified. The Petitioner has acknowledged the need to address the issues in a way that satisfies the utilities and understands that they must bear the costs from this work.

The Petitioner has a plan to address the issues identified by City Light, SPU, and CenturyLink. The vacations should be conditioned to require that this work continue and the final plans address issues to the satisfaction of the City or other agency impacted by the vacation and provide easements or other agreements as required.

**Light, air, open space and views:** Because street right-of-way is open and is not developed with structures, streets and alleys can have value as open space and can be view corridors. Streets can provide important breathing space in dense urban areas. The West Seattle Triangle Plan specifically identifies this alley and the goal of the alley providing for a pedestrian walkway through the block. The current alley does not provide any important views and does not provide for useable space for the public. If the block were developed with the alley remaining in place, it is unlikely that the alley would include additional space to provide for a pedestrian walkway.

Following the vacation, the development will include an open east/west alley through the middle of the block that provides a publicly accessible pedestrian walkway and a landscaped buffer between the walkway and the vehicle functions. The project also proposes to provide sidewalks around the perimeter of the project that are wider than that required by code. There will be small plazas adjacent to the project entries and along 40th Avenue SW that provide spaces for the public to sit and enjoy.

No adverse impacts to light, air, open space or views were identified. The project will provide useable open space in an amount that is greater than the amount of alley right-of-way that is being vacated.

**Protection from adverse land use impacts:** The second step in the review process is to evaluate the land use impacts of the proposed vacation and subsequent development. The land use portion of the Policies, Policy 4, is concerned mainly with ensuring that post-vacation development is consistent with the land use pattern in the area and with City policies and codes. The Policies specifically state that proposed vacations may be approved only when the development potential that is attributable to the vacation would be consistent with the land use policies adopted by the City Council. The vacation decision will be based on the policies applicable for the type of area where the development is proposed.

This project site is zoned as Neighborhood Commercial 3 with an 85' height limit (NC3 85). The northern portion of the site has a Pedestrian classification overlay (NC3P 85). The site lies within the West Seattle Junction Urban Village.

NC3 85 extends eastward to the alley between Fauntleroy Way SW and 38<sup>th</sup> Avenue SW where the zoning changes to Lowrise 2 (LR 2) and NC3 with a 40 foot height limit. South of SW Edmunds Street the zoning shifts to NC3 40 and to LR2 and LR3. To the west, the zoning transitions to NC3 65. The total lot area of the development is approximately 115,223 square feet. The DPD project number is 3013803.

The zone permits a wide range of uses and promotes density to encourage a mixed-use neighborhood. SMC 23.34.078 states that "the NC3 zone is intended to support or encourage a pedestrian-oriented shopping district that services the surrounding neighborhood and a larger community, citywide, or regional clientele; that provides comparison shopping for a wide range of retail goods and services; that incorporates office, business support services, and residences that are compatible with the retail character of the area." The proposed uses of grocery, retail, residential, and structured parking are all allowed outright within the zone. In addition, the

project proposes to encourage pedestrian activity with widened sidewalks from building setbacks, a mid-block pedestrian connection and other enhancements to the pedestrian environment such as additional landscaping and raingardens, art, and street furniture.

While the proposed uses in the building seem clearly consistent with the zoning, from the very beginning of the review, this project has drawn a great deal of interest and both concern and support from the public. Questions have been raised about the quality of the design, the character and how the project fits into the block and the neighborhood. There have been very differing views as to whether the project complied with the Comprehensive Plan goals and Neighborhood Plan goals. While a lot of community interest has been focused on one of the tenants in the project, the proposed Whole Foods Grocery, questions regarding project scale and quality, and compliance with planning goals don't relate merely to one tenant but relate to the physical impacts of the project as a whole.

This project is designed to be consistent with the zoning and direction for the area. This project at 70 feet will be larger in scale from some of the older buildings in the area. However, this area has seen tremendous growth in recent years and this proposal will be similar in scale to many of the newer buildings which have been recently completed or are planned for the area. The vacation makes a significant contribution to the feasibility of the development by allowing flexibility in the use of the site and makes the parcels fronting along SW Alaska Street easier to develop. The vacation facilitates the use and function of the site but does not make a major contribution to the scale of the project. Similar uses and density could occur without the vacation of the alley. DPD noted in its comments that this type of large scale development was anticipated in the West Seattle Triangle Plan.

The proposal has been very carefully reviewed. The project has been through four Design Review Board (DRB) meetings as part of the regulatory review process administered by the Department of Planning and Development (DPD). While the DRB does not review proposed vacations and does not advise the City Council on these matters, a review of that process and the DPD comments on the vacation can be useful in reviewing Comprehensive Plan and Neighborhood Plan goals. Over the course of its four review meetings the DRB looked at the proposal in considerable depth but the most relevant to the vacation review is the discussion of:

- the safety and functionality of the mid-block connector as both a pedestrian and alley space;
- the quality and character of the pedestrian experience around the project; and
- the importance of the design of the corner of the building at SW Alaska Street and Fauntleroy Way SW.

The mid-block connection has been designed closer to the standards for a street than for an alley. While an alley in this zone would typically be 20 feet in width, this mid-block connector will include, at its widest point at Fauntleroy Way SW, a 5-foot sidewalk on the northern side and a 2-foot wide landscaped buffer on the northern side, a 25-foot wide drive lane for two-way vehicular traffic, an 8-foot wide sidewalk on the south side and a 3-foot wide landscape buffer on the south side between the vehicle lane and the sidewalk. The drive lanes narrow and are 20-feet in width

at the 40<sup>th</sup> Avenue SW connection. The loading bay has been reconfigured and the drugstore drive through has been eliminated. The DRB was satisfied with the function of the revised proposal and required that the design work continue and noted that the plan would require SDOT's review and approval. Through the Street Improvement Permit (SIP) review SDOT will have the authority to review and approve the final engineered plans for access to the site and the mid-block connector.

The pedestrian environment around the site had mixed comments from the public. West Seattle has expressed a strong preference for spaces that create more of a small town feel and provide useable spaces that are interesting and reflect the unique character of the community in which the project is located. The DRB noted that a pedestrian-oriented streetscape is perhaps the most important characteristic to be achieved in the new development in mixed-use areas. The DRB reviewed building materials, and the location of windows and residential and retail entries, discussed whether the plazas would be viewed as accessible to the public or private for tenants, and has recommended conditions that will be a part of the Master Use Permit (MUP) for the project.

The discussion of the pedestrian environment echoes the SDOT and Design Commission review of the proposal and the discussion of the public benefits required for the project. Elements that support the goals of the West Seattle community include wide sidewalks with landscaping, street furniture, special paving, and art elements. Small plazas are included to provide spots for the community to stop and take a break. Other amenities include overhead weather protection, a new bike lane and a contribution to the design of the proposed new park on 40<sup>th</sup> Avenue SW. These types of elements contribute to a vibrant public space but as they are not required elements they are considered as public benefit elements and are outlined in more detail in the public benefit discussion.

One element that has been difficult to reconcile is whether the mid-block connector complies with the neighborhood plan. The plan envisioned a pedestrian connection through the block but did not anticipate a vehicle connection as well. In its comments DPD noted that "[t]he location of the new proposed east-west private alley and pedestrian connection is generally consistent with the concept planning process for the West Seattle Triangle Plan that was conducted in 2010 and 2011 by the City with members of the West Seattle community. There are important differences between the West Seattle Triangle Urban Design Framework and the proposed alley vacation. Notably, the concept plan did not anticipate the need for loading within the east-west portion of the alley. However, such uses are consistent with large-format grocery stores."

In outlining a vision for a pedestrian-only connection in the block, the plan did not consider the need for the alley to provide for services to the block and the fact that the property on the block was in different ownership. The current proposal attempts to provide both for necessary services and to include the pedestrian connection desired by the community.

The corner at SW Alaska Street and Fauntleroy Way SW was also the subject of much discussion. This corner was identified as an important gateway by the community and the DRB spent considerable time discussing the architecture at that corner. The design evolved through

the DRB process and the DRB found that the design was strengthened and approved the proposal. While the design of the building is outside of the vacation review the quality of the pedestrian experience at that iconic corner is equally as important as the building design. The Petitioner moved a residential entry point to the corner and increased the building setback to create a public plaza of approximately 542 square feet. Artwork, benches, a water feature, planters, and special pavers are also added to that corner. The proposal also includes a new crosswalk across SW Alaska Street at this corner to provide for safer crossings for the pedestrians.

SDOT does not find adverse land use impacts associated with the proposed vacations.

**Provision of Public Benefit:** The Street Vacation Policies note that vacations must provide a long-term public benefit. Vacations will not be approved to achieve short-term public benefits or for the sole benefit of individuals. It is anticipated that the public benefit will include specific and tangible physical elements as the Policies provide that facilitating economic development, meeting code requirements for development or mitigating defined impacts is not a sufficient public benefit.

The public review of this project has initiated an unprecedented discussion of the nature of public benefit. Individual citizens and community organizations, union organizations, and elected officials at the highest level have raised the question: how broadly can public benefit be defined? Can a public benefit required by the vacation process be defined in way that includes addressing economic or social justice issues? Can it include the requirement for affordable housing? Set wages or other working conditions? Address environmental concerns? Every vacation decision is an exercise in legislative discretion. It is clear that before the City Council can support a vacation the Council must find that the vacation serves the public interest and provides a public benefit. The City Council has defined what it will accept as public benefit in the adopted Street Vacation Policies.

Historically, the City Council has required that the public benefit be physical and tangible. The City Council has long supported elements such as plazas, widened sidewalks and building setbacks, added landscaping, street furniture, art, wayfinding, bike or pedestrian paths, and other enhancements to the public realm. The elements had to serve the general public not merely the building tenants and the elements proposed as public benefit had to exceed code or other requirements. The scale of the public benefit had to be proportional to the scale and impacts of the project.

These new policy questions are not addressed in the current adopted Street Vacation Policies and the City Council has not addressed these questions in a way that can provide guidance for SDOT in this recommendation. The question of how broadly public benefit can be defined clearly requires a broader discussion and a review of the goals and limitations of the existing Policies. Following these policy discussions the City Council can determine whether it wishes to revise or update the Policies for future projects.

The current Policies provide that there should be a balance between what the public gives up and what the Petitioner acquires through the vacation process. The review should consider the scale of the vacation, the scale of the project, and the identified impacts. If a project is significant in scale, if the vacation is large in size or if the project has significant impacts, then the Policies anticipate that the public benefit proposal must also be significant. This alley makes an important contribution to the development of the block. While the vacation of the alley is not being used to increase the development capacity or the scale of the project, by eliminating the public alley, the Petitioner can develop the entire block in a way that best suits its programmatic needs and can consolidate below-grade functions such as parking and loading. By eliminating the alley, and relocating the private mid-block to the middle of the block, the Petitioner's parcels are easier to develop. Since the vacations make an important contribution to the project, the Policies require that a significant public benefit be provided.

In addition to addressing the scale or amount of public benefit that must be provided, the Policies are also clear that the public benefit elements proposed must clearly benefit the general public and not merely the tenants of the project. The Policies are also clear that the public benefit proposed for a vacation must be separate and above amenities provided to meet code or other requirements. In trying to assess the adequacy of a public benefit proposal questions sometimes arise about the cost of elements of the public benefit. It can be tempting to say if the public benefit costs X dollars it can be found to be "enough". Historically, the City Council has focused on whether the public benefit elements meet the goal of providing a long term benefit for the general public that is proportional to the impacts of the project and the vacation. Assigning a dollar cost to an element of the public benefit may not address how well the public benefit element serves the public and whether enough public benefit is proposed for a project. Another difficulty in assigning costs to the public benefit is that cost may be allocated as a "cost" of the public benefit when there should also be an offset for other project costs.

An example with this project is the cost of the undergrounding of the Seattle City Light lines in order to accommodate pedestrian enhancements at the street level. While the costs of the undergrounding are true costs, assigning all the cost to the public benefit category does not adequately reflect that if the Seattle City Light lines remained above ground, the building would need to be set back from the poles and the poles could impact lease rates from apartments where the lines were visible. Assessing the public benefit value of the streetscape enhancements is more critical than reviewing the cost of the undergrounding of utilities that created the space for the enhancements.

The costs of the proposed public benefits are included here in the public benefit chart because this material was presented at the Design Commission and had been presented in numerous public forums. The costs should be considered as a part of the analysis and not as fixed cost of the public benefit elements.

The Policies require that the Petitioner provide some factual information about the project site to assist in the review of the public benefit proposal. The goal of including this information is to help in determining if there is an appropriate balance between what the developer achieves from the vacation and what is provided to the general public.

**Public Benefit Matrix**

Zoning designation	NC3 85/NC3P 85
Street classification	Alley
Assessed value of adjacent property	Assessed value on the block for land and improvements varies from approximately \$125.00 per square foot up to approximately \$214 per square foot
Lease rates in the vicinity for similar projects	Approximately \$2.50/sf for residential rates Approximately \$25-\$45/sf for commercial rates depending on size of tenant and tenant improvements
Size of project, in square feet	Approximately: <ul style="list-style-type: none"> <li>• 404,5000 sq ft</li> </ul>
Size of area to be vacated, in square feet	Approximately: <ul style="list-style-type: none"> <li>• 6,600 sq ft (rounded)</li> </ul>
Contribution of vacated area to development potential	The vacation provides flexibility in the design and development of the block <ul style="list-style-type: none"> <li>• 0 additional square feet is added</li> </ul>
Increase in square footage of site due to vacation	The net is less. The project vacates approximately 6,600 square feet and the mid-block connector provides approximately 13,000 square feet.

Assessment of the public benefit proposal has been one of the most challenging elements of this review. In addition to the policy questions raised, there have been questions about the quality and adequacy of the public benefit proposal. SDOT and the Design Commission have worked to expand and enhance the public benefit package. Some of the changes include relocating the retail entry doors at SW Fauntleroy Way and 40<sup>th</sup> Avenue SW so the plaza does not function as an entry for the retail or residents; an important crosswalk was added across SW Alaska Street; revised the 40<sup>th</sup> Avenue SW streetscape with additional art, increased the plaza size, added landscaping beyond the project site; and provided a \$25,000 contribution to a planned public park across the street from the project.

The original public benefit proposal also included the mid-block connector as an element of the public benefit. The mid-block connector provides for important and necessary elements that keep back door functions away from the street. The mid-block connector is necessary to provide access to services and the garage. SDOT finds that the mid-block connector is an important design element but it is more about function than public amenities and should not be considered as an element of the public benefit. In its review, the Design Commission did not find the mid-block connector was a public benefit but felt that the pedestrian sidewalk was an amenity for the

neighborhood and was appropriate to be considered as an element of the public benefit. This conclusion seems consistent with SDOT concerns and previous direction from the City Council.

In addition to the plaza/mid-block connection other elements are proposed as part of the public benefit package, the chart provided below details the elements of the public benefit. The proposal includes setbacks around each side of the building sites. These setbacks create more sidewalk space and enhance the public realm for pedestrians. The additional space also allows for additional amenities such as more street trees, street furniture, pedestrian lighting, overhead weather protection, and wayfinding.

The Public Benefit Package supported by the Design Commission consists of the following items:

- Voluntary building setbacks;
- Midblock Pedestrian connector;
- Five small plazas;
- Green Street improvements in 40th Ave SW along the project site, and landscaping along the Mason's property and on the north side of the street;
- Enhanced street improvements along the frontages of the development; including art, street furniture, paving treatments, and enhanced landscaping;
- Monetary contribution of \$25,000 toward design of park north of 40th Ave SW;
- Improvements to 40th Av SW to facilitate city goal of providing parking at the new park; and
- Planning and installation of bike facility along Fauntleroy.

Additionally, the Design Commission stated that its recommendation of approval of the public benefit package is subject to the following conditions:

1. If any of the public benefit items are later found to be necessary to meet code or mitigation requirements, or are deemed infeasible or for any other reason cannot be provided as proposed today, the proponent shall consult the Design Commission and provide public benefit commensurate to what is no longer being provided.
2. Provide the art plan for administrative review by the Design Commission when it has been developed.
3. Provide drawings of the gateway element for administrative review when the design has been further developed per commission recommendations. Despite the fact that the gateway is at a loud, busy intersection, it must be a well-developed, prominent feature given its central location in the neighborhood.
4. Provide plans for administrative review of the green wall in the through-block connector when they have been refined.

The Commission also has the following recommendations:

1. The Design Commission requests that SDOT reconsider its policy restricting the installation of crosswalks midblock for this project. A crosswalk across 40th midblock would complete the connectivity that is being proposed with the through-block connector. The pedestrian connection was proposed in the West Seattle Urban Design Framework and since then Seattle Parks and Recreation has purchased property for a park just north of 40th. Given this opportunity, and the green street nature of the street, please examine whether an exception to the midblock crosswalk policy might be in order at this location.

Given the strong public engagement in this project and the level of controversy associated with a number of elements of the review, SDOT recommends that this project return to the full Commission for its continued review of the project as it moves forward. The public will then have the opportunity to attend the meetings and hear the Design Commission discussion of elements of the project as the design is refined.

While SDOT has found that currently a mid-block crossing at 40<sup>th</sup> Avenue SW is not necessary, as the project moves forward and other development occurs in the area, SDOT can review the proposal for a mid-block crossing to the new planned park.

The public benefit chart is the public benefit list approved by the Design Commission (data and costs provided by the Petitioner).

Description	Existing	Required	Quantity	Cost
1. Voluntary Street Level Building Setback	No	No	5,134 s.f.	n/a
2. Gateway Plaza at Fauntleroy & Alaska	No	No	542 s.f.	\$37,820
3. Linear Plaza and 40 <sup>th</sup> Ave Streetscape	No	No	1,356 s.f.	\$147,140
4. Public "Outdoor Rooms" on Fauntleroy	No	No	1,088 s.f.	\$85,120
5. 40 <sup>th</sup> Avenue Off-Site Improvement	No	No	2,550 s.f.	\$93,260
6. Pedestrian Crosswalk at Fauntleroy & Alaska	No	No	n/a	\$15,000
7. Cash Contribution for Public Outreach and Schematic Design (to 30% complete) for new City Park	No	No	n/a	\$25,000
8. Mid-Block pedestrian sidewalk	No	No	1,672 s.f.	\$10,030
9. Art: Inclusion of commission art pieces in public plazas and relocation/recreation of existing mural on-site	No	No	27 pieces	\$50,000
10. Pedestrian overhead weather protection & new bike lane	No	No	5,666 s.f.	\$853,680

11. Expanded public amenities along Fauntleroy & Alaska including widened public sidewalks and landscaping on-street parking and new bus pull out, all made possible removing existing power poles and undergrounding utilities	No	No	1,300 s.f.	\$1,100,000
			<b>Total:</b>	<b>\$2,417,050</b>

As previously noted this project has been unprecedented in the amount of public input both in support of the project and expressing concern. New and important policy questions have been identified that require a fuller and more robust discussion. SDOT finds that the policy questions require additional direction from City Council and does not make a recommendation on the adequacy of the public benefit proposal.

**RECOMMENDATION**

Should the City Council choose to support the vacation, it is recommended that the vacation be granted upon the Petitioner meeting the following conditions. The Petitioner shall demonstrate that all conditions imposed by the City Council have been satisfied and all fees paid, prior to the passage of the street vacation ordinance.

1. The vacation is granted to allow the Petitioner to build a project substantially in conformity with the project presented to the City Council and for no other purpose. The project must be substantially in conformity with the proposal reviewed by the Transportation Committee in March of 2014.
2. All street improvements shall be designed to City standards, as modified by these conditions to implement the Public Benefit requirements, and be reviewed and approved by the Seattle Department of Transportation; elements of the street improvement plan and required street improvements to be reviewed include:
  - The mid-block connector shall include the following elements:
    - The total width shall be no less than 44 feet in width to 50 feet in width;
    - Two-way vehicle traffic is required;
    - The drive lane for vehicles is 20 to 25 feet in width;
    - An 8-foot wide elevated, pedestrian sidewalk shall be located on the south side of the mid-block connector;
    - The pedestrian sidewalk shall be separated from the drive lane by a 3-foot landscaping strip;

- The pedestrian sidewalk shall have continuous overhead weather protection;
  - The northwest side of the mid-block connector shall have landscaping to discourage pedestrians;
  - No pedestrian crossing north/south may be provided in the mid-block connector;
  - Pedestrian lighting shall be provided in the mid-block connector;
  - The northeast side of the mid-block connector will provide a sidewalk and landscaping at the residential entry;
  - Vehicles may turn right only when exiting at Fauntleroy Way SW;
  - Roll-up doors shall be added to the loading bay area; and
  - A drive-up window may not be provided.
- Street improvement plan showing sidewalks, street trees, bike racks, street furniture, lighting, art or artist-made elements, paving or special materials, wayfinding and landscaping around the site;
  - The design on the new alley segment, including the geometry of the turns and the connection at 40<sup>th</sup> Avenue SW, SW Edmunds Street, and Fauntleroy Way SW; and
  - Agreement between all property owners on the alley that protect use and access for all owners.
3. The utility issues shall be resolved to the full satisfaction of the affected utility prior to the approval of the final vacation ordinance. Prior to the commencement of any development activity on the site, the Petitioner shall work with the affected utilities and provide for the protection of the utility facilities. This may include easements, restrictive covenants, relocation agreements, or acquisition of the utilities, which shall be at the sole expense of the Petitioner. Utilities impacted include:
- Seattle Public Utilities;
  - Seattle City Light; and
  - CenturyLink Communications.
4. It is expected that development activity will commence within 18 months of this approval and that development activity will be completed within 5 years. In order to insure timely compliance with the conditions imposed by the City Council, the Petitioner shall provide the Seattle Department of Transportation with Quarterly Reports, following Council approval of the vacation, providing an update on the development activity, schedule, and progress on meeting the conditions. The Petitioner shall not request or be issued a Final Certificate of Occupancy (C of O) for the project until SDOT has determined that all conditions have been satisfied and all fees have been paid.

5. In addition to the conditions imposed through the vacation process, the project, as it proceeds through the permitting process, is subject to SEPA review and to conditioning pursuant to various City codes and through regulatory review processes including SEPA.
  
6. The Petitioner shall develop and maintain the public benefit elements as defined by the City Council. A Property Use and Development Agreement (PUDA) or other binding mechanism shall be required to ensure that the public benefit elements remain open and accessible to the public and to outline future maintenance obligations of the improvements. The final design of the public benefit elements shall require the review and approval of SDOT Street Vacations. SDOT will request additional Design Commission review when the design is further developed to the 60% level and 90% level and may request additional review as necessary. The public benefit requirement includes the following features as well as corresponding development standards, including approximate square footage dimensions, which shall be outlined in the PUDA:

Public benefit chart:

Description	Existing	Required	Quantity	Cost
1. Voluntary Street Level Building Setback	No	No	5,134 s.f.	n/a
2. Gateway Plaza at Fauntleroy & Alaska	No	No	542 s.f.	\$37,820
3. Linear Plaza and 40 <sup>th</sup> Ave Streetscape	No	No	1,356 s.f.	\$147,140
4. Public "Outdoor Rooms" on Fauntleroy	No	No	1,088 s.f.	\$85,120
5. 40 <sup>th</sup> Avenue Off-Site Improvement	No	No	2,550 s.f.	\$93,260
6. Pedestrian Crosswalk at Fauntleroy & Alaska	No	No	n/a	\$15,000
7. Cash Contribution for Public Outreach and Schematic Design (to 30% complete) for new City Park	No	No	n/a	\$25,000
8. Mid-Block pedestrian sidewalk	No	No	1,672 s.f.	\$10,030
9. Art: Inclusion of commission art pieces in public plazas and relocation/recreation of existing mural on-site	No	No	27 pieces	\$50,000
10. Pedestrian overhead weather protection & new bike lane	No	No	5,666 s.f.	\$853,680
11. Expanded public amenities along Fauntleroy & Alaska including widened public sidewalks and	No	No	1,300 s.f.	\$1,100,000

Honorable Tom Rasmussen

03/03/14

Page 22 of 22

landscaping on-street parking and new bus pull out, all made possible removing existing power poles and undergrounding utilities				
			<b>Total:</b>	<b>\$2,417,050</b>

Sincerely,



Goran Sparrman, Acting Director  
Seattle Department of Transportation

GS:bb

Enclosures

**SDOT Recommendation  
Attachment A**

Clerk File 312783

Alley Vacation Petition for Block 3 Norris Addition

Table provided by Petitioner

From	Comment	Response
<b>Agency Comments</b>		
Seattle Fire Department	No objection, so long as no fire department connections in the alley, if so, FDCs must be relocated with SFD approval	There are no fire connections in the alley.
Seattle City Light	<ul style="list-style-type: none"> <li>• SCL owns and operates a three-phase overhead electric power line, including poles, transformers and wire within the proposed vacation area</li> <li>• The work order to remove the overhead lines and restore services is in progress. No issues with electrical service.</li> <li>• Vacation approval should include conditional language stated in 3/12/13 letter</li> </ul>	<p>The Project proposes to completely underground overhead power lines at its own cost; the undergrounding of power allows widening of public sidewalks, landscaping, creation of on-street parking and a new bus pullout. The cost to underground utilities, borne 100% by the petitioner, is \$1,100,000.</p> <p>No issue with including conditional language in vacation approval as outlined in SCL's letter.</p>
Seattle Public Utilities	<ul style="list-style-type: none"> <li>• The petitioner must agree to an indemnity agreement related to drainage systems in the alley</li> <li>• No closed contour in the alley is allowed</li> <li>• The Alki Masonic Temple will rebuild its parking lot and provide drainage as required</li> <li>• Project should install a 12" main in SW Alaska Street from Fauntleroy</li> </ul>	<p>The Petitioner agrees to sign an indemnity agreement with SPU related to the drainage systems in the alley.</p> <p>No closed contour exists in the alley; this work has been coordinated and confirmed with SPU.</p> <p>A separate permit (MUP 3015959/Building Permit 6369041) has been submitted to regrade the Alki Temple's parking lot; adequate drainage</p>

	<p>Way SW to 3909 and transfer the existing service to that main.</p>	<p>is proposed and SPU review is required.</p> <p>The project will install the water main and transfer existing service to the new main.</p>
<p>Department of Planning and Development Land Use Codes and Policy Development</p>	<ul style="list-style-type: none"> <li>• The vacation and midblock connector is generally consistent with the West Seattle Triangle plan; the plan didn't anticipate the need for loading or a drive-through.</li> <li>• The midblock connector should include generous space for pedestrians</li> <li>• Suggest crosswalk between connector and future park on 40<sup>th</sup> Avenue</li> </ul>	<p>The drive through has been eliminated from the Project.</p> <p>The loading area for the grocery store has been minimized; dense plantings surround the approaches to the loading area so pedestrians will not approach. The loading area is screened by a roll-down door that will remain closed when not being used. The project also proposes a loading dock management plan that will manage deliveries and restricts activities.</p> <p>The midblock connector includes an 8' wide covered walkway and a 3' planting strip that buffers pedestrians from traffic in the alley. This is an ample profile beyond what pedestrians would experience on a "normal" street.</p> <p>The Project team asked for a sidewalk crossing 40<sup>th</sup> to the future park across from the midblock connector. However, SDOT does not believe that the midblock crossing meets warrants. The project has been designed to reduce crossing width across 40<sup>th</sup> Avenue in lieu of an actual crosswalk.</p>
<p>Seattle Department of</p>	<ul style="list-style-type: none"> <li>• Removal of alley will</li> </ul>	<p>The curb cuts of the midblock</p>

<p>Transportation: Traffic Management, and Policy and Planning Joint Comment</p>	<p>change local circulation systems; function of alley will serve high level of auto, service, and pedestrian traffic. Safety for pedestrians must be prioritized in the alley, including amenity and ample space for peds in the alley.</p> <ul style="list-style-type: none"> <li>• Reduce midblock connector curb cut widths to reduce crossing distances for pedestrians</li> <li>• The pedestrian zone along Fauntleroy is shown as 6'6" on the landscape plans and could be widened if the parking lane was removed; this could increase bicycle safety</li> <li>• Rain gardens and public plazas are good contributions to the public realm and are consistent with the W. Seattle Triangle plan</li> <li>• Pedestrian scale lighting should be included in the midblock connector</li> <li>• Contribution to future park is uncertain public benefit that cannot be guaranteed</li> <li>• Draft bicycle master plan includes a buffered bike lane on Fauntleroy</li> <li>• Bike racks and their placement near entrances is appreciated</li> </ul>	<p>connector have been reduced as much as possible to reduce pedestrian crossing widths. Along Fauntleroy the curb cut is 30' wide to accommodate turning traffic; this is less than a standard road crossing width. Along 40<sup>th</sup> the curb cut is 20' wide, which is a standard alley/driveway width. The geometry and width of these curb cuts has been carefully coordinated with SDOT, and has been thoroughly reviewed and approved by SDOT traffic safety and traffic operations.</p> <p>The Project provides on-street parking on Fauntleroy to facilitate business for the small businesses on Fauntleroy. We also believe that the addition of parked cars along Fauntleroy helps to buffer pedestrians from the traffic on Fauntleroy Avenue.</p> <p>Pedestrian scale lighting is included in the midblock connector through the use of tree uplighting features. Street lights will also be included in the connector.</p> <p>The park has already been purchased by the Parks Department; the contribution to the park will allow the Department to get through the public planning process/30% conceptual design. We believe this is a concrete public benefit that is supported by the neighborhood.</p>
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	<p>but should be placed under overhead weather protection.</p> <ul style="list-style-type: none"> <li>• Encourage the addition of a marked crosswalk on the west leg of the signalized intersection of SW Fauntleroy Way and SW Alaska Street.</li> <li>• SDOT does not support a pedestrian crossing at SW Fauntleroy Way and the midblock connector.</li> </ul>	<p>Approximately half of the bike racks are located under overhead weather protection.</p> <p>The right-of-way manual calls for the configuration of the roadway and bike lanes on Fauntleroy as we have designed it.</p> <p>The crosswalk across Alaska has been designed and is being included in the public benefit proposal.</p> <p>There will be no pedestrian crossing midblock at Fauntleroy due to SDOT's concerns.</p>
SDOT Capital Projects and Roadway Structures	No concerning issues related to the vacation	No response required.
Century Link/Qwest	Aerial facilities exist in the alley to be vacated. The developer will need to grant an easement for the facilities to remain or compensate CL the cost to relocate the facilities	The facilities will be undergrounded in the same location as the underground power facilities. This work has been fully coordinated with Century Link. Our contact is Brandon Squyres. Please let us know if you would like his contact information.
Puget Sound Energy	No gas lines are impacted by the proposal	No comment needed.
King County Metro Transit	A diagram shows that the north ramp to the eastern exit onto Fauntleroy shows vehicles turning right or left. This should be only a right in/right out movement since there is a double yellow line on Fauntleroy. There is no center turn lane on Fauntleroy and coaches may limit sight lines.	The access to/from the midblock connector at Fauntleroy has been revised to a right-in/right-out only access. Attached to this comment letter is the revised SIP plan, as well as the revised TIA.

<p>Department of Parks and Recreation</p>	<ul style="list-style-type: none"> <li>• The midblock connector is an important connection to the future park on 40<sup>th</sup>. The proposed drive through and loading zone are incompatible with viable pedestrian midblock connection. Redesign the connector to be more pedestrian friendly.</li> <li>• Public benefit should include contribution to future park</li> </ul>	<p>The drive through has been eliminated from the project.</p> <p>The loading zone is a necessary service for a mixed use project; bringing trucks internally into the Project, rather than allowing loading from a City street, is required by the zoning code and is preferred by SDOT. As stated, measures have been taken to minimize the loading impacts on the Project, the public, and on pedestrians; the project has been revised since this comment was received. Pedestrians are completely separated from trucks in the midblock connector, and crossings are standard crosswalks with raised roadways to further signal to drivers to slow down and watch for pedestrians.</p> <p>The public benefit has been further refined to include \$25,000 contribution to the 40<sup>th</sup> Avenue S.W. park, which will pay for the initial public outreach process and will fund schematic design to 30% completion.</p> <p>Mr. Nevins commented at the 6/20/13 Design Commission meeting and stated that the vibrant development across from the future park invigorates the area. The financial contribution will get the Parks planning through the public process. Parks is happy</p>
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<p>Department of Planning and Development Land Use Services</p>	<ul style="list-style-type: none"> <li>• The alley vacation improves functionality of the site and does not negatively impact circulation, access, utility, light, air, open space or view functions</li> <li>• The proposed development is consistent with the City's land use policies, the Comprehensive Plan, and the West Seattle Junction Neighborhood plan, as well as transportation policies.</li> <li>• The size and scale of development has been anticipated by the West Seattle Triangle Plan and the Comprehensive Plan; design review has mitigated height, bulk and scale issues</li> </ul>	<p>with the contribution.</p> <p>Agree. The Project is consistent with the Seattle Comprehensive Plan, the West Seattle Junction Neighborhood Plan, and is generally consistent with the West Seattle Triangle Urban Design Framework, and the project was recommended to be approved by the Southwest Design Review Board.</p>
<p><b>Design Commission Comments</b></p>		
<p>Seattle Design Commission, Urban Design Merit Meeting March 7, 2013</p> <p>Action: vote 7-0 to deny Urban Design Merit</p>	<ul style="list-style-type: none"> <li>• Concern that private alley design does not provide sufficiently for vehicular maneuvering and safety of peds. Work with SDOT to correct this.</li> <li>• Consider possible pedestrian conflicts where alley meets SW 40<sup>th</sup> Street, a green street, and whether number of vehicles exiting onto 40<sup>th</sup> could be reduced.</li> <li>• Refer to the West</li> </ul>	<ul style="list-style-type: none"> <li>• The project team has received its 60% SIP approval and SDOT is satisfied with vehicular maneuvering and safety of pedestrians.</li> <li>• The trip distribution from the project's TIA shows that the majority of traffic trips will exit south via the north-south alley since this is the signalized intersection. This will reduce the numbers of vehicles utilizing the</li> </ul>

	<p>Seattle Urban Design Framework and design the building to provide a gateway at Alaska and Fauntleroy. Consider how this building works in concert with the development proposed at the other corners of this intersection.</p> <ul style="list-style-type: none"> <li>• Refer to the WSUDF for the vision of the midblock pedestrian connection and provide the level of improvements that it recommends for pedestrians along the north/south alley.</li> <li>• Value of the through block connection is not only its basic function but also programming and design to bring activity into connector and make it inviting.</li> <li>• Plaza at Alaska and Fauntleroy does not read strongly as public space and not well integrated with gateway element. Please search for solutions as design evolves.</li> <li>• Reach out to the artist of the mural existing on the building and consider mural relocation.</li> </ul>	<p>40<sup>th</sup> Green Street.</p> <ul style="list-style-type: none"> <li>• The Gateway aspect of the architecture has been changed to cant the corner such that it better responds to the architecture surrounding. The project is also providing a crosswalk to the project directly north where one was not provided before to increase pedestrian safety and connectivity.</li> <li>• Since this comment, the plaza has been further refined.</li> <li>• Storefront windows on the eastern side of the connector wrap the corner to bring more activity into the alley. In addition, lighting and landscaping have been included in the connector to make it more inviting.</li> <li>• The mural will be relocated on a wall of the project and will be visible from the midblock connector.</li> </ul>
<p>Seattle Design Commission, Urban Design Merit Meeting April 18, 2013 Action: Vote 5-3 to Approve Urban Design Merit</p>	<ul style="list-style-type: none"> <li>• Proposal is justified for Urban Design Merit, with certain conditions.</li> <li>• Work with Masonic</li> </ul>	<ul style="list-style-type: none"> <li>• The project has worked with the Masonic Temple to solve the parking lot issue and is</li> </ul>

	<p>Temple to resolve issues of access to their parking lot, which can only be reached through the alley.</p> <ul style="list-style-type: none"> <li>• Demonstrate how pedestrians would connect across 40<sup>th</sup> Ave SW to the new park slated for development in the near future.</li> <li>• Provide a solution for loading during move-in/move-out that isn't far from entrances and not obstructed by streetscape amenities.</li> <li>• Continue to resolve the risk for pedestrian conflicts at the drug store drive through.</li> <li>• At the intersection of the two sections of alley, improve orientation so pedestrians aren't drawn into the auto-oriented north-south segment, and explore solutions that will connect the pedestrian walkway across that point.</li> <li>• Be more clear about code requirements and what is public space for public benefit package</li> <li>• Consider extending 40<sup>th</sup> Avenue green street to the Masons' property to the south.</li> </ul>	<p>regrading and repaving the parking lot for the Masons.</p> <ul style="list-style-type: none"> <li>• SDOT has concerns regarding designated pedestrian connections across 40<sup>th</sup> Ave to the new park from the development; however, the project is building out both sides of 40<sup>th</sup> in that location and will provide a "landing area" for pedestrians across from the midblock connector.</li> <li>• The load zones have been located near the residential entries and are not obstructed by landscaping or amenities. In addition, loading and move in can occur through the below grade garage depending on the sizes of vehicles.</li> <li>• The drive-through has been eliminated.</li> <li>• The midblock connector has been designed so that people understand that they are to continue through in an east-west direction, through the design of a very clear sidewalk.</li> <li>• The Masons do not agree with extending the green street to the south. However, the Alliance project on the west side of 40<sup>th</sup> will be</li> </ul>
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		<p>utilizing the right-of-way in a green street manner. The project is providing additional landscaping along the Mason's frontage and is retaining 7 mature street trees along the Mason's 40<sup>th</sup> Ave frontage. It is also including a planting strip and four trees along the Mason's property on the alley side. These trees are not required by the code but were not counted as public benefit.</p>
<p>Seattle Design Commission, Public Benefit Meeting May 16, 2013 Action: Vote 5-3 to deny Public Benefit Package</p>	<ul style="list-style-type: none"> <li>• Commissioners appreciate the responsiveness of the design team to recommendations given at earlier meetings.</li> <li>• Design has improved greatly.</li> <li>• Removing drug store drive through will benefit pedestrians that use the alley.</li> <li>• The Commission considers the concerns of safety of the through-block connection brought up in the Urban Design Merit to be resolved.</li> <li>• Design of the public benefit items needs further improvement before the package can be considered</li> </ul>	<ul style="list-style-type: none"> <li>• The public benefit matrix has been clarified.</li> <li>• The hierarchy of the open spaces has been clarified, and they have been tied together with a simple palette.</li> <li>• The massing of the gateway has been changed so that it is skewed somewhat against the street corners so it appears more interesting and prominent.</li> <li>• The corner element will remain lighted at night as it is a common hallway.</li> <li>• 40<sup>th</sup> was redesigned to better integrate art into the design, and to create better activation</li> </ul>

	<p>sufficient.</p> <p>Discrepancies in the public benefit matrix make it difficult to analyze whether the level of public benefit is sufficient.</p> <ul style="list-style-type: none"> <li>• Commission recommends providing more clarity in the hierarchy of open spaces, focus efforts on more important places such as gateway and 40<sup>th</sup> Ave stretch.</li> <li>• Simplify and unify the palette of different features, materials, qualities of the plazas</li> <li>• Gateway is not prominent enough. It would benefit from increased massing.</li> <li>• Relying on lighting to make gateway prominent should be reconsidered given implications to sustainability and limited effectiveness during the day.</li> <li>• Determine what the focal point of 40<sup>th</sup> is.</li> <li>• Shift activation efforts from Fauntleroy to 40<sup>th</sup>, where they will be more attractive to pedestrians.</li> <li>• Art should be more integrated into 40<sup>th</sup>.</li> </ul>	<p>of the open space.</p>
<p>Seattle Design Commission Public Benefit Meeting June 20, 2013</p>	<ul style="list-style-type: none"> <li>• The Design Commission approved, 6-0, the public benefit</li> </ul>	<ul style="list-style-type: none"> <li>• The items for administrative review are currently being</li> </ul>

<p>Action: Vote 6-0 to Approve Public Benefit Package.</p>	<p>package, with the following conditions:</p> <ul style="list-style-type: none"> <li>• If any of the public benefit items are found to be required for mitigation or code requirements, or are deemed infeasible for any other reason, the applicant shall consult the Design Commission and provide public benefit commensurate with the previous proposal.</li> <li>• Provide an art plan for administrative review by the Design Commission when it is developed.</li> <li>• Provide drawings of the Gateway Element for administrative review when the design has been developed per commission recommendations at 5/18/13 meeting.</li> <li>• Provide plans for administrative review for the green wall in the mid-block connector when they are refined.</li> <li>• Commission requests that SDOT reconsider its policy restricting the installation of crosswalks midblock at the mid-block connector and 40<sup>th</sup> Avenue.</li> </ul>	<p>developed and will be provided to staff.</p>
<p><b>Public Comments</b></p>		
<p>Josh Bihary</p>	<ul style="list-style-type: none"> <li>• West Seattle resident,</li> </ul>	<ul style="list-style-type: none"> <li>• No comment.</li> </ul>

	<p>feel that vacation will attract more business to West Seattle and help it become a more diverse neighborhood for residents and businesses.</p>	
Peter Leahy	<ul style="list-style-type: none"> <li>Owns property in West Seattle, the mid-block connector will better serve the neighborhood than the existing alley location and will serve the new park on 40<sup>th</sup>, will also break up the large blocks in the neighborhood.</li> </ul>	<ul style="list-style-type: none"> <li>No comment.</li> </ul>
Alexandra Rumbaugh	<ul style="list-style-type: none"> <li>Against the alley vacation, it is too big and boxy.</li> </ul>	<ul style="list-style-type: none"> <li>No comment</li> </ul>
Rene Commons (sent 4 letters)	<ul style="list-style-type: none"> <li>West Seattle resident, Met with developer along with other members of the community in three separate meetings.</li> <li>Concerned about gateway corner layout and size. Size should be larger than Mural (1000 sf) or QFC (1000 sf)</li> <li>Midblock connector is too small</li> <li>Connector should include physical separation between vehicles and pedestrians</li> <li>Turning radius for trucks is flawed; how do trucks get to and from the site?</li> <li>Proposal includes a</li> </ul>	<ul style="list-style-type: none"> <li>The gateway corner layout has been significantly revised and including areas in the right-of-way is approximately 1500 s.f.</li> <li>The midblock connector has been sized to comfortably allow traffic and pedestrians, similar to a street profile. The driveways vary between 20 and 25 feet, similar to an alley, and the sidewalk is 8 feet wide with a 3 foot planting strip separating peds and cars.</li> <li>The connector includes physical separation between vehicles and peds with a raised</li> </ul>

<p>[Faint, illegible text in the left column of the table]</p>	<p>midblock woonerf. This will be a dangerous situation with too many cars.</p> <ul style="list-style-type: none"> <li>• Should include active uses in midblock connector to activate it</li> <li>• Too many traffic trips being generated</li> <li>• Queuing issues in midblock connector?</li> <li>• Drive through along north-south alley is very problematic</li> <li>• Bus stop will impact traffic on Fauntleroy and will impact traffic access</li> <li>• Project should complete a traffic impact analysis</li> <li>• Should not turn back on Alaska Street, should include retail entries along the length of Alaska Street.</li> <li>• Adjacent uses on 40<sup>th</sup> do not complement the green street on 40<sup>th</sup>.</li> </ul>	<p>sidewalk similar to a street sidewalk</p> <ul style="list-style-type: none"> <li>• The truck turning radius has been adjusted.</li> <li>• The connector is not a woonerf but includes separation between cars and pedestrians</li> <li>• The connector includes a residential lobby entry fronting directly on the connector as well as transparent glass into the retail space on the Fauntleroy side</li> <li>• The traffic study shows the system can accommodate the traffic trips generated by the project</li> <li>• No queuing issues in the connector have been identified by the traffic study</li> <li>• The bus stop already exists on Fauntleroy and will remain in the same location</li> <li>• A traffic analysis has been completed, revised, and resubmitted to SDOT and DPD. No issues have been raised by SDOT or DPD related to the study</li> <li>• Retail entries have been placed at two locations along Alaska Street—near the corner of 40<sup>th</sup> and near the corner of Fauntleroy.</li> </ul>
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		<ul style="list-style-type: none"> <li>• The project includes weather protected seating areas, a residential lobby, and an entry into Whole Foods from the 40<sup>th</sup> Avenue side.</li> </ul>
<p>Deb Barker (4 letters)</p>	<ul style="list-style-type: none"> <li>• West Seattle Resident, additional width should be considered for mid block connector to allow for safe separation between pedestrians and vehicles. Successful separation would be accomplished with planters, raised walkways, tree wells and street furniture. Bollards or striping do not facilitate pedestrian safety. The alley vacation request must be mitigated with increasing the width of the alley, by use of planters, raised walkways, tree wells, and street furniture.</li> <li>• Should reduce number of parking stalls if this is TOD development</li> <li>• Transportation mitigation is required due to trip generation</li> <li>• Should relocate the mural</li> <li>• Consider setting back the building from Alaska 25 feet to create pedestrian walkway</li> <li>• At grade entrances</li> </ul>	<ul style="list-style-type: none"> <li>• The connector was revised to respond to this issue; the connector now includes a raised sidewalk similar to a regular street with an 8 foot covered walkway separated from the traffic lane by a 3 foot planting strip.</li> <li>• The number of parking stalls has been reviewed by the Traffic Impact analysis and appears adequate to address potential parking impacts</li> <li>• The TIA identifies that the existing system can accommodate the trips generated by the project and no mitigation is required by the City of Seattle</li> <li>• The mural is being relocated to a wall in the midblock connector</li> <li>• The building has been set back on Alaska somewhat, but we feel that meeting the street on Alaska is a more urban solution</li> <li>• Entrances to the retail have been provided on Alaska</li> </ul>

	<p>should be provided on Alaska</p> <ul style="list-style-type: none"> <li>• Full turning movements from mid-block connector onto Fauntleroy are not safe</li> <li>• Passby trips for Whole Foods/Trader Joes are different than QFC and Safeway, these should be considered special trips; will attract regional shoppers</li> <li>• Peak hour traffic volumes collected in August 2012 do not reflect School traffic; did not include pipelines projects such as Equity and Petco.</li> <li>• Credit for previously existing trips is not correct; has been vacant for many years</li> <li>• Should condition to require right in/right out only on Fauntleroy</li> <li>• Difficult to make northbound to westbound left turn at signalized Fauntleroy/Edmunds intersection, turning movements onto Edmunds should be evaluated to ensure they're realistic</li> <li>• Midblock connector needs to be 35-foot wide to accommodate WB 65 trailer trucks</li> <li>• Curb radius at Fauntleroy and Alaska</li> </ul>	<ul style="list-style-type: none"> <li>• The connector has been revised to restrict turning movements onto Fauntleroy—right in, right out only</li> <li>• There is no documentation for this statement; the TIA uses “supermarket” as its code for trip generation</li> <li>• It is not clear that “school traffic” would make a significant difference in existing trip rates; the analysis included pipeline projects including the Equity and Petco projects. Please see page 5 of the TIA.</li> <li>• The turning movement onto Edmunds is not problematic, it is a standard intersection</li> <li>• The midblock connector has been sized to accommodate trucks and cars and to allow a separated pedestrian area</li> <li>• SDOT has reviewed the curb radius and has determined it is consistent with the ROW manual</li> <li>• The TIA accounts for midblock connector traffic.</li> </ul>
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	<p>should be changed from 20 to 25 based on SDOT's code for arterial streets.</p> <ul style="list-style-type: none"> <li>• TIA must reflect midblock connector traffic</li> </ul>	
Diane Vincent	<ul style="list-style-type: none"> <li>• West Seattle resident, midblock connector is hostile to pedestrians.</li> <li>• Gateway element needs to be spectacular</li> <li>• Project will burden Rapid Ride</li> <li>• Should relocate the mural</li> </ul>	<ul style="list-style-type: none"> <li>• The gateway element has been redesigned and takes into account the geometry of the street grid.</li> <li>• All new development increases loads on transit in some amount; increased ridership also results in increased revenues from fares</li> <li>• Mural is being relocated.</li> </ul>
Steve Huling	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Drive through is of significant value to project; provides privacy for patrons</li> <li>• Project is consistent with WSTUDF</li> </ul>	<ul style="list-style-type: none"> <li>• Drive through has been taken out of the project</li> </ul>
Nancy Woodland	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Replacing gas station and car lot, this is a good thing</li> <li>• Value in allowing the property to develop as a whole instead of with multiple developers</li> <li>• Building fits with the WSTUDF</li> <li>• Large spaces on busy corners are often underutilized, gateway corner is well sized because people can go</li> </ul>	<ul style="list-style-type: none"> <li>• No comment necessary</li> </ul>

	<p>to the park on 40<sup>th</sup> if they want a larger quieter space</p> <ul style="list-style-type: none"> <li>• Mid block connector is large enough and will be more attractive than the other junction cut throughs because there are no dumpsters proposed for midblock connector</li> </ul>	
<p>Steve Williamson, UFCW Local 21</p>	<ul style="list-style-type: none"> <li>• Truck traffic underevaluated</li> <li>• Drive through inappropriate</li> <li>• Project inconsistent with city policies; it is an auto intensive use, doesn't include small shops</li> <li>• Public benefit inadequate</li> <li>• Cites to Dearborn/Goodwill site as a process that worked</li> </ul>	<ul style="list-style-type: none"> <li>• Truck traffic was reevaluated by the TIA using actual counts and discussions with staff from Whole Foods. The average deliveries observed at all four area Whole foods locations was 56 trucks per day; peak single day deliveries range between 29 and 77 deliveries. A truck dock management plan has been submitted to SDOT and DPD to manage site deliveries.</li> <li>• Drive through has been eliminated</li> <li>• The project includes small shops along Fauntleroy</li> <li>• The design commission determined the public benefit was adequate</li> <li>• Please note that the Dearborn/Goodwill project was never constructed.</li> </ul>
<p>Claudia Newman, speaking for UFCW Local 21</p>	<ul style="list-style-type: none"> <li>• Difficult to obtain information about the project</li> </ul>	<ul style="list-style-type: none"> <li>• The design commission determined on May 16, 2013 that the public</li> </ul>

	<ul style="list-style-type: none"> <li>• Public benefit is inadequate</li> <li>• Midblock connector meets West Seattle Triangle Plan, but this is a code requirement that must be met, not a public benefit</li> <li>• Where will employees park?</li> <li>• Midblock connector shown in W.Seattle plan includes a pedestrian-only western section, connector as proposed allows cars</li> <li>• Gateway element is not sufficient</li> <li>• Big box grocer on Alaska is not consistent with West Seattle triangle plan</li> <li>• The following conditions should be placed on the project: design must respond to the unique street grid, the design must respond to the traffic characteristics of Fauntleroy, the plazas must include public uses, the design of the alley must consider the Masonic Lodge, the design should remove truck loading from the connector, and design must respond to the site topography, and the design must respond to the difference between Alaska and Fauntleroy</li> </ul>	<p>benefit is adequate</p> <ul style="list-style-type: none"> <li>• The West Seattle Triangle Plan is an urban design framework that was not adopted into the City right of way manual or code</li> <li>• Employee parking is included in parking analysis; parking count is adequate to cover employee parking</li> <li>• Gateway element has been revised and design commission determined it was sufficient</li> <li>• The West Seattle Triangle Plan did not specify users</li> <li>• The project has responded to most of these conditions: the gateway element has been skewed to reflect the change in the grid, the gateway plaza has buffered users from noise with landscaping and water feature, plazas have been redesigned to make them more open to the public, not associated with building entries, the project has worked with Masonic Lodge and is regrading and repaving its parking lot; the project responds to site topography with various entries, and the building's character is</li> </ul>
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	Street (Alaska is quieter)	differentiated through landscaping and architecture between Fauntleroy and Alaska.
<p>Ross Tilghman, traffic consultant hired by UFCW Local 21</p>	<ul style="list-style-type: none"> <li>• Proposed midblock connector will function mainly as parking and truck access to the project</li> <li>• Project does not show full traffic impacts because subtracts existing trips from study</li> <li>• Study does not show drug store trips</li> <li>• Truck traffic appears to be underestimated</li> <li>• Unclear what pedestrians will use the midblock connector; likely that few people will work through the connector as it is not attractive to pedestrians</li> <li>• Despite the fact that no pedestrians will use the connector, the connector poses significant conflict issues—trucks with peds</li> <li>• Truck maneuvers should be shown</li> <li>• Project should determine the plan for trucks if more trucks show up and loading berths are not available</li> <li>• Connector crossing of north-south alley is not safe, is too wide and face many conflicts</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed midblock connector will function more as a street, and includes ample sidewalk with overhead weather protection.</li> <li>• The traffic impact analysis was submitted to SDOT and DPD and was approved; trip generation rates were derived in a typical manner</li> <li>• Drug store drive through has been eliminated from the project; however the TIA does account for drug store trips. See p. 12.</li> <li>• We believe pedestrians will utilize the connector and for that reason have created a full profile sidewalk on the connector for peds.</li> <li>• Truck maneuvering diagrams were submitted to SDOT and DPD and approved.</li> <li>• A truck dock management plan has been submitted to SDOT and DPD</li> <li>• The crossing is across an existing alley, which is approximately 20 feet wide. The crossing is</li> </ul>

	<ul style="list-style-type: none"> <li>• Project needs adequate sight lines when leaving garage in south building and entering north-south alley</li> <li>• Drug store drive through could create traffic backups</li> </ul>	<p>fully marked as a cross walk would be.</p> <ul style="list-style-type: none"> <li>• Sightlines and sight triangles were determined and submitted to SDOT and DPD; both were considered to be adequate from a safety perspective.</li> <li>• Drug store drive through has been eliminated.</li> </ul>
<p>Susan Leipziger</p>	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Mayor does not live in West Seattle, appears he has a problem with Whole Foods</li> <li>• Proposed use will improve pedestrian environment beyond what it is today</li> </ul>	<ul style="list-style-type: none"> <li>• No comment needed.</li> </ul>
<p>Sharon Sutton, hired by UFCW</p>	<ul style="list-style-type: none"> <li>• Big-box grocery is not consistent with the alley vacation policies or the West Seattle Triangle Plan</li> <li>• No vacation alternative was not fully explored, do not need a grocery store in this location</li> <li>• Project disrupts an existing alley pattern that produces scale of pedestrian-oriented retail and commercial development</li> <li>• Action is inconsistent with the NC3 zone policies</li> <li>• Public benefits are not enough, although she considers three of the</li> </ul>	<ul style="list-style-type: none"> <li>• Uses are not prohibited in the Triangle Plan.</li> <li>• The no-vacation alternative does not meet the needs of this development.</li> <li>• The existing alley includes a retaining wall and a 6-foot drop and is not an existing usable alley. In addition, the existing uses/buildings in the area are not pedestrian oriented or pedestrian scale.</li> <li>• The NC3 zone policies are not applicable to this petition; this is not a rezone application.</li> <li>• The Design Commission</li> </ul>

	<p>public benefits to be viable (crosswalk across Alaska, rain garden on 40<sup>th</sup>, contribution to future park)</p> <ul style="list-style-type: none"> <li>• No design response made to intersection of diagonal street with W. Seattle's orthogonal street pattern; building form should respond to strong and unique geometry of site</li> <li>• Design must respond to noise of the site</li> <li>• Plazas should be more public, not private</li> <li>• North-south alley must consider the Mason's parking lot</li> <li>• Truck loading should be eliminated from the alley</li> <li>• Design should respond to site topography</li> <li>• Design should respond to difference between two primary streets; Alaska is quieter than Fauntleroy</li> </ul>	<p>determined that the public benefits are adequate.</p> <ul style="list-style-type: none"> <li>• The project has been redesigned to include a change in the building's former square tower, it now is angled in the manner suggested by Ms. Sutton.</li> <li>• The design of the plaza responds to the noise of the intersection through landscaping and water feature.</li> <li>• The plazas were redesigned to reduce association with building lobbies/entries to make them more public</li> <li>• The north south alley considers the Masons and the project team is working closely with the Masons.</li> <li>• The West Seattle Triangle Plan did not think about the needs of commercial loading. Truck loading must remain internal to the project (cannot be on 40<sup>th</sup>, a green street, Fauntleroy or Alaska).</li> <li>• The project responds to the site's topography through the use of stairway plazas</li> <li>• The design responds to the different street characters through the use of more</li> </ul>
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		landscaping on busier streets, as well as use of different materials along the facades (more brick on Alaska)
<b>Dave Montoure</b>	<ul style="list-style-type: none"> <li>• West Seattle resident and business owner</li> <li>• Fully in support of alley vacation petition</li> <li>• Alley vacation proposals should not be politicized as this has been by the Mayor, should be judged purely as a land use decision</li> </ul>	<ul style="list-style-type: none"> <li>• No comment</li> </ul>
<b>Chuck Morgan</b>	<ul style="list-style-type: none"> <li>• West Seattle resident and business owner</li> <li>• Support the project, should judge this as a land use decision</li> <li>• Pleased by new jobs this project will bring</li> <li>• Like the improvement to the community</li> </ul>	<ul style="list-style-type: none"> <li>• No comment</li> </ul>
<b>John Smersh</b>	<ul style="list-style-type: none"> <li>• West Seattle resident and small business owner</li> <li>• Like the alley vacation</li> <li>• Appears that Mayor opposed because he does not like the non-union nature of Whole Foods; this is not an appropriate way to set policy</li> <li>• Proposed project meets goals for livable walkable transit centric neighborhoods</li> </ul>	<ul style="list-style-type: none"> <li>• No comment</li> </ul>
<b>Lindsay von Marbod</b>	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Additional shopping options strengthens the</li> </ul>	<ul style="list-style-type: none"> <li>• No Comment</li> </ul>

	community and neighborhood in W. Seattle	
Steve Schneider	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Excited about project, mixed use projects are a good thing</li> </ul>	No Comment
Amy Hoffman	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Excited about Whole Foods coming to the neighborhood</li> </ul>	No Comment
Carrie Smith & Matt Pietrek	<ul style="list-style-type: none"> <li>• South Seattle resident</li> <li>• Excited about Whole Foods project</li> </ul>	No Comment
Christy Throm	<ul style="list-style-type: none"> <li>• Supports project</li> </ul>	No Comment
Sophie Ryan	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Supports project</li> </ul>	No Comment
Kerri Montoure	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Supports project</li> </ul>	No Comment
Bill Norgren	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Project will add to W. Seattle vibrancy; supports project</li> </ul>	No Comment
Kurt Amburst	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Dislikes union involvement in this issue</li> <li>• Likes that project includes ample parking given transit cuts</li> </ul>	No Comment
Sean Sykes	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Concerned about current blight, excited about new gateway project</li> </ul>	No Comment
Raven Sykes	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Project will benefit local economy</li> </ul>	No Comment
Eric Rodriguez	<ul style="list-style-type: none"> <li>• West Seattle resident</li> <li>• Supports project</li> </ul>	No Comment
Jeff Jones	<ul style="list-style-type: none"> <li>• West Seattle resident</li> </ul>	No Comment

<p>West Seattle Chamber of Commerce</p>	<ul style="list-style-type: none"> <li>• Supports project</li> <li>• Supports development of the Project; Project enhances economic vitality of West Seattle and follows the approved Triangle Plan Urban Design Framework</li> <li>• The Project increases density, which means new potential customers for existing businesses, as well as new bus riders and bike riders</li> <li>• Would like to have a taller featured art piece at corner of Alaska and Fauntleroy</li> <li>• There is adequate sidewalk space along 40<sup>th</sup> Avenue and Alaska Street</li> <li>• Midblock connector is consistent with Triangle Plan</li> <li>• Small business opportunity on Fauntleroy is good— better visibility than on 40<sup>th</sup> or Alaska</li> <li>• Public benefit package is well-thought out and is adequate</li> </ul>	<p>No Comment</p>
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