#5

CF 313430

IN THE MATTER OF THE PETITION OF INHABIT EASTLAKE LLC. FOR THE VACATION OF A SUBTERRANEAN PORTION OF E. HOWE STREET BETWEEN EASTLAKE AVENUE E. AND FAIRVIEW AVENUE E. IN THE EASTLAKE NEIGHBORHOOD

CLERK FILE 313430

The City Council hereby grants approval of the vacation petition from Inhabit Eastlake LLC. for the vacation of a subterranean portion of E. Howe Street between Eastlake Avenue E. and Fairview Avenue E. in the Eastlake neighborhood, described as:

> **That portion of East Howe Street, also known as Bloomfield Street, Hilton Addition to the City of Seattle, recorded in Volume 3 of Plats, page 157, records of King County, Washington, more particularly described as follows;**
> **Commencing at a punched 5/8" brass plug in concrete in cast iron case, down 0.80' feet, 5.00 feet southerly of the centerline of East Howe Street, as it runs east, and the centerline of Eastlake Avenue East;**
> **Thence South 12°48'31" East, along the centerline of Eastlake Avenue East, a distance of 10.46 feet to the centerline of East Howe Street as it runs west;**
> **Thence North 88°58'36" West, along the centerline of said East Howe Street, a distance of 40.44;**
> **Thence South 12°48'35" West, a distance of 15.45 feet to the north line of Lot 1, Block 3, of said Hilton Addition, being 1.82' West of the northeast corner of said Lot 1, also being the True Point of Beginning;**
> **Thence North 88°58'36" West, a distance of 76.86 feet;**
> **Thence North 60°27'03" West, a distance of 62.82 feet to the north line of said East Howe Street;**
> **Thence South 88°58'36" East, along said line, a distance of 124.67 feet;**
> **Thence South 12°48'35" West, a distance of 30.90 feet to the True Point of Beginning;**
> **The upper limit of vertical space contained within this description shall be an elevation of 50.00 feet;**
> **The lower limit of vertical space contained within this description shall be to the lowest limit of legal ownership;**
> **Said elevations described herein are expressed in terms of the North American Vertical Datum of 1988 (NAVD D88) as of the date of this instrument and are based on City of Seattle Benchmark Number "SNV-5117", being a 2" brass cap, 0.5' south and east of the intersection of back of sidewalks at the southwest quadrant of the intersection of Eastlake Avenue East and Fairview Avenue East, having an elevation of 37.54 feet; Situate in the City of Seattle, King County, Washington;**

The alley proposed for vacation includes approximately 3,023 square feet beginning six feet (+) below grade.

The subterranean vacation, beginning at six feet (6+) below the surface of the street, 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 subterranean 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 December of 2014.

2. Any required 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.

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 installation, acquisition and maintenance of the utilities, which shall be at the sole expense of the Petitioner. Utilities impacted include:

   - Seattle Public Utility: require that the development begin at 6+ feet below grade, the Petitioner install, maintain and own the drainage system in the right-of-way, and the Petitioner sign an indemnity agreement acceptable to the City prior to the passage of the final vacation ordinance;
   - Seattle City Light: require the Petitioner to complete an agreement satisfactory to SCL regarding removal or relocation of existing service and location of new service prior to the passage of the final vacation ordinance; and
   - CenturyLink: complete agreement regarding relocation or retention of services.

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 Street Vacation staff 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 all of the public benefit elements as proposed and accepted by the City Council. A Property Use and Development Agreement (PUDA) or other binding mechanism shall be required to ensure that public benefit elements remain open and accessible to the public and to outline future maintenance obligations of the improvements, unless such obligations are addressed in other agreements. The final design of these public benefit elements shall require the review and approval of SDOT Street Vacations. The public benefit requirement includes the following features as well as corresponding development standards, including approximate square footage dimensions, and appropriate public signage which shall be outlined in the PUDA or other agreements:

E HOWE ST SUBTERRANEAN VACATION PUBLIC BENEFIT MATRIX

PUBLIC BENEFIT	DESCRIPTION	REQD	ADD'L PROVIDED	TOTAL	NOTES
1 Public Open Space at Grade E Howe St (4573 SF)	**Hardscape**				
	4'x4', 4'x8', 8'x8' scored concrete			3682 SF	
	3"x12" sand-set pavers			348 SF	
	Landscape				
	Ground cover/in-ground planters	320 SF	52 SF	372 SF	
	Street trees	8		4	
	Public Seating				
	2'x2' seat cubes			28 SF	7 seats
	2' seat wall			143 SF	±28 seats @ 5 SF/person
	Lighting				
	Inset pavement up-lights at art			4	
	Pedestrian scale pole lights			2	
	Under seat lighting			59 LF	
2 Site-scaled Public Art	**"Reunion" Powder-coated steel sculpture by Mike Phifer**			1	
3 Voluntary Building Setbacks from E Howe St	**1823 Eastlake Ave E**				
	4' setbacks at street level			74 LF	
	7' setbacks at street level			12 LF	
	12' setbacks at street level			4 LF	
	1903 Yale Pl E				
	4-story building setbacks			61 LF	
	Street level setbacks			23.5 LF	
4 Streetscape Enhancements	**Eastlake Ave E**				
	ROW landscaping	280 SF	520 SF	800 SF	
	Bike racks	1	1	2	2 racks = 4 bike spaces
	Pedestrian signage			1	
	Yale Pl E				
	ROW landscaping	300 SF	87 SF	387 SF	
	Bike racks	1	3	4	4 racks = 8 bike spaces

Signed by me in open session this _____day of December, 2014.

_____

President _____of the City Council

City of Seattle
Edward B. Murray, Mayor

Department of Transportation
Scott Kubly, Director

December 9, 2014

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

Subject: **Petition of Inhabit Eastlake, LLC for the vacation of a subterranean portion of E. Howe Street between Eastlake Avenue E. and Fairview Avenue E. in the Eastlake neighborhood**
Clerk File 313430

Dear Councilmember Rasmussen and Honorable Members of the Transportation Committee:

We are returning the vacation petition from Inhabit Eastlake, LLC to vacate a subterranean portion of E. Howe Street between Eastlake Avenue E. and Fairview Avenue E. in the Eastlake neighborhood, described as:

> **That portion of East Howe Street, also known as Bloomfield Street, Hilton Addition to the City of Seattle, recorded in Volume 3 of Plats, page 157, records of King County, Washington, more particularly described as follows;**
> **Commencing at a punched 5/8" brass plug in concrete in cast iron case, down 0.80' feet, 5.00 feet southerly of the centerline of East Howe Street, as it runs east, and the centerline of Eastlake Avenue East;**
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The lower limit of vertical space contained within this description shall be to the lowest limit of legal ownership;
Said elevations described herein are expressed in terms of the North American Vertical Datum of 1988 (NAVD D88) as of the date of this instrument and are based on City of Seattle Benchmark Number "SNV-5117", being a 2" brass cap, 0.5' south and east of the intersection of back of sidewalks at the southwest quadrant of the intersection of Eastlake Avenue East and Fairview Avenue East, having an elevation of 37.54 feet; Situate in the City of Seattle, King County, Washington;

The alley proposed for vacation includes approximately 3,023 square feet beginning six feet (+) below grade.

BACKGROUND

The proposed below grade street vacation is located in the Eastlake neighborhood. E. Howe Street is platted for the full block from Eastlake Avenue E. and extending west to Fairview Avenue E. Adjacent to Eastlake Avenue E. the E. Howe Street right-of-way is relatively flat but moving west there is a significant topographical change and the street slopes very steeply to its terminus at Fairview Avenue E. Because of the grade change E. Howe Street cannot be improved to provide for a vehicular connection between Eastlake Avenue E. and Fairview Avenue E. Most of E. Howe Street is currently unimproved but there is some surface parking on the upper flat portion of the right-of-way. Separate from this project, an adjacent developer is proposing pedestrian stairs in the right-of-way. Those stairs would connect to the pedestrian improvements planned as part of this project. The E. Howe Street right-of-way is 30 feet in width.

The development site is located at the south end of the Eastlake Residential Urban Village. North of the site, building heights are primarily 2-3 stories; at the project site the buildings will be 3-4 stories, south of the site buildings are generally 4-6 stories. The building site is on an axis with the Howe Street Hillclimb. This is the longest urban stairway in Seattle with 388 steps. The Hillclimb extends from 10th Avenue on Capitol Hill to the base of Colonnade Park east of the site.

The Petitioner proposes to vacate a subterranean portion of E. Howe Street lying between the two properties owned by the Petitioner. The right-of-way is located between two development sites addressed as 1823 Eastlake Avenue E. and 1903 Yale Place E. The vacation is proposed for the eastern portion of the unimproved E. Howe Street right-of-way at Eastlake Avenue E. and extending west toward Fairview Avenue E. for approximately 125 feet. The adjacent properties owned by the Petitioner have different dimensions so the vacation has a diagonal line, rather than a straight line, extending between the property on the north and south of the E. Howe Street right-of-way. The area of the vacation is 30 feet in width and extending towards Fairview

Avenue E. for approximately 125 feet at the longest side and approximately 80 feet at the shortest side. The vacation would begin at six feet (6+) below the surface of the street.

The subterranean vacation includes approximately 3,023 square feet; the entire right-of-way is not needed for the parking garage. The surface portion of E. Howe Street that will be improved with this proposal includes approximately 4,573 square feet. The total area of publically accessible open space may include approximately 5,668 square feet as it will include some plaza area and landscaping outside of the boundaries of the right-of-way; this figure is noted as it may appear in site drawings but improvements proposed through the vacation includes approximately 4,573 square feet.

The site is zoned as Commercial 1 with a 40 foot height limit (C1-40). The area is a Residential Urban Village and is in the Eastlake neighborhood planning area. Eastlake Avenue E. is designated as a scenic route in Seattle Municipal Code (SMC) 25.05.675.

REASON FOR VACATION

The Petitioner has stated that the goal for the project is to create a pedestrian-oriented mixed-use project centered around an urban plaza with small scale commercial uses and maximum light and air for each residential unit. Consistent with community goals established in the Neighborhood Planning process, the Petitioner proposes to redevelop the unvacated surface of E. Howe Street as a public plaza that extends the pedestrian connection from Eastlake Avenue E and connects to new stairs proposed by the adjacent developer and creates a new amenity for the Eastlake community.

The below grade street vacation would allow the two development sites to share a below grade parking structure and common utility infrastructure. The vacation allows for a single point of parking access and a more efficient below grade structure for shared parking and utilities. Creating a more efficient garage allows the project to prioritize street-level uses along Eastlake Avenue E. and Yale Place E. and the unimproved E. Howe Street right-of-way and to create active pedestrian-friendly frontage along all three streets. The single parking access from Yale Place E. would eliminate the need for vehicles to use the E. Howe Street right-of-way for vehicular access to the adjacent sites and allow the right-of-way to be devoted to pedestrian use.

The consolidation of the parking garage below grade does allow for the project to provide more parking in an area where the community has expressed concern about parking. No parking is required by the land use code, however, the 64 parking spaces will allow the Petitioner to provide an approximately 60% parking ratio for the residential units and to minimize the effect of the development on existing parking deficits.

The vacation will also allow for shared utilities and services such as egress stairs, mechanical, electrical and fire suppression systems.

Without the below grade vacation, the building massing above grade would not change. A second parking ingress/egress would be required on the south side of Eastlake Avenue E. which

would include a 22' wide curb cut and elimination of the proposed public plaza. The number of parking spaces would be reduced by one-third to one-half, depending on the utility infrastructure. Each site would require its own utility connections and infrastructure.

PROJECT DESCRIPTION

The project site is currently occupied by a single-story restaurant and a surface parking lot. The restaurant and parking lot will be demolished as part of the proposed project. Eastlake Avenue E. currently has 12' wide sidewalks and three curb cuts along the site frontage.

The proposal is divided into two development sites: the Eastlake Development Site (lot area of 17,400 square feet) and the Yale Development Site (lot area of 10,202 square feet). The development proposal is for two, four-story mixed-use buildings organized around an at-grade public plaza in the portion of the E. Howe Street right-of-way that abuts the development sites. The two buildings are proposed with a single, below-grade parking structure for approximately 64 parking spaces. The below grade parking extends beneath the E. Howe Street right-of-way as proposed by the vacation petition. Due to poor soils in the area the project will also require deep foundations.

The Petitioner has stated that the goals of the project are to create a pedestrian-oriented project centered around an at-grade public plaza; to create architectural conditions for vibrant small scale commercial activity at street level and to maximize light, air, and open space for each residential units; and to redevelop the E. Howe Street right-of-way as a public plaza that extends the pedestrian path from the Eastlake Ave E. through the E. Howe Street right-of-way adjacent to the development and connecting to stairs proposed by the adjacent development. This will help to create a pedestrian connection from I-5 moving all the way to Lake Union.

The three components of the project include:

1. Eastlake Development Site:
   - 4 stories, 44' building heights maximum,
   - Approximately 68,000 square feet enclosed building area (including parking);
   - 1 commercial space of 1,055 square feet;
   - 4 live-work units (4,000 square feet);
   - 58 apartments (36,500 square feet); and
   - Approx. 11,200 square feet below grade parking (includes ½ of right-of-way).

2. E. Howe Street right-of-way:
   - 4, 573 square feet of right-of-way developed as public plaza; and
   - Below grade (6+ feet below) 3,023 square feet to be developed as part of parking garage.

3. Yale Development Site:
   - 4 stories, 44' building height maximum;
   - Approximately 40,000 square feet building area (including parking);

- 1 commercial space (2,100 square feet);
- 1 live-work unit (880 square feet);
- 33 apartments (29,100 square feet); and
- 8, 000 square feet of below grade parking (including ½ of right-of-way).

CIRCULATION/ISSUE IDENTIFICATION (NOT ISSUE RESOLUTION)

The proposed vacations were circulated to various City departments, outside agencies and community groups for comment. The purpose of the broad review of the petition is to identify issues that need to be addressed. The comments, closely reproduced below, reflect the statements made by the reviewers and any issues identified during the initial portion of the review process. The comments reflect a "snapshot in time" when the comments were received and do not reflect any project revisions, updates or responses to comments. All the comments received are a part of the public record and are not revised or amended by Seattle Department of Transportation.

The comment section does not reflect the resolution of the issue or subsequent design changes or mitigation. The analysis section will focus on the resolution of any issues, recommended project changes, or conditions to address any issues or concerns. The Petitioner has responded to some of the comments received and the ***response provided by the Petitioner is included in italics.***

The following comments were received:

City Departments

Seattle Fire Department (SFD):
SFD has no objections to the proposed vacation. Please ensure which department will be responsible for building permits/inspection for the subterranean construction in the right of way. DPD may not have Jurisdiction and I am not sure SDOT wants to be in the permit, inspections and Cert of Occupancy business.

Petitioner response: Petitioner appreciates SFD's review of the petition.

Seattle Department of Parks and Recreation (Parks):
The Parks and Recreation Department has reviewed the proposed subterranean vacation of a portion of East Howe, between Eastlake Ave. E. and Fairview Ave. E. We believe it to be a meritorious proposal that will provide a significant public benefit to the Eastlake Community and the public at large. The petitioner's proposed surface plaza/walkway within the ROW will provide aesthetic value. More importantly, the proposal will be critically important to achieving a link between the existing I-5 Colonnade Park and the Cheshiahud Lake Union Loop trail system that has long been a dream of the Eastlake Community. The result will be a trail system that will enable walkable access from Lake Union all the way to Broadway on Capitol Hill. This link will finally be achievable with the petitioner's proposed surface improvements connecting with similar improvements proposed by Washington Holdings within contiguous Howe Street ROW to the west.

Petitioner response: Petitioner heartily thanks Parks for its support of the proposed subterranean vacation and public open space.

SDOT Traffic Management Division:

(2/27/14) The Traffic Management division has reviewed the petition for the proposed vacation of the subterranean portion of E. Howe St between Eastlake Ave E and Fairview Ave E, and offers these comments:

The subterranean portion of the Right of Way is typically reserved for the use of the various utilities. Vacating the subterranean portion of the right-of-way and construction of a below grade structure, would limit our ability to locate and maintain utilities along this section in the future.

The proposed pedestrian facility improvements along the E Howe St right-of-way would help to make a desirable connection between the Eastlake Ave and Fairview, enhancing pedestrian access between Colonnade Park below 1-5 to Fairview Ave E and the waterfront. However, vacating the subterranean portion of the right-of-way could limit the City's ability to construct future pedestrian improvements or infrastructure along this segment. As a result Traffic Management has concerns with the proposed vacation.

The Transit Master Plan identifies Eastlake Ave E as a possible route for extension of the South Lake Union Street Car. In addition, the Bicycle Master Plan recommends a future cycle track along Eastlake Ave E. The improvements proposed by the applicant include constructing a bulb out into Eastlake Ave E.at Yale St, which would narrow the street width to less than what would be needed to accommodate both street car and a cycle track. As result SDOT would not support the bulb out onto Eastlake Ave E.

(5/6/14) The Traffic Management division has reviewed the petition for the proposed vacation of the subterranean portion of E. Howe St between Eastlake Ave E and Fairview Ave. E, and offers these comments:

- The proposed pedestrian facility improvements along the E Howe St right-of-way would help to make a desirable connection between the Eastlake Ave and Fairview, enhancing pedestrian access between Colonnade Park below I-5 to Fairview Ave E and the waterfront.
- The proposed vacation would allow both of the petitioner's sites to share a below grade connection for parking, with access to the parking coming from Yale Pl E. This connection eliminates the need for an additional curb cut on Eastlake to provide access to the southern sites which would be beneficial to both traffic operations and pedestrian access along Eastlake.
- The Transit Master Plan identifies Eastlake Ave E as a possible route for extension of the South Lake Union Street Car. In addition, the Bicycle Master Plan recommends a future cycle track along Eastlake Ave E. The improvements proposed by the applicant include construction of a bulb out into Eastlake Ave E. at Yale Street. Because this could narrow

the street width to less than what may ultimately be needed to accommodate both street car and a cycle track, the bulb out should be constructed so that it can be easily removed to accommodate future uses of the roadway. In particular, utilities and fixed structures should not be permitted in the bulb out.

(10/16/14)
The Traffic Management Division has reviewed the petition for the proposed vacation of the subterranean portion of E Howe St between Eastlake Ave E and Fairview Ave E and offers these comments:

- Concerns expressed in a previous document sent February 27, 2014 have been worked out through the SIP process. In particular, we understand that Seattle City Light can operate within the existing public right-of-way.
- The proposed pedestrian facility improvements along the E Howe St right-of-way would help to make a desirable connection between the Eastlake Ave and Fairview, enhancing pedestrian access between Colonnade Park below I-5 to Fairview Ave E and the waterfront.
- The proposed vacation would allow both of the petitioner's sites to share a below grade connection for parking, with access to the parking coming from Yale Pl E. This connection eliminates the need for an additional curb cut on Eastlake to provide access to the southern sites which would be beneficial to both traffic operations and pedestrian access along Eastlake.
- The Transit Master Plan identifies Eastlake Ave E as a possible route for extension of the South Lake Union Street Car. In addition, the Bicycle Master Plan recommends a future cycle track along Eastlake Ave E. The improvements proposed by the applicant include construction of a bulb out into Eastlake Ave E. at Yale Street. Because this could narrow the street width to less than what may ultimately be needed to accommodate both street car and a cycle track, the bulb out should be constructed so that it can be easily removed to accommodate future uses of the roadway. In particular, utilities and fixed structures should not be permitted in the bulb out.

Petitioner response: Petitioner acknowledges SDOT comments and has submitted additional design detail and is working with SDOT to coordinate further design refinements.

Petitioner has reached agreement with Traffic to allow a removable curb extension that would project into Eastlake. The curb extension will be approved "as long as there is nothing in it that would prevent SDOT from easily removing it if need be to accommodate a future cycle track or street car design."

<u>SDOT Street Use and Urban Forestry Division:</u>
Street Use has received a Street Improvement Permit (SIP) application for the subject development. SIP number 224445 has been assigned.

Our first design guidance meeting with the applicant is scheduled for Thursday, March 6th. The specific elements of their proposed public benefit are subject to further review and approval via

the SIP process. The design is at a 30% level of development. Some elements (such as the enhanced open space on E Howe St) will require additional design detail to fully evaluate- this will likely be developed over a series of design guidance meetings. At least some (perhaps all) proposed elements can likely be provided.

The stairway access and single point of entry on Yale Pl E are included in their SIP application. Specific engineering details will be refined throughout the SIP design guidance process.

Additional information will be required from the applicant for one element (the enhanced commercial and pedestrian frontage on Eastlake Ave). At least some design details associated with this enhancement (a curb extension projecting into Eastlake Ave), will likely not be approved.

We will need to closely coordinate the public benefit package as it further evolves with the engineering and technical review of these elements which will occur throughout the SIP process.

Petitioner response: Petitioner acknowledges SDOT's comment. The Petitioner has submitted additional design detail and is currently working with SDOT to coordinate further design refinements.

SDOT Roadway Structures:
I have reviewed the proposed petition for the subterranean vacation of the above petition. There is a proposed stairway indicated on the street and it is called out to be built by others. Who is building the stairway? Who has maintenance responsibility of the stairway? Since this is in public right of way, I am assuming the plan will go through street use plan review process.

Department of Planning and Development (DPD) Planning Division:
The DPD Planning Division review of the application for a subsurface vacation of the portion of E. Howe Street identified in Clerk File 313430 and recommends approval of the vacation based on the following analysis:

Public Trust: The proposed street vacation will not result in a disruption of the traffic circulation system because the project is a subsurface vacation and E. Howe Street is unimproved and not currently part of the traffic circulation system.

Land Use Policy: The proposed street vacation of E. Howe Street and the proposed public benefits are consistent with the South Lake Union neighborhood plan goals and policies that have been adopted as part of the City's Comprehensive Plan. Specifically:

EL-G4 A community with pedestrian activity, and attractive close-in and distant views along streetscapes, alleys and shorelines.

EL-P2 Identify, preserve, enhance and create a variety of attractive and interesting views from and of public spaces.

EL-G8 A neighborhood where seniors, children and people with disabilities can stroll and cross streets safely, where bicyclists are safe, buses are frequent and bust stops convenient, where truck access is good and where through traffic, freeway noise and pollution are controlled.

EL-P19 Strive to improve pedestrian facilities including street crossings, sidewalks and other walkways, especially along Eastlake Avenue.

The proposed project advances these neighborhood plan goals and policies by providing for pedestrian connection's off of Eastlake Avenue (once the adjacent project is completed this connection will be complete) a view point from E. Howe Street towards Lake Union and provides for active pedestrian scaled development and potentially uses on Eastlake and the currently unimproved E. Howe Street.

Public Benefit: The applicant proposes a program of streetscape improvements, landscaping, open space, public art and pedestrian connections that will be complete when an adjacent project is complete. It is not clear that all public benefits that are proposed are over and beyond the types of improvements that this type of project might ordinarily provide, but the pedestrian connection and viewpoint will make for adequate public benefit.

Seattle City Light (SCL):

City Light received your request to review the petition from Inhabit Eastlake, LLC to vacate a subterranean portion of E. Howe St. between Eastlake Ave. E. and Fairview Ave. E.

City Light owns and operates electrical facilities within the proposed vacation area. We have no objection to the proposed vacation, provided that the following paragraphs containing certain requirements are made part of the petition:

"Prior to the approval of the street vacation of E. Howe St. between Eastlake Ave. E. and Fairview Ave. E., Petitioner shall provide for the removal and/or relocation of electric utility facilities to 1823 Eastlake Ave. E., or provide for an alternate service connection, including electrical services to any other properties affected by such conversion or removal. This work may also include the acquisition of additional easements over the property of others, the creation of restrictive covenants, deed reservations, or the execution of Seattle City Light (SCL) relocation or work order agreements, all of which shall be in forms and with terms and conditions satisfactory to SCL. Petitioner shall be solely responsible for acquiring any such additional easement s and the creation of any such restrictive covenants or deed reservations, all at Petitioner's sole expense. Petitioner shall be solely responsible for all costs associated with the removal, underground conversion, and/or relocation of SCL's electric facilities, including all costs related to the restoration of electric service to other properties affected by the vacation.

Seattle City Light issues shall be resolved to the full satisfaction of SCL either prior to the approval of the final vacation ordinance by the City Council, or prior to the vacation ordinance becoming effective.

Evidence of SCL's satisfaction may be delivered by any method agreeable to SCL and SDOT."

Any questions may be directed me or Eivind Perander, SCL Engineering, at 615-1152.Seattle City Light thank s you for the opportunity to review and comment on the proposed vacation.

Petitioner response: we have reached agreement with SCL to provide electrical service for the new buildings from an existing utility pole on Yale. The Petitioner also confirmed to SCL that the Petitioner will remove electrical service to the existing restaurant at 1823 Eastlake Avenue E, which is slated for demolition.

Seattle Public Utilities (SPU):
Seattle Public Utilities (SPU) has reviewed the proposed vacation, and has identified the following concerns and has the following recommendations:

SPU Sewer & Drainage:
There is no current plan for a future SPU sewer or storm drain main lines in E Howe Street between Fairview Ave E and Eastlake Ave E.

The proposed plaza area drainage needs to be designed to be surface sloped (no closed contour) and connect into the combined sewer in either Yale Ave E or Eastlake Ave E. SPU recommends a 6 feet subterranean clearance from the proposed grade established at the gutter or depression line instead of 5 feet.

SPU Water:
The Howe St subterranean vacation should provide a corridor above the garage for a future water main to connect the dead end 8" in Fairview Ave with the 12" W in Eastlake. Access to the water main would have to be provided to SPU.

In addition the proposed vacation area begins approximately 5 feet below grade, SPU would recommend it begin 6 feet below grade, and that the water main design use casing through this area.

Recommendation:
SPU recommends the Proposed Subterranean Vacation of a Portion of E. Howe St.; Clerk File 313430 be approved with the enclosed recommendations.

In addition, SPU has the following condition: All the drainage appurtenances within the public street and above the subterranean vacation shall be owned and maintained by the petitioner and subsequent property owners. They shall also indemnify the City of Seattle.

Petitioner response: Petitioner proposes to collect flow through area drains and bio-retention planters and to pipe flow under the plaza to the combined sewer system on Eastlake. Petitioner is working to reach consensus regarding plaza drainage. The Petitioner has reached agreement with SPU to provide a 6 foot minimum subterranean clearance from the top of the proposed vacation to the proposed grade established at the gutter or depression line.

Petitioner has also reached agreement with SPU to provide a water main casing above the below-grade parking structure as a reservation to feed piping in the future. Work coordinating details is ongoing.

Seattle Design Commission: reviewed this project at its regular meetings on February 20, 2014, and April 17, 2014; and at an administrative review meeting on June 3, 2014, and took the following actions:

February 20, 2014 Urban Design Merit:

The Design Commission thanked the design team for the presentation of the urban design merit of its request to vacate the E Howe St right of way below grade from Eastlake Ave E approximately 120 ft. west toward Fairview Ave S. Urban design merit is the first of two components of the Design Commission's vacation review process. Approval of both the urban design merit and public benefit package constitute a recommendation to the SDOT Director by the Design Commission to approve the vacation. The ultimate decision to grant the vacation lies with the City Council.

The Commission particularly appreciated that the vacation proposal:

1. Builds on neighborhood-scale connections
2. Eliminates the need for curb cuts along Eastlake
3. Creates a public space
4. Offers a link to Lake Union and furthers neighborhood and regional goals for the Cheshiahud Lake Union Loop

With a vote of 9 to 0, the Design Commission approved the urban design merit of the E Howe St subterranean street vacation with the following recommendations:

1. Develop the open space design to balance the destination and connection aspects of the project. Ensure the pedestrian route to the overlook feels welcoming and public.
2. While the design successfully unifies the architecture across the E Howe right of way, in this situation it gives a sense that the open space is private. Refine the design and architecture to welcome and engage with the public. The public space must be clear, inviting, and distinct from the private development.
3. Develop signage, way finding, and lighting.
4. Continue close coordination with the adjacent biotech development at 1818 Fairview to ensure these two projects connect in the best possible way. These should be separate but integrated projects in the ROW.
5. Continue to explore solutions to the siting of the art piece.

April 17, 2014 Public Benefit:

The Design Commission thanked the design team for the presentation of the public benefit package for the E Howe St subterranean vacation. The applicant proposes to vacate a 3,023 sf below-grade portion of the E Howe St right-of-way extending west from Eastlake Ave E, 121'3" along the north side of the ROW and 73'5" along the south. The Commission noted several

improvements to the design since the last review, particularly in the definition of the prow and the consistent building setbacks along the ROW. Overall, the project succeeds in opening to the complicated intersection of Eastlake Ave E, Fairview Ave E, and E Howe St and will improve pedestrian connections between Capitol Hill and Lake Union.

The Commission also commended the team's intentional use of street trees and the opportunity for a variety of activities in the public open space. The Commission particularly appreciated that the team brought a physical model of the art sculpture and emphasized that relocating the power pole at the east end of the E Howe ROW was a good move.

With a vote of 8 to 0, the Design Commission approved the proposed public benefit package, which consists of the following four elements:

1. 30' wide and 70-120' long at-grade public open space in the E Howe ROW
2. Public art
3. Voluntary setbacks on both sides of the E Howe ROW
4. Enhanced ROW improvements along Eastlake and Yale

The approval is subject to the condition that the project returns for an administrative review of three items:

1. Greater detail on material selection and detailing of the elements within the E Howe ROW to ensure it is up to the level expected for public benefit
2. The overall approach to lighting in the E Howe ROW, including lighting of the art piece, and the degree to which the entire lighting scheme contributes to the public setting and complements the art
3. Design of the termination of the prow at the west end of the E Howe ROW and its potential integration with a future stairway connection to the 1818 Fairview project

The Commission also made the following recommendations for the design team:

- Explore how the placement and number of 1) seat cubes and 2) lighting can create a more inviting entry to the open space from Eastlake Ave E. There is concern that the proposed location of lighting might divide the space too much.
- Given the first condition above, provide a higher level of detail overall for the proposed materials and lighting in the E Howe ROW.
- Address the southeast corner of the Yale building with the goal of making the open space feel more accessible to the public, perhaps through transparency.
- Clarify the choice of the sculpture. Consider refining the shape and location of the piece so that it invites people into the public space. Explore opportunities to integrate lighting to support this goal as well.

This is the final time the project will come before the full Design Commission. Pending the aforementioned administrative review, approval of the urban design merit and public benefit package for the project constitutes the Design Commission's recommendation to the SDOT

Director that the subterranean vacation of the E Howe ROW be approved. Ultimately, the final decision to grant the vacation lies with the City Council.

June 3, 2014 Administrative Review:
Recommendation:
The design team has sufficiently responded to the aforementioned points for approval of the public benefit package. The materials and detailing meet the level expected for public benefit. Added transparency at the southeast corner of the Yale building and the refinements to the placement of elements in the ROW were good improvements that addressed and responded to previous Commission recommendations.

The team received the following comments and recommendations as the design moves forward:
Right-of-way details:

- Continue to refine their placement of lighting, seat cubes, and other elements in the ROW to improve opportunities for views and maximize the inviting and public nature of the ROW.
- Keep the materials simple for the prow. We commend the choice of wood and concrete and discourage adding metal railings here.
- Consider ways to increase the drama at the prow by adjusting the grades so the ground slopes away more.

Artwork:

- Ensure the art is fully integrated with the landscape architecture in the ROW.
- Pay particular attention to the detailing where the art meets the ground, which does not currently seem fully resolved or thought through.
- Be more intentional with the lighting of the sculpture.
- Continue to refine the scale, proportion, and placement of the artwork in the space—an area of concern for the Commission.

This is the last time the Commission anticipates reviewing this project. Fulfillment of the administrative review conditions constitutes Design Commission approval of the public benefit package and a recommendation to the SDOT Director that the subterranean vacation of the E Howe ROW be approved. The final decision lies with the City Council.

Petitioner response: Petitioner acknowledges the SDC's comment and continues to refine the placement of lighting, seating, and plantings as the details of the project develop. The Petitioner appreciates the SDC support for a simple, durable material palette and continues to pursue this approach.

Petitioner agrees with SDC that the sense of drama at the "Prow" can be enhanced and is continuing to refine grades around the "Prow". The final grades will need to strike a balance between drama and safety. With the current proposed grades, a safety railing in not required at the "Prow", which supports recommendation #2 above.

Mike Phifer and the design team continue to refine the relationship of the sculpture with the landscape elements and the buildings. Since the administrative review, the overall length of the sculpture has been reduced by 2 feet. This enhances pedestrian circulation around the sculpture. The design team is also continuing to explore the angle of the sculpture in relation to the buildings and pavement scoring.

The lighting plan has been further developed. Four inset pavement up-lights follow the centerline of the sculpture to create a visually lit path through the sculpture. The intent is to emphasize the spatial, inhabitable character of the sculpture.

Petitioner acknowledges SDC's comments on art placement. The project includes significant voluntary building setbacks which create a generous space for the art court and sculpture. The Petitioner feels the overall scale of the art is appropriate and, at the same time, continues to make strategic refinements (such as the adjustments to the overall sculpture length) to enhance the welcoming character of the ROW.

Outside Agencies:

<u>CenturyLink (formerly Qwest Communications):</u>
This letter is in response to the notice for the above referenced proposal. Please be advised that Qwest Corporation (d/b/a CenturyLink) currently has facilities in the area addressed by this action and wishes to retain any and all rights to remain in said area and to add facilities in the future as needed.

At this time, Qwest (d/b/a CenturyLink) has no issues with the proposed vacation so long as provisions are made to retain our rights by either PUE or private easement(s) to cover our existing & future facilities and or compensation for the cost of relocating our facilities.

Petitioner response: Petitioner is in the process of coordinating provisions with Century Link.

<u>Puget Sound Energy (PSE):</u>
Notice of this vacation has been circulated to PSE's System Planning and Gas First Response units for evaluation. Both units have returned findings stating that no gas facilities are located within the planned street vacation area and there were no immediate plans to locate gas facilities in that area. PSE has no reason to object to this proposed street vacation as currently planned.

Petitioner response: appreciates the review of the proposal.

<u>King County Waste Treatment Division:</u>
Based upon our review of DNRP Wastewater Treatment Divisions Facility locator map, we do not appear to have infrastructure in the vicinity of this vacation petition.

Petitioner response: acknowledges the comment and appreciates the review.

Community Comments:

Adam Amsel:
I'd like to voice my support for subterranean vacation request 313430. This vacation will give the developer the flexibility to support what the neighborhood needs: a vibrant pedestrian pathway connecting Capitol Hill to the shores of Lake Union. This pathway is an important project that will serve the neighborhood many years into the future. This vacation will allow the pathway to spill through potentially vibrant retail space, will encourage activity and gathering, and will enable a more spatially welcoming experience for pedestrians. Without it, the pathway can still exist, but risks becoming a seldom-used, lifeless alleyway.

Please grant this vacation. Enable this pathway to become a successful, loved space in the neighborhood. Thanks for your time.

Petitioner greatly appreciates Mr. Amsel's support for the subterranean vacation. His vision for a vibrant pedestrian pathway is shared wholeheartedly by the Petitioner.

John Stewart:
A (hopefully brief) note of support for the requested subterranean street vacation on E. Howe Street in the Eastlake neighborhood.

As a Board member at Feet First since 2003, I've enjoyed walking all around Seattle. In the last two years, we've been doing a Stairway Walks day (this year's event happens next month) showcasing some of Seattle's many hidden gems and public treasures, aka our public stairway network.

The Howe stairs and associated structures lead from the top of Capitol Hill all the way down under 1-5 to Eastlake. The 'missing link' of the connection is the stretch from Eastlake down to Fairview and the Cheshiahud Loop trail.

I've had the good fortune of meeting and talking with Brian Ramey and some of the other neighbors who have been working hard to see this vision of a pedestrian link realized. The street vacation is a key step, as the developer has promised to turn the surface portion of the right-of-way into a pathway/park/link, in conformance with the Eastlake Neighborhood Plan. Again, this gets us closer to 'closing the gap' between the Howe stairs and Fairview.

At Feet First we're firm believers in active transportation and healthy living. We know that walking has enormous benefits for everyone, regardless of age, gender, or any of the other things that so often separate us. Providing a connection to help more people walk more places just makes sense; allowing a developer to build a subterranean connection in return for a surface-level pedestrian link is an excellent way of stretching scarce resources to realize an important goal.

Petitioner thanks Mr. Stewart for his support for the subterranean vacation and appreciates his clarity on the relationship between the subsurface vacation and the surface-level pedestrian character.

Michael Maddox:
I am writing today regarding the above referenced project in the Eastlake neighborhood of Seattle. As a resident of Eastlake, and very close to these development sites, I have been watching from the sidelines as community members, the city, and the developer have been working to create a development that works for everyone.

I understand that there is a vacation request from the developer to allow for parking under the E Howe Street Right of Way. I am writing in support of this request.

To pinpoint how all of this development affects me personally – I live on the corner of E Blaine and E Franklin - a half block away from the southern portion of the overall development going on in this section of my neighborhood. Notwithstanding the overall improvements to pedestrian infrastructure this project promises, the addition of a fully connected pedestrian pathway from the top of Capitol Hill, through Colonnade Park, and to the waterfront, would be a welcome addition to this part of Eastlake. Creating a more welcoming environment with store fronts instead of parking lots, with added street art, makes me excited to continue to live in this little gem of a neighborhood.

Almost more important to me, however, is seeing the fruit of the labor of the community working with developers and the city, instead of lobbing bombs and cementing on opposite sides of the issue. As a member of the Parks Levy Oversight Committee, the idea of working together to advance good ideas- which often means sides compromising, not getting everything they want - is something I have always valued, and an action that should be rewarded .

Here, there is going to be real community benefit, thanks in large part to community members and the developers working with each other for mutual benefit. Adding in the underground parking will help the small businesses that come in, and make the overall project more attractive to potential tenants. A benefit the developer has earned.

I urge the city's support of this vacation, so long as the community benefit of the project remains in place. Thank you for your time.

Petitioner greatly appreciates Mr. Maddux's support and especially thanks him for highlighting the cooperative spirit of stakeholders involved.

Gabriel Grant:
Thanks for your email. I am a close neighbor of this project. I live with my wife just around the corner at East Newton and Yale Ave, where we have lived for almost 10 years. We walk or bike by this site on a daily basis. I am in support of the requested vacation. The lots on which the developer proposes to build their building are currently quite underutilized and of very little benefit (if any) to the community. Quite frankly, having a nicely designed building on that corner

will be much better and I believe that the public benefits being offered by the developer will be very attractive for our neighborhood.

The over 4,000 square feet of open space and public art will be a nice improvement, as will the street-level commercial frontage, outdoor seating, architectural lighting, and enhanced landscaping . The stairway improvements on E. Howe St. connecting the open space to the proposed stairway and walk to be built by the adjacent 1818 Fairview project will mark the fulfillment of a longtime community priority. And finally, the proposed vacation will allow a single parking ingress/egress, which will be much better than two points of ingress and egress.

Petitioner greatly appreciates Mr. Grant's wide-ranging support for the proposed project, subterranean vacation and related ROW improvements.

Jules James:
Thank you very much for reaching out about this street vacation. Rare is the occasion where a street vacation makes sense to me. But this street vacation has my enthusiastic support.

The community currently receives no meaningful benefit from the nub of East Howe Street. The parking has been privately controlled for decades and the blackberry bushes beyond are too dense and on too steep a slope to be harvested.

I have examined the developer's proposal during two public meetings. His project will be perhaps the largest Eastlake has absorbed (as measured by square footage) in 30 years, and certainly one of the most positive. I am expecting this project will cause a cultural shift southward for my Eastlake neighborhood, linking the Equinox Apartments and other large recently-built residential structures more to the center of Eastlake. I am expecting this project to become a significant outdoor meet-up point within the neighborhood.

I have nothing but positives to express about the overall proposal, the process Mr. Daly and his team have used to involve my Eastlake neighborhood, and about the Howe street vacation itself.

Petitioner is grateful for Mr. Jame's support for the subterranean vacation and his kind words about the process to date.

Lake Union Neighborhood Council (via Brian Ramey):
It has been a long haul and we are still not there but getting closer and closer every day.
We are in general support of this subterranean street vacation request.

The developer of the two parcels of land on either side of the E Howe ROW between Eastlake and Fairview (Azteca Restaurant) is asking to allow the building of a parking garage to serve his "Work Live Units" and a Retail store on Eastlake frontage by requesting the "subterranean" vacation of that portion of the E Howe Right of Way. He has promised to develop the surface portion of the ROW as a pathway, "Park" link in conformance with the goals of the neighborhood stated as part of our Eastlake Neighborhood Plan.

This vacation mostly helps the developer but also it would boost our plans for the completion of the E Howe ROW for a pathway leading from the top of Capitol Hill all the way to the shores of Lake Union, the pocket parks in our neighborhood and the CHESHIAHUD LOOP Trail. This "subterranean" vacation would benefit the neighborhood and the greater community by allowing for the continuation of the E Howe Street path, stairs and park.

We held a public meeting at TOPs School in December and the developer gave a presentation of his plans. It appeared from the comments of those present at that community meeting that the neighborhood is in support of his development concepts and the request for a subterranean E Howe Street vacation.

Petitioner thanks Mr. Ramey for his support of the subterranean vacation and for his ongoing help with community outreach. Mr. Ramey has been a crucial link between the project team and community members.

POLICY FRAMEWORK

Street vacation decisions are City Council decisions as provided by State statute 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 first adopted Street Vacation Policies in 1986 in Resolution 27527. 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: Subterranean vacations are somewhat unusual. SDOT found only about eight proposed subterranean vacations since the Vacation Policies were first adopted in 1985, that figure includes this petition and one other currently under review. Of the remaining six petitions, one was withdrawn before City Council consideration and one was withdrawn following City Council approval. Three projects with subterranean vacations have been approved and constructed since 1985; all continued the surface use that existed prior to the below-grade vacation. One project, at 5th & Columbia is currently under construction, the below-grade vacation allows the proposed below-grade parking garage to extend into the 5th Avenue Street right-of-way at 20 feet below grade.

The Polices provide in Guideline 3.7 that subsurface vacations may be approved only when protection against future impairment of the surface right-of-way and utility functions is provided and the City is adequately protected from potential liability resulting from failure of the surface due to problems with the underlying structure. The key issue in the review of a subterranean vacation petition is whether the remaining right-of-way can provide for the full range of public transportation and utility needs both now and into the future. The public use of the right-of-way should not be limited by the impacts of the below-grade vacation or subsequent development.

This proposal for a subterranean vacation leaves the surface of the street as public right-of-way and available for public street purposes. E. Howe Street in the location of the proposed development is currently used mainly for parking for the adjacent restaurant. Because of the steep grade change it is not possible to improve the street from Eastlake Avenue E. to Fairview

Avenue E for use by vehicles. The ability to use E. Howe Street adjacent to the building site as a standard street is limited because the street "dead ends" due to the significant grade change. The Right-of-Way Improvement Manual (SDOT Director's Rule 2-05) provides the standards and design criteria for necessary street improvements. The Manual provides that when topography precludes a street from being improved to its full street-to-street length, a cul-de-sac or other vehicular turnaround shall be provided. Cul-de-sacs are required at all street dead ends. The development of a cul-de-sac would take up a large portion of the street right-of-way and severely limit the ability to develop the pedestrian connection envisioned by the East Lake neighborhood. Instead the Petitioner has proposed alternative vehicular access to the site. Through the Street Improvement Permit (SIP) review, SDOT worked with the Petitioner, representatives from utilities, and DPD and has approved the alternative access to the site. This leaves the surface of E. Howe Street for use by the public for pedestrian enhancements and connections.

The below-grade vacation allows the Petitioner to develop a single, combined parking garage for the two buildings north and south of E. Howe Street. The shared parking and services allows the developer to propose a single point of ingress/egress for both buildings. This proposed combined access has been reviewed and approved by SDOT as providing adequate access to the site. Providing access to the site from Yale Place E. allows the E. Howe Street right-of-way to be improved in a way to serve pedestrian rather than vehicular needs.

The topography of the site limits the function of the street for the broadest range of street purposes but important pedestrian functions remain. The proposal does not limit the use of the street but enhances it by proposing improving the street with pedestrian amenities and providing for pedestrian connections through the area.

Pedestrian movement and use of the site are the main transportation uses of the right-of-way and there is no other likely public transportation use of the area proposed for vacation either currently or in the future. No adverse transportation impacts were identified with this proposal.

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.

The depth of a proposed subterranean vacation is important as there must be enough physical space for current and potential future utilities and sufficient space that facilities can be accessed for maintenance and service upgrades. The Petitioner had originally proposed that the vacation begin at five (5) feet below grade, however, SPU has requested that the subsurface vacation begin at six (6) feet below grade. The Petitioner has agreed to this and the proposal is now to begin the vacation at six feet below grade.

In addition to providing adequate space for the utilities, the City must be protected from any failures or problems resulting from a private parking garage below a City street. SPU had identified concerns about the proposed vacation and has been engaged in discussions with the Petitioner. SPU and the Petitioner have reached agreement as to how the issues can be resolved. The City has identified that concerns can be addressed through an agreement which would be modeled after the provisions of a Public Place Indemnity Agreement as provided in SMC 15.04. Such an agreement would address three areas:

1. The vacation shall begin at six feet below grade;
2. The Petitioner shall install, maintain and retain ownership of the new drainage system in the right-of-way; and
3. The Petitioner shall be required to sign an indemnity agreement satisfactory to the City prior to the passage of the final vacation ordinance.

In addition to addressing the SPU issues, SCL identified that it has facilities in the area. The Petitioner has reached an agreement with SCL that electrical services for the new buildings will be provided from an existing utility pole on Yale Place E.

The only other utility that identified a need for the right-of-way is CenturyLink. CenturyLink provided information that its concerns can be addressed either by retaining the facilities in the right-of-way or through relocation of its facilities. The Petitioner is currently coordinating this with CenturyLink.

The Petitioner has identified a resolution for the concerns raised by SPU, SCL, and CenturyLink. The vacation should be conditioned to require that the agreements or relocations be completed before the passage of the final vacation ordinance. Provided that the vacation is conditioned to protect the interests of the utilities, SDOT finds no adverse impacts to the utilities from the subsurface vacation.

<u>Light, air, open space and views:</u> Because street right-of-way is open and undeveloped, streets and alleys can have value as open space and can be important view corridors. Streets can provide important breathing space in dense urban areas. This proposal is to vacate the street below grade which leaves the entirety of the surface of the right-of-way as a public street. No buildings will encroach into the right-of-way. The surface of the street will be improved as a public plaza with a variety of amenities including artwork, seating, landscaping, a view overlook and a connection to the proposed adjacent public stairs. The area of E. Howe Street that will be developed as a public plaza, view overlook and connection to the adjacent stairs includes approximately 4,573 square feet.

Following the vacation, the development will improve the street right-of-way to provide significant open space that is easily accessible to the general public and to provide continuity to a series of pedestrian connections that will ultimately extend from the top of Capital Hill to the shores of Lake Union.

SDOT finds no adverse impacts to light, air, open space or views.

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.

The proposal supports a number of goals identified in the Eastlake Neighborhood Plan; including:

CD-7 Encourage the development of live/work units in areas that already allow commercial development, beginning with preparation of an evaluation of live/work units in Eastlake.
CD-10 Promote interesting, safe and diverse pedestrian connections on public property throughout Eastlake, and on key private properties, that are compatible with and sensitively designed for abutting land uses.
CD-13 Increase the amount and creative use of vegetation on public and private properties and buildings.
OS-2 Create and enhance pedestrian connections within Eastlake and to nearby neighborhoods, using both physical pathways and view corridors.
Goal OS-3 Improve the use of open spaces for passive recreation needs.
Goal M-5 De-emphasize the "business strip" nature of Eastlake Avenue by concentrating new commercial development around several nodes M-5.1.

The project does appear to be consistent with a number of goals outlined in the plan, including the provision of small scale live/work units and commercial space around a proposed public plaza. The design includes lots of landscaping that will enhance the pedestrian environment throughout the project site.

In addition to reviewing whether a proposal is consistent with plans and goals for an area, the vacation review looks specifically at whether the vacation allows for development that is out of scale and character with the neighborhood. This vacation is for a below-grade portion of the right-of-way. The subterranean vacation will not increase the size of the private property so there is no increase in the development potential of the site. The height, bulk, scale, and orientation of the buildings on the site are not altered or increased by this proposal. The vacation is not requested to increase the size of the project. The vacation supports the development by allowing a consolidated parking garage and services for the two development sites. This is an important connection that will provide a considerable savings during the construction and operation of the site. This construction and service consolidation likely make the project more feasible financially for the developer.

The vacation does not increase the development potential of the site; it does not increase the building size or scale or alter the street grid or the orientation or location of the buildings. All of the development on the site is consistent with zoning and planning for the area. More

significantly the below-grade vacation helps to make the project viable and provides a way to develop a pedestrian plaza that has been a long-term goal of the Eastlake community.

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

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 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. The size of the proposed vacation is modest, 3,032 square feet and the vacation is entirely below grade. While the development could likely proceed without the vacation, the ability to acquire the below-grade portion of the right-of-way allows the Petitioner to consolidate critical functions such as parking and services for the two buildings. This is important in making the development feasible but the vacation has a limited impact on the public.

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.

The requested vacation is small in size, it does not make a contribution to the development potential, and the public is unlikely to be aware that there is a below grade vacation. According to the Street Vacation Policies a more modest public benefit proposal would be acceptable with this project but the below-grade nature of the vacation creates the opportunity for a significant public benefit.

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	Commercial 1, 40 feet height limit (C1-40)
Street classification	Street
Assessed value of adjacent property	Property values vary from $105 per square foot to up to $395 per square foot
Lease rates in the vicinity for similar projects	Lease rates in the area vary from $1.50 per square foot to $3.31 per square foot depending on use and location
Size of project, in square feet	Proposal includes 100,000 square feet: • 3,200 sq ft: Commercial/Retail • 4,000 sq ft: Live-work • 56,500 sq ft: Residential • 64: Below-grade parking stalls • 5,668 sq ft: Open space-public plaza
Size of area to be vacated, in square feet	3,023 square feet below grade
Contribution of vacated area to development potential	The vacation provides flexibility in the design and development of the project by connecting services below grade but does not add additional square footage or FAR to the site.

The Petitioner proposes to develop the entirety of the surface of E. Howe Street, adjacent to development site, as an open public plaza. The right-of-way includes approximately 4,573 square feet of space, all of which will remain as public right-of-way but be improved and maintained by the Petitioner as part of the vacation process. The improvements in the right-of-way will require Term Permits as well as the vacation approval. Should the City Council approve the vacation and the proposed public benefit amenities in the E. Howe Street right-of-way, SDOT will begin work on Term Permit legislation for City Council approval. The improvements will include art, landscaping, pedestrian level lighting, benches, a view overlook and a connection to the new stairs proposed west of the site.

Consistent with the Street Vacation Policies, the Petitioner has proposed that the public benefit features include:

E HOWE ST SUBTERRANEAN VACATION PUBLIC BENEFIT MATRIX

PUBLIC BENEFIT	DESCRIPTION	REQD	ADD'L PROVIDED	TOTAL	NOTES
1 Public Open Space at Grade E Howe St (4573 SF)	**Hardscape**				
	4'x4', 4'x8', 8'x8' scored concrete			3682 SF	
	3"x12" sand-set pavers			348 SF	
	Landscape				
	Ground cover/in-ground planters	320 SF	52 SF	372 SF	
	Street trees	8		4	
	Public Seating				
	2'x2' seat cubes			28 SF	7 seats
	2' seat wall			143 SF	±28 seats @ 5 SF/person
	Lighting				
	Inset pavement up-lights at art			4	
	Pedestrian scale pole lights			2	
	Under seat lighting			59 LF	
2 Site-scaled Public Art	**"Reunion" Powder-coated steel sculpture by Mike Phifer**			1	
3 Voluntary Building Setbacks from E Howe St	**1823 Eastlake Ave E**				
	4' setbacks at street level			74 LF	
	7' setbacks at street level			12 LF	
	12' setbacks at street level			4 LF	
	1903 Yale Pl E				
	4-story building setbacks			61 LF	
	Street level setbacks			23.5 LF	
4 Streetscape Enhancements	**Eastlake Ave E**				
	ROW landscaping	280 SF	520 SF	800 SF	
	Bike racks	1	1	2	2 racks = 4 bike spaces
	Pedestrian signage			1	
	Yale Pl E				
	ROW landscaping	300 SF	87 SF	387 SF	
	Bike racks	1	3	4	4 racks = 8 bike spaces

The public benefit proposal from the Petitioner is generous and will implement a specific element of the Eastlake Neighborhood Plan. It is worth including here the language of the Plan:

> **OS-5 Howe Street Public Right-of-way**
> **Policy OS-5:** Create a pedestrian connection between Eastlake Avenue and Fairview Avenue at the currently undeveloped Howe Street public right-of-way (Comprehensive Plan Open Space Policies L141,L142, L145, L151, L154, L157, L158; Land Use Element).
> **Guidelines for Use**
> This 30-foot right-of-way could be used to encourage pedestrian connection uses and create and preserve habitat by landscaping primarily by native plants.
> **Implementing Recommendations**
> The location of the Howe Street right-of-way may be adjusted through the street vacation process to consolidate property ownership so that private properties are contiguous and public parcels form a sensible pedestrian connection. Maintain the existing 30-foot right-of-way and assure no net loss of public property unless property owners can show that their street vacation request complies with the proposed street vacation policy (OS-18).

By proposing a below grade vacation the Petitioner is able to obtain what is needed for the development and at the same time leaves the surface as public and available for the kind of public space envisioned since the Eastlake Neighborhood Plan was adopted in 1998. It is rare to find a project with such a minor impact being able to provide a public benefit that will have such a positive impact on the surrounding community.

The public benefits provided by the project are significant and exceed what might be anticipated as requirements under the Street Vacation Policies. The size and impacts of the vacation are modest but the resulting project and the public benefits provided will implement a long-standing vision for the site.

RECOMMENDATION

It is recommended that the subterranean vacation, beginning at six feet below the surface of the street, be granted upon the Petitioner meeting the following conditions. The Petitioner shall demonstrate that all conditions imposed by the City Council have been completed to the satisfaction of the City and all fees paid, prior to the passage of the street vacation ordinance.

1. The subterranean 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 December of 2014.

2. Any required 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.

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 installation, acquisition and maintenance of the utilities, which shall be at the sole expense of the Petitioner. Utilities impacted include:

   - Seattle Public Utility: require that the development begin at 6+ feet below grade, the Petitioner install, maintain and own the drainage system in the right-of-way, and the Petitioner sign an indemnity agreement acceptable to the City prior to the passage of the final vacation ordinance;
   - Seattle City Light: require the Petitioner to complete an agreement satisfactory to SCL regarding removal or relocation of existing service and location of new service prior to the passage of the final vacation ordinance; and
   - CenturyLink: complete agreement regarding relocation or retention of services.

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 Street Vacation staff 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 all of the public benefit elements as proposed and accepted by the City Council. A Property Use and Development Agreement (PUDA) or other binding mechanism shall be required to ensure that public benefit elements remain open and accessible to the public and to outline future maintenance obligations of the improvements, unless such obligations are addressed in other agreements. The final design of these public benefit elements shall require the review and approval of SDOT Street Vacations. The public benefit requirement includes the following features as well as corresponding development standards, including approximate square footage dimensions, and appropriate public signage which shall be outlined in the PUDA or other agreements:

E HOWE ST SUBTERRANEAN VACATION PUBLIC BENEFIT MATRIX

PUBLIC BENEFIT	DESCRIPTION	REQD	ADD'L PROVIDED	TOTAL	NOTES
1 Public Open Space at Grade E Howe St (4573 SF)	**Hardscape**				
	4'x4', 4'x8', 8'x8' scored concrete			3682 SF	
	3"x12" sand-set pavers			348 SF	
	Landscape				
	Ground cover/in-ground planters	320 SF	52 SF	372 SF	
	Street trees	8		4	
	Public Seating				
	2'x2' seat cubes			28 SF	7 seats
	2' seat wall			143 SF	±28 seats @ 5 SF/person
	Lighting				
	Inset pavement up-lights at art			4	
	Pedestrian scale pole lights			2	
	Under seat lighting			59 LF	
2 Site-scaled Public Art	**"Reunion" Powder-coated steel sculpture by Mike Phifer**			1	
3 Voluntary Building Setbacks from E Howe St	**1823 Eastlake Ave E**				
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	Pedestrian signage			1	
	Yale Pl E				
	ROW landscaping	300 SF	87 SF	387 SF	
	Bike racks	1	3	4	4 racks = 8 bike spaces

Sincerely,

Scott Kubly
Director, Seattle Department of Transportation

SK:bb

Enclosures

E HOWE STREET SUBTERRANEAN VACATION

DEVELOPER/PETITIONER
DALY PARTNERS

ARCHITECT
BUSHNAQ STUDIO ARCHITECTURE + DESIGN

CIVIL ENGINEER
Magnusson Klemencic Assoc.

LANDSCAPE ARCHITECT
Karen Kiest | Landscape Architects

STRUCTURAL ENGINEER
MLA Engineering, PLLC

ARTIST
Mike Phifer

URBAN CONTEXT 02

UNIMPROVED E HOWE STREET 03

DEVELOPMENT PROPOSAL 04

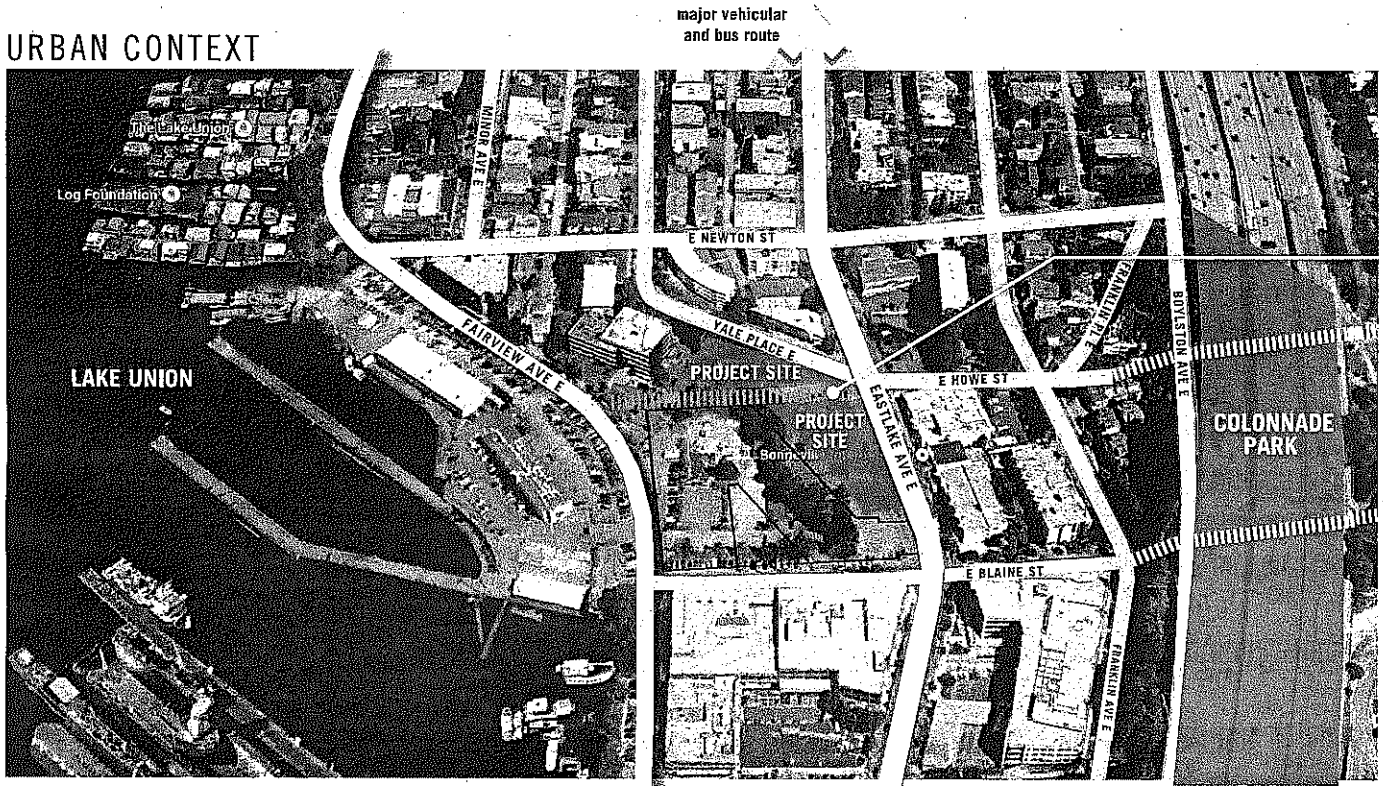
PUBLIC BENEFIT 06

- E HOWE STREET PUBLIC PLAZA 07
- E HOWE STREET SCULPTURE & VOLUNTARY BUILDING SETBACKS 08
- E HOWE STREET DETAILS 09
- STREETSCAPE ENHANCEMENTS ON EASTLAKE AVE E AND YALE PL E 10

AERIAL PROJECT VIEWS 11

Icon in Packet Indicates Eastlake Community Input

URBAN CONTEXT



UNIMPROVED E HOWE STREET

Petitioner project site is on axis with Howe Street Steps.

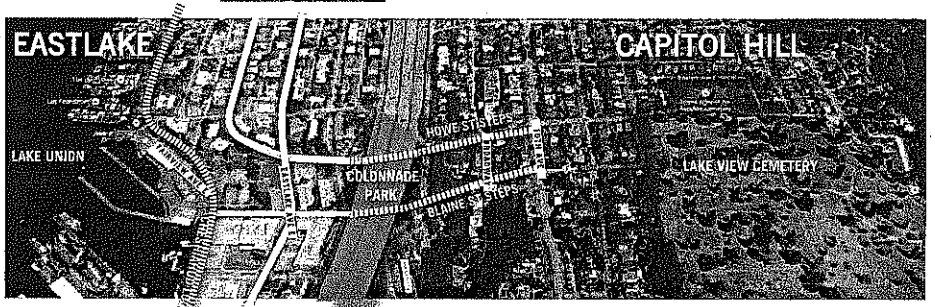
E Howe Street is currently used for surface parking - no public access through site.

Pedestrian access on E Howe Street would realize a longtime goal of the Eastlake Community and Neighborhood Plan.

Eastlake Neighborhood Plan

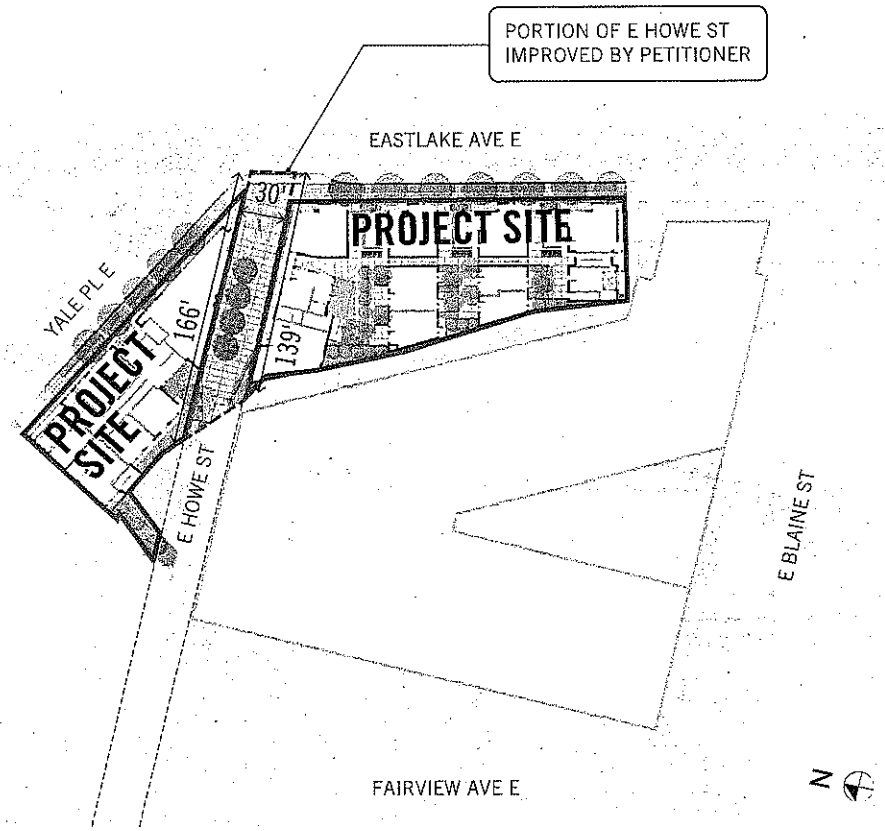
OS-5 Howe Street Public Right-of-way

Policy OS-5: Create a pedestrian connection between Eastlake Avenue and Fairview Avenue at the currently undeveloped Howe Street public right-of-way.



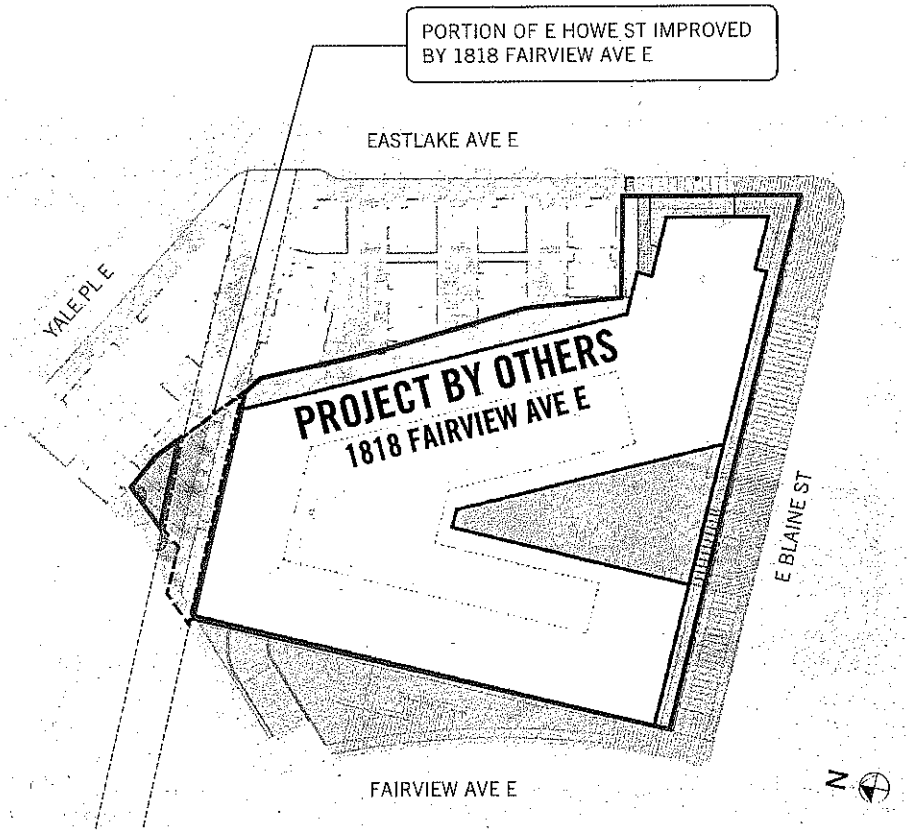
POPULAR PEDESTRIAN PATH FROM EASTLAKE TO CAPITOL HILL

UNIMPROVED E HOWE STREET



PETITIONER ROW IMPROVEMENTS

Public plaza and pedestrian path in E Howe St.



FUTURE ROW IMPROVEMENTS BY OTHERS

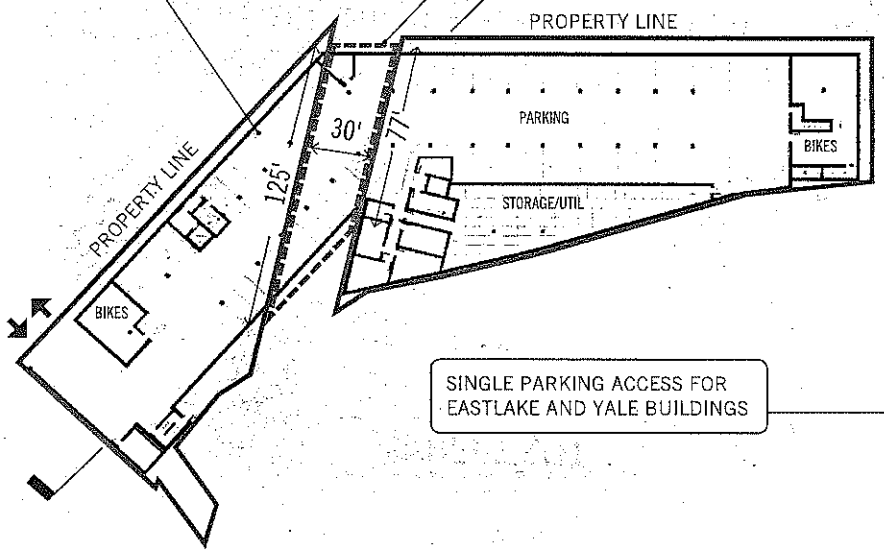
1818 Fairview Ave E: public stairway in E Howe St.

Friends of Lake Union: East Howe Steps Gateway Plaza Project.
DON grant-funded community design process for stair-landing plaza along Fairview Ave E.

DEVELOPMENT PROPOSAL

PROJECT BASEMENT
64 parking spaces
Shared utility infrastructure

E HOWE ST SUBTERRANEAN VACATION
3,023 SF portion of E Howe Street in basement



SINGLE PARKING ACCESS FOR EASTLAKE AND YALE BUILDINGS

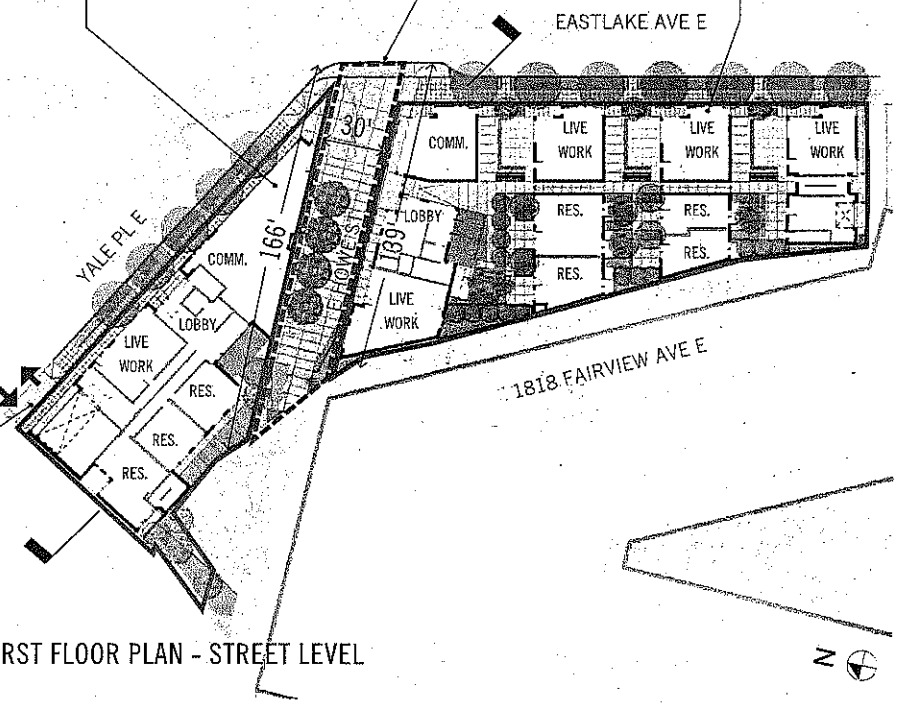
BASEMENT PLAN - BELOW GRADE

Project provides ±60% parking ratio for residential units.
No residential or commercial parking is required.

1903 YALE PL E
33 apartments / 4 stories
1 live-work space
1 commercial space

E HOWE ST
4,573 SF public open space, privately funded and maintained
Entire 30' width of ROW

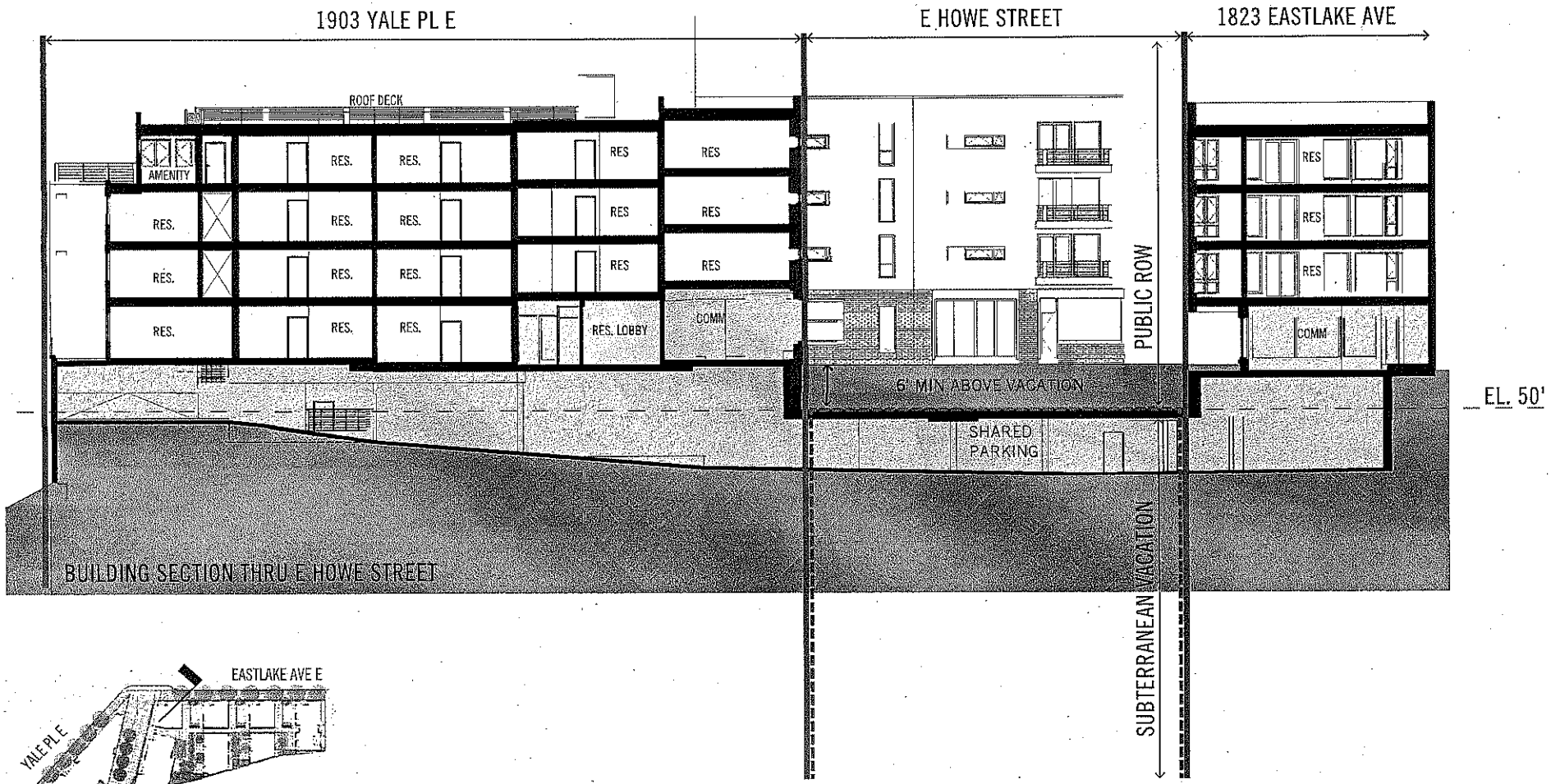
1823 EASTLAKE AVE E
58 apartments / 4 stories
4 live-work spaces
1 commercial space

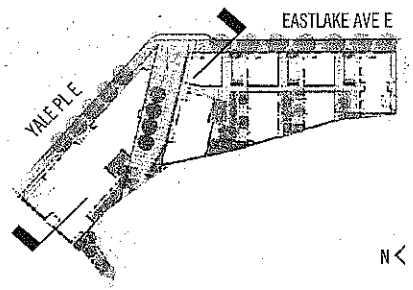


FIRST FLOOR PLAN - STREET LEVEL

Active commercial spaces located on E Howe St.

DEVELOPMENT PROPOSAL





PUBLIC BENEFIT

5,668 SF PUBLIC PLAZA AND AMENITIES

Public plaza and pedestrian path in E Howe St.

Sculpture by Mike Phifer

Public seating for 35+

Art lighting and pedestrian-scale light fixtures

Durable materials and plantings

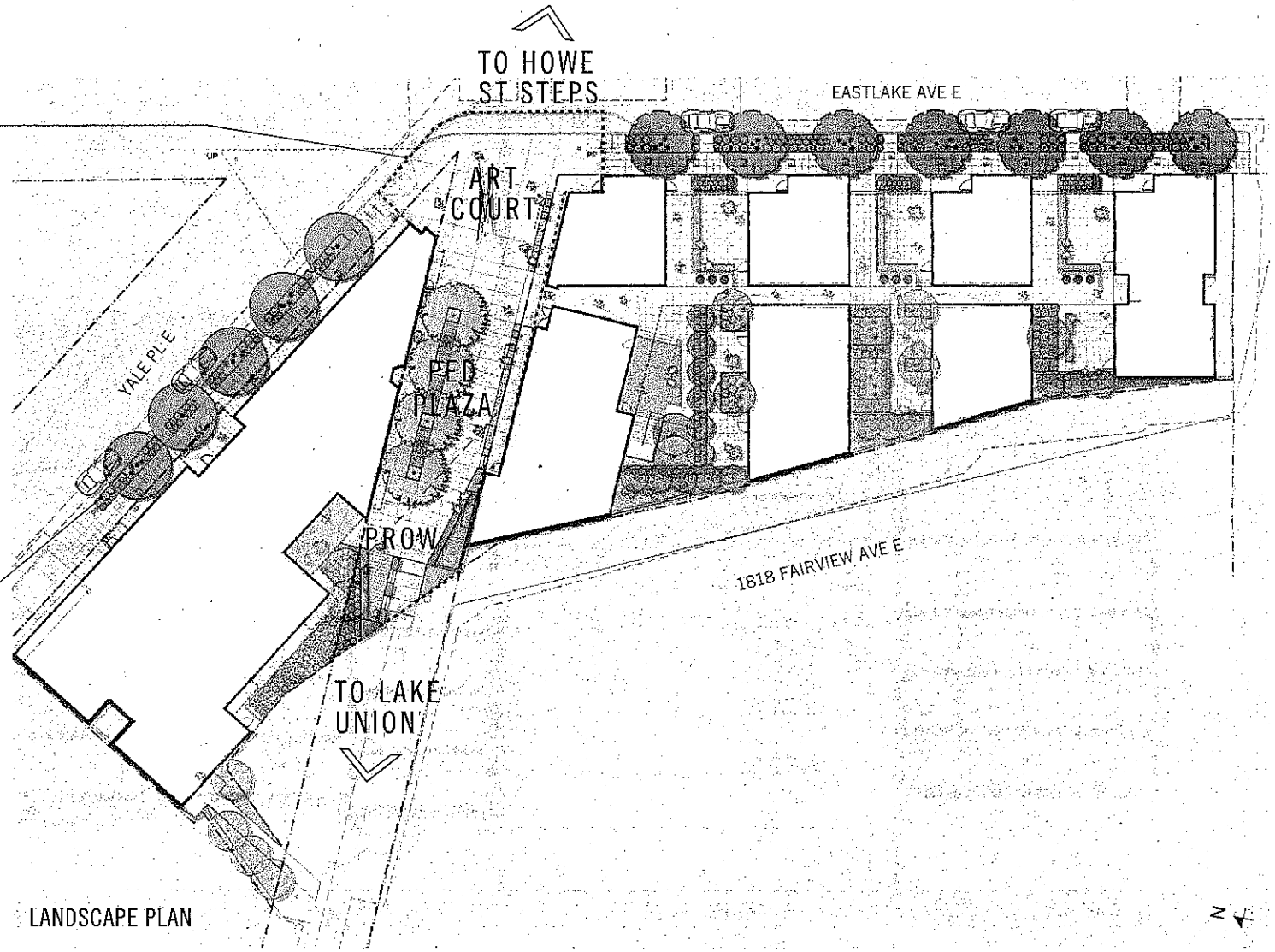
Civic signage

Voluntary building setbacks

STREETSCAPE ENHANCEMENTS AT EASTLAKE AVE E AND YALE PL E

50% increase in ROW landscaping over code requirement

60% increase in public bike racks over code requirement.



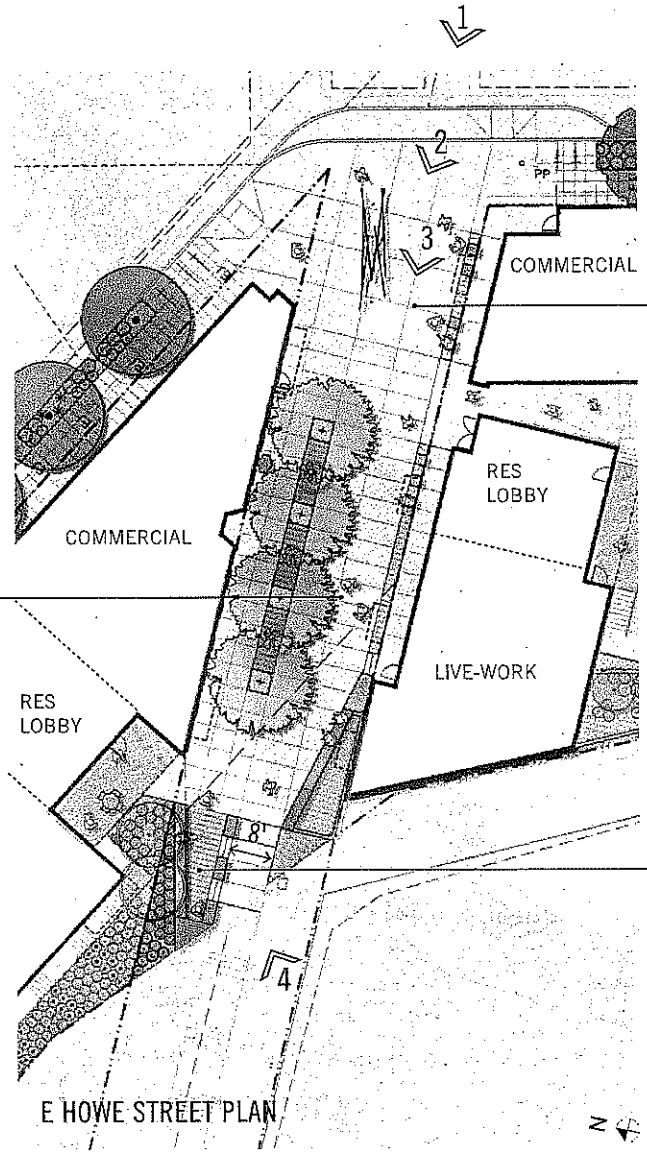
LANDSCAPE PLAN

E HOWE STREET PUBLIC PLAZA

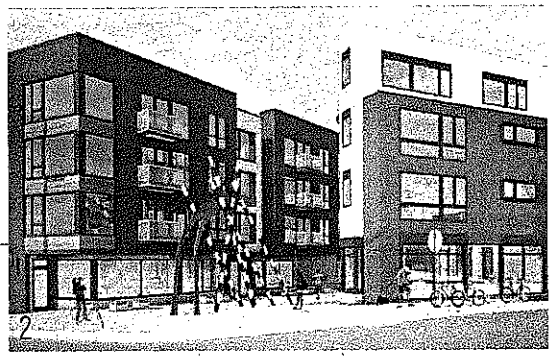
LAKE UNION VIEWS

PEDESTRIAN PLAZA AND PATH

Public path/steps are 8' wide minimum, match width of the Howe Street Steps.



E HOWE STREET PLAN

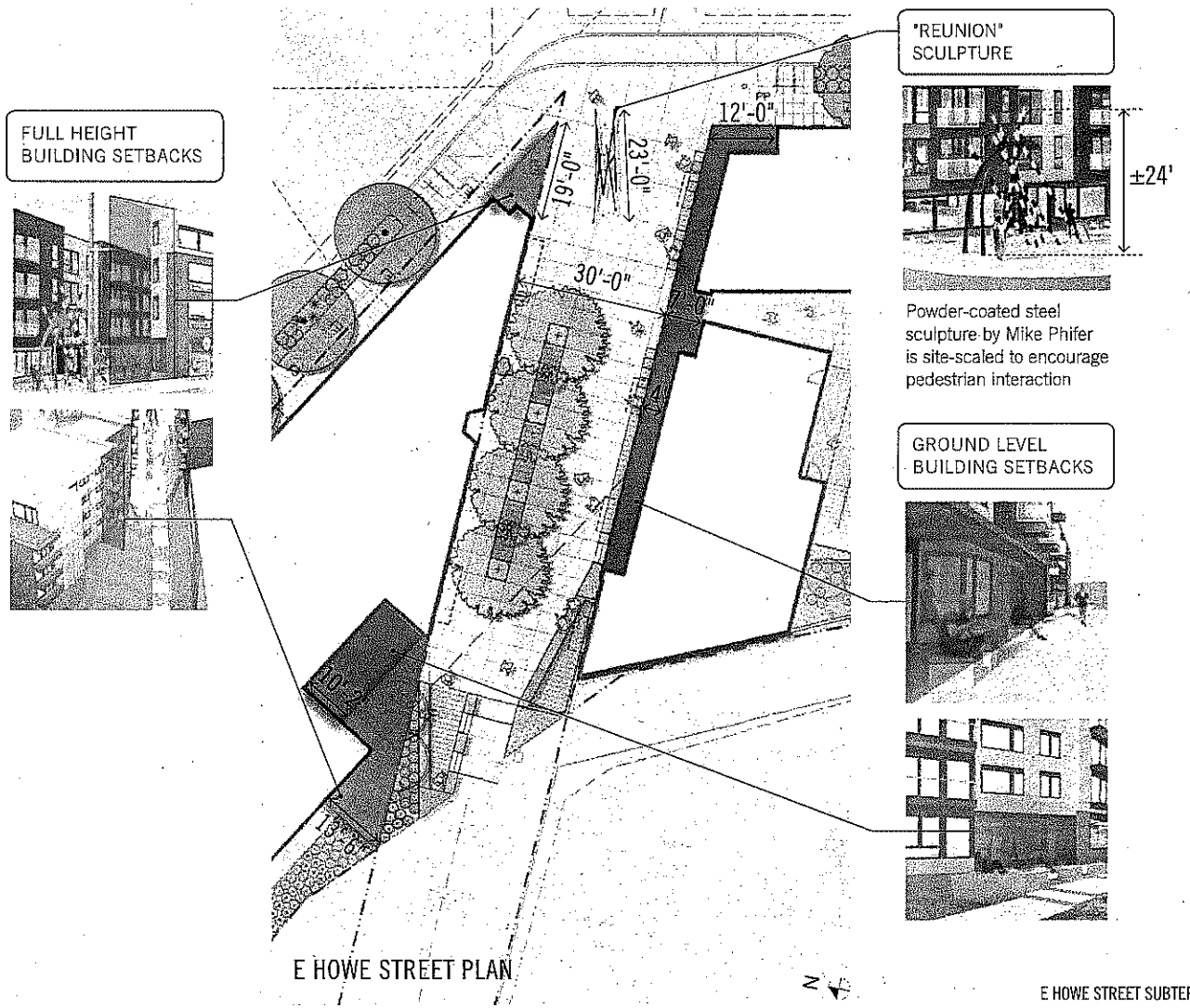


ART COURT AND SCULPTURE

THE 'PROW' DESTINATION SEATING

Alignment of the 'Prow' with 1818 Fairview public stair makes a seamless pedestrian path along E Howe St.

E HOWE STREET SCULPTURE & VOLUNTARY BUILDING SETBACKS

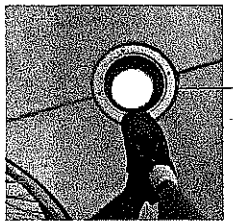


E HOWE STREET DETAILS

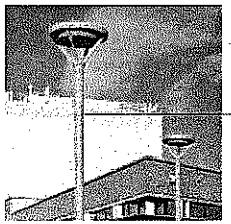
Lighting and signage reflect public character of E Howe Street

Public seating for 35+

Durable, high quality materials throughout

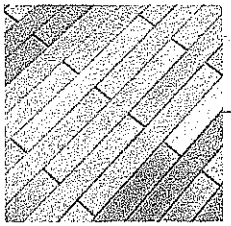


Inset uplights at sculpture

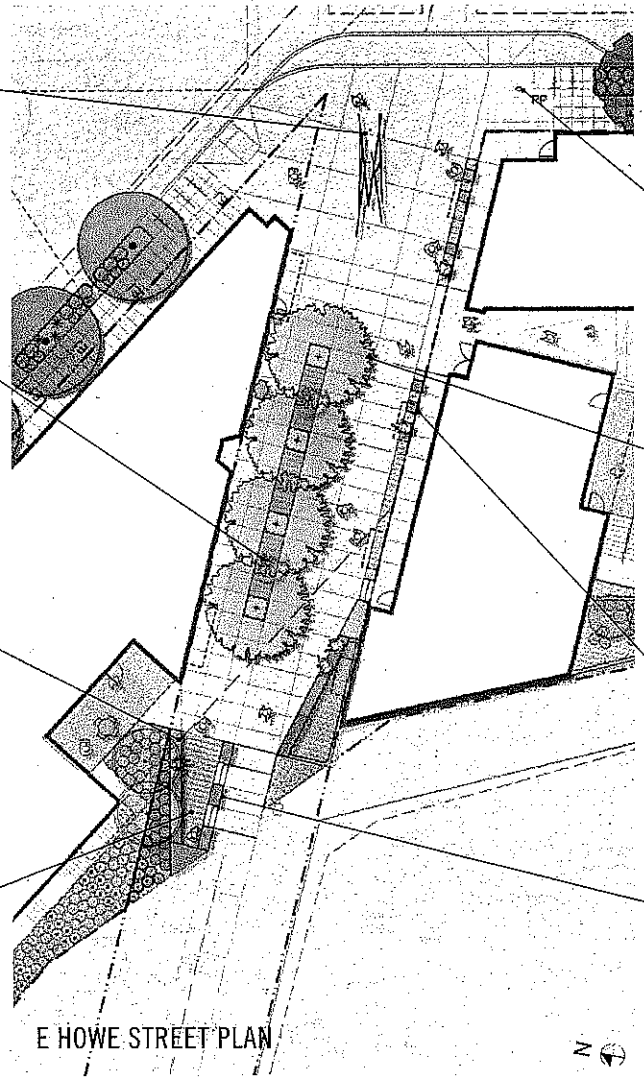


Pedestrian-scale pole lights

LED striplights at seat walls



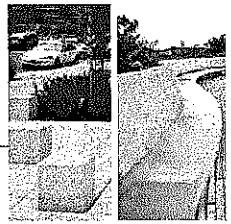
Sand set paver accents



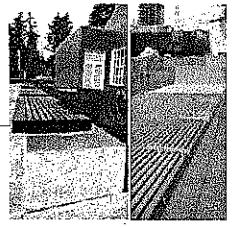
E HOWE STREET PLAN

Pedestrian COS street sign

Zelkova Musashino street trees



7 concrete seat cubes (28 SF)



Wood/concrete seat walls (143 SF)

STREETSCAPE ENHANCEMENTS ON EASTLAKE AVE E AND YALE PL E

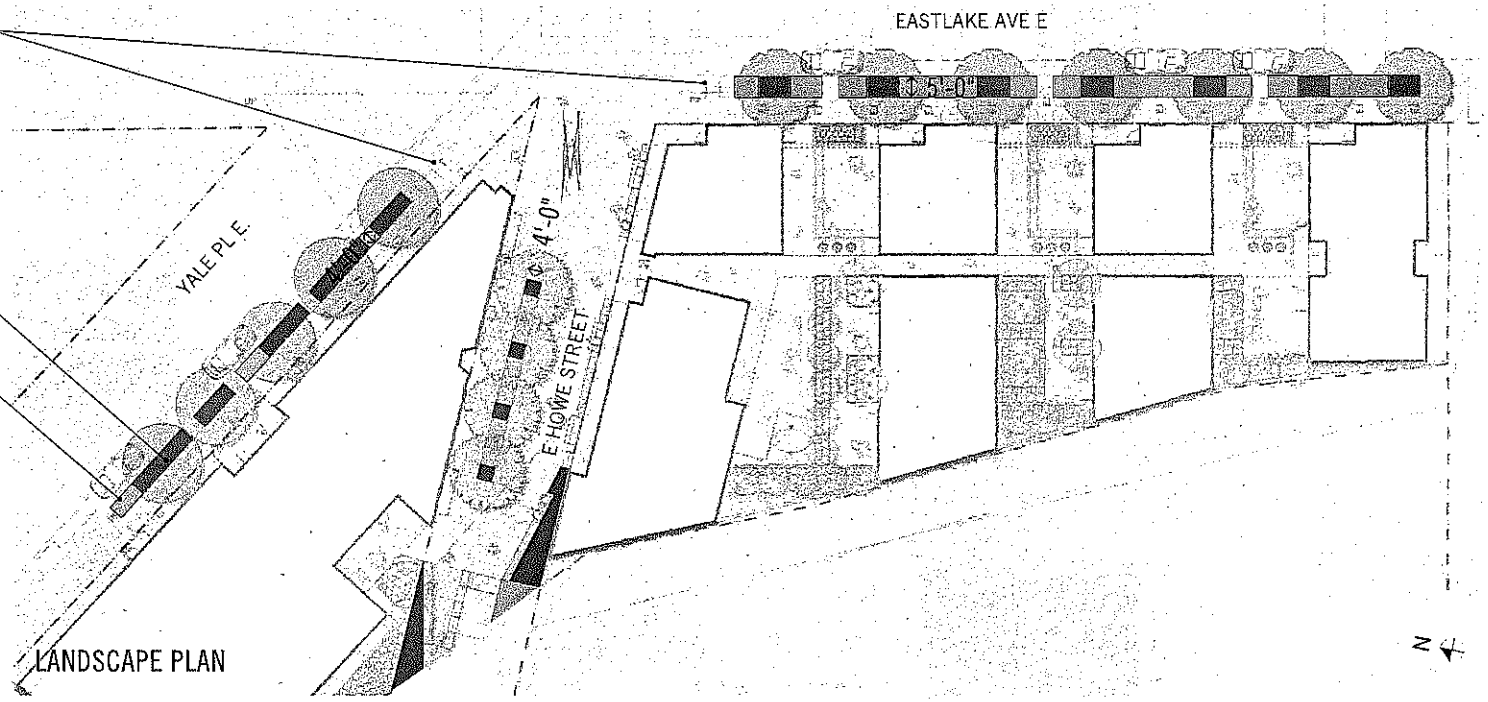
PUBLIC BIKE RACKS

Parking for 12 bikes provided. Exceeds code requirement by 60%.

REQUIRED ROW LANDSCAPING

ADDITIONAL ROW LANDSCAPING PROVIDED

ROW landscaping exceeds code requirement by 50%.

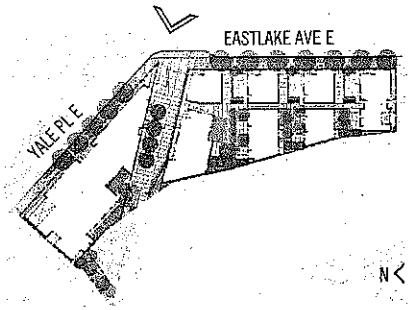


LANDSCAPE PLAN

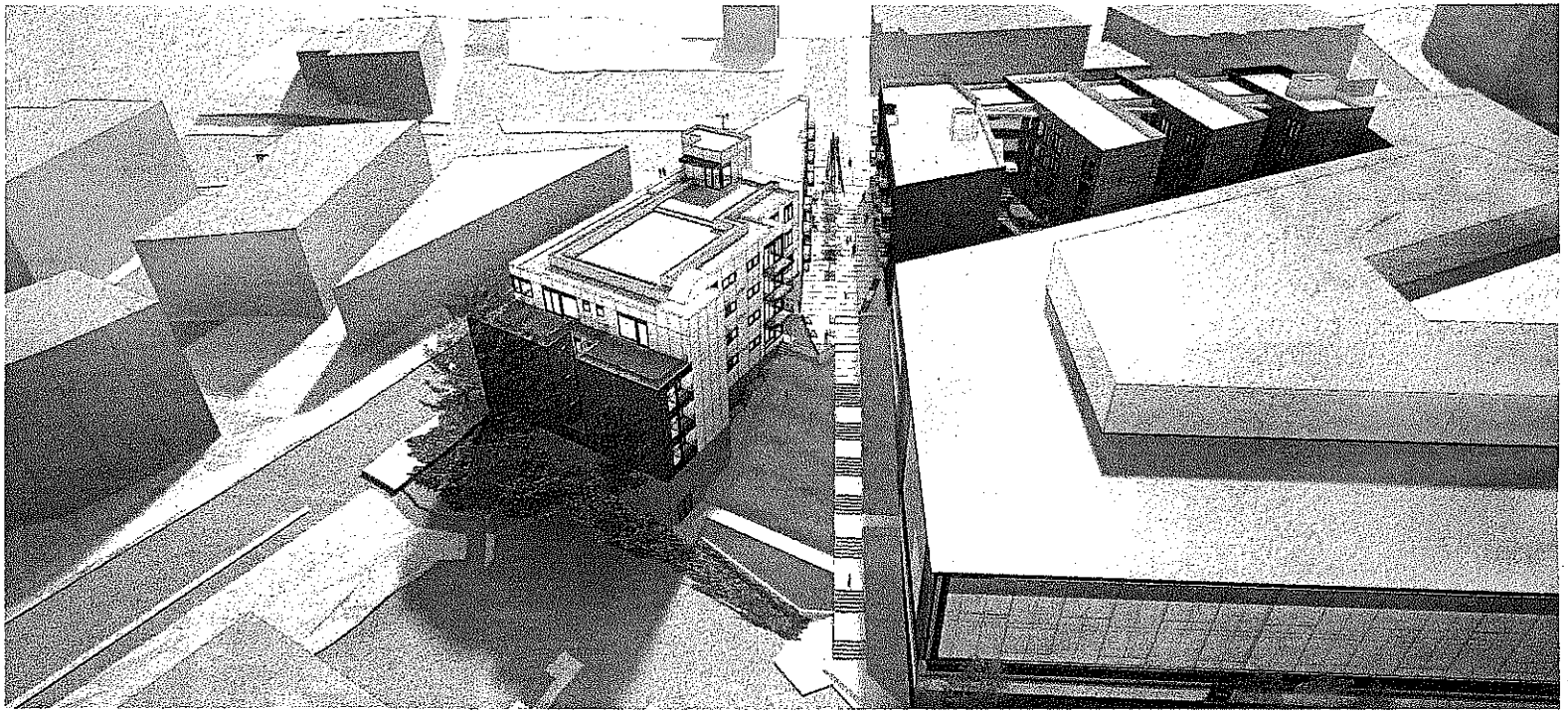
YALE STREETSCAPE

EASTLAKE STREETSCAPE

AERIAL VIEW LOOKING TOWARD LAKE UNION

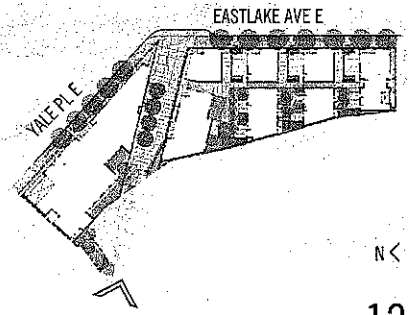


AERIAL VIEW LOOKING TOWARD EASTLAKE AVE E



"The petitioner's proposed surface plaza/ walkway...[is] critically important to achieving a link between the existing I-5 Colonnade Park and the Cheshiahud Lake Union Loop trail system that has long been a dream of the Eastlake Community."

DONALD HARRIS, SEATTLE PARKS AND RECREATION



Nov 17, 2014
Seattle Department of Planning and Development

Land Use Information Bulletin

A Twice-Weekly Bulletin Announcing Land Use Applications, Decisions, Hearings, and Appeals
www.seattle.gov/dpd

CITY OF SEATTLE NOTICE OF PUBLIC HEARING FOR PROPOSED STREET VACATION (TO ACQUIRE THE STREET OR ALLEY FOR PRIVATE PURPOSES)
Area: Address:
Project: Zone: Notice Date: 11/17/2014

We are providing notice of the petition (contained in Clerk File 313430) by Inhabit Eastlake, LLC, to vacate (to acquire the public right-of-way) a **subterranean portion** of East Howe Street between Eastlake Avenue East and Fairview Avenue East in the Eastlake neighborhood of Seattle. The proposed underground vacation area is approximately 140 feet long (about half the block) and 30 feet wide (the full width of the street). It would begin 6 feet below the surface grade. The vacation is proposed to allow the construction of an underground parking garage as part of new development on both sides of East Howe Street.

Right-of-way proposed for vacation:

That portion of East Howe Street, also known as Bloomfield Street, Hilton Addition to the City of Seattle, recorded in Volume 3 of Plats, page 157, records of King County, Washington, more particularly described as follows;

Commencing at a punched 5/8" brass plug in concrete in cast iron case, down 0.80' feet, 5.00 feet southerly of the centerline of East Howe Street, as it runs east, and the centerline of Eastlake Avenue East;

Thence South 12°48'31" East, along the centerline of Eastlake Avenue East, a distance of 10.46 feet to the centerline of East Howe Street as it runs west;

Thence North 88°58'36" West, along the centerline of said East Howe Street, a distance of 40.44;

Thence South 12°48'35" West, a distance of 15.45 feet to the north line of Lot 1, Block 3, of said Hilton Addition, being 1.82' West of the northeast corner of said Lot 1, also being the True Point of Beginning;

Thence North 88°58'36" West, a distance of 76.86 feet;

Thence North 60°27'03" West, a distance of 62.82 feet to the north line of said East Howe Street;

Thence South 88°58'36" East, along said line, a distance of 124.67 feet;

Thence South 12°48'35" West, a distance of 30.90 feet to the True Point of Beginning;

The upper limit of vertical space contained within this description shall be an elevation of 50.00 feet;

The lower limit of vertical space contained within this description shall be to the lowest limit of legal

ownership;

Said elevations described herein are expressed in terms of the North American Vertical Datum of 1988 (NAVD D88) as of the date of this instrument and are based on City of Seattle Benchmark Number "SNV-5117", being a 2" brass cap, 0.5' south and east of the intersection of back of sidewalks at the southwest quadrant of the intersection of Eastlake Avenue East and Fairview Avenue East, having an elevation of 37.54 feet; Situate in the City of Seattle, King County, Washington;

OR in the alternative, to vacate any portion of the above-described property.

The Transportation Committee of the Seattle City Council will hold a public hearing in the Council Chambers, Second Floor, City Hall, 600 Fourth Avenue (main entrance at 601 Fifth Avenue) on

Tuesday, December 9th, 2014 at 9:30 a.m.

The petitioner will present detailed information about the vacation at the meeting. The attached map showing the right-of-way described in the petition has been posted on the site of the proposed vacation.

The petition can be accessed at: City of Seattle City Clerk webpage www.seattle.gov/leg/clerk, search legislative records for Clerk File 313430; or directly at: Clerk File 313430 Subterranean Vacation Petition E. Howe St.

HOW TO COMMENT:

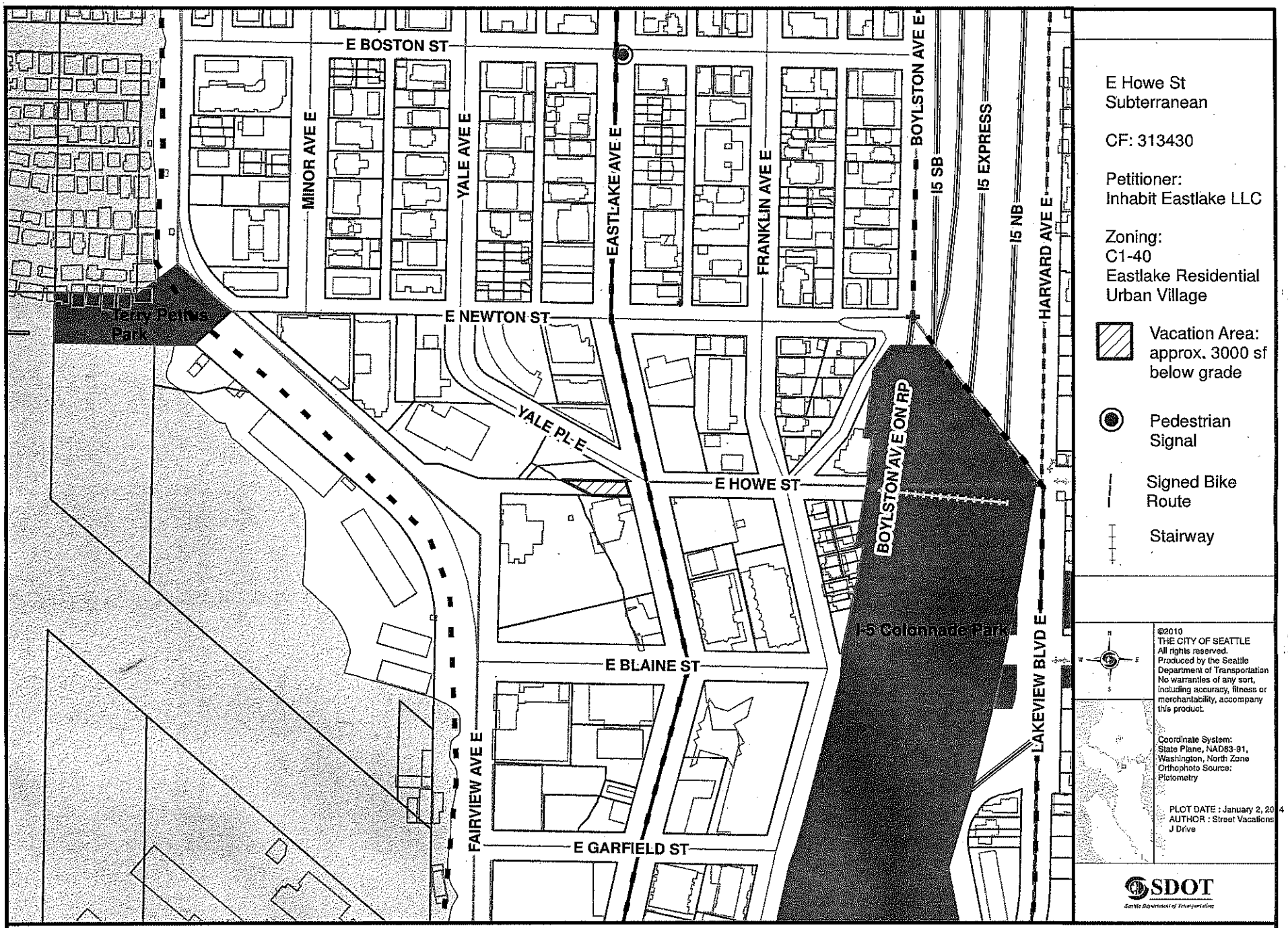
Public Testimony: The Transportation Committee will take public comment at the hearing.

Letters: Please address letters concerning this petition to Seattle City Councilmember Tom Rasmussen, Seattle City Council, PO Box 34025, Seattle, Washington 98124-4025.

Email: Contact Committee Chair Tom Rasmussen's office at tom.rasmussen@seattle.gov.

Questions: For more information, contact **Beverly Barnett, Seattle Department of Transportation, PO Box 34996, Seattle, Washington 98124-4996, 206 684-7564 or beverly.barnett@seattle.gov. Please cc Beverly on comment letters and emails.**

City Hall is ADA compliant. For accessibility information and for accommodation requests, please call 206-684-8888 (TTY Relay 7-1-1), email CouncilAgenda@Seattle.gov, or visit http://seattle.gov/cityclerk/accommodations



E Howe Street Subterranean Vacation Map

Gray, Moira

From: Seattle City Council Agenda <councilagenda@seattle.gov>
Sent: Monday, November 10, 2014 2:44 PM
To: Gray, Moira
Subject: Full Council Action Summary - 11/10/14

Having trouble reading this email? View it in your browser.

Action Summary of the Seattle City Council
Full Council Meeting
Monday, November 10, 2014

Councilmember Sawant was excused.

ADOPTION OF OTHER RESOLUTIONS:

1. Res. 31556 ADOPTED (8-0)
Setting the public hearing on the petition of Inhabit Eastlake, LLC for the vacation of a subterranean portion of East Howe Street in the Eastlake neighborhood of Seattle; according to Chapter 35.79 Revised Code of Washington, Seattle Municipal Code 15.62, and Clerk's File 313430.

Contact: Dana Robinson-Slote
Council Communications Director
(206) 615-0061
or e-mail: dana.robinsonslote@seattle.gov

Looking for a piece of legislation?
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City of Seattle - Legislative Department
PO Box 34025

STATE OF WASHINGTON)
COUNTY OF KING)
CITY OF SEATTLE)

Moira Gray, being first duly sworn on oath deposes and says that she is and during all the time hereinafter mentioned has been a citizen of the United States and a resident of King County, Washington, above the age of twenty-one years, not interested in the vacation of the property herein mentioned or any part thereof; that during all the times herein mentioned affiant was and still is the duly appointed and qualified Deputy Comptroller, and Deputy Clerk of the City of Seattle; that on the 12th day of November, 2014, pursuant to **Resolution 31556** of the City Council of the City of Seattle, and by direction of the City Clerk of said City, affiant posted and set up in three of the most public places in said City of Seattle, written notice, duplicates and counterparts of which notice is attached to this affidavit and made a part thereof and on the 12th day of November, 2014 affiant posted and set up a like notice in a conspicuous place at E Howe Street, described in said notice, which said notice so posted up in each and every of said places, contained a statement that a petition has been filed to vacate alley right-of-way described in said notice together with the statement of the time and place fixed for the hearing of said petition; all of which more fully appears by the duplicate of said notice hereto attached and make a part of this affidavit.

Affiant further says that the said places in the City of Seattle at which said notice was so posted and set up are the following ones: one in a public place in the entrance of the King County Administration Building in the City of Seattle; one in a public place in the Seattle Municipal Tower in said City; and one in the public lobby of the Seattle City Hall Building in said City; and in a conspicuous place on said property sought to be vacated in the City of Seattle described in said notice.

Moira Gray

Subscribed and sworn to before me this 12th day of November, 2014

Amy Gray
Notary Public in and for the State of Washington
Residing in Seattle

Commission expires July 4, 2016

AMY SUZANNE GRAY
COMMISSION EXPIRES
NOTARY
PUBLIC
JULY 4, 2016
STATE OF WASHINGTON

CITY OF SEATTLE
NOTICE OF PUBLIC HEARING FOR PROPOSED STREET VACATION
(TO ACQUIRE THE STREET OR ALLEY FOR PRIVATE PURPOSES)

We are providing notice of the petition (contained in Clerk File 313430) by Inhabit Eastlake, LLC, to vacate (to acquire the public right-of-way) a **subterranean portion** of East Howe Street between Eastlake Avenue East and Fairview Avenue East in the Eastlake neighborhood of Seattle. The proposed underground vacation area is approximately 140 feet long (about half the block) and 30 feet wide (the full width of the street). It would begin 6 feet below the surface grade. The vacation is proposed to allow the construction of an underground parking garage as part of new development on both sides of East Howe Street.

Right-of-way proposed for vacation:
That portion of East Howe Street, also known as Bloomfield Street, Hilton Addition to the City of Seattle, recorded in Volume 3 of Plats, page 157, records of King County, Washington, more particularly described as follows;
Commencing at a punched 5/8" brass plug in concrete in cast iron case, down 0.80' feet, 5.00 feet southerly of the centerline of East Howe Street, as it runs east, and the centerline of Eastlake Avenue East;
Thence South 12°48'31" East, along the centerline of Eastlake Avenue East, a distance of 10.46 feet to the centerline of East Howe Street as it runs west;
Thence North 88°58'36" West, along the centerline of said East Howe Street, a distance of 40.44;
Thence South 12°48'35" West, a distance of 15.45 feet to the north line of Lot 1, Block 3, of said Hilton Addition, being 1.82' West of the northeast corner of said Lot 1, also being the True Point of Beginning;
Thence North 88°58'36" West, a distance of 76.86 feet;
Thence North 60°27'03" West, a distance of 62.82 feet to the north line of said East Howe Street;
Thence South 88°58'36" East, along said line, a distance of 124.67 feet;
Thence South 12°48'35" West, a distance of 30.90 feet to the True Point of Beginning;
The upper limit of vertical space contained within this description shall be an elevation of 50.00 feet;
The lower limit of vertical space contained within this description shall be to the lowest limit of legal ownership;
Said elevations described herein are expressed in terms of the North American Vertical Datum of 1988 (NAVD D88) as of the date of this instrument and are based on City of Seattle Benchmark Number "SNV-5117", being a 2" brass cap, 0.5' south and east of the intersection of back of sidewalks at the southwest quadrant of the intersection of Eastlake Avenue East and Fairview Avenue East, having an elevation of 37.54 feet; Situate in the City of Seattle, King County, Washington;

OR in the alternative, to vacate any portion of the above-described property.

The Transportation Committee of the Seattle City Council will hold a public hearing in the Council Chambers, Second Floor, City Hall, 600 Fourth Avenue (main entrance at 601 Fifth Avenue) on

Tuesday, December 9th, 2014 at 9:30 a.m.

The petitioner will present detailed information about the vacation at the meeting. The attached map showing the right-of-way described in the petition has been posted on the site of the proposed vacation.

The petition can be accessed at: City of Seattle City Clerk webpage www.seattle.gov/leg/clerk, search legislative records for Clerk File 313430; or directly at: Clerk File 313430 Subterranean Vacation Petition E. Howe St.

HOW TO COMMENT:

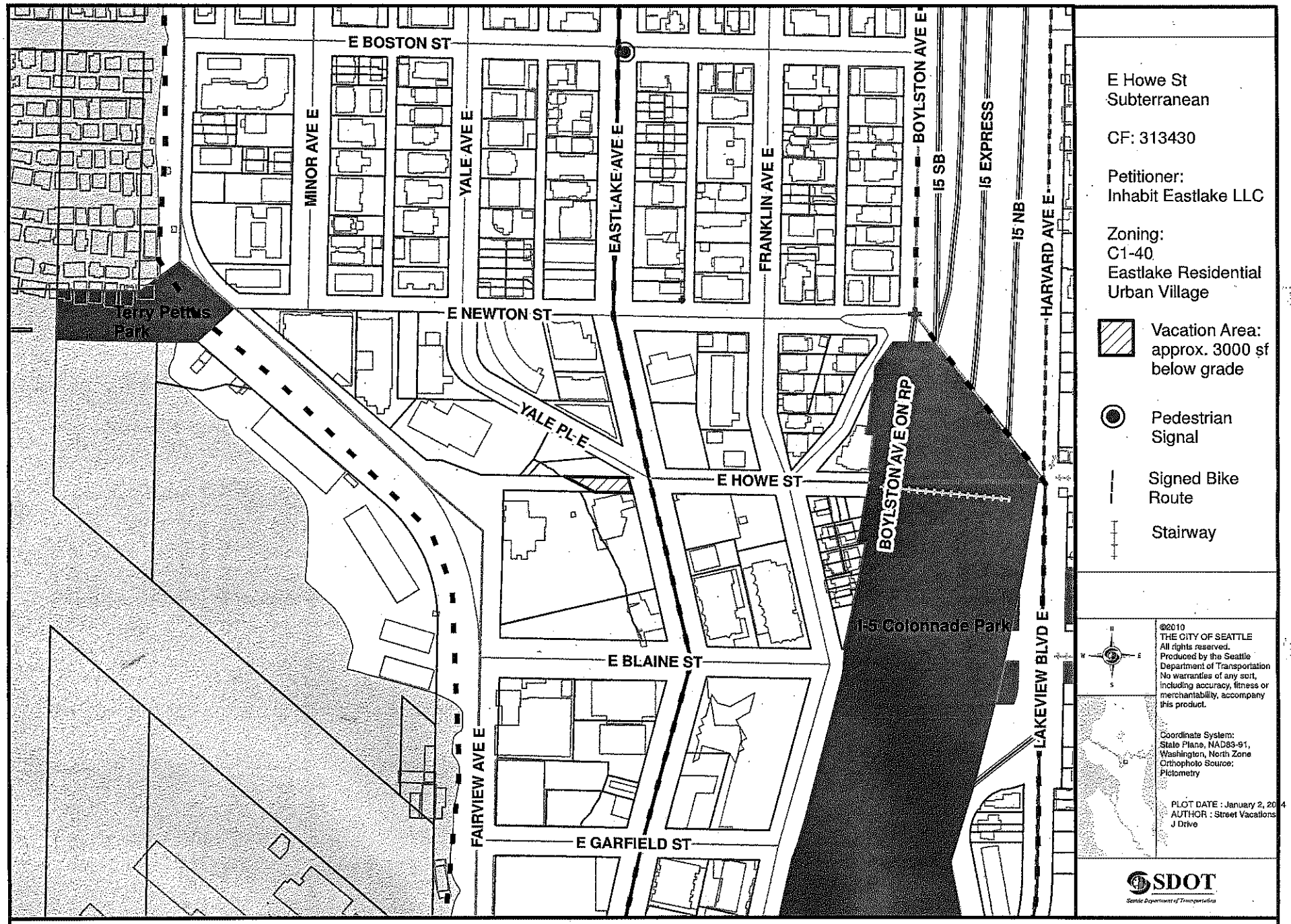
Public Testimony: The Transportation Committee will take public comment at the hearing.

Letters: Please address letters concerning this petition to Seattle City Councilmember Tom Rasmussen, Seattle City Council, PO Box 34025, Seattle, Washington 98124-4025.

Email: Contact Committee Chair Tom Rasmussen's office at tom.rasmussen@seattle.gov.

Questions: For more information, contact **Beverly Barnett, Seattle Department of Transportation, PO Box 34996, Seattle, Washington 98124-4996, 206 684-7564 or beverly.barnett@seattle.gov. Please cc Beverly on comment letters and emails.**

City Hall is ADA compliant. For accessibility information and for accommodation requests, please call 206-684-8888 (TTY Relay 7-1-1), email CouncilAgenda@Seattle.gov, or visit http://seattle.gov/cityclerk/accommodations



E Howe Street Subterranean Vacation Map

Current Occupant
210 E Blaine St #110
SeattleWA98102

Current Occupant
210 E Blaine St #113
SeattleWA98102

Current Occupant
210 E Blaine St #207
SeattleWA98102

Current Occupant
210 E Blaine St # 311
SeattleWA98102

Current Occupant
210 E Blaine St # 401
SeattleWA98102

Current Occupant
210 E Blaine St #412
SeattleWA98102

Current Occupant
210 E Blaine St # 211
SeattleWA98102

Current Occupant
210 E Blaine St #102
SeattleWA98102

Current Occupant
210 E Blaine St # 303
SeattleWA98102

Current Occupant
210 E Blaine St #305
SeattleWA98102

Current Occupant
210 E Blaine St # 403
SeattleWA98102

Current Occupant
210 E Blaine St # 111
SeattleWA98102

Current Occupant
210 E Blaine St #313
SeattleWA98102

Current Occupant
210 E Blaine St # 209
SeattleWA98102

Current Occupant
210 E Blaine St # 104
SeattleWA98102

Current Occupant
210 E Blaine St # 411
SeattleWA98102

Current Occupant
210 E Blaine St # 112
SeattleWA98102

Current Occupant
210 E Blaine St # 408
SeattleWA98102

Current Occupant
210 E Blaine St #407
SeattleWA98102

Current Occupant
210 E Blaine St # 310
SeattleWA98102

Current Occupant
210 E Blaine St # 109
SeattleWA98102

Current Occupant
210 E Blaine St # 304
SeattleWA98102

Current Occupant
210 E Blaine St # 308
SeattleWA98102

Current Occupant
210 E Blaine St # 312
SeattleWA98102

Current Occupant
210 E Blaine St # 409
SeattleWA98102

Current Occupant
210 E Blaine St # 108
SeattleWA98102

Current Occupant
210 E Blaine St # 204
SeattleWA98102

Current Occupant
210 E Blaine St # 404
SeattleWA98102

Current Occupant
212 E Howe St
SeattleWA98102

Current Occupant
255 E Howe St
SeattleWA98102

Current Occupant
1940 Yale Ave E # 14
SeattleWA98102

Current Occupant
1940 Yale Ave E # 11
SeattleWA98102

Current Occupant
1940 Yale Ave E # 13
SeattleWA98102

Current Occupant
1940 Yale Ave E # 6
SeattleWA98102

Current Occupant
1940 Yale Ave E # 19
SeattleWA98102

Current Occupant
1940 Yale Ave E # 5
SeattleWA98102

Current Occupant
1940 Yale Ave E # E 12
SeattleWA98102

Current Occupant
1940 Yale Ave E # 17
SeattleWA98102

Current Occupant
1940 Yale Ave E # 23
SeattleWA98102

Current Occupant
1940 Yale Ave E # 16
SeattleWA98102

Current Occupant
1940 Yale Ave E # 2
SeattleWA98102

Current Occupant
1940 Yale Ave E # 12
SeattleWA98102

Current Occupant
1940 Yale Ave E # 15
SeattleWA98102

Current Occupant
1940 Yale Ave E # 4
SeattleWA98102

Current Occupant
1940 Yale Ave E # 18
SeattleWA98102

Current Occupant
1940 Yale Ave E # 10
SeattleWA98102

Current Occupant
1908 Fairview Ave E
SeattleWA98102

Current Occupant
1910 Fairview Ave E
SeattleWA98102

Current Occupant
1910 Fairview Ave E # 301
SeattleWA98102

Current Occupant
1910 Fairview Ave E # 206
SeattleWA98102

Current Occupant
1910 Fairview Ave E # 102
SeattleWA98102

Current Occupant
1910 Fairview Ave E # 400
SeattleWA98102

Current Occupant
1912 Fairview Ave E
SeattleWA98102

Current Occupant
1914 Fairview Ave E
SeattleWA98102

Current Occupant
1916 Fairview Ave E
SeattleWA98102

Current Occupant
1918 Fairview Ave E
SeattleWA98102

Current Occupant
1920 Fairview Ave E
SeattleWA98102

Current Occupant
1914 Eastlake Ave E
SeattleWA98102

Current Occupant
1916 Eastlake Ave E
SeattleWA98102

Current Occupant
1920 Eastlake Ave E
SeattleWA98102

Current Occupant
257 E Howe St
SeattleWA98102

Current Occupant
259 E Howe St
SeattleWA98102

Current Occupant
93 E Newton St
SeattleWA98102

Current Occupant
113 E Newton St
SeattleWA98102

Current Occupant
215 E Newton St # A
SeattleWA98102

Current Occupant
215 E Newton St # B
SeattleWA98102

Current Occupant
221 E Newton St # B
SeattleWA98102

Current Occupant
221 E Newton St # C
SeattleWA98102

Current Occupant
221 E Newton St # D
SeattleWA98102

Current Occupant
1925 Franklin Ave E
SeattleWA98102

Current Occupant
1909 Franklin Ave E # 101
SeattleWA98102

Current Occupant
1909 Franklin Ave E # 102
SeattleWA98102

Current Occupant
1909 Franklin Ave E # 103
SeattleWA98102

Current Occupant
1909 Franklin Ave E # 105
SeattleWA98102

Current Occupant
1909 Franklin Ave E #106
SeattleWA98102

Current Occupant
1909 Franklin Ave E # 202
SeattleWA98102

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1909 Franklin Ave E # 203
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1909 Franklin Ave E # 205
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1909 Franklin Ave E # 302
SeattleWA98102

Current Occupant
1909 Franklin Ave E # 303
SeattleWA98102

Current Occupant
1909 Franklin Ave E # 304
SeattleWA98102

Current Occupant
1945 Yale Pl E
SeattleWA98102

Current Occupant
1938 Yale Ave E # 26
SeattleWA98102

Current Occupant
1938 Yale Ave E # 27
SeattleWA98102

Current Occupant
1938 Yale Ave E # 28
SeattleWA98102

Current Occupant
1938 Yale Ave E # 29
SeattleWA98102

Current Occupant
1940 Yale Ave E # 3
SeattleWA98102

Current Occupant
1940 Yale Ave E # 7
SeattleWA98102

Current Occupant
1922 Eastlake Ave E
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 206
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 208
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 306
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 210
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 103
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 105
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 303
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 202
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 104
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 108
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 106
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 308
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 110
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 109
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 304
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 203
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 307
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 301
SeattleWA98102

Current Occupant
1800 Eastlake Ave E # 305
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Current Occupant
1800 Eastlake Ave E # 100
SeattleWA98102

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1816 Eastlake Ave E # 103
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1816 Eastlake Ave E # 203
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1816 Eastlake Ave E # 105
SeattleWA98102

Current Occupant
1820 Eastlake Ave E
SeattleWA98102

Current Occupant
1823 Eastlake Ave E
SeattleWA98102

Current Occupant
1901 Eastlake Ave E
SeattleWA98102

Current Occupant
1901 Eastlake Ave E # 302
SeattleWA98102

Current Occupant
1901 Eastlake Ave E # 203
SeattleWA98102

Art Conservation Services
1916 Eastlake Ave E
SeattleWA98102

Leavengood Architects
1916 Eastlake Ave E
SeattleWA98102

Tru System Designers
1916 Eastlake Ave E
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # N
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # C
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # G
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # K
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # S
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # O
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # J
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # L
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # I
SeattleWA98102

Current Occupant
1917 Eastlake Ave E # T
SeattleWA98102

Current Occupant
1925 Eastlake Ave E # 303
SeattleWA98102

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1925 Eastlake Ave E # 301
SeattleWA98102

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1925 Eastlake Ave E # 202
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1925 Eastlake Ave E # 306
SeattleWA98102

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1925 Eastlake Ave E # 302
SeattleWA98102

Current Occupant
1925 Eastlake Ave E # 201
SeattleWA98102

Current Occupant
1925 Eastlake Ave E # 304
SeattleWA98102

Current Occupant
1925 Eastlake Ave E # 106
SeattleWA98102

Current Occupant
1925 Eastlake Ave E # 106
SeattleWA98102

Current Occupant
1925 Eastlake Ave E # 103
SeattleWA98102

MS 0

Terp LLC
1945 Yale Pl E
Seattle, WA 98102

Pvd Properties LLC
1938 Yale Ave E
Seattle, WA 98102

Wiley Investment LP II & Lucille Wile
7520 SE 71st St
Mercer Island, WA 98040

Inhabit Eastlake LLC
1101 N Northlake Way #106
Seattle, WA 98103

Inhabit Eastlake LLC
1101 N Northlake Way #106
Seattle, WA 98103

Bsop1 LLC
601 Union St #4720
Seattle, WA 98101

Abbey Park Associates LLC
PO Box 21905
Seattle, WA 98111

Twogoods LLC
1920 Eastlake Ave E
Seattle, WA 98102

International Bonneville
PO Box 1160
Salt Lake City, UT 84110

210 E Blaine LLC
4720 NE 36th St
Seattle, WA 98105

Lake Union Terrace II LP
1100 106th Ave NE #101
Bellevue, WA 98004

Back Alley Investors LLC
3835 43rd Ave NE
Seattle, WA 98105

Inhabit Eastlake LLC
1101 N Northlake Way #106
Seattle, WA 98103

Washington R/E Holdings LLC
600 University St #2820
Seattle, WA 98101

Amin-Javaheri Family
215 E Newton St
Seattle, WA 98102

Rp-Franklin LLC
2410 Bover Ave E #1
Seattle, WA 98112

Stephanie Johnson & H Thompson
212 E Howe St
Seattle, WA 98102

Entertainment Commun Inc
PO Box 1160
Salt Lake City, UT 84110

600 University St #2820
Seattle, WA 98101

Inhabit Eastlake LLC
1101 N Northlake Way #106
Seattle, WA 98103

State of Washington & R E Wash
600 University St #2820
Seattle, WA 98101

State of Washington & R E Wash
600 University St #2820
Seattle, WA 98101

MS 5

Current Resident
1945 Yale Pl E
Seattle, WA 98102

Current Resident
1938 Yale Ave E
Seattle, WA 98102

Current Resident
1901 Eastlake Ave E
Seattle, WA 98102

Current Resident
1995 Yale Pl E
Seattle, WA 98102

Current Resident
1975 Yale Pl E
Seattle, WA 98102

Current Resident
1910 Fairview Ave E
Seattle, WA 98102

Current Resident
1917 Eastlake Ave E
Seattle, WA 98102

Current Resident
1916 Eastlake Ave E
Seattle, WA 98102

Current Resident
1820 Eastlake Ave E
Seattle, WA 98102

Current Resident
210 E Blaine St
Seattle, WA 98102

Current Resident
1800 Eastlake Ave E
Seattle, WA 98102

Current Resident
1816 Eastlake Ave E
Seattle, WA 98102

Current Resident
1823 Eastlake Ave E
Seattle, WA 98102

Current Resident
1807 Eastlake Ave E
Seattle, WA 98102

Current Resident
221 E Newton St
Seattle, WA 98102

Current Resident
1909 Franklin Ave E
Seattle, WA 98102

Current Resident
1901 Franklin Ave E
Seattle, WA 98102

Current Resident
1901 Eastlake Ave E
Seattle, WA 98102

Current Resident
1900 Fairview Ave E
Seattle, WA 98102

Current Resident
1902 Fairview Ave E
Seattle, WA 98102

Current Resident
1880 Fairview Ave E
Seattle, WA 98102

Current Resident
100 E Blaine St
Seattle, WA 98102

Gray, Moira

From: Barnett, Beverly
Sent: Thursday, September 25, 2014 10:16 AM
To: Tabalno, Matthew
Cc: Gray, Moira
Subject: RE: 1823 Eastlake Ave - Vacation status

Good morning Matt. I thought you might need a reply in writing so that you have something for your file. As we discussed, SPU has expressed that conditions on the vacation can address its concerns. I will include in the vacation condition language that:

1. Provides that the vacation begins six feet below the surface of the street;
2. Requires the developer to indemnify the City; and
3. Requires that the drainage system in the street be owned and maintained by the developer.

It is my understanding that this issue is resolved. Thank you.

BEVERLY BARNETT
206-684-7564

From: Tabalno, Matthew
Sent: Wednesday, September 24, 2014 7:33 AM
To: Barnett, Beverly
Cc: Gray, Moira
Subject: 1823 Eastlake Ave - Vacation status

Good morning Beverly,

Will this satisfy the SPU portion of the street vacation? Have we determined how to indemnify this through our annual permitting process?

Thanks,
Matt

From: Wong, Herman
Sent: Monday, September 22, 2014 5:39 PM
To: Barnett, Beverly
Cc: Gray, Moira; Tabalno, Matthew; Karbowski, Stephen
Subject: 1823 Eastlake Ave - Subterranean vacation conditions

Beverly,

SPU wants you to add the following written condition or more to the subterranean street vacation petitioned for this street.

1. All the drainage appurtenances within the public street and above the subterranean vacation shall be owned and maintained by the petitioner and subsequent property owners. They shall also indemnify the City of Seattle.

If you need assistance or feel something else is needed and pertinent with this, please contact Steve Karbowski with the law department.

Any other questions, please give me a call.

Thanks!

Herman
4.5142

Herman Wong, PE
Civil Engineer
Seattle Public Utilities
206-684-5142
herman.wong@seattle.gov

Gray, Moira

From: Barnett, Beverly
Sent: Wednesday, August 13, 2014 3:55 PM
To: Bushnaq. Dawn; Tabalno, Matthew; Wong, Herman
Cc: Gray, Moira; Jim Daly; Patrick Hansen-Lund; 'David Herrman'
Subject: RE: 224445- 1823 Eastlake Ave E- Drainage Design

Thank you for your call Dawn but I do not believe we can push the schedule to make a September meeting. I think we are on the right path and very close. But-I believe this is complicated enough that we need to law dept review a specific agreement for this site. Taking the vacation to the City Council in December will allow us the time to get this issue firmly resolved.

It is the expectation of the City Council that we have all questions and issues firmly resolved before they review a vacation petition. As disappointing as this news may be, it will put us in a stronger position to secure approval from the City Council for the proposed vacation.

Thank you all for your hard work and push to try for the earlier date. I know you have been giving it your best effort.

BEVERLY BARNETT
206-684-7564

From: Dawn Bushnaq [mailto:dawn@bushnaqstudio.com]
Sent: Wednesday, August 13, 2014 2:39 PM
To: Barnett, Beverly; Tabalno, Matthew; Wong, Herman
Cc: Gray, Moira; Jim Daly; Patrick Hansen-Lund; 'David Herrman'
Subject: RE: 224445- 1823 Eastlake Ave E- Drainage Design

Hello Beverly – Thank you for your email.

Matt and Herman – thank you also for your review and comments on E Howe. We appreciate all of your help.

Beverly - if we can confirm today that Daly Partners is in agreement with the key requirements of the indemnity agreement, is there any way we can be scheduled for the September 23 City Council meeting?

Below is a COS Side Sewer Public Place Indemnity agreement.

http://www.seattle.gov/dpd/static/get_file/Side%20Sewer%20Public%20Place%20Indemnity%20Agreement_DPDD017368_LatestReleased.pdf

Matt - Is this agreement similar to what would be proposed for E Howe? If yes, would the main change be to replace "side sewer" with "E Howe Street ROW drainage system" or something similar?

Beverly - would an email/letter from Daly Partners that confirms they have no objections to a similar indemnity agreement be sufficient to demonstrate that we are agreement on the key questions of the indemnity agreement?

We would really like to be scheduled for City Council in September if at all possible. The potential conditions laid out by SDOT and SPU in your and Matt's emails (and outlined in the City's Side Sewer agreement) are not objectionable.

Waiting until December to appear before City Council will have an adverse impact on our project schedule and we feel that the substantive issues related to drainage on E Howe are getting well-resolved.

Would you give me a call this afternoon? On our end it feels like we are just about there and I would like to see if there's any way to make September happen.

Thanks again very much,
Dawn

--

Dawn Bushnaq Architect
Bushnaq Studio | 3210 Beacon Avenue South Suite 130 Seattle WA 98144 | phone: 206.963.6306 | email: dawn@bushnaqstudio.com

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From: Patrick A. Hansen-Lund [mailto:phansen-lund@mka.com]
Sent: Wednesday, August 13, 2014 11:53 AM
To: Dawn Bushnaq (dawn@bushnaqstudio.com)
Subject: FW: 224445- 1823 Eastlake Ave E- Drainage Design

Dawn, FYI...

Patrick A. Hansen-Lund, P.E.
Associate
Magnusson Klemencic Associates
1301 Fifth Avenue, Suite 3200
Seattle, WA 98101-2699
United States
Direct: +1 206 215-8238
Main: +1 206 292 1200
www.mka.com

LinkedIn | Facebook | www.MKA.com

From: Tabalno, Matthew [mailto:Matthew.Tabalno@seattle.gov]
Sent: Wednesday, August 13, 2014 11:46 AM
To: Patrick A. Hansen-Lund
Cc: Wong, Herman; Barnett, Beverly
Subject: 224445- 1823 Eastlake Ave E- Drainage Design

Pat,

I'm following up on the voicemail I just left. Below is the email Beverly sent to Dawn. If the drainage infrastructure in Howell St. is owned and maintained by the adjacent properties, SPU will accept the proposed grades. If the developer agrees to this I will set up a design guidance meeting to discuss the design. All drainage infrastructure shall be shown on the SIP and will be reviewed under the SIP. There will be a note on plan referencing an Annual Permit (which will need to be applied for).

Let me know if/ when you want me to set up a design guidance meeting.

Best,
Matt

Matt Tabalno | Sr. Project Manager | **Seattle Department of Transportation** |
Street Use Division| 206-684-3164 (Tel)

From: Barnett, Beverly
Sent: Wednesday, August 13, 2014 11:29 AM
To: Bushnaq, Dawn
Cc: Gray, Moira; Tabalno, Matthew; Wong, Herman; Jenkins, Michael; Whitson, Lish; Hawksford, Brian
Subject: Need to look at December meeeting

Good morning Dawn. I know your team has been working very hard to resolve the drainage issue with SPU quickly enough that we can try for a September public hearing. But it appears we will need to ask for the December 9 Transportation Committee meeting rather than a September meeting.

Matt and Herman just stopped by and I understand that SPU is proposing that the property owners take ownership of the drainage system and indemnify the City. If this approach is acceptable to both parties we will need to have the outline of an agreement in place before we get to City Council. We will not need anything as formal as an executed and recorded agreement but we will need be far enough along that both sides are in agreement on all key questions.

I know the timing is a concern for you and we will all work to keep things moving forward. I think the project is looking really good. Thanks for all your work in responding to the city.

BEVERLY BARNETT| Strategic Advisor / **Seattle Department of Transportation** |
Street Use & Urban Forestry Division| 206-684-7564 (Tel)

Gray, Moira

From: Barnett, Beverly
Sent: Wednesday, August 13, 2014 2:19 PM
To: Gray, Moira
Subject: FW: 224445- 1823 Eastlake Ave E- Drainage Design

For the file.

BEVERLY BARNETT
206-684-7564

From: Tabalno, Matthew
Sent: Wednesday, August 13, 2014 11:46 AM
To: Patrick A. Hansen-Lund
Cc: Wong, Herman; Barnett, Beverly
Subject: 224445- 1823 Eastlake Ave E- Drainage Design

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Best,
Matt

Matt Tabalno | Sr. Project Manager | **Seattle Department of Transportation** |
Street Use Division| 206-684-3164 (Tel)

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Cc: Gray, Moira; Tabalno, Matthew; Wong, Herman; Jenkins, Michael; Whitson, Lish; Hawksford, Brian
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BEVERLY BARNETT| Strategic Advisor / **Seattle Department of Transportation** |
Street Use & Urban Forestry Division| 206-684-7564 (Tel)

Gray, Moira

From: Barnett, Beverly
Sent: Tuesday, July 29, 2014 12:10 PM
To: Gray, Moira
Subject: FW: 224445- 1823 Eastlake Ave E- E Howe St. Drainage
Attachments: 224445- 1823 Eastlake Ave E- 60% Comments prior to 60% DG meeting; 2014 03 08_ 30% SIP Design Guidance Meeting Minutes_Complete.pdf

Follow Up Flag: Follow up
Flag Status: Completed

For the file.

BEVERLY BARNETT
206-684-7564

From: Tabalno, Matthew
Sent: Tuesday, July 29, 2014 11:38 AM
To: Patrick A. Hansen-Lund
Cc: Barnett, Beverly
Subject: 224445- 1823 Eastlake Ave E- E Howe St. Drainage

Pat,

I spoke with SPU this morning. In the design guidance meeting they felt that they conveyed the design requirement to collect storm water into a catch basin and curb discharge to Eastlake. They're firm on their stance and require Howe to drain as such.

Since there is no room for discussion on the required design I am canceling Thursday's meeting. Please revise your plans to meet the comments in the previous email I sent. I've attached it for reference (as well as the DG meeting minutes you prepared).

I've copied Beverly on this email to keep her in the loop.

Best,
Matt

Matt Tabalno | Sr. Project Manager | Seattle Department of Transportation |
Street Use Division | 206-684-3164 (Tel)

Gray, Moira

From: Tabalno, Matthew
Sent: Friday, July 18, 2014 11:49 AM
To: Patrick A. Hansen-Lund
Subject: 224445- 1823 Eastlake Ave E- 60% Comments prior to 60% DG meeting

Pat,

I met with SPU yesterday, and unfortunately your project does not meet 60% concept approval at this time due mainly in part from comments 4-7. See below.

SPU COMMENTS

1. **SHEET 4:** Relocate meters out of pedestrian walkway - onto planting strip area.
2. **SHEET 4:** Reuse of ex SS lateral shall be call out "Under Separate Permit".
3. **SHEET 4:** Remove existing WM shall be call out "Under Separate Permit". Show pavement restoration area for the retirement work at the main location.
4. **SHEET 5:** Per discussion during last DG meeting, stormwater on Howe st should be directed toward Eastlake with a CB collection to curb discharge. Design should mimic alley drainage collection. Adjust grade of the pedestrian plaza to slope toward Eastlake.
5. **SHEET 6:** Provide a cross-section with dimensions showing the below-grade vacation portion, private underground structures, depth of watermain casing, and clearances between them.
6. **DRAINAGE REPORT:** Code clarification: When defining whether a project is a sidewalk or roadway project, we look at the total new plus replace pollution generating impervious surfaces (PGIS) - disturb area between curb to curb. If the new or replaced PGIS area is over 5,000 sq ft then the entire project would be classified as roadway project. Once it already defined as a roadway project, project will be subjected to WQ and flow control thresholds. However, if the total PGIS area is under 5,000 sqft, then the entire project still be considered as sidewalk project, which only trigger GSI to MEF requirement. Consider the uniqueness of this project, the portion on Howe Street that used as pedestrian plaza will not consider as PGIS area, therefore it would not count toward the 5,000 sqft threshold. Project should re-assess the disturbed area and determine applicable requirement. Revise and resubmit drainage report.
7. **GSI BMP:** For infiltration BMP: depend on location of the underground structure, infiltration BMPs might not be feasible. Infiltrated water might create future problems to the underground structures. Re-evaluate the implement of infiltration BMPs.

SDOT COMMENTS

1. **SHEET 3:** A 430B driveway is not allowed because the dimensions from face of curb to property line is 10 ft. Furthermore the driveway has to be a minimum of 5 ft from the property line to provide a sight triangle. See exhibit F for 23.54.030 in the Seattle Municipal Code. http://clerk.ci.seattle.wa.us/~scripts/nph-brs.exe?d=CODE&s1=23.54.030.snum.&Sect5=CODE1&Sect6=HITOFF&l=20&p=1&u=/~public/code1.htm&r=1&f=G
2. **SHEET 3:** A 422B ADA ramp will not work at this location. Provide a 422A ramp with an pedestrian easement for the landing.
3. **SHEET 3:** Verify ex. curb height. Is it not a consistent 6"? One spot is 5" and another is 4".
4. **SHEET 4:** Who from SCL provided guidance on the pole location at the corner of Yale and Eastlake?

NEXT STEPS

1. Address comments above.
2. Resubmit 60% materials and (2) sets of revised plans.

3. Schedule a 60% DG meeting. I know it takes a long time to schedule DG meetings. To help mitigate this, I am willing to send a screening email to you so you can schedule a 60% DG meeting. I will need your revised set of plans a minimum of (2) weeks prior to the DG meeting. If I don't receive your plans and materials with a min of 2 weeks I'll have to cancel the DG meeting and schedule a new one.

Please let me know if you have any questions.

Best,
Matt

Matt Tabalno | Sr. Project Manager | Seattle Department of Transportation |
Street Use Division| 206-684-3164 (Tel)

Gray, Moira

To: Barnett, Beverly
Subject: E. Howe ROW term permit meeting notes

Notes from the July 3 meeting with Angela Steel, Amy Gray, Dawn Bushnaq and Daly representatives:

Term Permit
No council resolution for the permit as is usual, instead, because of vacation, language will be included in the vacation documents that various aspects of the project will require a term permit.
Term Permit ordinance would go forward in 2015. The project will need to be at 100% SIP (currently at 60%).
Term permit is required due to at grade plaza, signature art piece in ROW.
10 year term with 2 renewals
Angela will review and confirm if the café space, overhangs and possible food trucks/carts and events can be included in term permit (public notice issues). Large events need special event permitting.
Bike share location in area was discussed. Questionable in plaza due to size, circulation.

July 11 Follow-up: per Angela Steel
Sidewalk café and the decks are for private use, they will need to be permitted separately. The term permit is for a public plaza and is mitigation for the subterranean street vacation.

Moira Gray
Street Vacation Specialist, Street Use & Urban Forestry
City of Seattle Department of Transportation
O: 206.684.8272 | moira.gray@seattle.gov

Gray, Moira

From: Barnett, Beverly
Sent: Thursday, May 15, 2014 11:57 AM
To: Bushnaq. Dawn
Cc: Gray, Moira; Jenkins, Michael; Hawksford, Brian
Subject: E Howe Street vacation

Good morning Dawn. Thank you for coming in to meet with us last week. I wanted to follow up on a few items we need to work on so we can move forward to City Council consideration of your petition. Overall, I think the project looks good but this email is to note items we need to work on.

Maps & Documents: I think some of the material presented at the Design Commission was a bit confusing. The material we bring forward for Council review needs to have a clear purpose and be well marked and labeled. One of the areas of confusion was the inclusion of elements being provided by the adjacent development and elements proposed on property that you don't own. While the overall context and continuity of the public amenities is important, it became confusing to understand just what you are committing to do. We will need a clear drawings that shows just what you are doing. Additional drawings, that are clearly labeled, can then show what is being done by others and how your public benefit proposal connects to what is being done by others. An example of the confusion is in the 4/17 Des Com material on page 10. The drawing is labeled as "Development Proposal" but then includes 1818 Fairview and Row improvements done by others.

Page 12, the drawing notes that the vacation starts at the top of structured parking but the text says the vacation starts at 6 feet below grade. The text also notes that "per PSE" a minimum of 6 feet of soil is required. I don't know where that standard came from. It does appear that review of the SIP has addressed this issue and that should be made clear.

Public benefit proposal: the public benefit matrix on page 16 is very confusing. Again the chart seems to be trying to do too much. We need a public benefit matrix that lists each element you are proposing to be a part of your public benefit. The added notations of existing or required help us asses the merits of the public benefit proposal. We went over this chart in detail and we can go over a revised version to continue to assist you in getting this chart right.

I think part of the confusion in your chart was that is included elements of what you would do if you were not doing a vacation. The vacation proposal needs a clear public benefit matrix. A no-vacation alternative noting what would be provided without a vacation should be its own chart/exhibit.

We will need drawings with better dimensions of the proposed amenities around the site as we discussed. The Council will want to see the dimensions of the public benefit plaza and the set backs and street amenities.

Design Commission administrative review: The Design Commission did good job in their review of the project but I do think this proposal would benefit from having the required administrative review of the plaza occur before we go to the City Council. This will be decided by Michael Jenkins and he may have other ideas on the timing of the review but I would suggest that you discuss this with him. I think that would help move the design forward a step before the Council reviews the project. Additionally, the City Council likes to have a project go back to the Design Commission after Council approval for additional review at the 60 or 90% stage and we anticipate a condition requiring that additional review.

Community input: we have received positive support from the community on the project and this is very important. It does appear that work with the community has slowed down to communication with a small number of representatives. In an active and engaged community like this it is important that you continue your community outreach and work broadly in the community.

Response to comments: as we discussed, your draft response to the vacation comments needs to be expanded a bit. We need you to respond to each comment and note specifically how the comment was addressed. If this is unclear we can sit down and go over the comments.

Street use permit: I think much of this has been discussed in your SIP review but we want to make sure you identifying what type of permit is necessary and the timing and obligations of the permit for amenities that will be placed in the public right-of-way.

I hope this list matches your notes from our meeting. Please let me know if you have any questions or if you want to meet and go over any revised documents. Thanks! We look forward to seeing this project as the design evolves and we move forward to City Council review.

BEVERLY BARNETT | Strategic Advisor / **Seattle Department of Transportation** |
Street Use & Urban Forestry Division | 206-684-7564 (Tel)

Gray, Moira

From: Barnett, Beverly
Sent: Friday, April 11, 2014 9:45 AM
To: Gray, Moira
Subject: FW: East Howe vacation

For the file.

BEVERLY BARNETT
206-684-7564

From: Welch, Nicolas
Sent: Friday, April 11, 2014 9:43 AM
To: Jenkins, Michael; oquotah@LMNArchitects.com; megangroth@gmail.com; shannon@fix-works.com; Martin Regge <Martin.Regge@communityattributes.com> (Martin.Regge@communityattributes.com); ellen@sollodstudio.com; berniea@ggnltd.com; brodie.bain@perkinswill.com; ross@tilghmangroup.com; 64lee@msn.com; thaddeus.egging@kpff.com
Cc: Kinast, Valerie; Barnett, Beverly
Subject: RE: East Howe vacation

Just a point of clarification: the bulb out was originally considered as part of the streetscape improvements but is not currently proposed in the public benefit package.

From: Jenkins, Michael
Sent: Friday, April 11, 2014 9:35 AM
To: oquotah@LMNArchitects.com; megangroth@gmail.com; shannon@fix-works.com; Martin Regge <Martin.Regge@communityattributes.com> (Martin.Regge@communityattributes.com); ellen@sollodstudio.com; berniea@ggnltd.com; brodie.bain@perkinswill.com; ross@tilghmangroup.com; 64lee@msn.com; thaddeus.egging@kpff.com
Cc: Welch, Nicolas; Kinast, Valerie; Barnett, Beverly
Subject: East Howe vacation

Good morning:

As part of the public benefit package, the applicants have indicated that street scape improvements are part of their public benefit package.

Something to be aware of relates to this area of Eastlake and its relationship to the transit master plan (TMP) and bike master plan (BMP). The TMP identifies Eastlake Ave E as a possible route for extension of the South Lake Union Street Car. In addition, the BMP recommends a future cycle track along Eastlake Ave E. The streetscape improvements proposed by the applicant include constructing a bulb out into Eastlake Ave E. at Yale St, which would narrow the street width to less than what would be needed to accommodate both street car and a cycle track. As result SDOT would not support the bulb out onto Eastlake Ave E.

We'll have to make sure that issue is identified and removed as part of the package, if you decide to accept the overall streetscape enhancements as public benefit.

M

Michael Jenkins, Director – Seattle Design Commission
City of Seattle Department of Planning and Development
P.O. Box 34019, Seattle, WA 98124-4019
O: 206.386-4024 I F: 206.233.7663 I michael.jenkins@seattle.gov

Dawn Bushnaq

Subject: FW: 224445 - 1823 Eastlake Avenue E, Traffic Ops action items

From: Tabalno, Matthew [mailto:Matthew.Tabalno@seattle.gov]
Sent: Wednesday, April 09, 2014 7:51 AM
To: Patrick A. Hansen-Lund
Subject: 224445 - 1823 Eastlake Avenue E, Traffic Ops action items

Pat,

Traffic Ops has approved the curb bulb on Eastlake as long as there's nothing in it that would prevent SDOT from easily removing it if need be to accommodate a future cycle track or street car design. The proposed utility ramp will not be allowed.

Best,
Matt

Matt Tabalno | Sr. Project Manager | **Seattle Department of Transportation** |
Street Use Division | 206-684-3164 (Tel)

Dawn Bushnaq

Subject: FW: 224445 - 1823 Eastlake Avenue E, SPU action item

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From: Tabalno, Matthew [mailto:Matthew.Tabalno@seattle.gov]
Sent: Friday, March 28, 2014 9:42 AM
To: Patrick A. Hansen-Lund
Subject: 224445 - 1823 Eastlake Avenue E, SPU action item

Good morning Pat,

I'm still waiting to hear back from traffic on their action items. I kindly reminded them yesterday.

SPU's response to their action item:
"O.K. to move casing to center line. If Century Link is also coming thru maintain 5 feet clear. "

Have a great weekend,
Matt

Matt Tabalno | Sr. Project Manager | **Seattle Department of Transportation** |
Street Use Division| 206-684-3164 (Tel)

From: Patrick A. Hansen-Lund [mailto:phansen-lund@mka.com]
Sent: Monday, March 24, 2014 10:33 AM
To: Tabalno, Matthew
Cc: Bushnaq. Dawn; Diana Hammer (dhammer@kk-la.com); Peter Law (peter@bushnaqstudio.com); Karen Kiest (kkiest@kk-la.com)
Subject: RE: SIP #224445 - 1823 Eastlake Avenue E, Draft 30% Design Guidance Minutes
Importance: High

Hi Matt,

Checking in again – have you received any word on the below issues from Traffic Ops or SPU?

Thanks,
Pat

Patrick A. Hansen-Lund, P.E.
Associate
Magnusson Klemencic Associates
1301 Fifth Avenue, Suite 3200
Seattle, WA 98101-2699
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From: Patrick A. Hansen-Lund
Sent: Wednesday, March 19, 2014 11:09 AM
To: 'matthew.tabalno@seattle.gov'
Cc: Dawn Bushnaq (dawn@bushnaqstudio.com); Diana Hammer (dhammer@kk-la.com); Peter Law (peter@bushnaqstudio.com); Karen Kiest (kkiest@kk-la.com)
Subject: RE: SIP #224445 - 1823 Eastlake Avenue E, Draft 30% Design Guidance Minutes

Hi Matt, have you received any feedback from Traffic Ops or SPU on their Action Items #1, 2, and 3 noted within the attached minutes? We'd like to push ahead with our design but need direction on these issues.

Thanks,
-Pat

Patrick A. Hansen-Lund, P.E.
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United States
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LinkedIn | Facebook | www.MKA.com

From: Patrick A. Hansen-Lund
Sent: Monday, March 10, 2014 4:25 PM
To: 'matthew.tabalno@seattle.gov'
Cc: Dawn Bushnaq (dawn@bushnaqstudio.com); Diana Hammer (dhammer@kk-la.com); Peter Law (peter@bushnaqstudio.com); Karen Kiest (kkiest@kk-la.com)
Subject: SIP #224445 - 1823 Eastlake Avenue E, Draft 30% Design Guidance Minutes

Hi Matt,

See attached for draft minutes of our 30% Design Guidance meeting last Thursday. Let me know if you have any questions or comments...

Thanks,
-Pat

Patrick A. Hansen-Lund, P.E.
Associate
Magnusson Klemencic Associates
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United States
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Meeting Minutes

MAGNUSSON
KLEMENCIC
ASSOCIATES

Structural + Civil Engineers
1301 Fifth Avenue, Suite 3200 Seattle Washington 98101-2699 T: 206 292 1200 F: 206 292 1201 W: www.mka.com

		PAGE	1 OF 3
PROJECT	**SIP #224445**	**PROJECT #**	99261.50
PROJECT LOCATION	1823 Eastlake Avenue E	**TODAY'S DATE**	3/10/2014
MEETING LOCATION	SDOT, Muni Tower Conf Room #2345	**MEETING DATE**	3/6/2014
SUBMITTED BY	Patrick Hansen-Lund	**DISTRIBUTION**	ALL ATTENDEES
SUBJECT	30% Design Guidance Meeting		

ATTENDEES: (See attached SIP Meeting Sign In Sheet)

1. SDOT Traffic Operations

    a. The City has master planning for both cycle tracks and street cars along the Eastlake corridor. No specific designs for implementing those uses are currently defined. As such Traffic Ops desires to maintain the existing curb-to-curb width and will not allow the proposed Eastlake Ave curb bulb. It was noted that SDOT understands that in order to implement both of cycle tracks and street car in the future, existing parallel parking on Eastlake Avenue E would need to be removed.
    b. Traffic Ops will consider a curb bulb that is "removable" (i.e. permanent curb installed without the bulb, with a pin-down curb and temporary sidewalk installed on top of asphalt pavement outboard of the permanent curb).
    c. Traffic Ops noted concerns related to the proposed below-grade Howe Street vacation due to the vacation's potential to limit future public transportation uses of the Howe corridor. The SIPs will be used to coordinate and alleviate some of those concerns.
    d. The larger pedestrian ramp at the striped crosswalk should be reduced to standard width.
    e. SDOT is currently performing a pedestrian warrant study to determine if a pedestrian traffic signal improvement will be programmed as an SDOT capital improvement.
    f. The "utility" ramp located at the south end of the Eastlake improvements must be modified in a manner to deter pedestrian use (since it is not intended to be a mid-block crosswalk and there is no companion ramp on the other side of Eastlake). Traffic Ops noted that signage deterring pedestrians wouldn't be sufficient; a rolled curb was discussed as a possible option. Traffic Ops will provide recommendations.

2. SPU

    a. The Howe Street corridor will be the route of a future waterline. As such, a waterline casing should be installed with the project above the below-grade parking structure as a reservation to feed piping in the future. The casing design parameters are as follows:
        i. 16" diameter;
        ii. 3/8" wall thickness;
        iii. 36" (min) cover from Howe Street grade;
        iv. Extend 5' (min) horizontally past the ends of the parking structure on both ends;

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v. Locate 10′ north of the Howe Street centerline. It was noted that a 10′ offset conflicted with much of the proposed Howe Street landscaping. SPU will reconsider and provide options for positioning the casing.

b. It was requested by the design team that the top of below-grade vacation be reduced to 5′ if the water pipe casing and stormwater systems could be kept within the 5′ depth. SPU noted that the top of vacation should remain 6′ to provide some buffer and clearance for utilities.
c. SPU does not see any need for installation of new conveyance structures on Eastlake or Yale (the proposed plan is acceptable).
d. Howe Street stormwater flow should be collected in catch basins and directed to Eastlake as a curb discharge. It was noted that to meet GSI requirements, permeable pavement systems and planters are being considered by the design team for collecting and conveying stormwater. SPU noted that the project is unique but will not be exempted from GSI, so the design team should propose a compliant system.
e. It is critical that the installed stormwater systems allow for SPU maintenance outside of the Howe Street corridor (maintenance vehicles will not have access).
f. The SIPs should note that sewer lateral connections are "under separate permit".
g. It seems reasonable that each of the two proposed building structures would have its own side sewer connection.

3. Seattle City Light Engineering and SDOT Street Lighting

a. Existing overhead utility lines that cross the private property at the intersection of Yale and Eastlake can be re-strung to a new or relocated pole. The design team should propose a new pole location for consideration by the impacted utilities, then schedule an onsite meeting to include representatives of:
   i. SCL (service rep + a pole engineer)
   ii. Metro
   iii. Comcast
   iv. SDOT Street Lighting
b. In the Howe Street corridor, SCL will provide and assume responsibility for maintaining permanent electrical service to lighting since it is a public right of way. This is consistent with the Fairview project's approach to the west. The design team should propose locations for pedestrian lighting, conduit routing, and hand holes to provide this service and show these items on the 60% SIPs. The conduit will be (2) 2", with 18" depth of cover, positioned 3′ from obstructions and 5′ from the SPU waterline casing. The conduit should be 42" behind face of curb when along street frontages.
c. One hand hole is needed for every two (2) Howe Street pedestrian lights.
d. A terminal hand hole should be provided at the west end of the Howe Street corridor conduit run to allow SCL to coordinate and connect ped lighting services between the 1823 Eastlake and Fairview projects.
e. The electrical service point for the Howe Street corridor lighting will be the shared-utility pole located on Yale just west of the existing restaurant driveway at the intersection of Yale and Eastlake (the pole is located adjacent to an existing hex stop sign).
f. The electrical service for the new buildings will be the next existing utility pole on Yale west of the one noted above for ped lighting service. This will be confirmed by the SCL service representative.

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g. If street lights are moved, lighting calculations will be required for the 60% SIP submittal. It is possible that if lights are moved, an additional light will be required to be installed.
h. A wiring line diagram will be required for the 60% SIP submittal.
i. SCL recommends that the Owner proceed to cancel existing leases with SCL that pay for the existing pole-mounted floodlights (unless those lights are desired for construction activities).

4. SDOT Urban Forestry

   a. In order to provide more width for planting and trees, it would be acceptable for the sidewalk on Yale to be reduced to 5.5′ from property line to edge of sidewalk (leaving 4′ for a planter and a 6″ curb width).
   b. Street tree species proposed on Eastlake and Yale are acceptable as shown.

5. SDOT SIP Project Management

   a. Since the project desires to install and maintain non-standard features including paving and furniture within the Howe Street public right of way, a Street Use permit will be required to document ongoing responsibility for those features.

<u>30% DESIGN GUIDANCE ACTION ITEMS:</u>

1. Traffic Ops to provide direction on whether a removable curb bulb on Eastlake Ave E is acceptable.
2. Traffic Ops to provide direction on ways to modify the proposed utility ramp to deter ped use.
3. SPU to provide direction on position of 16″ waterline casing within Howe Street corridor.
4. Design team to coordinate an onsite meeting with SCL, Metro, Comcast, and SDOT Street Lighting to discuss pole relocations.
5. Design team to revise 30% SIP plans to address above comments and submit 60% SIPs for review.

SIP MEETING
SIGN IN SHEET

Project Address: 1823 EASTLAKE AVE E SDOT Project: 224445 Review: DG1 Date: 3/6/14

Name	Company/ City Work Group	Office Phone / Cell Phone	Email Address
MATT TABALNO	SDOT	684-3164	matthew.tabalno@seattle.gov
Ann Hall	SCL	615-0670	ann.hall@seattle.gov
Ron Ramos	SCL	615-1193	ron.ramos@seattle.gov
Herman Wong	SPU	684-5742	herman.wong@seattle.gov
Lan Chau	SPU	733-9985	lan.chau@seattle.gov
STEPHEN JOHNSON	SCL	2067339182	Stephen.johnson@seattle.gov
BRUCE P. RIPS	DPD		BRUCE.RIPS@SEATTLE.GOV
John Marell	SDOT	(206) 684-1063	John.Marell@seattle.gov
Peter Law	Bushnag Studio	(510) 230-5510	peter@bushnagstudio.com
Diana Hammer	Karen Kiest Landscape Arch	206 323-6032	dhammer@KK-LA.com
PAT HANSSEN-LUND	MKA	206-215-8238	phansen-lund@mka.com
DAWN BUSHNAG	BUSHNAG STUDIO	206-763-6366	dawn@bushnagstudio.com

BUSHNAQ STUDIO ARCHITECTURE + DESIGN
3210 BEACON AVE. S. SUITE 130 SEATTLE, WA 98144 TEL 206.257.3345

MEMORANDUM

TO: Beverly Barnett, SDOT

FROM: Dawn Bushnaq, Bushnaq Studio Architecture + Design

CC: Michael Jenkins, Seattle Design Commission
Moira Gray, SDOT
Jim Daly, Daly Partners

DATE: July 29, 2014

PROJECT: E Howe St ROW Subterranean Vacation Clerk File: 313430

SUBJECT: Subterranean Vacation Comment Response

This memo summarizes the Petitioner's response to comments about the proposed E Howe Street ROW Subterranean Vacation. The comments, received from February 2014 to the present, are divided into three sections: Seattle Design Commission Comments; Agency and Utility Comments; and Community Comments.

Please let me know if you have any questions or need more information. Thank you.

SEATTLE DESIGN COMMISSION (SDC) COMMENTS

On February 20, 2014, the Design Commission approved the urban design merit of the subterranean vacation of the E Howe ROW.

On April 17, 2014, the Design Commission reviewed and conditionally approved the proposed public benefit package.

On June 3, 2014, through administrative review, the Design Commission reviewed and approved the Petitioner's response to conditions of the public benefit package. Design Commission provided the following comments and recommendations for the Petitioner as the design moves forward:

RIGHT-OF-WAY DETAILS

"1. Continue to refine the placement of lighting, seat cubes, and other elements in the ROW to improve opportunities for views and maximize the inviting and public nature of the ROW."

Response: Petitioner acknowledges SDC's comments and continues to refine the placement of lighting, seating, and plantings as the details of the project develop.

"2. Keep the materials simple for the prow. We commend the choice of wood and concrete and discourage adding metal railings here."

Response: Petitioner appreciates SDC's support for a simple, durable material palette. Petitioner continues to pursue this approach.

SDC COMMENTS

"3. Consider ways to increase the drama at the prow by adjusting the grades so the ground slopes away more."

Response: Petitioner agrees with SDC that the sense of drama at The 'Prow' can be enhanced. Petitioner is continuing to refine grades around The 'Prow'. The final grades will need to strike a balance between drama and safety. With the currently proposed grades, a safety railing is not required at the 'Prow', which supports Recommendation #2 above.

ARTWORK

"4. Ensure the art is fully integrated with the landscape architecture in the ROW."

Response: Mike Phifer and the design team continue to refine the relationship of the sculpture with the landscape elements and the buildings. Since the June 3 Design Commission administrative review, the overall length of the sculpture has been reduced by 2'. This enhances pedestrian circulation around the sculpture. The design team also continues to explore the angle of the sculpture in relation to the buildings and pavement scoring.

"5. Pay particular attention to the detailing where the art meets the ground, which does not currently seem fully resolved or thought through."

Response: Mike Phifer is currently working with the project structural engineer on connection details for how the sculpture meets the ground. The design intent is to conceal the sculpture footings below grade so that only minimal connection details of the sculpture are visible. The design team will provide SDC with details when these are more fully developed.

"6. Be more intentional with the lighting of the sculpture."

Response: Since Design Commission administrative review, the sculpture lighting plan has been further developed: Four inset pavement up lights follow the centerline of the sculpture to create a visually lit path through the sculpture. The intent is to emphasize the spatial, inhabitable character of the sculpture. Mike Phifer and the design team will continue to collaborate on the development of the lighting plan.

"7. Continue to refine the scale, proportion, and placement of the artwork in the space—an area of concern for the Commission."

Response: Petitioner acknowledges SDC's comments. The project includes significant voluntary building setbacks which create a generous space for the Art Court and sculpture. The Petitioner feels that the overall scale of the art is appropriate and, at the same time, continues to make strategic refinements (such as the adjustments to the overall sculpture length) to enhance the welcoming character of the ROW.

AGENCY & UTILITY COMMENTS

SEATTLE FIRE DEPARTMENT (SFD)

Gary English, Deputy Chief, Assistant Fire Marshall

"SFD has no objections to the proposed vacation".

Response: Petitioner appreciates SFD's review of the proposal.

KING COUNTY WASTEWATER TREATMENT DIVISIONS (WTD)

Claire Christian, Real Property Agent, King County WTD

"Based upon our review of DNRP Wastewater Treatment Divisions Facility locator map, we do not appear to have any infrastructure in the vicinity of this vacation petition".

Response: Petitioner acknowledges King County WTD's comments and appreciates their review of the proposal.

SEATTLE PARKS AND RECREATION

Donald Harris

"We [Parks and Recreation Department] believe it to be a meritorious proposal that will provide a significant public benefit to the Eastlake Community and the public at large. The petitioner's proposed surface plaza/walkway within the ROW will provide aesthetic value. More importantly, the proposal will be critically important to achieving a link between the existing I-5 Colonnade Park and the Cheshiahud Lake Union Loop trail system that has long been a dream of the Eastlake Community. The result will be a trail system that will enable walkable access from Lake Union all the way to Broadway on Capitol Hill. This link will finally be achievable with the petitioner's proposed surface improvements connecting with similar improvements proposed by Washington Holdings within contiguous Howe Street ROW to the west."

Response: Petitioner heartily thanks Seattle Parks and Recreation for its support of the proposed subterranean vacation and public open space.

PUGET SOUNT ENERGY (PSE)

Alex Malesis, Real Estate Representative

"PSE has no reason to object to this proposed street vacation as currently planned."

Response: Petitioner appreciates PSE's review of the proposal.

SEATTLE CITY LIGHT

Karlee Gaskill, Senior Real Property Agent

"We have no objection to the proposed vacation, provided that the following paragraphs containing certain requirements are made part of the petition.

AGENCY & UTILITY COMMENTS

Prior to the approval of the street vacation of E. Howe St. between Eastlake Ave E and Fairview Ave E., Petitioner shall provide for the removal and/or relocation of electrical utility facilities to 1823 Eastlake Ave E, or provide for an alternate service connection, including electrical services to any other properties affected by such conversion or removal. This work may also include the acquisition of additional easements over the property of others, the creation of restrictive covenants, deed reservations or the execution of Seattle City Light (SCL) relocation or work order agreements, all of which shall be in forms and with terms and conditions satisfactory to SCL. Petitioner shall be solely responsible for acquiring any such additional easements and the creation of any such restrictive covenants or deed reservations, all at Petitioner's sole expense. Petitioner shall be solely responsible for all costs associated with the removal, underground conversion, and/or relocation of SCL's electric facilities, including all costs related to the restoration of electric service to other properties affected by the vacation. Seattle City Light issues shall be resolved to the full satisfaction of SCL either prior to the approval of the final vacation ordinance by the City Council or prior to the vacation ordinance becoming effective. Evidence of SCL's satisfaction may be delivered by any method agreeable to SCL and SDOT."

Response: The Petitioner has reached agreement with SCL to provide electrical service for the new buildings from an existing utility pole on Yale. The Petitioner also confirmed to SCL that the Petitioner will remove electrical service to the existing restaurant at 1823 Eastlake Ave E, which is slated for demolition.

SEATTLE PUBLIC UTILITIES (SPU)

Carolyn Johnson, Senior Real Property Agent

"SPU Recommends the Proposed Subterranean Vacation of a Portion of E Howe St.; Clerk File 313430 be approved with the enclosed recommendations."

Response: Petitioner thanks SPU for its conditional recommendation.

SPU SEWER & DRAINAGE RECOMMENDATIONS

"There is no current plan for a future SPU sewer or storm drain main lines in E Howe Street between Fairview Ave E and Eastlake Ave E."

Response: Petitioner acknowledges SPU's comment.

"The proposed plaza area needs to be designed to be surface sloped (no closed contour) and connect into the combined sewer in either Yale Ave E or Eastlake Ave E."

Response: The Petitioner proposes to collect flow through area drains and bio-retention planters and to pipe flow under the plaza level to the combined sewer system on Eastlake. The Petitioner is working with SPU to reach consensus regarding plaza drainage and will provide additional response after meeting with SPU on July 31.

AGENCY & UTILITY COMMENTS

"SPU recommends a 6 feet subterranean clearance from the proposed grade established at the gutter or depression line instead of 5 feet."

Response: the Petitioner has reached agreement with SPU to provide 6 foot minimum subterranean clearance from the top of the proposed vacation to the proposed grade established at the gutter or depression line.

SPU WATER RECOMMENDATIONS

"The Howe St subterranean vacation should provide a corridor above the garage for a future water main to connect the dead end 8" in Fairview Ave with the 12" W in Eastlake. Access to the water main would have to be provided to SPU.

In addition the proposed vacation area begins approximately 5 feet below grades, SPU would recommend it begin 6 feet below grade and that the water main design use casing through this area."

Response: the Petitioner has reached agreement with SPU to provide a water main casing above the below-grade parking structure as a reservation to feed piping in the future. The Petitioner is currently coordinating details of the casing with SPU.

As stated in the previous section, the Petitioner has also reached agreement with SPU to provide 6 foot minimum subterranean clearance from the top of the proposed vacation to the proposed grade established at the gutter or depression line.

SDOT TRAFFIC MANAGEMENT

Luke Korpi

"The specific elements of their (Petitioner's) proposed public benefit are subject to further review and approval via the SIP process. The design is at 30% level of development. Some elements (such as the enhanced open space on E Howe St) will require additional design detail to fully evaluate - this will likely be developed over a series of design guidance meetings. At least some (perhaps all) proposed elements can likely be provided".

"The stairway access and single point of entry on Yale Pl E are included in their SIP application. Specific engineering details will be refined throughout the SIP design guidance process."

"We will need to closely coordinate the public benefit package as it evolves further with the engineering and technical review of these elements which will occur throughout the SIP process."

Response: Petitioner acknowledges SDOT's comments. In June 2014, The Petitioner submitted to SDOT additional design detail related to the public benefit package. The Petitioner is currently working with SDOT to coordinate further design refinements.

"Additional information will be required from the applicant for one element (the enhanced commercial and pedestrian frontage on Eastlake Ave). At least some design details associated with this enhancement (a curb extension projecting into Eastlake Ave), will likely not be approved."

Response: the Petitioner reached agreement with Traffic Ops to allow a removable curb extension that would project into Eastlake. The curb extension will be approved "as long as there's nothing in it that would prevent SDOT from easily removing it if need be to accommodate a future cycle track or street car design."

AGENCY & UTILITY COMMENTS

SDOT TRAFFIC MANAGEMENT

John Marek

"The subterranean portion of the Right of Way is typically reserved for the use of the various utilities. Vacating the subterranean portion of the right-of-way and construction of a below grade structure, would limit our ability to locate and maintain utilities along this section in the future."

"The proposed pedestrian facility improvements along the E Howe St right-of-way would help to make a desirable connection between the Eastlake Ave and Fairview, enhancing pedestrian access between Colonnade Park below I-5 to Fairview Ave E and the waterfront. However, vacating the subterranean portion of the right-of-way could limit the City's ability to construct future pedestrian improvements or infrastructure along this segment. As a result Traffic Management has concerns with the proposed vacation."

Response: Petitioner acknowledges SDOT's comments. As stated above, in June 2014, The Petitioner submitted to SDOT additional design details. The Petitioner is currently working with SDOT to coordinate further design refinements.

"The Transit Master Plan identifies Eastlake Ave E as a possible route for extension of the South Lake Union Street Car. In addition, the Bicycle Master Plan recommends a future cycle track along Eastlake Ave E. The improvements proposed by the applicant include constructing a bulb out into Eastlake Ave E. at Yale St, which would narrow the street width to less than what would be needed to accommodate both street car and a cycle track. As result SDOT would not support the bulb out onto Eastlake Ave E."

Response: Petitioner reached agreement with Traffic Ops to allow a removable curb extension that would project into Eastlake. The curb extension will be approved "as long as there's nothing in it that would prevent SDOT from easily removing it if need be to accommodate a future cycle track or street car design."

CENTURY LINK

R. Jeff Lawrey, Manager, Right-of-Way, Western Washington

"At this time, Qwest (d/b/a CenturyLink) has no issues with the proposed vacation so long as provisions are made to retain our rights by either PUE or private easement(s) to cover our existing or future facilities and or compensation for the cost of relocating our facilities."

Response: Petitioner is in process of coordinating provisions with CenturyLink.

COMMUNITY COMMENTS

EASTLAKE RESIDENT/E HOWE STREET STEERING COMMITTEE/LAKE UNION NEIGHBORS

Brian Ramey

"We are in general support of this subterranean street vacation request.

The developer of the two parcels of land on either side of the E Howe ROW between Eastlake and Fairview (Azteca Restaurant) is asking to allow the building of a parking garage to serve his "Work Live Units" and a Retail store on Eastlake frontage by requesting the "subterranean" vacation of that portion of the E Howe Right of Way. He has promised to develop the surface portion of the ROW as a pathway, "Park" link in conformance with the goals of the neighborhood stated as part of our Eastlake Neighborhood Plan.

This vacation mostly helps the developer but also it would boost our plans for the completion of the E Howe ROW for a pathway leading from the top of Capitol Hill all the way to the shores of Lake Union, the pocket parks in our neighborhood and the CHESHIAHUD LOOP Trail. This "subterranean" vacation would benefit the neighborhood and the greater community by allowing for the continuation of the E Howe Street path, stairs and park.

We held a public meeting at TOPS School in December and the developer gave a presentation of his plans. It appeared from the comments of those present at that community meeting that the neighborhood is in support of his development concepts and the request for a subterranean E Howe Street vacation."

Response: Petitioner thanks Mr. Ramey for his support of the subterranean vacation and for his ongoing help with community outreach. Mr. Ramey has been a crucial link between the project team and community members.

EASTLAKE RESIDENT

Adam Amsel

"I'd like to voice my support for subterranean vacation request 313430. This vacation will give the developer the flexibility to support what the neighborhood needs: a vibrant pedestrian pathway connecting Capitol Hill to the shores of Lake Union. This pathway is an important project that will serve the neighborhood many years into the future. This vacation will allow the pathway to spill through potentially vibrant retail space, will encourage activity and gathering, and will enable a more spatially welcoming experience for pedestrians. Without it, the pathway can still exist, but risks becoming a seldom-used, lifeless alleyway.

Please grant this vacation. Enable this pathway to become a successful, loved space in the neighborhood."

Response: Petitioner greatly appreciates Mr. Amsel's support for the subterranean vacation. His vision for a vibrant pedestrian pathway is shared wholeheartedly by the Petitioner.

COMMUNITY COMMENTS

SEATTLE RESIDENT/FEET FIRST BOARD MEMBER

John Stewart

"The Howe stairs and associated structures lead from the top of Capitol Hill all the way down under I-5 to Eastlake. The 'missing link' of the connection is the stretch from Eastlake down to Fairview and the Cheshiahud Loop trail.

I've had the good fortune of meeting and talking with Brian Ramey and some of the other neighbors who have been working hard to see this vision of a pedestrian link realized. The street vacation is a key step, as the developer has promised to turn the surface portion of the right-of-way into a pathway/park/link, in conformance with the Eastlake Neighborhood Plan. Again, this gets us closer to 'closing the gap' between the Howe stairs and Fairview.

At Feet First we're firm believers in active transportation and healthy living. We know that walking has enormous benefits for everyone, regardless of age, gender, or any of the other things that so often separate us. Providing a connection to help more people walk more places just makes sense; allowing a developer to build a subterranean connection in return for a surface-level pedestrian link is an excellent way of stretching scarce resources to realize an important goal."

Response: Petitioner thanks Mr. Stewart for his support for the subterranean vacation and appreciates his clarity on the relationship between the subterranean vacation and the surface-level pedestrian character.

EASTLAKE RESIDENT

Gabriel Grant

"I am a close neighbor of this project. I live with my wife just around the corner at East Newton and Yale Ave, where we have lived for almost 10 years. We walk or bike by this site on a daily basis.

I am in support of the requested vacation. The lots on which the developer proposes to build their building are currently quite underutilized and of very little benefit (if any) to the community.

Quite frankly, having a nicely designed building on that corner will be much better and I believe that the public benefits being offered by the developer will be very attractive for our neighborhood.

The over 4,000 square feet of open space and public art will be a nice improvement, as will the street–level commercial frontage, outdoor seating, architectural lighting, and enhanced landscaping.

The stairway improvements on E. Howe St. connecting the open space to the proposed stairway and walk to be built by the adjacent 1818 Fairview project will mark the fulfillment of a longtime community priority.

And finally, the proposed vacation will allow a single parking ingress/egress, which will be much better than two points of ingress and egress."

Response: Petitioner greatly appreciates Mr. Grant's wide-ranging support for the proposed project, subterranean vacation and related ROW improvements.

COMMUNITY COMMENTS

EASTLAKE RESIDENT

Jules James

"Rare is the occasion where a street vacation makes sense to me. But this street vacation has my enthusiastic support.

The community receives no meaningful benefit from the nub of East Howe Street. The parking has been privately controlled for decades and the blackberry bushes are beyond too dense and on too steep a slope to be harvested.

I have examined the developer's proposal during two public meetings. His project will be perhaps the largest Eastlake has absorbed (as a measure by square footage) in 30 years, and certainly one of the most positive. I am expecting this project will cause a cultural shift southward for my Eastlake neighborhood, linking the Equinox Apartments and other large recently-built residential structures more to the center of Eastlake. I am expecting this project to become a significant outdoor meet-up point within the neighborhood.

I have nothing but positives to express about the overall proposal, the process Mr. Daly and his team have used to involve my Eastlake neighborhood and about the Howe street vacation itself."

Response: Petitioner is grateful for Mr. James's support for the subterranean vacation and his kind words about the process to date.

EASTLAKE RESIDENT

Michael J. Maddux

As a resident of Eastlake, and very close to these development sites, I have been watching from the sidelines as community members, the city, and the developer have been working to create a development that works for everyone.

I understand that there is a vacation request from the developer to allow for parking under the E Howe Street Right of Way. I am writing in support of this request.

To pinpoint how all of this development affects me personally - I live on the corner of E Blaine and E Franklin - a half block away from the southern portion of the overall development going on in this section of my neighborhood. Notwithstanding the overall improvements to pedestrian infrastructure this project promises, the addition of a fully connected pedestrian pathway from the top of Capitol Hill, through Colonnade Park, and to the waterfront, would be a welcome addition to this part of Eastlake. Creating a more welcoming environment with store fronts instead of parking lots, with added street art, makes me excited to continue to live in this little gem of a neighborhood.

Almost more important to me, however, is seeing the fruit of the labor of the community working with developers and the city, instead of lobbing bombs and cementing on opposite sides of the issue. As a member of the Parks Levy Oversight Committee, the idea of working together to advance good ideas - which often means sides compromising, not getting everything they want - is something I have always valued, and an action that should be rewarded.

Here, there is going to be real community benefit, thanks in large part to community members and the developers working with each other for mutual benefit. Adding in the underground parking will help the

COMMUNITY COMMENTS

small businesses that come in, and make the overall project more attractive to potential tenants. A benefit the developer has earned.

I urge the city's support of this vacation, so long as the community benefit of the project remains in place."

Response: Petitioner greatly appreciates Mr. Maddux's support and especially thanks him for highlighting the cooperative spirit of stakeholders involved.

Gray, Moira

From: Wong, Herman
Sent: Monday, September 22, 2014 5:39 PM
To: Barnett, Beverly
Cc: Gray, Moira; Tabalno, Matthew; Karbowski, Stephen
Subject: 1823 Eastlake Ave - Subterranean vacation conditions

Follow Up Flag: Follow up
Flag Status: Completed

Beverly,

SPU wants you to add the following written condition or more to the subterranean street vacation petitioned for this street.

1. All the drainage appurtenances within the public street and above the subterranean vacation shall be owned and maintained by the petitioner and subsequent property owners. They shall also indemnify the City of Seattle.

If you need assistance or feel something else is needed and pertinent with this, please contact Steve Karbowski with the law department.

Any other questions, please give me a call.

Thanks!

Herman
4.5142

Herman Wong, PE
Civil Engineer
Seattle Public Utilities
206-684-5142
herman.wong@seattle.gov

City of Seattle
Seattle Public Utilities

DATE: February 14, 2014

To: Moira Gray, Street Vacation Office

FROM: Carolyn Johnson, Senior Real Property Agent;
Seattle Public Utilities Street Vacation Reviewers

VACATION: REVIEWED Vacation Petition for Subterranean Vacation of a Portion of E. Howe St: CF313430

Seattle Public Utilities (SPU) has reviewed the proposed vacation, and has identified the following concerns and has the following recommendations:

SPU Sewer & Drainage:

1. There is no current plan for a future SPU sewer or storm drain main lines in E Howe Street between Fairview Ave E and Eastlake Ave E.

2. The proposed plaza area drainage needs to be designed to be surface sloped (no closed contour) and connect into the combined sewer in either Yale Ave E or Eastlake Ave E. SPU recommends a **6 feet** subterranean clearance from the proposed grade established at the gutter or depression line instead of 5 feet.

SPU Water:

1. The Howe St subterranean vacation should provide a corridor above the garage for a future water main to connect the dead end 8" in Fairview Ave with the 12" W in Eastlake. Access to the water main would have to be provided to SPU.

2. In addition the proposed vacation area begins approximately 5 feet below grade, SPU would recommend it begin 6 feet below grade, and that the water main design use casing through this area.

Recommendation:

SPU recommends the Proposed Subterranean Vacation of a Portion of E. Howe St.; Clerk File 313430 be approved with the enclosed recommendations.

Cj\SPU Reviewers

Ray Hoffman, Director
Seattle Public Utilities
700 5th Avenue, Suite 4900
PO Box 34018
Seattle, WA 98124-4018

Tel (206) 684-5851
Fax (206) 684-4631
TDD (206) 233-7241
ray.hoffman@seattle.gov

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City of Seattle

Edward B. Murray, Mayor

Seattle City Light
Jorge Carrasco, General Manager and Chief Executive Officer

April 15, 2014

Seattle Department of Transportation
Attn: Moira Gray
P.O. Box 34996
Seattle, WA 98124-4996

RE: Proposed Subterranean Vacation of a Portion of E. Howe St., Clerk File 313430

Dear Ms. Gray,

City Light received your request to review the petition from Inhabit Eastlake, LLC to vacate a subterranean portion of E. Howe St. between Eastlake Ave. E. and Fairview Ave. E.

City Light owns and operates electrical facilities within the proposed vacation area.

We have no objection to the proposed vacation, provided that the following paragraphs containing certain requirements are made part of the petition:

> "Prior to the approval of the street vacation of E. Howe St. between Eastlake Ave. E. and Fairview Ave. E., Petitioner shall provide for the removal and/or relocation of electric utility facilities to 1823 Eastlake Ave E, or provide for an alternate service connection, including electrical services to any other properties affected by such conversion or removal. This work may also include the acquisition of additional easements over the property of others, the creation of restrictive covenants, deed reservations, or the execution of Seattle City Light (SCL) relocation or work order agreements, all of which shall be in forms and with terms and conditions satisfactory to SCL. Petitioner shall be solely responsible for acquiring any such additional easements and the creation of any such restrictive covenants or deed reservations, all at Petitioner's sole expense. Petitioner shall be solely responsible for all costs associated with the removal, underground conversion, and/or relocation of SCL's electric facilities, including all costs related to the restoration of electric service to other properties affected by the vacation.

> Seattle City Light issues shall be resolved to the full satisfaction of SCL either prior to the approval of the final vacation ordinance by the City Council, or prior to the vacation ordinance becoming effective.
>
> Evidence of SCL's satisfaction may be delivered by any method agreeable to SCL and SDOT."

Any questions may be directed me or Eivind Perander, SCL Engineering, at 615-1152.

Seattle City Light thanks you for the opportunity to review and comment on the proposed vacation.

Sincerely,

Karlee Gaskill
Senior Real Property Agent
Seattle City Light
684-8315

April 8, 2014

MEMORANDUM

TO: Moira Gray, Street Vacation Office, SDOT

FROM: Jim Holmes, DPD Seattle City Planning

RE: E. Howe Street Vacation

The DPD Planning Division review of the application for a subsurface vacation of the portion of E. Howe Street identified in Clerk File 313430 and recommends approval of the vacation based on the following analysis.

- **Public Trust**: The proposed street vacation will not result in a disruption of the traffic circulation system because the project is a subsurface vacation and E. Howe Street is unimproved and not currently part of the traffic circulation system.

- **Land Use Policy**: The proposed street vacation of E. Howe Street and the proposed public benefits are consistent with the South Lake Union neighborhood plan goals and policies that have been adopted as part of the City's Comprehensive Plan. Specifically:

  EL-G4 **A community with pedestrian activity, and attractive close-in and distant views along streetscapes, alleys and shorelines.**

  EL-P2 **Identify, preserve, enhance and create a variety of attractive and interesting views from and of public spaces.**

  EL-G8 **A neighborhood where seniors, children and people with disabilities can stroll and cross streets safely, where bicyclists are safe, buses are frequent and bust stops convenient, where truck access is good and where through traffic, freeway noise and pollution are controlled.**

  EL-P19 **Strive to improve pedestrian facilities including street crossings, sidewalks and other walkways, especially along Eastlake Avenue.**

  The proposed project advances these neighborhood plan goals and policies by providing for pedestrian connection's off of Eastlake Avenue (once the adjacent project is completed this connection will be complete) a view point from E. Howe Street towards Lake Union and provides for active pedestrian scaled development and potentially uses on Eastlake and the currently unimproved E. Howe Street.

- **Public Benefit**: The applicant proposes a program of streetscape improvements, landscaping, open space, public art and pedestrian connections that will be complete when an adjacent project is complete. It is not clear that all public benefits that are proposed are over and beyond the types of improvements that this type of project

City of Seattle

Seattle Department of Transportation Goran Sparrman, Interim Director

Date: 4/8/14

To: Moira Gray, SDOT Street Vacation Office

From: Ainalem Molla, Senior Civil Engineer, SDOT Roadway Structures

Subject: E Howe St. subterranean vacation petition CF 313430

I have reviewed the proposed petition for the subterranean vacation of the above petition. There is a proposed stairway indicated on the street and it is called out to be built by others. Who is building the stairway? Who has maintenance responsibility of the stairway? Since this is in public right of way, I am assuming the plan will go through street use plan review process.

I do not have other concerns.

Ainalem

4-5302

Seattle Municipal Tower, 700 5th Avenue, Suite 3800, PO Box 34996, Seattle, WA 98124-4996
Tel: (206) 684-ROAD Tel: (206) 684-5000 Fax: (206) 684-5180
Web: www.seattle.gov/transportation
An equal opportunity employer. Accommodations for people with disabilities provided on request.

Gray, Moira

From: English, Gary
Sent: Thursday, March 20, 2014 12:57 PM
To: Gray, Moira
Cc: Barnett, Beverly; Zora, Sara
Subject: RE: Comments for E Howe St. subterranean vacation petition CF 313430

Follow Up Flag: Follow up
Flag Status: Flagged

SFD has no objections to the proposed vacation.
Please ensure which department will be responsible for building permits/inspection for the subterranean construction in the right of way. DPD may not have jurisdiction and I am not sure SDot wants to be in the permit, inspections and Cert of Occupancy business.

Thanks,
G

Deputy Chief Gary English
Assistant Fire Marshal - City of Seattle Fire Department
office - (206) 386-1453
fax - (206) 386-1348
Gary.English@Seattle.Gov

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From: Gray, Moira
Sent: Thursday, March 20, 2014 10:36
To: Buswell, John; English, Gary; Hicks, Kenneth; Barber, Dave; Hauger, Tom; Baker, Roberta; 'rebecca.spithill@kingcounty.gov'; Smith, Faye
Cc: Barnett, Beverly; Zora, Sara
Subject: Comments for E Howe St. subterranean vacation petition CF 313430

Third Request

Hello, this is a reminder that we would like to receive your comments on this proposed vacation. Here is the review summary and a direct link to the original petition for more information. Thank you, Moira

http://clerk.ci.seattle.wa.us/%7Escripts/nph-brs.exe?s1=&s3=313430&s2=&s4=&Sect4=AND&l=20&Sect2=THESON&Sect3=PLURON&Sect5=CFCF1&Sect6=HITOFF&d=CFCF&p=1&u=%2F%7Epublic%2Fcfcf1.htm&r=1&f=G

Gray, Moira

From: Christian, Claire <Claire.Christian@kingcounty.gov>
Sent: Thursday, March 20, 2014 11:32 AM
To: Gray, Moira
Cc: Keithahn, Todd
Subject: FW: Comments for E Howe St. subterranean vacation petition CF 313430

Moira –
Based upon our review of DNRP Wastewater Treatment Divisions Facility locator map, we do not appear to have infrastructure in the vicinity of this vacation petition. If you have questions or need anything else from us, please let me know.

Kindly,

Claire Christian, Real Property Agent
King County WTD
(206) 477-5452

From: Spithill, Rebecca
Sent: Thursday, March 20, 2014 10:59 AM
To: Gaskill, Alton; Wilbert, Bill; Dew, Chris; Tiffany, Christina; Christian, Claire; Mendenhall, Eric; Dung, Hien; Maristela, Kristine; Erstad, Pam; Gilmore, Robert; Spithill, Rebecca
Subject: FW: Comments for E Howe St. subterranean vacation petition CF 313430

From: Gray, Moira [mailto:Moira.Gray@seattle.gov]
Sent: Thursday, March 20, 2014 10:36 AM
To: Buswell, John; English, Gary; Hicks, Kenneth; Barber, Dave; Hauger, Tom; Baker, Roberta; Spithill, Rebecca; Smith, Faye
Cc: Barnett, Beverly; Zora, Sara
Subject: Comments for E Howe St. subterranean vacation petition CF 313430

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Hello, this is a reminder that we would like to receive your comments on this proposed vacation. Here is the review summary and a direct link to the original petition for more information. Thank you, Moira

http://clerk.ci.seattle.wa.us/%7Escripts/nph-brs.exe?s1=&s3=313430&s2=&s4=&Sect4=AND&l=20&Sect2=THESON&Sect3=PLURON&Sect5=CFCF1&Sect6=HITOFF&d=CFCF&p=1&u=%2F%7Epublic%2Fcfcf1.htm&r=1&f=G

Moira Gray
Street Vacation Specialist, Street Use & Urban Forestry
City of Seattle Department of Transportation

Seattle
design
Commission

APPROVED MINUTES
ADMINISTRATIVE REVIEW

Ed Murray
Mayor

Diane Sugimura
Director, DPD

Marshall Foster
Planning Director, DPD

Osama Quotah, Chair

Bernie Alonzo

Brodie Bain

Lee Copeland

Thaddeus Egging

Megan Groth

Shannon Loew

Martin Regge

Ellen Sollod

Ross Tilghman

Michael Jenkins
Director

Valerie Kinast
Coordinator

Nicolas Welch
Planner

Joan Nieman
Administrative Staff

Department of Planning and Development
700 5th Avenue, Suite 2000
PO Box 34019
Seattle, WA 98124-4019

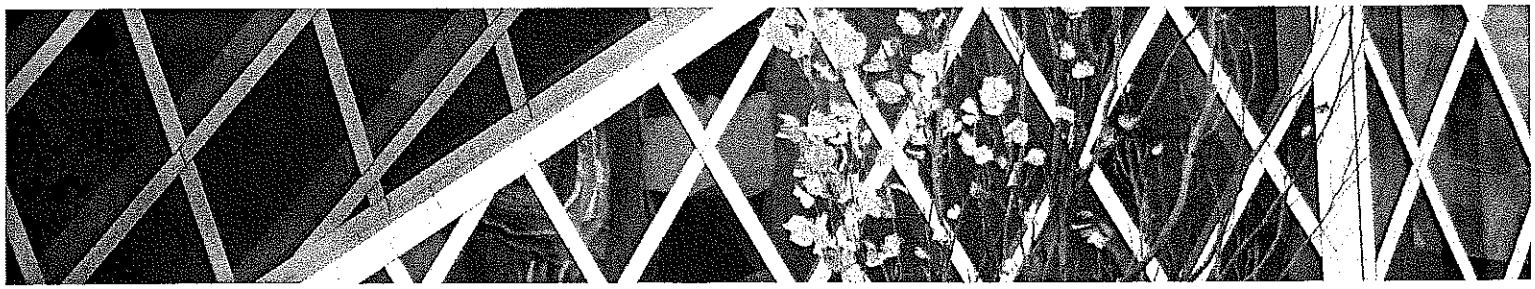
TEL 206-615-1349
FAX 206-233-7883
seattle.gov/dpd

June 3, 2014
11:00 am – 12:00 pm

Project Reviewed
E Howe St subterranean vacation

Commissioners Present
Osama Quotah, Chair
Megan Groth

Staff Present
Valerie Kinast
Nicolas Welch



June 3, 2014	**Project:**	**E Howe St subterranean vacation**	
11:00 am – 12:00 pm	**Previous Reviews:**	2/20/14, 4/17/14	
	Review Authority:	SMC 3.58	
	Guiding Policies:	Design Commission Handbook; Design Commission Values	
	Request:	Conditions from approval of public benefit package	
	Presenters:	Dawn Bushnaq	Bushnaq Studio
		Karen Kiest	Karen Kiest Landscape Architects
		Mike Phifer	artist

Project Description and Background

The applicant is proposing to vacate a 3,023 sf subterranean portion of the E Howe St right of way in order to construct a below-grade parking structure with 64 spaces accessible to two development sites at 1903 Yale Pl E and 1823 Eastlake Ave E. The proposed vacation allows for a single ingress/egress on Yale Pl E rather than one each on Yale and Eastlake, respectively.

The E Howe St right-of-way (ROW) is currently unimproved at the project site and, if developed, would create a "fifth street" at this intersection. The proposed development straddles the E Howe ROW and the two sites together include 90 residential units, 5 live/work spaces, and two small-scale ground-floor commercial spaces. In a change from its last Commission review, the program now includes one fewer live/work space and one additional commercial space. Both buildings are four stories.

On February 20, 2014, the Design Commission approved the urban design merit of the subterranean vacation of the E Howe ROW. On April 17, 2014, the Commission reviewed and conditionally approved the proposed public benefit package. It has four primary components:

1. 30' wide and 70-120' long at-grade public open space in the E Howe ROW
2. Public art
3. Voluntary setbacks on both sides of the E Howe ROW
4. Enhanced ROW improvements along Eastlake and Yale

Design Commission Considerations

The purpose of this administrative review was to examine the following three items that were conditions of the Commission's approval of the public benefit package:

1. Greater detail on material selection and detailing of the elements within the E Howe ROW to ensure it is up to the level expected for public benefit
2. The overall approach to lighting in the E Howe ROW, including lighting of the art piece, and the degree to which the entire lighting scheme contributes to the public setting and complements the art
3. Design of the termination of the prow at the west end of the E Howe ROW and its potential integration with a future stairway connection to the 1818 Fairview project

Recommendation

The design team has sufficiently responded to the aforementioned points for approval of the public benefit package. The materials and detailing meet the level expected for public benefit. Added transparency at the southeast corner of the Yale building and the refinements to the placement of elements in the ROW were good improvements that addressed and responded to previous Commission recommendations.

The team received the following comments and recommendations as the design moves forward:

Right-of-way details

1. Continue to refine their placement of lighting, seat cubes, and other elements in the ROW to improve opportunities for views and maximize the inviting and public nature of the ROW.
2. Keep the materials simple for the prow. We commend the choice of wood and concrete and discourage adding metal railings here.
3. Consider ways to increase the drama at the prow by adjusting the grades so the ground slopes away more.

Artwork

4. Ensure the art is fully integrated with the landscape architecture in the ROW.
5. Pay particular attention to the detailing where the art meets the ground, which does not currently seem fully resolved or thought through.
6. Be more intentional with the lighting of the sculpture.
7. Continue to refine the scale, proportion, and placement of the artwork in the space—an area of concern for the Commission.

The is the last time the Commission anticipates reviewing this project. Fulfillment of the administrative review conditions constitutes Design Commission approval of the public benefit package and a recommendation to the SDOT Director that the subterranean vacation of the E Howe ROW be approved. The final decision lies with the City Council.

Seattle
design
Commission

APPROVED
MINUTES OF THE MEETING

Ed Murray
Mayor

Diane Sugimura
Director, DPD

Marshall Foster
Planning Director, DPD

Osama Quotah, Chair

Shannon Loew, Vice Chair

Bernie Alonzo

Brodie Bain

Lee Copeland

Thaddeus Egging

Megan Groth

Martin Regge

Ellen Sollod

Ross Tilghman

Michael Jenkins
Director

Valerie Kinast
Coordinator

Nicolas Welch
Planner

Joan Nieman
Administrative Staff

Department of Planning and Development
700 5th Avenue, Suite 2000

PO Box 34019
Seattle, WA 98124-4019

TEL 206-615-1349
FAX 206-233-7883
seattle.gov/dpd

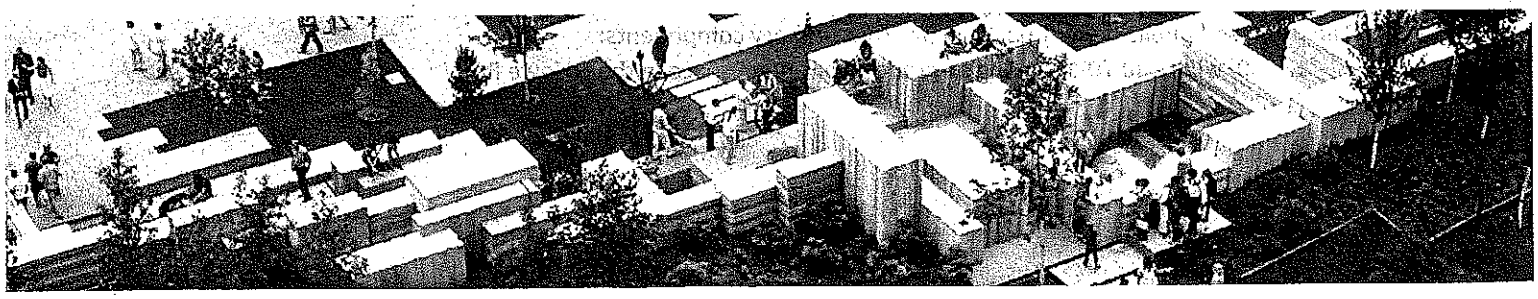
April 17, 2014
Convened 1:00 pm
Adjourned 5:00 pm

Projects Reviewed
E Howe Street Vacation

Commissioners Present
Shannon Loew, Vice Chair
Brodie Bain
Lee Copeland
Thaddeus Egging
Megan Groth
Martin Regge
Ellen Sollod
Ross Tilghman

Commissioners Excused
Osama Quotah, Chair
Bernie Alonzo

Staff Present
Michael Jenkins
Nicolas Welch
Joan Nieman



April 17, 2014	**Project:**	**E Howe Street Vacation**	
3:00 – 5:00 pm	**Phase:**	Public Benefit	
	Previous reviews:	2/20/2014	
	Presenters:	Dawn Bushnaq	Bushnaq Architecture + Design
		Karen Kiest	Karen Kiest Landscape Architects
		Pat Hansen-Lund	MKA
		Mike Phifer	Artist
	Attendees:	Patrick Ashman	Daly Partners
		Beverly Barnett	SDOT
		Jim Daly	Daly Partners
		Moira Gray	SDOT
		Garrett Hodgins	Daly Partners
		Sze Lyn Lim	Bushnaq Architecture + Design
		Donald Marcy	Cairncross & Hempelmann
		Eric Susanto	Bushnaq Architecture + Design
		Paul Wyckoff	Daly Partners

Recusals and Disclosures
none

Purpose of Review
The purpose of this meeting was to review the proposed public benefit package of the E Howe Street subterranean vacation. The Design Commission approved the urban design merit of the proposal on February 20, 2014. Public benefit is the second component of the Design Commission's two-step vacation review process. Approval of both urban design merit and public benefit constitutes a recommendation to the SDOT Director to approve the vacation.

Summary of Proposal
The applicant is proposing to vacate a 3,023 sf subterranean portion of the E Howe St right of way in order to construct a below-grade parking structure with 64 spaces accessible to two development sites at 1903 Yale Pl E and 1823 Eastlake Ave E. The proposed vacation allows for a single ingress/egress on Yale Pl E rather than one each on Yale and Eastlake, respectively.

The E Howe St ROW is currently unimproved at the project site and, if developed, would create a "fifth street" at this intersection. The proposed development straddles the E Howe ROW and the two sites together include 90 residential units, 5 live/work spaces, and two small-scale ground-floor commercial spaces. In a change from its last Commission review, the program now includes one fewer live/work space and one additional commercial space. Both buildings are four stories.

The proposed public benefit package has four primary components:

1. 30' wide and 70-120' long at-grade public open space in the E Howe ROW

2. Public art
3. Voluntary setbacks on both sides of the E Howe ROW
4. Enhanced ROW improvements along Eastlake and Yale

Summary of Presentation
Dawn Bushnaq introduced the project, discussed the neighborhood context, and reviewed the urban design merit proposal presented in February 2014. Ms. Bushnaq noted the important connections this project would create along the Eastlake corridor and through Colonnade Park to Capitol Hill. Several slides showed the existing conditions; Ms. Bushnaq stated that the team has coordinated with the Department of Neighborhoods regarding the removal of the existing restaurant onsite.

Ms. Bushnaq then presented the four components of the proposed public benefit package. The full presentation dated April 17, 2014, and available on the Design Commission website provides detail on each one. Of note, the proposed design includes one fewer curb cut than allowed, seating in the public open space, and a public stairway connection to the adjacent 1818 Fairview project.

In a change from the previous review, the design team has reconsidered how the Eastlake building addresses the ROW. Reorientation has allowed for a stronger corner for the commercial space at the southeast end of the E Howe ROW. The windows and massing have also evolved to create a continuous setback along the ROW. Due to concern that they obstructed views through the ROW, the triangular decks in the Yale building have been eliminated. Previously the design team discussed a potential curb bulb at the intersection of Eastlake and Yale. Because potential future bicycle infrastructure along Eastlake, the curb bulb is no longer included in the proposed public benefit package. There is potential for a removable curb bulb instead.

Karen Kiest then presented the updated landscape plan and conveyed the design team's intention to make the open space feel more public. Formerly, the paving reflected a more organic approach that embraced the unique or awkward angles at the site; in the current design the ground plane is organized around the E Howe grid and includes a more regular paving pattern based on the standard city 2' x 2' sidewalk pavement. The design team is considering permeable pavers, though they are somewhat constrained by the below-grade parking structure.

The terraced approached for the open space at the west end of the ROW has given way to an amphitheater lawn concept. According to Ms. Bushnaq, the team has sought to decouple the architecture from the landscaping design and is exceeding Green Factor.

Mike Phifer described the rationale and inspiration for his piece "Reunion." Two criteria informed his design: an appropriate scale for the public space and a sense of openness that invites people through the space. Mr. Phifer stated that design team has debated internally whether to align the piece with the grid. They are still discussing lighting, one option being LED uplighting set into the pavement.

Ms. Bushnaq described smaller details for the ROW design. For signage, the team seeks to balance conveying the public nature of the open space with minimizing visual clutter. The current proposal includes a single green SDOT street sign indicating that the E Howe ROW continues west through the site. The team is coordinating with Bill Ames on the selection of street trees and is considering the vase-like *Zelkova serrata "Musashino."* The proposed light takes a modern, minimalist approach; Ms. Bushnaq

acknowledged the Design Commission's ongoing review of SDOT pedestrian lighting fixtures. Finally, she discussed materiality and the team's intention to differentiate the two buildings.

Summary of Discussion
Overall, the Commission was pleased to see specific design improvements in response to the feedback given at the last review. Modifications to the materiality of the buildings and the east end of the public open space succeed in helping to differentiate the public space from the private development. Commissioners appreciated that the ground-level commercial spaces and outdoor seating elements will help activate the space.

The Commission focused on two primary questions during their discussion of the public benefit package: First, is the level of public benefit proposed adequate and appropriate given that this is a subterranean vacation? Second, are the elements of the public benefit package inviting and welcoming enough to convey that this is a public space? While the overall response to these questions was positive, the Commissioners honed in on several elements for further attention, include signage, lighting, and materials, all of which Commissioners believed warranted further refinement before they could approve the public benefit proposal. For many Commissioners, there was still concern that someone standing at the intersection of Eastlake and Yale may not know what lies at the east end of the open space or that it is somewhere they can go. There was consensus across the Commission that the public open space must feel very inviting.

To that end, there was discussion around the detailing, lighting, and location of the proposed sculpture. The Commissioners felt that siting an iconic piece in one specific location was a missed opportunity to extend the art through the ROW to pull people in and through the space, especially since the complementary element at the west end of the ROW appeared to have been removed from the elevation the art piece since the previous Commission meeting. They expected the sculpture to have evolved to a greater degree since the project's first review, and one Commissioner stated that its coloration seemed corporate and dated.[1] That said, the Commissioners supported borrowing the orange from the sculpture for the tops of the seat cubes and appreciated the team bringing a model of the sculpture to the meeting.

Given the complexity of developing a new pedestrian connection along a public ROW through two separate private developments both currently in the permitting stage, there was substantial discussion about what specifically constituted the public benefit for the E Howe vacation. The Commissioners emphasized that the project must be evaluated under current conditions and not contingent on potential connections to the adjacent 1818 Fairview project.

Agency Comments
Beverly Barnett, SDOT, stated that overall the public benefit proposal has come a long way and is much stronger than before. Ms. Barnett is interested in Design Commission comments on whether it looks public enough. Since it is public space, SDOT wants to see that it is separate enough from the project. Ms. Barnett applauded the removal of the triangular decks and the improved connection to the adjacent

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[1] In the subsequent review of the draft minutes, all of the other Commissioners agreed with and endorsed this view.

1818 Fairview project. She also reminded the Commission that the vacation is subterranean only; the ROW at grade remains public. As a result, only the enhancements to the ROW are part of the project, and responsibility for operations and maintenance of the public open space would fall on the developer through a PUDA or SUP that indemnifies the City.

Public Comments
none

Action
The Design Commission thanked the design team for the presentation of the public benefit package for the E Howe St subterranean vacation. The applicant proposes to vacate a 3,023 sf below-grade portion of the E Howe St right-of-way extending west from Eastlake Ave E 121'3" along the north side of the ROW and 73'5" along the south. The Commission noted several improvements to the design since the last review, particularly in the definition of the prow and the consistent building setbacks along the ROW. Overall, the project succeeds in opening to the complicated intersection of Eastlake Ave E, Fairview Ave E, and E Howe St and will improve pedestrian connections between Capitol Hill and Lake Union.

The Commission also commended the team's intentional use of street trees and the opportunity for a variety of activities in the public open space. The Commission particularly appreciated that the team brought a physical model of the art sculpture and emphasized that relocating the power pole at the east end of the E Howe ROW was a good move.

With a **vote of 8 to 0**, the Design Commission approved the proposed public benefit package, which consists of the following four elements:

1. 30' wide and 70-120' long at-grade public open space in the E Howe ROW
2. Public art
3. Voluntary setbacks on both sides of the E Howe ROW
4. Enhanced ROW improvements along Eastlake and Yale

The approval is subject to the condition that the project return for an administrative review of three items:

1. Greater detail on material selection and detailing to ensure it is up to the level expected for public benefit
2. The overall approach to lighting in the public ROW, including lighting of the art piece, and the degree to which the entire lighting scheme contributes to the public setting and complements the art
3. Design of the termination of the prow at the east end of the public ROW and its potential integration with a future stairway connection to the 1818 Fairview project

The Commission also made the following recommendations for the design team:

- Explore how the placement and number of seat cubes and lighting can create a more inviting entry to the open space. There is concern that the proposed location of lighting might divide the space too much.
- Provide a higher level of detail for proposed materials and lighting.

- Address the southeast corner of the Yale building with the goal of making the open space feel more accessible to the public, perhaps through transparency.
- Clarify the choice of the sculpture. Consider refining the shape and location of the piece so that it invites people into the public space. Explore opportunities to integrate lighting to support this goal as well.

This is the final time the project will come before the full Design Commission. Pending the aforementioned administrative review, approval of the urban design merit and public benefit package for the project constitutes the Design Commission's recommendation to the SDOT Director that the subterranean vacation of the E Howe ROW be approved. Ultimately, the final decision to grant the vacation lies with the City Council.

Seattle
design
Commission

APPROVED
MINUTES OF THE MEETING

Ed Murray
Mayor

Diane Sugimura
Director, DPD

Marshall Foster
Planning Director, DPD

Tom Nelson, Chair

Osama Quotah, Vice Chair

Bernie Alonzo

Brodie Bain

Megan Groth

Laurel Kunkler

Shannon Loew

Martin Regge

Ellen Sollod

Ross Tilghman

Michael Jenkins
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Nicolas Welch
Planner

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Administrative Staff

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TEL 206-615-1349
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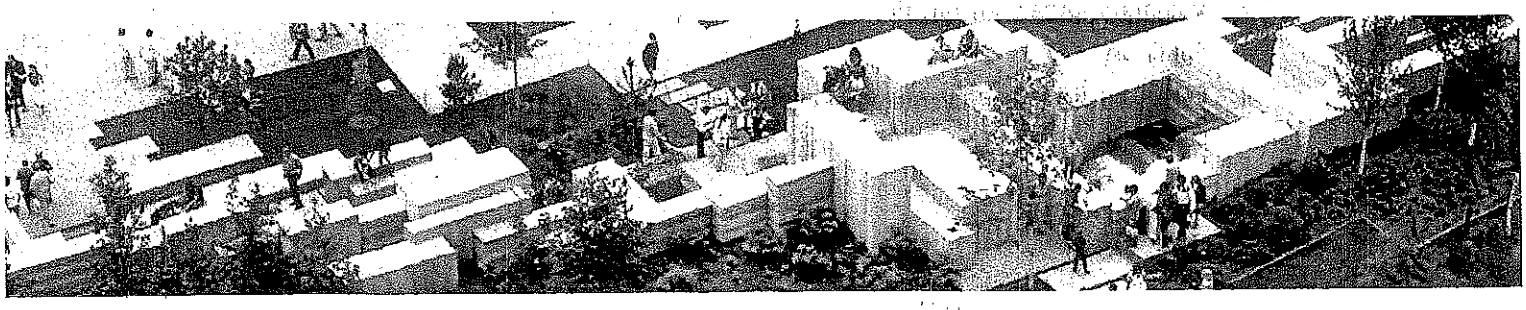
seattle.gov/dpd

February 20, 2014
Convened 8:30 am
Adjourned 4:00 pm

Projects Reviewed
E Howe Street Vacation
9th & Stewart Alley Vacation

Commissioners Present
Tom Nelson, Chair
Osama Quotah, Vice Chair (excused at 12:00 pm)
Bernie Alonzo
Brodie Bain
Megan Groth
Laurel Kunkler (excused at 12:00 pm)
Shannon Loew
Martin Regge
Ellen Sollod (excused from 9:15 – 10:35 am)
Ross Tilghman (excused at 12:00 pm)

Staff Present
Michael Jenkins
Valerie Kinast
Nicolas Welch
Joan Nieman



February 20, 2014	**Project:**	**E Howe Street**	
9:30 – 11:00 am	**Type:**	Street Vacation	
	Phase:	Urban Design Merit	
	Previous reviews:	none	
	Presenters:	Dawn Bushnaq	Bushnaq Studio Architecture & Design
		Karen Kiest	Karen Kiest Landscape Architects
		Mike Phifer	Artist
		Pat Hansen-Lund	MKA
	Attendees:	Patrick Ashman	Daly Partners
		Beverly Barnett	SDOT
		Jim Daly	Daly Partners
		Pat Hansen-Lund	MKS
		Garrett Hodgins	Daly Partners
		Sze Lyn Lim	Bushnaq Studio Architecture & Design
		Bruce Rips	DPD
		Eric Susanto	Bushnaq Studio Architecture & Design

Recusals and Disclosures
Commissioner Bain's employer, Perkins Will, is designing the adjacent development at 1818 Fairview. She is not working on the project.

Purpose of Review
The purpose of this meeting was to review the urban design merit of the E Howe Street subterranean vacation. The design team presented on the public benefit package as well, but the Commission focused its discussion and voted only on urban design merit, the first step in its vacation review process.

Summary of Proposal
The applicant is proposing to vacate a subterranean portion of the E Howe St right of way in order to connect the below-grade parking under two development sites at 1903 Yale Pl E and 1823 Eastlake Ave E. Currently, the E Howe St ROW is unimproved at the project site and if developed would represent a "fifth street" at this intersection. The proposed development straddles the E Howe ROW and the two parts together include 90 residential units, 6 live/work spaces, and a small-scale ground-floor commercial space. Both buildings are four stories. The 3,000 sf of subterranean ROW between the two development sites would be developed as part of a below-grade parking structure with 70 spaces accessible for use by both sites.

The proposed public benefit package consists of:

1. Development of the E Howe ROW as a public open space
2. Voluntary setback on Yale Pl E
3. Public art
4. Enhanced ROW improvements along Eastlake Ave E and Yale Pl E, including a new curb bulb

Summary of Presentation

Dawn Bushnaq introduced the team, discussed the background of project, and thanked the Design Commission for their valuable input. Ms. Bushnaq reviewed the presentation dated February 20, 2014, available on the available on the Design Commission website. Ms. Bushnaq gave an overview of the development schedule, with construction to start in early 2015. The design team has had several meetings with community members that have helped the team understand the site context, particularly in relation to the Howe St stairs.

The presentation showed the design and program of the proposed development. Regarding urban design merit, Ms. Bushnaq cited improvements to pedestrian safety and connectivity that the proposed development intends to accomplish. As one of the few opportunities to experience the topographical change and views from Capitol Hill to Lake Union, the Howe St pedestrian connection has become a central motivation for the project.

Ms. Bushnaq discussed the adjacent development site, 1818 Fairview, which is a biotech research facility that has applied for its MUP, and noted an agreement between the developer and SDOT that the E Howe ROW not be opened to vehicles and be maintained as a pedestrian connection.

The civil engineer explained the impact of the project on utilities. Currently no stormwater or electrical infrastructure passes through the ROW. There are overhead lines running through the corridor, and the team has worked with SCL and CenturyLink to reorient these lines as necessary. SPU have CenturyLink planned improvements in this area and an upcoming meeting will cover that.

According to the design team, the vacation scenario allows for more parking spaces, more bicycle parking, and a single entry at street level (on Yale) so that Eastlake has an uninterrupted sequence of street trees and no vehicle entry. The no-vacation scenario decreases parking spaces, leading to spillover on neighboring streets, two ingress/egress locations, and a less desirable pedestrian environment along Eastlake. A service ingress/egress would also be required at the intersection of Yale and Eastlake.

Ms. Bushnaq then moved to the public benefit proposal, which includes three primary items:

1. Development of the E Howe ROW as a public open space
2. Voluntary setback on Yale Pl E
3. Public art
4. Enhanced ROW improvements along Eastlake Ave E and Yale Pl E, including a new curb bulb

Karen Kiest, the landscape architect for the project, explained in further detail the landscape plan for the site. Given bicycle or vehicle speeds along Eastlake, the ROW open space won't be seen as a street but as an open court. Ms. Kiest recognized the need to make the 35-foot-wide ROW space feel public. The team has sought to increase views towards the lake.

The art piece, which has not been precisely located, is private art in the public right of way; accordingly, it will not go to PAAC. Mike Phifer discussed his concept for the proposed steel sculpture, which is comprised of flat powder-coated metal plates. It may include small lights. Given its porosity and narrow profile, the sculpture is quite transparent. The team has also considered included a play element for children.

Summary of Discussion
The Commission applauded the architecture and design of the project and its integration into the neighborhood context. The Commissioners recognized the benefits of the vacation scenario, particularly being able to avoid curb cuts on Eastlake Ave E, the improved pedestrian experience, additional bicycle parking, and more efficient design of the below-grade space. There was some concern about the three main elements of the project: the siting and orientation of the art piece, the lack of differentiation of materials between the ROW and the private development, and the pedestrian connection through the adjacent 1818 Fairview site.

Agency Comments
Beverly Barnett, SDOT, shared that the project has received numerous emails from the community citing support, which is rather unusual. No issues have come up yet. A technical question is how far below grade the vacation will go out of concern for utilities. The design of the public benefit, specifically making the ROW feel like a public space, will be very important.

Bruce Rips, DPD, stated that the Capitol Hill Design Review Board saw this project and will see it again at a recommendation meeting in 1-2 months. The board appreciated the urbanity of the project and the attempt to reduce curb cuts on Eastlake and was very encouraged by the preliminary design. As for the adjacent development at 1818 Fairview, the discussion was preliminary in terms of how the setbacks would be. The board was very supportive of the pedestrian corridor.

Public Comments
none

Action
The Design Commission thanked the design team for the presentation of the urban design merit of its request to vacate the E Howe St right of way below grade from Eastlake Ave E approximately 120 ft west toward Fairview Ave S. Urban design merit is the first of two components of the Design Commission's vacation review process. Approval of both the urban design merit and public benefit package constitute a recommendation to the SDOT Director by the Design Commission to approve the vacation. The ultimate decision to grant the vacation lies with the City Council.

The Commission particularly appreciated that the vacation proposal:

1. Builds on neighborhood-scale connections
2. Eliminates the need for curb cuts along Eastlake
3. Creates a public space
4. Offers a link to Lake Union and furthers neighborhood and regional goals for the Cheshiahud Lake Union Loop

With a **vote of 9 to 0**, the Design Commission approved the urban design merit of the E Howe St subterranean street vacation with the following recommendations:

1. Develop the open space design to balance the destination and connection aspects of the project. Ensure the pedestrian route to the overlook feels welcoming and public.
2. While the design successfully unifies the architecture across the E Howe right of way, in this situation it gives a sense that the open space is private. Refine the design and architecture to welcome and engage with the public. The public space must be clear, inviting, and distinct from the private development.
3. Develop signage, wayfinding, and lighting.
4. Continue close coordination with the adjacent biotech development at 1818 Fairview to ensure these two projects connect in the best possible way. These should be separate but integrated projects in the ROW.
5. Continue to explore solutions to the siting of the art piece.

Gray, Moira

From: Harris, Donald
Sent: Thursday, March 13, 2014 1:29 PM
To: Gray, Moira
Cc: Graves, David; Nevins, Chip
Subject: RE: Comments for E Howe St. subterranean vacation petition CF 313430

The Parks and Recreation Department has review the proposed subterranean vacation of a portion of East Howe, between Eastlake Ave. E. and Fairview Ave. E.
We believe it to be a meritorious proposal that will provide a significant public benefit to the Eastlake Community and the public at large. The petitioner's proposed surface plaza/walkway within the ROW will provide aesthetic value. More importantly, the proposal will be critically important to achieving a link between the existing I-5 Colonnade Park and the Cheshiahud Lake Union Loop trail system that has long been a dream of the Eastlake Community. The result will be a trail system that will enable walkable access from Lake Union all the way to Broadway on Capitol Hill. This link will finally be achievable with the petitioner's proposed surface improvements connecting with similar improvements proposed by Washington Holdings within contiguous Howe Street ROW to the west.

From: Gray, Moira
Sent: Wednesday, February 26, 2014 1:01 PM
To: Simpson, Kristen; Buswell, John; Stephens, Darin; Ellis, Erich; Korpi, Luke; English, Gary; Hicks, Kenneth; Harris, Donald; Barber, Dave; Hauger, Tom; Baker, Roberta; 'rebecca.spithill@kingcounty.gov'; Smith, Faye
Cc: Barnett, Beverly
Subject: Comments for E Howe St. subterranean vacation petition CF 313430

Hello, this is a reminder that we would like to receive your comments on this proposed vacation. Here is the review summary and a direct link to the original petition for more information. Thank you, Moira

http://clerk.ci.seattle.wa.us/%7Escripts/nph-brs.exe?s1=&s3=313430&s2=&s4=&Sect4=AND&l=20&Sect2=THESON&Sect3=PLURON&Sect5=CFCF1&Sect6=HITOFF&d=CFCF&p=1&u=%2F%7Epublic%2Fcfcf1.htm&r=1&f=G

MOIRA GRAY | Street Vacation Office | **Seattle Department of Transportation** |
Street Use & Urban Forestry Division| 206-684-8272 (Tel)

City of Seattle
Edward B. Murray, Mayor

Department of Transportation
Scott Kubly, Director

Date: October 16, 2014

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

From: John Marek, Seattle Department of Transportation, Traffic Management

Re: **Updated comments on** Proposed Subterranean Vacation of a Portion of E. Howe St.

The Traffic Management Division has reviewed the petition for the proposed vacation of the subterranean portion of E Howe St between Eastlake Ave E and Fairview Ave E and offers these comments:

- Concerns expressed in a previous document sent February 27, 2014 have been worked out through the SIP process. In particular, We understand that Seattle City Light can operate within the existing public right-of-way.
- The proposed pedestrian facility improvements along the E Howe St right-of-way would help to make a desirable connection between the Eastlake Ave and Fairview, enhancing pedestrian access between Colonnade Park below I-5 to Fairview Ave E and the waterfront.
- The proposed vacation would allow both of the petitioner's sites to share a below grade connection for parking, with access to the parking coming from Yale Pl E. This connection eliminates the need for an additional curb cut on Eastlake to provide access to the southern sites which would be beneficial to both traffic operations and pedestrian access along Eastlake.
- The Transit Master Plan identifies Eastlake Ave E as a possible route for extension of the South Lake Union Street Car. In addition, the Bicycle Master Plan recommends a future cycle track along Eastlake Ave E. The improvements proposed by the applicant include construction of a bulb out into Eastlake Ave E. at Yale Street. Because this could narrow the street width to less than what may ultimately be needed to accommodate both street car and a cycle track, the bulb out should be constructed so that it can be easily removed to accommodate future uses of the roadway. In particular, utilities and fixed structures should not be permitted in the bulb out.

Thank you for the opportunity to comment, and please let me know if you have any questions.

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700 5th Avenue
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PO Box 34996
Seattle, Washington 98124-4996

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Fax: (206) 684-5180
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www.seattle.gov/transportation

City of Seattle

Seattle Department of Transportation Goran Sparrman, Interim Director

Date: May 6th, 2014

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

From: John Marek, Seattle Department of Transportation, Traffic Management

Re: **Updated comments on** Proposed Subterranean Vacation of a Portion of E. Howe St.

The Traffic Management division has reviewed the petition for the proposed vacation of the subterranean portion of E. Howe St between Eastlake Ave E and Fairview Ave. E, and offers these comments:

- The proposed pedestrian facility improvements along the E Howe St right-of-way would help to make a desirable connection between the Eastlake Ave and Fairview, enhancing pedestrian access between Colonnade Park below I-5 to Fairview Ave E and the waterfront.
- The proposed vacation would allow both of the petitioner's sites to share a below grade connection for parking, with access to the parking coming from Yale Pl E. This connection eliminates the need for an additional curb cut on Eastlake to provide access to the southern sites which would be beneficial to both traffic operations and pedestrian access along Eastlake.
- The Transit Master Plan identifies Eastlake Ave E as a possible route for extension of the South Lake Union Street Car. In addition, the Bicycle Master Plan recommends a future cycle track along Eastlake Ave E. The improvements proposed by the applicant include construction of a bulb out into Eastlake Ave E. at Yale Street. Because this could narrow the street width to less than what may ultimately be needed to accommodate both street car and a cycle track, the bulb out should be constructed so that it can be easily removed to accommodate future uses of the roadway. In particular, utilities and fixed structures should not be permitted in the bulb out.

Thank you for the opportunity to comment, and please let me know if you have any questions.

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Web: www.seattle.gov/transportation
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City of Seattle

Seattle Department of Transportation Goran Sparrman, Interim Director

Date: February 27, 2014

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

From: John Marek, Seattle Department of Transportation, Traffic Management

Re: Proposed Subterranean Vacation of a Portion of E. Howe St.

The Traffic Management division has reviewed the petition for the proposed vacation of the subterranean portion of E. Howe St between Eastlake Ave E and Fairview Ave. E, and offers these comments:

- The subterranean portion of the Right of Way is typically reserved for the use of the various utilities. Vacating the subterranean portion of the right-of-way and construction of a below grade structure, would limit our ability to locate and maintain utilities along this section in the future.

- The proposed pedestrian facility improvements along the E Howe St right-of-way would help to make a desirable connection between the Eastlake Ave and Fairview, enhancing pedestrian access between Colonnade Park below I-5 to Fairview Ave E and the waterfront. However, vacating the subterranean portion of the right-of-way could limit the City's ability to construct future pedestrian improvements or infrastructure along this segment. As a result Traffic Management has concerns with the proposed vacation.

- The Transit Master Plan identifies Eastlake Ave E as a possible route for extension of the South Lake Union Street Car. In addition, the Bicycle Master Plan recommends a future cycle track along Eastlake Ave E. The improvements proposed by the applicant include constructing a bulb out into Eastlake Ave E. at Yale St, which would narrow the street width to less than what would be needed to accommodate both street car and a cycle track. As result SDOT would not support the bulb out onto Eastlake Ave E.

Thank you for the opportunity to comment, and please let me know if you have any questions.

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Web: www.seattle.gov/transportation
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Gray, Moira

From: Korpi, Luke
Sent: Wednesday, February 26, 2014 2:33 PM
To: Gray, Moira
Cc: Tabalno, Matthew
Subject: RE: Comments for E Howe St. subterranean vacation petition CF 313430
Attachments: E Howe Subterranean Street Vacation.pdf

Moira,

Street Use has received a Street Improvement Permit (SIP) application for the subject development. SIP number 224445 has been assigned.

Our first design guidance meeting with the applicant is scheduled for Thursday, March 6th. The specific elements of their proposed public benefit are subject to further review and approval via the SIP process. The design is at a 30% level of development. Some elements (such as the enhanced open space on E Howe St) will require additional design detail to fully evaluate – this will likely be developed over a series of design guidance meetings. At least some (perhaps all) proposed elements can likely be provided.

The stairway access and single point of entry on Yale Pl E are included in their SIP application. Specific engineering details will be refined throughout the SIP design guidance process.

Additional information will be required from the applicant for one element (the enhanced commercial and pedestrian frontage on Eastlake Ave). At least some design details associated with this enhancement (a curb extension projecting into Eastlake Ave), will likely not be approved.

We will need to closely coordinate the public benefit package as it further evolves with the engineering and technical review of these elements which will occur throughout the SIP process.

Let me know if you have any questions.

LUKE KORPI, P.E. | Supervising Civil Engineer | **Seattle Department of Transportation** |
Street Use and Urban Forestry Division| 206-684-7945 (Tel)

From: Gray, Moira
Sent: Wednesday, February 26, 2014 1:01 PM
To: Simpson, Kristen; Buswell, John; Stephens, Darin; Ellis, Erich; Korpi, Luke; English, Gary; Hicks, Kenneth; Harris, Donald; Barber, Dave; Hauger, Tom; Baker, Roberta; 'rebecca.spithill@kingcounty.gov'; Smith, Faye
Cc: Barnett, Beverly
Subject: Comments for E Howe St. subterranean vacation petition CF 313430

Hello, this is a reminder that we would like to receive your comments on this proposed vacation. Here is the review summary and a direct link to the original petition for more information. Thank you, Moira

http://clerk.ci.seattle.wa.us/%7Escripts/nph-brs.exe?s1=&s3=313430&s2=&s4=&Sect4=AND&l=20&Sect2=THESON&Sect3=PLURON&Sect5=CFCF1&Sect6=HITOFF&d=CFCF&p=1&u=%2F%7Epublic%2Fcfcf1.htm&r=1&f=G

Gray, Moira

From: Malesis, Alex - HDR <Alex.Malesis@pse.com>
Sent: Wednesday, January 29, 2014 1:45 PM
To: Gray, Moira
Subject: Street vacation E. Howe Street.; Clerk File 313430

Hi Moira

I am responding to the proposed street vacation of a portion of E. Howe Street.; Clerk File 313430.

Notice of this vacation has been circulated to PSE's System Planning and Gas First Response units for evaluation. Both units have returned findings stating that no gas facilities are located within the planned street vacation area and there were no immediate plans to locate gas facilities in that area.

PSE has no reason to object to this proposed street vacation as currently planned.

Regards,

Alex Malesis
Real Estate Representative
425 462 3436

CenturyLink®

January 23rd 2014

Street Vacation Specialist
Seattle Department of Transportation
700 Fifth Avenue, Suite 2300
PO Box 34996
Seattle, WA 98124-4996

RE: Seattle Public Utilities Street Vacation Petition Subterranean Portion of E Howe Street

Clerk File No. 313430

Dear Ms. Gray,

This letter is in response to the notice for the above referenced proposal. Please be advised that **Qwest Corporation (d/b/a CenturyLink) currently has facilities in the area addressed by this action and wishes to retain any and all rights to remain in said area and to add facilities in the future as needed.**

At this time, Qwest (d/b/a CenturyLink) has no issues with the proposed vacation **so long as provisions are made to retain our rights by either PUE or private easement(s) to cover our existing & future facilities and or compensation for the cost of relocating our facilities.**

Please feel free to contact me as needed; I can be reached at 206-345-0333 or R.Lawrey@CenturyLink.com. Thank you for your time.

Sincerely,

Qwest Corporation d/b/a CenturyLink QC

R. Jeff Lawrey
Manager, Right-of-Way
Western Washington
1208 NE 64th St. Rm 401
Seattle, WA 98115

Gray, Moira

From: Adam Amsel <adamamsel@gmail.com>
Sent: Tuesday, January 28, 2014 9:34 AM
To: Gray, Moira
Subject: E Howe Subterranean Street Vacation Request 313430

Moira-

I'd like to voice my support for subterranean vacation request 313430. This vacation will give the developer the flexibility to support what the neighborhood needs: a vibrant pedestrian pathway connecting Capitol Hill to the shores of Lake Union. This pathway is an important project that will serve the neighborhood many years into the future. This vacation will allow the pathway to spill through potentially vibrant retail space, will encourage activity and gathering, and will enable a more spatially welcoming experience for pedestrians. Without it, the pathway can still exist, but risks becoming a seldom-used, lifeless alleyway.

Please grant this vacation. Enable this pathway to become a successful, loved space in the neighborhood.

Thanks for your time.

Adam Amsel
(Eastlake resident)

Gray, Moira

From: John Stewart <stewartj@seanet.com>
Sent: Monday, January 27, 2014 12:26 PM
To: Gray, Moira
Cc: Brian Ramey
Subject: RE: Vacation request City Clerk File: 313430

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Moira:

A (hopefully brief) note of support for the requested subterranean street vacation on E. Howe Street in the Eastlake neighborhood.

As a Board member at Feet First since 2003, I've enjoyed walking all around Seattle. In the last two years, we've been doing a Stairway Walks day (this year's event happens next month) showcasing some of Seattle's many hidden gems and public treasures, aka our public stairway network.

The Howe stairs and associated structures lead from the top of Capitol Hill all the way down under I-5 to Eastlake. The 'missing link' of the connection is the stretch from Eastlake down to Fairview and the Cheshiahud Loop trail.

I've had the good fortune of meeting and talking with Brian Ramey and some of the other neighbors who have been working hard to see this vision of a pedestrian link realized. The street vacation is a key step, as the developer has promised to turn the surface portion of the right-of-way into a pathway/park/link, in conformance with the Eastlake Neighborhood Plan. Again, this gets us closer to 'closing the gap'
between the Howe stairs and Fairview.

At Feet First we're firm believers in active transportation and healthy living. We know that walking has enormous benefits for everyone, regardless of age, gender, or any of the other things that so often separate us. Providing a connection to help more people walk more places just makes sense; allowing a developer to build a subterranean connection in return for a surface-level pedestrian link is an excellent way of stretching scarce resources to realize an important goal.

Sincerely,

John Stewart
2419 East Spring Street
Central District, Seattle 98122

Gray, Moira

From: Michael Maddux <michaeljmaddux@gmail.com>
Sent: Thursday, January 23, 2014 10:36 AM
To: Gray, Moira
Cc: Brian Ramey; jeff@bushnaqstudio.com
Subject: E Howe Street/ City Clerk File 313430

City Clerk File: 313430
Area: Eastlake neighborhood
Right-of-way Proposed for Vacation: subterranean portion of E Howe St between Eastlake Ave E and Fairview Ave N
Petitioner: Inhabit Eastlake, LLC

Dear Ms. Gray:

I am writing today regarding the above referenced project in the Eastlake neighborhood of Seattle. As a resident of Eastlake, and very close to these development sites, I have been watching from the sidelines as community members, the city, and the developer have been working to create a development that works for everyone.

I understand that there is a vacation request from the developer to allow for parking under the E Howe Street Right of Way. I am writing in support of this request.

To pinpoint how all of this development affects me personally - I live on the corner of E Blaine and E Franklin - a half block away from the southern portion of the overall development going on in this section of my neighborhood. Notwithstanding the overall improvements to pedestrian infrastructure this project promises, the addition of a fully connected pedestrian pathway from the top of Capitol Hill, through Colonnade Park, and to the waterfront, would be a welcome addition to this part of Eastlake. Creating a more welcoming environment with store fronts instead of parking lots, with added street art, makes me excited to continue to live in this little gem of a neighborhood.

Almost more important to me, however, is seeing the fruit of the labor of the community working *with* developers and the city, instead of lobbing bombs and cementing on opposite sides of the issue. As a member of the Parks Levy Oversight Committee, the idea of working together to advance good ideas - which often means sides compromising, not getting everything they want - is something I have always valued, and an action that should be rewarded.

Here, there is going to be real community benefit, thanks in large part to community members and the developers working with each other for mutual benefit. Adding in the underground parking will help the small businesses that come in, and make the overall project more attractive to potential tenants. A benefit the developer has earned.

I urge the city's support of this vacation, so long as the community benefit of the project remains in place. Thank you for your time.

All of my Best,

Michael J. Maddux

Gray, Moira

From: Gabriel Grant <gabrielfgrant@gmail.com>
Sent: Wednesday, January 15, 2014 10:34 AM
To: Gray, Moira
Subject: Re: City of Seattle Street Vacation Petition Subterranean Portion of E Howe Street

Dear Moira,

Thanks for your email. I am a close neighbor of this project. I live with my wife just around the cornier at East Newton and Yale Ave, where we have lived for almost 10 years. We walk or bike by this site on a daily basis. I am in support of the requested vacation. The lots on which the developer proposes to build their building are currently quite underutilized and of very little benefit (if any) to the community.
Quite frankly, having a nicely designed building on that corner will be much better and I believe that the public benefits being offered by the developer will be very attractive for our neighborhood.

The over 4,000 square feet of open space and public art will be a nice improvement, as will the street–level commercial frontage, outdoor seating, architectural lighting, and enhanced landscaping.
The stairway improvements on E. Howe St. connecting the open space to the proposed stairway and walk to be built by the adjacent 1818 Fairview project will mark the fulfillment of a longtime community priority.
And finally, the proposed vacation will allow a single parking ingress/egress, which will be much better than two points of ingress and egress.

Thank you. Should you have any questions, I can be reached at 206-388-7393.

Gabe

On Tue, Jan 14, 2014 at 5:05 PM, Gray, Moira <Moira.Gray@seattle.gov> wrote:

Hello, SDOT has received a petition from Inhabit Eastlake, LLC, for the vacation of a subterranean portion of E. Howe St. between Eastlake Ave. E. and Fairview Ave. E. in the Eastlake neighborhood of Seattle. Attached is the project information related to the vacation for your review and comments. We are asking for comments prior to our forwarding a recommendation to the City Council. We would like to receive your comments by February 14 however, comments are accepted throughout the review period . Thank you, Moira

MOIRA GRAY | Street Vacation Office | **Seattle Department of Transportation** |

Street Use & Urban Forestry Division| 206-684-8272 (Tel)

Gray, Moira

From: lakeunionmail@juno.com
Sent: Tuesday, January 14, 2014 8:53 PM
To: Gray, Moira
Cc: brianramey@comcast.net; mary@maryhansendesign.com; r.endlich@comcast.net
Subject: Street Vacation Petition Subterranean Portion of E Howe Street

Ms. Gray:

Thank you very much for reaching out about this street vacation.

Rare is the occasion where a street vacation makes sense to me. But this street vacation has my enthusiastic support.

The community currently receives no meaningful benefit from the nub of East Howe Street. The parking has been privately controlled for decades and the blackberry bushes beyond are too dense and on too steep a slope to be harvested.

I have examined the developer's proposal during two public meetings. His project will be perhaps the largest Eastlake has absorbed (as measured by square footage) in 30 years, and certainly one of the most positive. I am expecting this project will cause a cultural shift southward for my Eastlake neighborhood, linking the Equinox Apartments and other large recently-built residential structures more to the center of Eastlake. I am expecting this project to become a significant outdoor meet-up point within the neighborhood.

I have nothing but positives to express about the overall proposal, the process Mr. Daly and his team have used to involve my Eastlake neighborhood, and about the Howe street vacation itself.

Jules James, Resident
2616 Eastlake Avenue E

and

Jules James, Shopkeeper
Lake Union Mail
117 E. Louisa Street

---------- Original Message ----------
From: "Gray, Moira" <Moira.Gray@seattle.gov>
To: "almp@wsdot.wa.gov" <almp@wsdot.wa.gov>, "Baker, Roberta" <Roberta.Baker@seattle.gov>, "Barber, Dave" <Dave.Barber@seattle.gov>, "brianramey@comcast.net" <brianramey@comcast.net>, "Buswell, John" <John.Buswell@seattle.gov>, "Dorothy Ng (dorothy.ng@PSE.com)" <dorothy.ng@PSE.com>, "Ellis, Erich"

Gray, Moira

From: Brian Ramey <brianramey@comcast.net>
Sent: Thursday, January 23, 2014 10:03 AM
To: Gray, Moira
Subject: E Howe Subterranean Street Vacation Request 313430

Lake Union Neighborhood Council

January 23, 2014

TO: Moira Gray
SDOT Street Vacation Office
700 5th Avenue, Suite 2300
Mail: PO Box 34996
Seattle, WA 98124-4996 or
moira.gray@seattle.gov, 206.684.8272

RE: City Clerk File: 313430
Area: Eastlake neighborhood
Right-of-way Proposed for Vacation: subterranean portion of E Howe St between Eastlake Ave E and Fairview Ave N
Petitioner: Inhabit Eastlake, LLC
Petitioner Contact: Jeff Woodward, Bushnaq Studios, jeff@bushnaqstudio.com, 206 257-3345

Dear Moira,

It has been a long haul and we are still not there but getting closer and closer every day.

We are in general support of this subterranean street vacation request.

The developer of the two parcels of land on either side of the E Howe ROW between Eastlake and Fairview (Azteca Restaurant) is asking to allow the building of a parking garage to serve his "Work Live Units" and a Retail store on Eastlake frontage by requesting the "subterranean" vacation of that portion of the E Howe Right of Way. He has promised to develop the surface portion of the ROW as a pathway, "Park" link in conformance with the goals of the neighborhood stated as part of our Eastlake Neighborhood Plan.

This vacation mostly helps the developer but also it would boost our plans for the completion of the E Howe ROW for a pathway leading from the top of Capitol Hill all the way to the shores of Lake Union, the pocket parks in our neighborhood and the CHESHIAHUD LOOP Trail. This "subterranean" vacation would benefit the neighborhood and the greater community by allowing for the continuation of the E Howe Street path, stairs and park .

We held a public meeting at TOPs School in December and the developer gave a presentation of his plans. It appeared from the comments of those present at that community meeting that the neighborhood is in support of his development concepts and the request for a subterranean E Howe Street vacation.

Thank you,

Lake Union Neighborhood
Brian Ramey
117 East Louisa St, #187
Seattle, WA 98102

brianramey@comcast.net

cc E Howe Street Steering Committee and Neighborhood Supporters
Jeff Woodward
Dawn Bushnaq

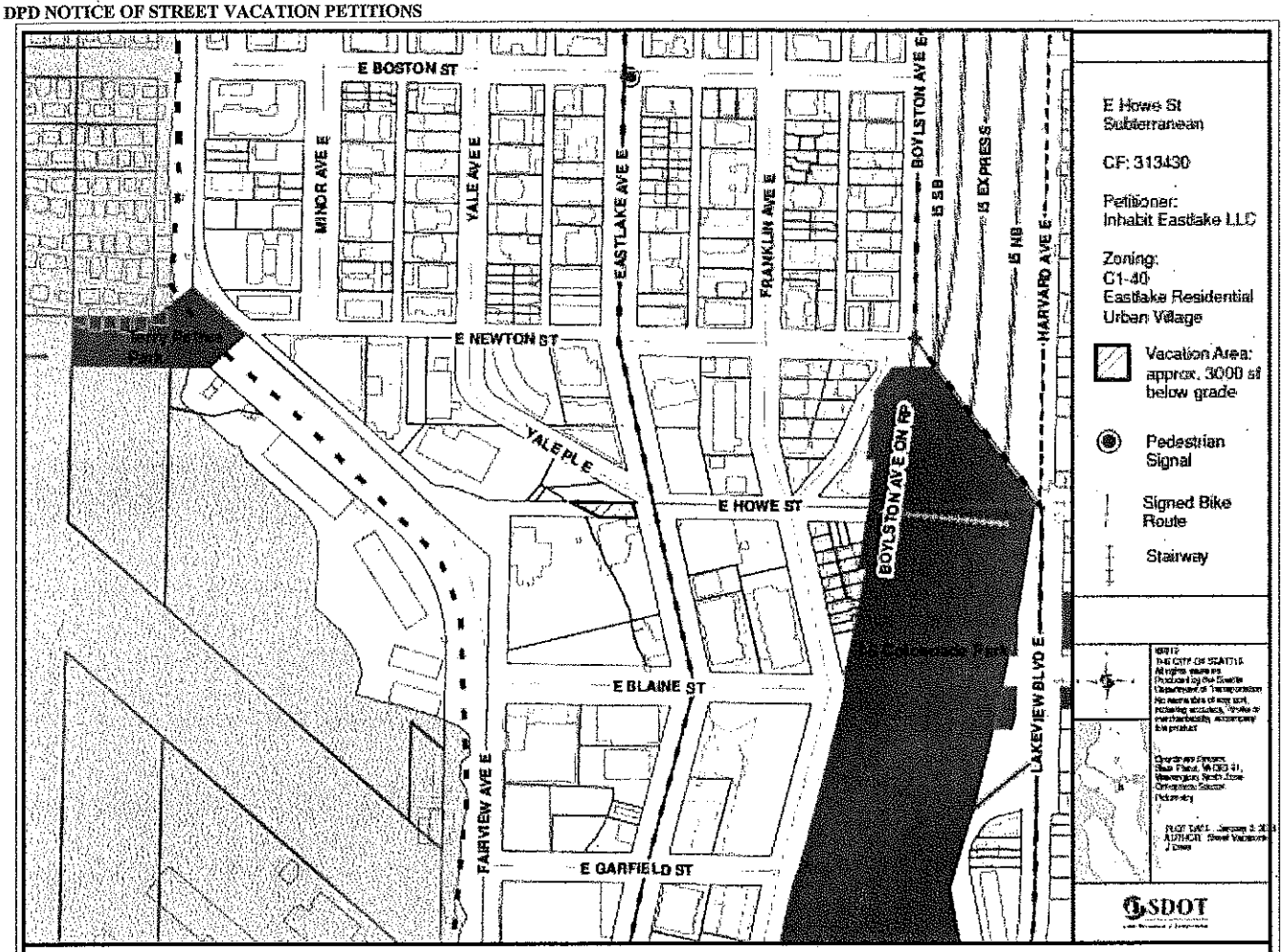
"Whether we and our politicians know it or not, Nature is party to all our deals and decisions, and she has more votes, a longer memory and a sterner sense of justice than we do." – Wendell Berry

Jan 20, 2014
Seattle Department of Planning and Development

Land Use Information Bulletin

A Twice-Weekly Bulletin Announcing Land Use Applications, Decisions, Hearings, and Appeals
www.seattle.gov/dpd

DPD NOTICE OF STREET VACATION PETITIONS



E Howe Street Subterranean Vacation Map

(Top of image is north.)
Map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in DPD's files will control.

Area: **Address:**
Project: **Zone:** **Notice Date:** 01/20/2014

Seattle Department of Transportation has accepted the following vacation petition. Comments are accepted throughout the review. Your comments are encouraged and may be submitted to:

Moira Gray
SDOT Street Vacation Office
700 5th Avenue, Suite 2300
Mail: PO Box 34996
Seattle, WA 98124-4996 or
moira.gray@seattle.gov, 206.684.8272

City Clerk File: 313430
Area: Eastlake neighborhood
Right-of-way Proposed for Vacation: subterranean portion of E Howe St between Eastlake Ave E and Fairview Ave N
Petitioner: Inhabit Eastlake, LLC
Petitioner Contact: Jeff Woodward, Bushnaq Studios, jeff@bushnaqstudio.com, 206 257-3345

Reason for Vacation: E. Howe St. divides the petitioner's parcels into two sites. The proposed subterranean vacation would allow both sites to share a below grade connection for a parking garage and a single point of access from Yale Pl. E. It would also allow shared utility infrastructure.

Project Description: The development proposal consists of two sites with the intervening E. Howe right-of-way. The proposed project is for two 4-story

mixed use buildings 44 feet in height connected by a below grade parking structure. The project includes approximately 100,000 square feet; including 2,100 square feet of commercial space, 5,920 square feet of live-work space, and 57,600 square feet of residential space. The garage will accommodate approximately 65 stalls and access to the garage will be provided on Yale.

The surface of E Howe Street would remain as public right-of-way and the project design includes improved open space on E. Howe St. between the proposed buildings. The proposed open space would be constructed with pedestrian amenities and a new stairway on the west side of the project connecting to a proposed pedestrian walk and stair improvements on the west half of the right-of-way to be constructed by the adjacent 1818 Fairview project.

Additional Information: The entire vacation petition submittal may be accessed at the City of Seattle City Clerk webpage www.seattle.gov/leg/clerk, search legislative records for: Clerk File 313430.

Access directly: Clerk File 313430 Subterranean Vacation Petition E. Howe St.

To: "almp@wsdot.wa.gov" <almp@wsdot.wa.gov>, "Baker, Roberta" <Roberta.Baker@seattle.gov>, "Barber, Dave" <Dave.Barber@seattle.gov>, "brianramey@comcast.net" <brianramey@comcast.net>, "Buswell, John" <John.Buswell@seattle.gov>, "Dorothy Ng (dorothy.ng@PSE.com)" <dorothy.ng@PSE.com>, "Ellis, Erich" <Erich.Ellis@seattle.gov>, "English, Gary" <Gary.English@seattle.gov>, "Harris, Donald" <Donald.Harris@seattle.gov>, "Hauger, Tom" <Tom.Hauger@seattle.gov>, "hollyhouser@pugetsoundbikeshare.org" <hollyhouser@pugetsoundbikeshare.org>, "iwall@serv.net" <iwall@serv.net>, "Izzo, Gregory" <Gregory.Izzo@seattle.gov>, "Korpi, Luke" <Luke.Korpi@seattle.gov>, "jeannieh@serv.net" <jeannieh@serv.net>, "Johnson, Carolyn" <Carolyn.Johnson@seattle.gov>, "Kinast, Valerie" <Valerie.Kinast@seattle.gov>, "Jenkins, Michael" <Michael.Jenkins@seattle.gov>, "Wieland, Jennifer" <Jennifer.Wieland@seattle.gov>, "Steel, Angela" <Angela.Steel@seattle.gov>, "Leanne Swanson (leanne.swanson@CenturyLink.com)" <leanne.swanson@CenturyLink.com>, "'rebecca.spithill@kingcounty.gov'" <rebecca.spithill@kingcounty.gov>, "Simpson, Kristen" <Kristen.Simpson@seattle.gov>, "Marek, John" <John.Marek@seattle.gov>, "Hicks, Kenneth" <Kenneth.Hicks@seattle.gov>, "Smith, Faye" <Faye.Smith@kingcounty.gov>, "info@feetfirst.org" <info@feetfirst.org>, "Burke, Susie" <fremontland@yahoo.com>, "Lock, Stan" <Stan.Lock@seattle.gov>, "lakeunionmail@juno.com" <lakeunionmail@juno.com>, "info@eastlakeseattle.org" <info@eastlakeseattle.org>, "Grant, Garbriel" <gabrielfgrant@gmail.com>
Cc: "Barnett, Beverly" <Beverly.Barnett@seattle.gov>
Subject: City of Seattle Street Vacation Petition Subterranean Portion of E Howe Street
Date: Tue, 14 Jan 2014 17:05:01 -0800

Hello, SDOT has received a petition from Inhabit Eastlake, LLC, for the vacation of a subterranean portion of E. Howe St. between Eastlake Ave. E. and Fairview Ave. E. in the Eastlake neighborhood of Seattle. Attached is the project information related to the vacation for your review and comments. We are asking for comments prior to our forwarding a recommendation to the City Council. We would like to receive your comments by February 14 however, comments are accepted throughout the review period . Thank you, Moira

MOIRA GRAY | Street Vacation Office |**Seattle Department of Transportation** |

Street Use & Urban Forestry Division| 206-684-8272 (Tel)

Gray, Moira

To: almp@wsdot.wa.gov; Baker, Roberta; Barber, Dave; brianramey@comcast.net; Buswell, John; Dorothy Ng (dorothy.ng@PSE.com); Ellis, Erich (Erich.Ellis@seattle.gov); English, Gary; Harris, Donald; Hauger, Tom; hollyhouser@pugetsoundbikeshare.org; iwall@serv.net; Izzo, Gregory; Korpi, Luke; jeannieh@serv.net; Johnson, Carolyn; Kinast, Valerie; Jenkins, Michael; Wieland, Jennifer; Steel, Angela; Leanne Swanson (leanne.swanson@CenturyLink.com); 'rebecca.spithill@kingcounty.gov'; Simpson, Kristen; Marek, John; Hicks, Kenneth; Smith, Faye; info@feetfirst.org; Burke, Susie (fremontland@yahoo.com); Lock, Stan; lakeunionmail@juno.com; info@eastlakeseattle.org; Grant, Garbriel

Cc: Barnett, Beverly

Subject: City of Seattle Street Vacation Petition Subterranean Portion of E Howe Street

Attachments: E Howe Subterranean Street Vacation.pdf

Hello, SDOT has received a petition from Inhabit Eastlake, LLC, for the vacation of a subterranean portion of E. Howe St. between Eastlake Ave. E. and Fairview Ave. E. in the Eastlake neighborhood of Seattle. Attached is the project information related to the vacation for your review and comments. We are asking for comments prior to our forwarding a recommendation to the City Council. We would like to receive your comments by February 14 however, comments are accepted throughout the review period . Thank you, Moira

MOIRA GRAY | Street Vacation Office | **Seattle Department of Transportation** |
Street Use & Urban Forestry Division| 206-684-8272 (Tel)

City of Seattle

Seattle Department of Transportation Goran Sparrman, Interim Director

MEMORANDUM

Date: January 14, 2014

To: Street Vacation Reviewers

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

Subject: Proposed Subterranean Vacation of a Portion of E. Howe St.; Clerk File 313430

The Seattle City Council has received a petition from Inhabit Eastlake, LLC to vacate a subterranean portion of E. Howe St. between Eastlake Ave. E. and Fairview Ave. E. in the Eastlake neighborhood. If you are interested in commenting on the proposed vacation please review the attached materials describing the vacation request. Your comments will become part of the permanent public record and will be included in the recommendation to the City Council.

Return your comments to: Moira Gray, Seattle Department Transportation, PO Box 34996, Seattle, Washington 98124-4996, or e-mail comments to moira.gray@seattle.gov.

Please be sure that your name is clearly identifiable, and if you are responding as a representative or staff of a public agency, private company or community group please include your title and organization's name when returning your comments.

PETITIONER:
Inhabit Eastlake, LLC

PETITIONER CONTACT:
Jeff Woodward
Bushnaq Studios, 206 257-3345, jeff@bushnaqstudio.com

COMMENTS REQUESTED BY:
We are asking for your comments by February 14th. However, comments are accepted throughout the review period.

Please contact Street Vacation Staff at 684-8272 if you have any questions. Thank you for your review and timely response.

Attachments:
SDOT Vacation Documents

SDOT Street Vacation Petition Summary – Subterranean Portion of E. Howe St.

Petitioner: Inhabit Eastlake, LLC

Project Addresses: 1903 Yale Pl. E. & 1823 Eastlake Ave. E.

Clerk File: 313430

DPD Project #s: 3014468 & 3015480

Right-of-way proposed for vacation: a subterranean portion of E. Howe St. between Fairview Ave. E. and Eastlake Ave. E. in the Eastlake neighborhood of Seattle. The proposed vacation area begins approximately 5 feet below grade and the area of the proposed vacation is approximately 125' in length and 30 feet in width. The vacation area is located on the eastern portion of the right-of-way adjacent to Eastlake Ave. E.

Neighborhood: Eastlake

Current Zoning: C1-40 Eastlake Residential Urban Village

Site Description: E. Howe St. extends from Eastlake Ave. E. to Fairview Ave. E. but the right-of-way is not fully improved as a street. The right-of-way is steeply sloped with the Eastlake portion as the highest point. The eastern portion of E. Howe St. is 30 feet wide as it connects to Eastlake Ave. E., it is flat and is currently paved and provides for parking and access to the adjacent properties. The right-of-way then slopes steeply downward and is covered with scrub vegetation. At the intersection with Fairview Ave. E., the E. Howe St. right-of-way widens to 120 feet and is paved and used for parking by the adjacent businesses.

The proposed vacation is for a below grade portion of E. Howe St. on the eastern half of the right-of-way. The petitioner owns the property on both sides of the proposed vacation area. On the north side of the area, the petitioner owns two parcels that form an irregular triangle shape between Yale Pl. E. and Eastlake Ave. E. These parcels are currently used for parking. On the south side of the vacation area, the petitioner's parcel is rectangular shaped with its long side abutting Eastlake. A restaurant and associated parking are located on this parcel.

The remainder of the block is outside of the project area and not a part of the vacation petition. There is a separate proposed development for a biotech building (1818 Fairview Ave E, DPD# 3012732). The boundaries for the adjacent project are E. Howe St., Fairview Ave. E. and E. Blaine St. This project is proposing to improve the western portion of Howe with a walk and stairway connecting to the project proposed by the vacation petitioner.

Eastlake Ave. E. at this location is designated as a scenic route per the Seattle Municipal Code and is a signed bicycle route. There is an unsignalized crosswalk and pedestrian refuge area on Eastlake at its intersection with E. Howe St. Two blocks east of Eastlake, Howe intersects with Colonnade Park under I-5. Fairview Ave. E. is a walking route as designated by the Pedestrian Master Plan and is also known as the Cheshiahud Lake Union Loop. Portions of Fairview abut

Lake Union within a block of Howe.

Reason for Vacation: E. Howe St. divides the petitioner's parcels into two sites. The proposed subterranean vacation would allow both sites to share a below grade connection for a parking garage and a single point of access from Yale Pl. E. It would also allow shared utility infrastructure.

Project Summary: The development proposal consists of two sites with the intervening E. Howe right-of-way. The northern site fronts on Yale Pl. E. and is designated as the Yale development site. The southern site fronts on Eastlake Ave. E. and is designated as the Eastlake development site. The proposed project is for two 4-story mixed use buildings 44 feet in height connected by a below grade parking structure. The project includes approximately 100,000 square feet; including 2,100 square feet of commercial space, 5,920 square feet of live-work space, and 57,600 square feet of residential space. The garage will accommodate approximately 65 stalls and access to the garage will be provided on Yale.

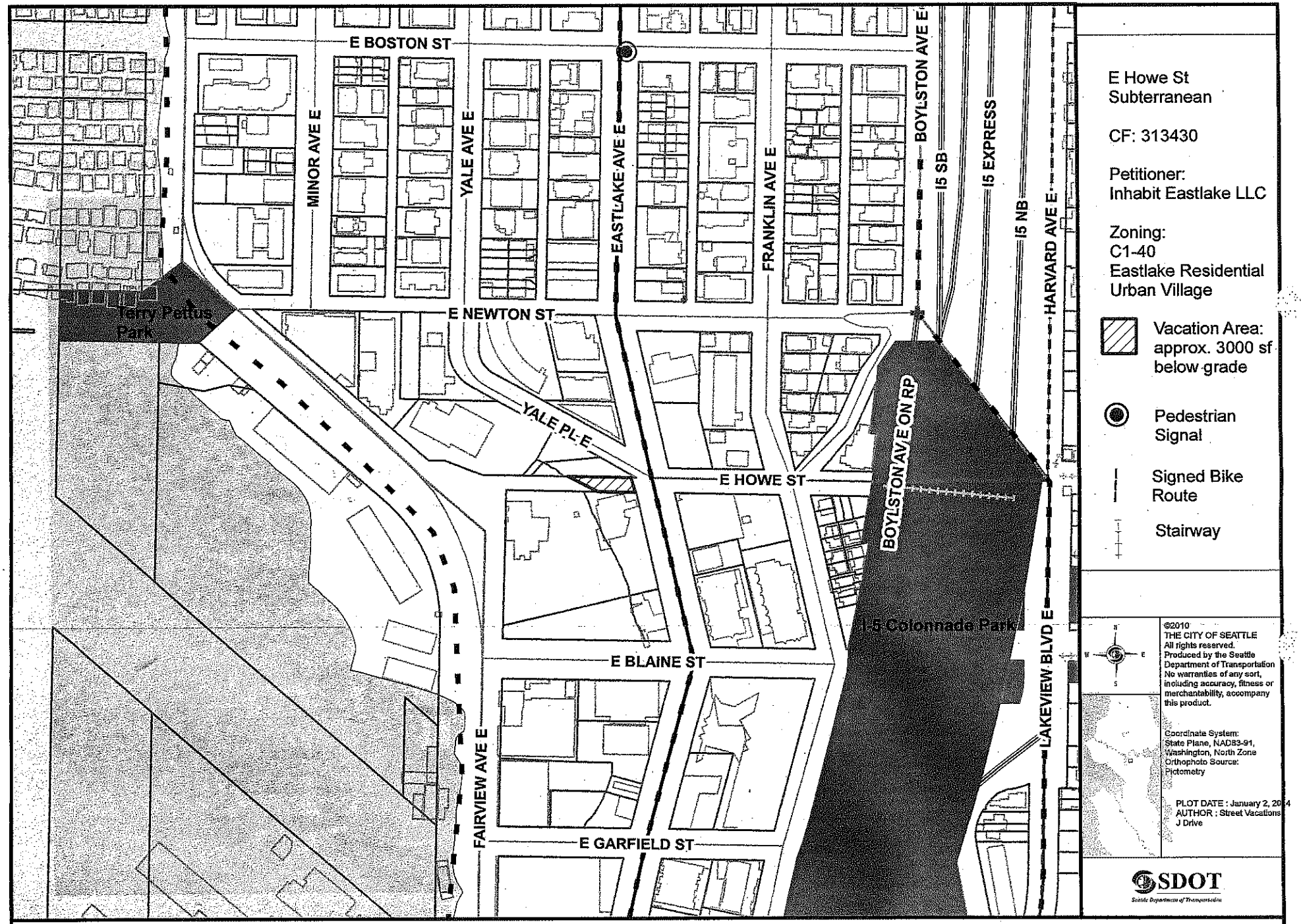
The surface of E Howe Street would remain as public right-of-way and the project design includes improved open space on E. Howe St. between the proposed buildings. The proposed open space would be constructed with pedestrian amenities and a new stairway on the west side of the project connecting to a proposed pedestrian walk and stair improvements on the west half of the right-of-way to be constructed by the adjacent 1818 Fairview project.

Public Benefit (as proposed by the petitioner): The petitioner is asking the City to consider the following elements as public benefits:

- 4,124 square feet of enhanced open space on E. Howe St. including: public art by Mike Phifer, street–level commercial frontage, streetscape amenities such as outdoor seating, architectural lighting, and enhanced landscaping;
- Stairway improvements on E. Howe St. connecting the open space to the proposed stairway and walk to be built by the adjacent 1818 Fairview project;
- Single parking ingress/egress from Yale Pl. E.; and
- Enhanced commercial and pedestrian frontage on Eastlake.

Additional Information:
The entire vacation petition may be accessed at the City of Seattle City Clerk webpage www.seattle.gov/leg/clerk, search legislative records for: Clerk File 313430.

Click directly:
Clerk File 313430 E. Howe St. Subterranean Vacation Petition



E Howe Street Subterranean Vacation Map

Right of Way Location

1 1903 Yale Place E (Yale Development Site)

2 1823 Eastlake Avenue E (Eastlake Development Site)

3 Subject portion of unimproved E Howe Street right-of-way proposed for below grade street vacation

05 RIGHT OF WAY PROPOSED FOR VACATION

Project Location

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

See pages 15 - 16 for a 9-Block aerial and figure ground diagram of the project site neighborhood and pages 17-18 for description of the project vicinity.

Project Address

Yale Development Site: 1903 Yale Place E

Eastlake Development Site: 1823 Eastlake Avenue East

Streets Bordering Project Site

Eastlake Avenue E to the east. Yale Place E to the north. The unimproved E Howe Street ROW bisects the Yale and Eastlake development sites.

Zoning

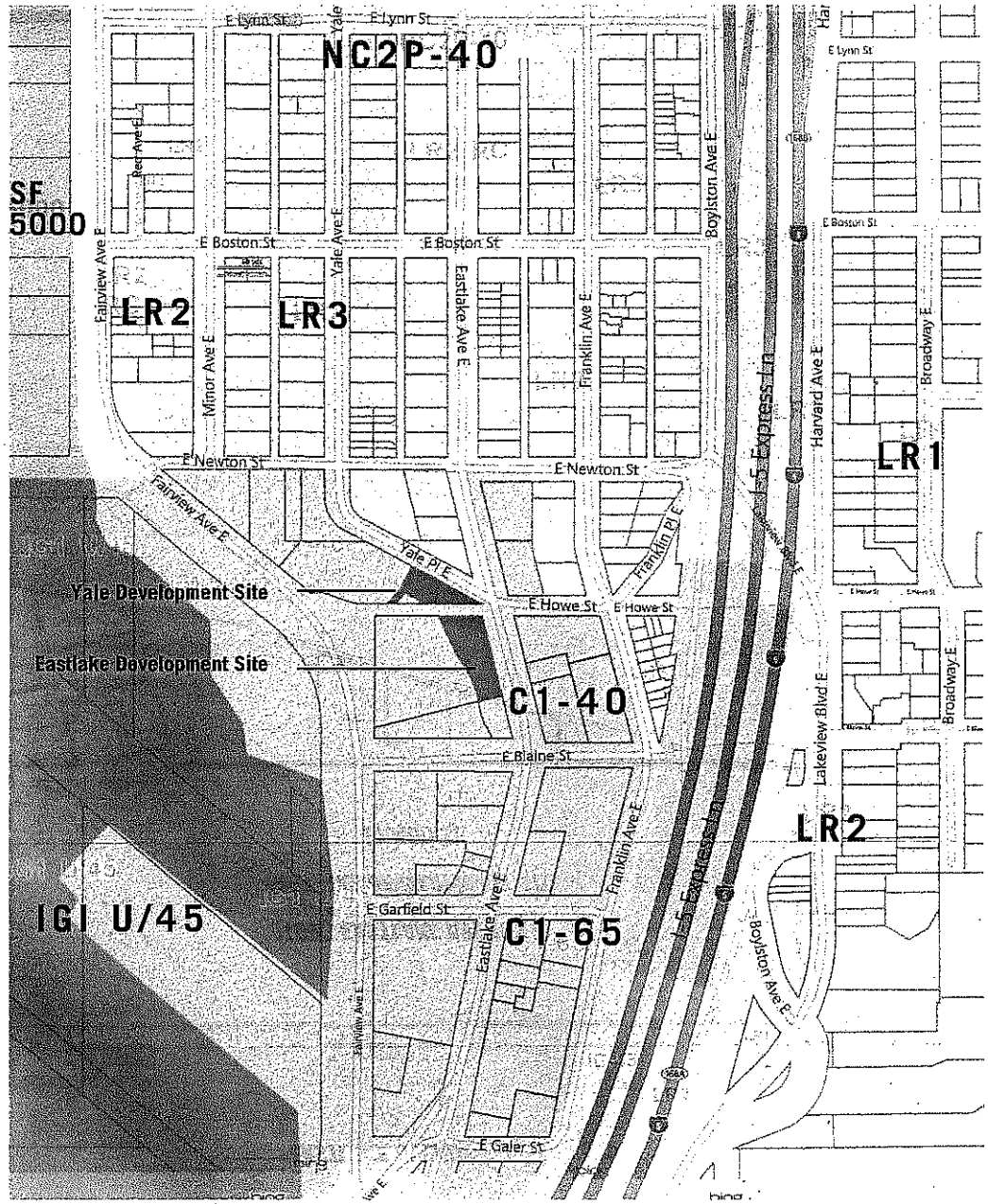
C1-40/Eastlake Residential Urban Village

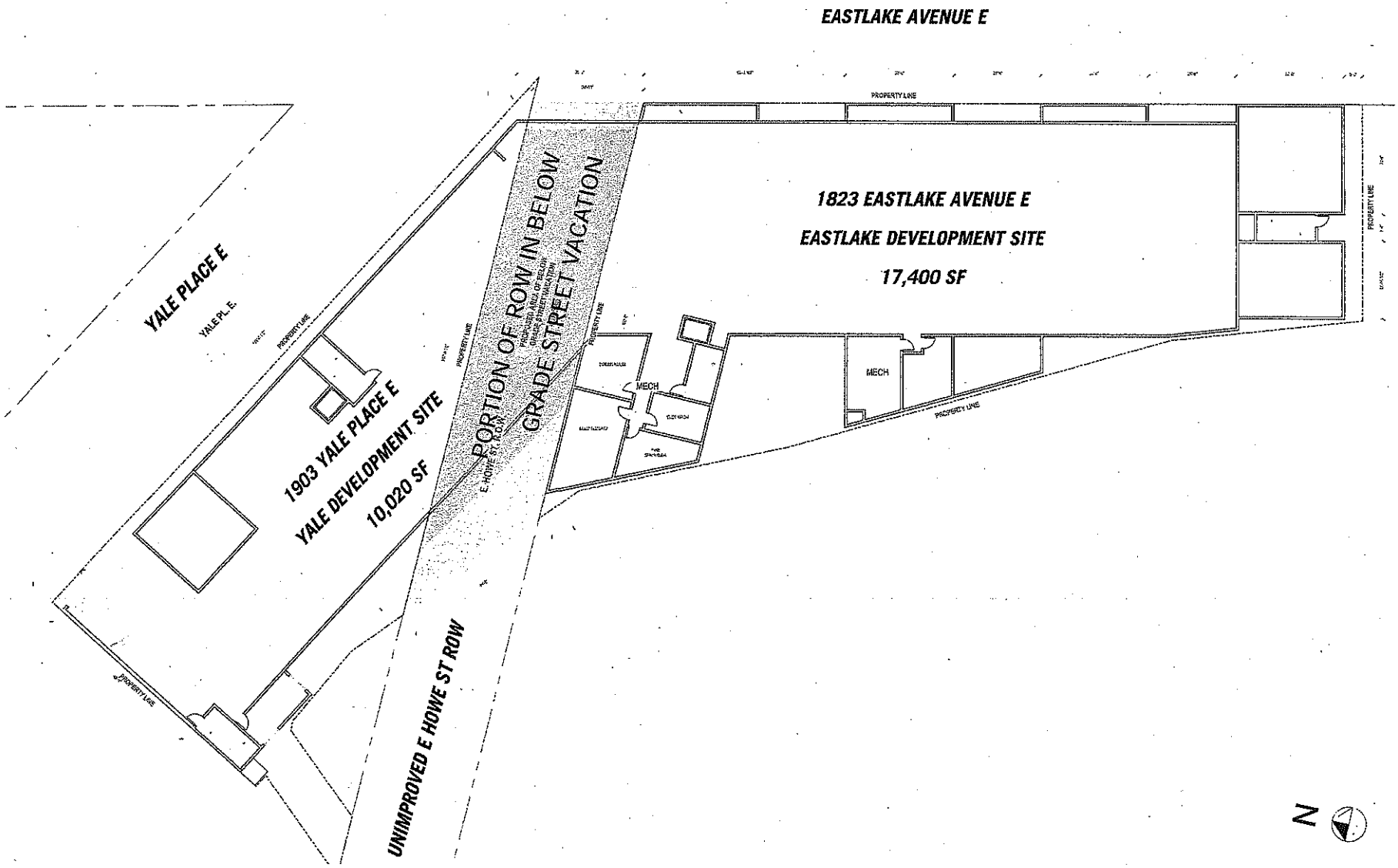
Neighborhood Planning Area

Eastlake

Other Overlays

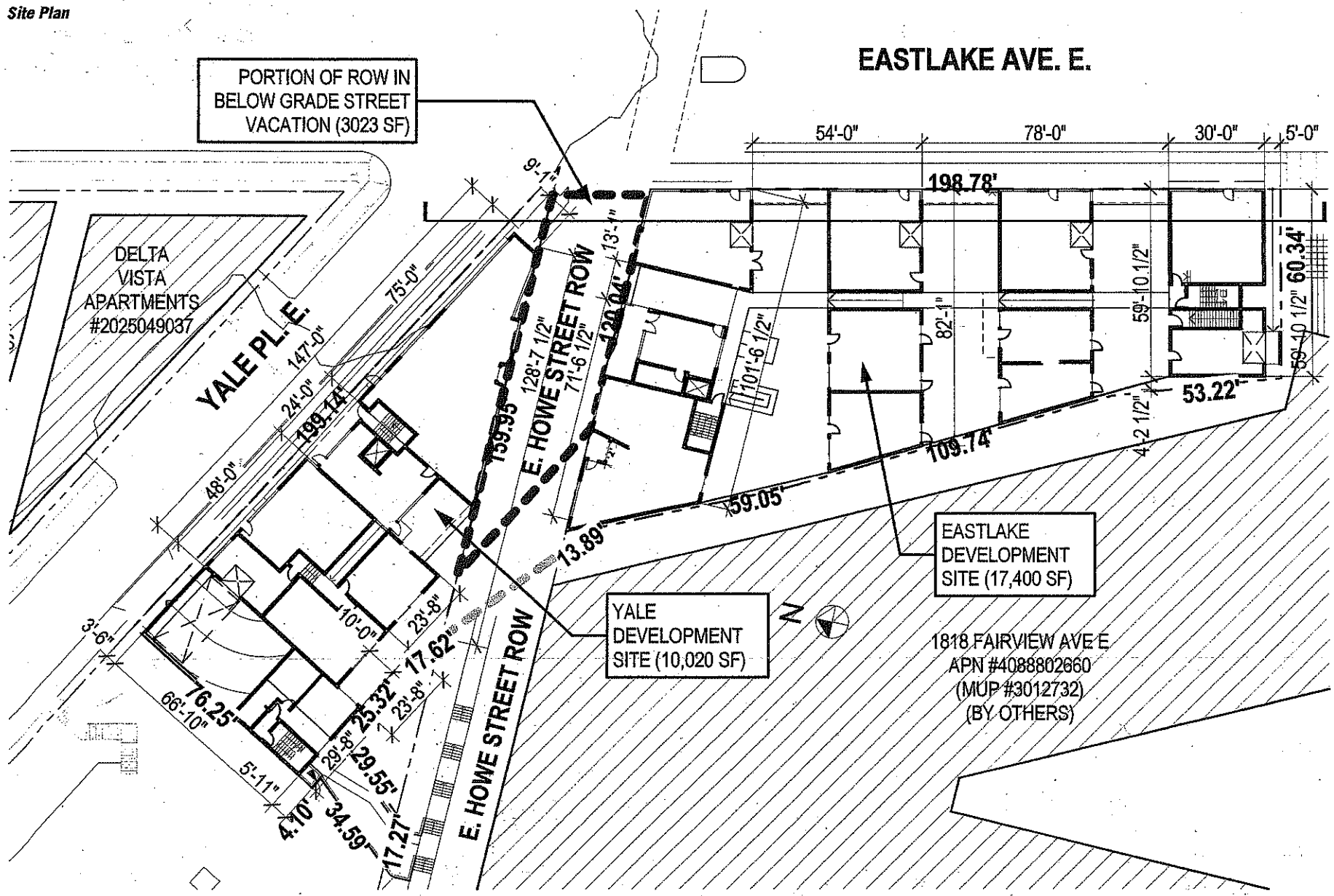
Eastlake is a scenic route per SMC 25.05.675 Attachment 1.





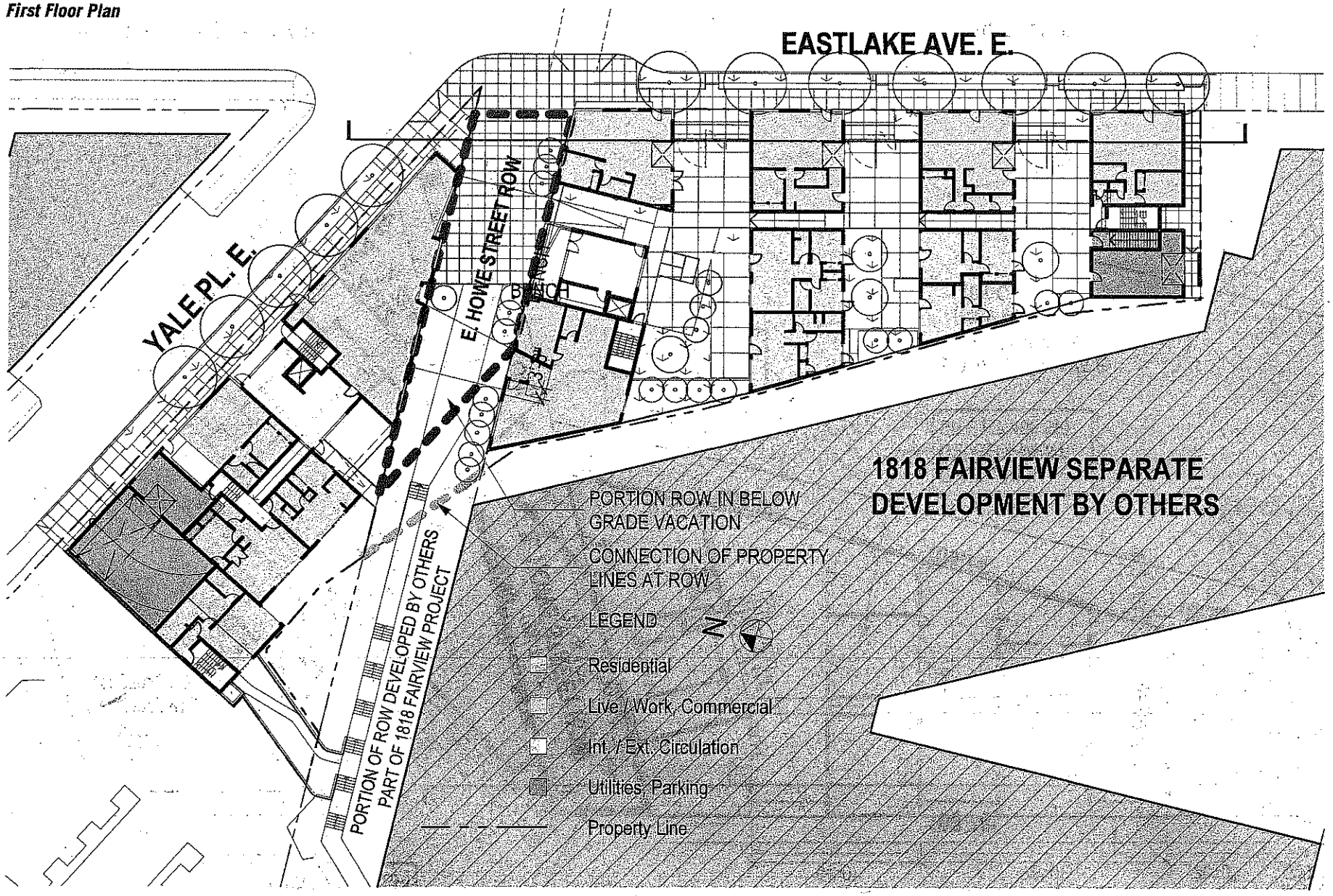
05 RIGHT OF WAY PROPOSED FOR VACATION

Site Plan



15 SITE MAPS
P.38 1903 YALE PL E / 1823 EASTLAKE AVE E : BELOW GRADE STREET VACATION PETITION 12. 19. 2013 BUSHNAQ STUDIO ARCHITECTURE +DESIGN

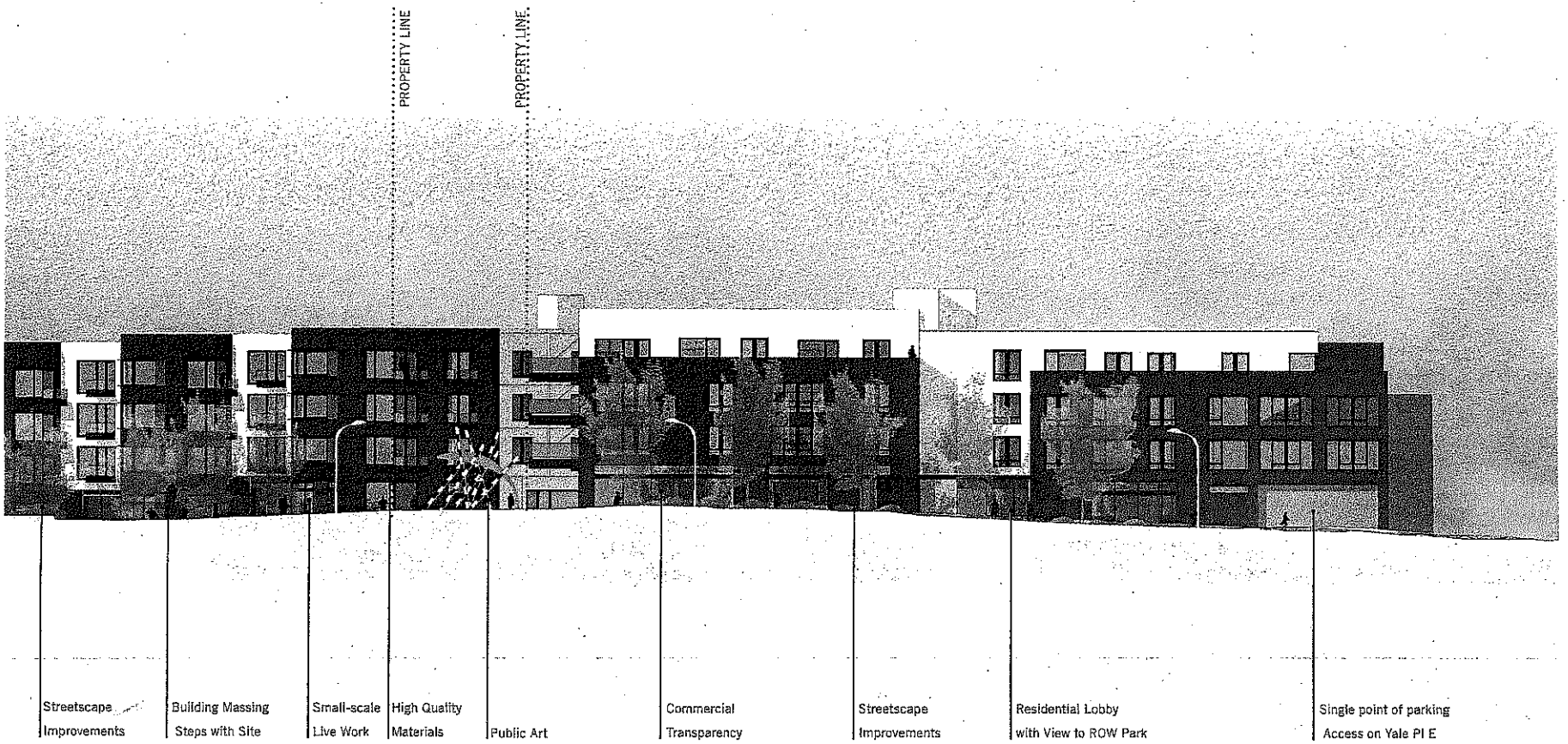
First Floor Plan



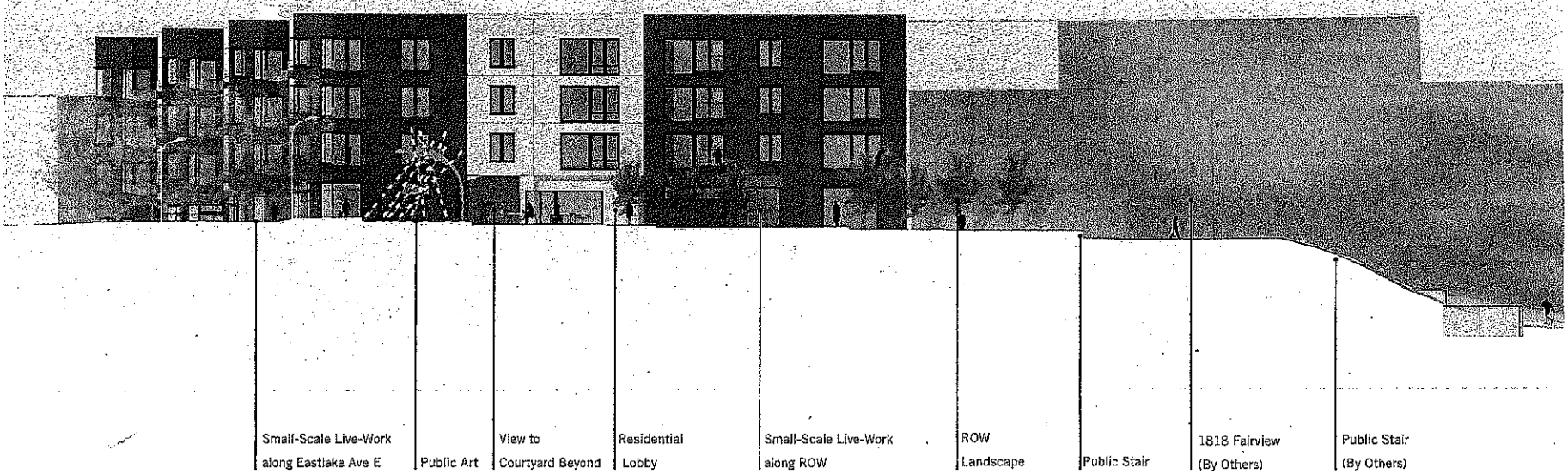
16 PROJECT MAPS

1823 Eastlake Ave E Elevation

1903 Yale Pl E Elevation



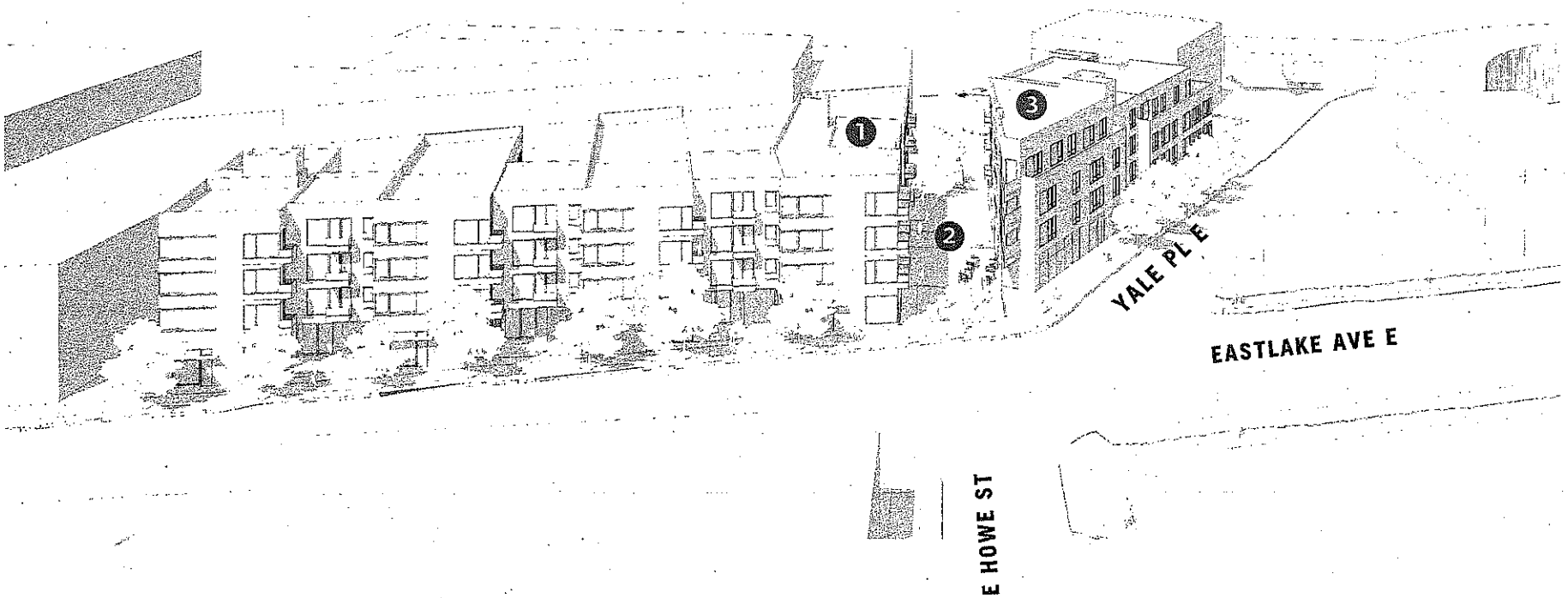
1823 Eastlake Ave E - E HOWE Street ROW Elevation



1903 Yale Pl E ROW Elevation - E HOWE Street ROW Elevation

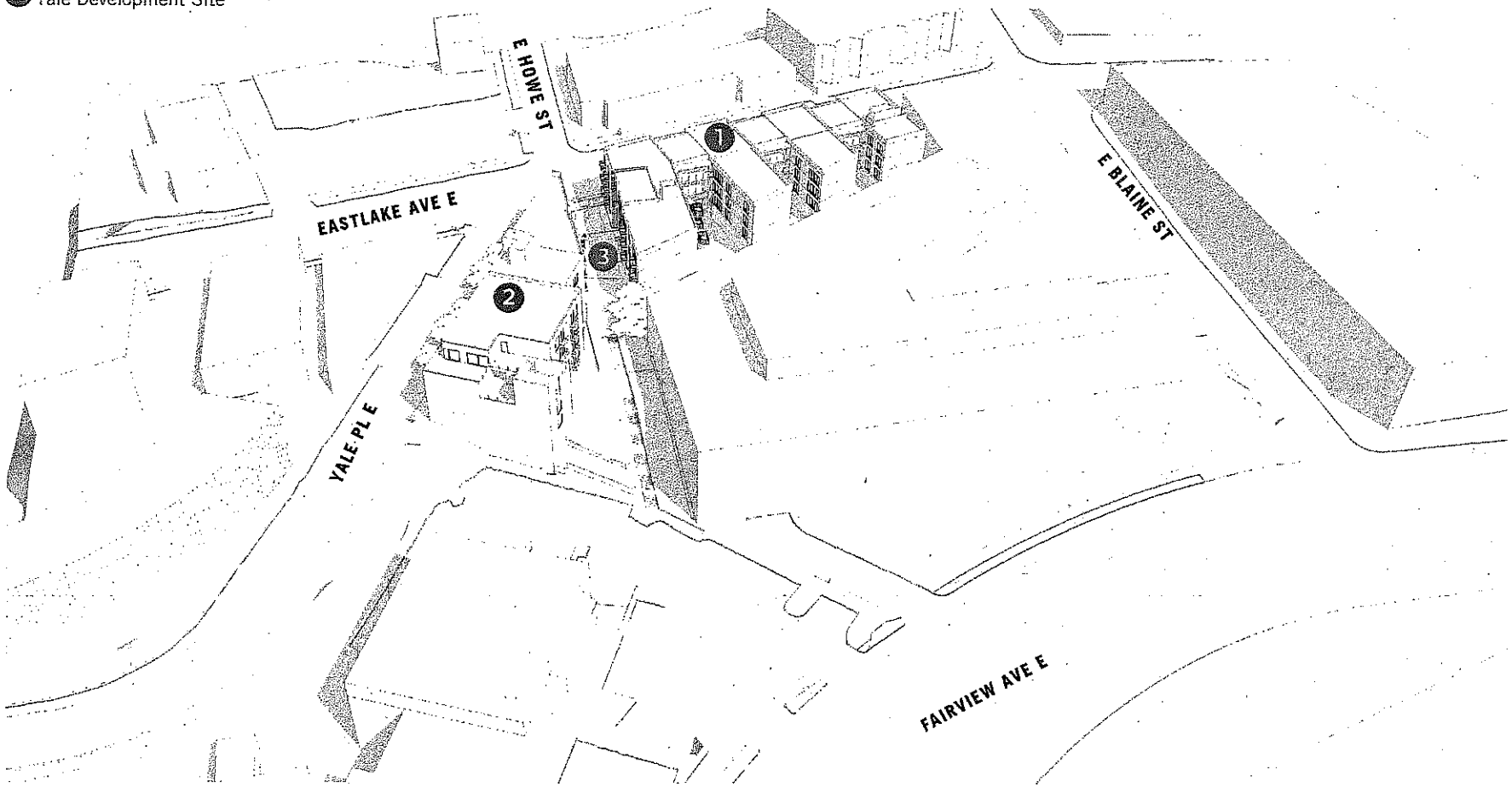
3D Aerial of Project Site Looking West

1. Eastlake Development Site
2. E Howe Street ROW
3. Yale Development Site



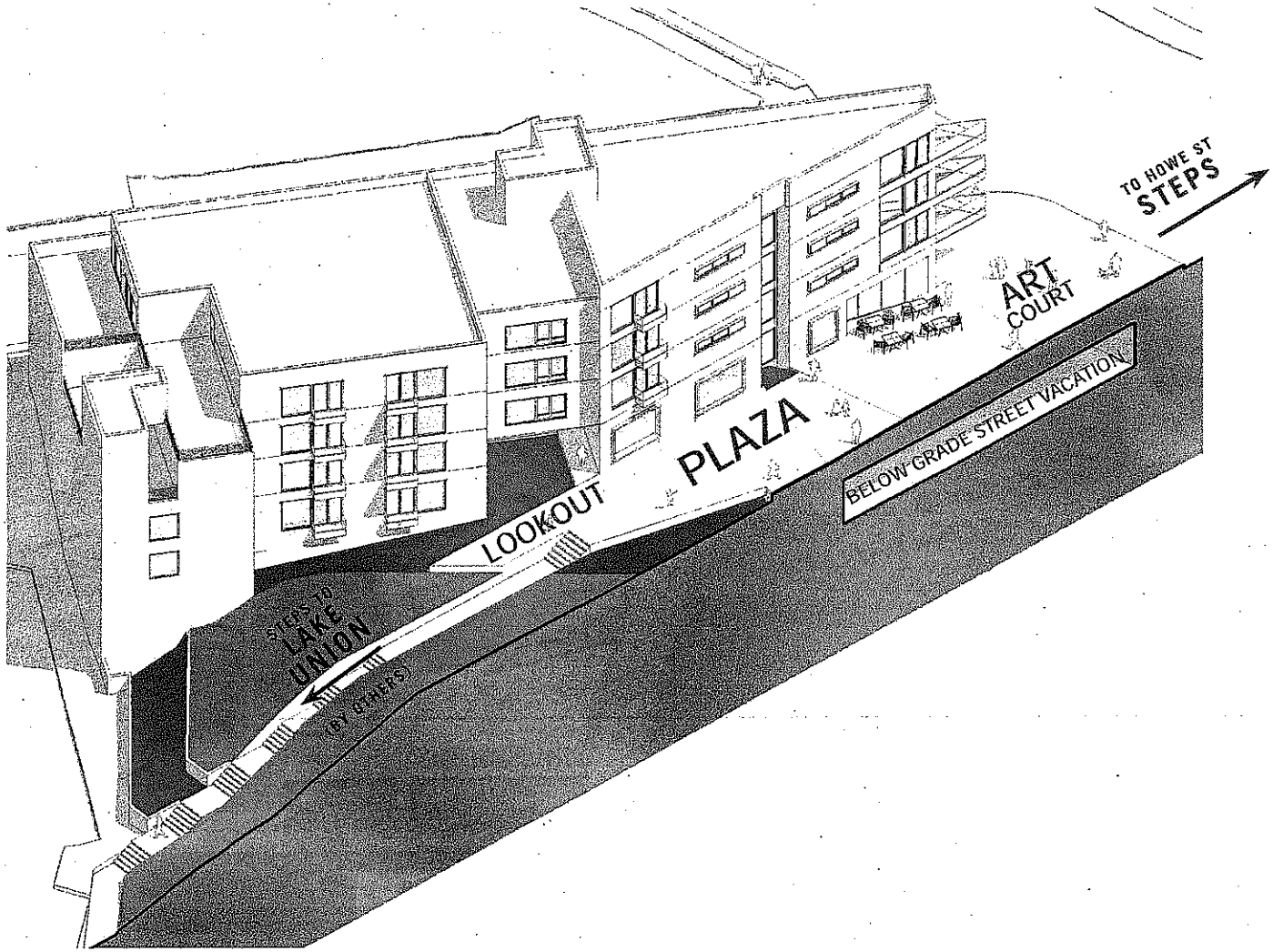
3D Aerial of Project Site Looking East

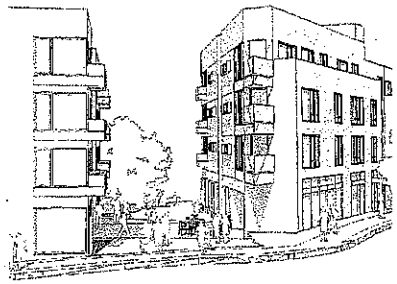
1. Eastlake Development Site
2. E Howe Street ROW
3. Yale Development Site



Diagrammatic 3D Section

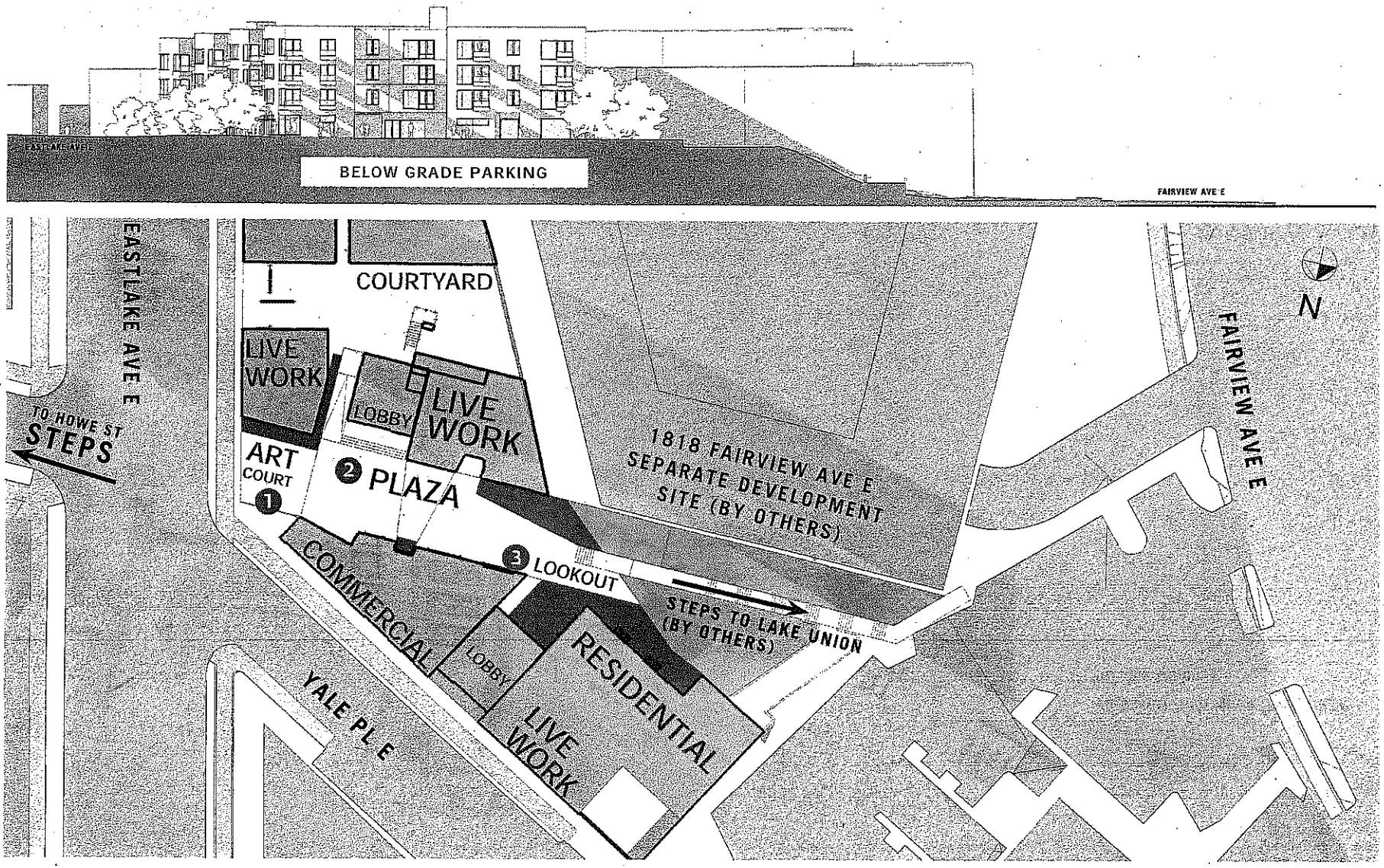
Section shows the below grade street vacation in relation to the grade public open space.



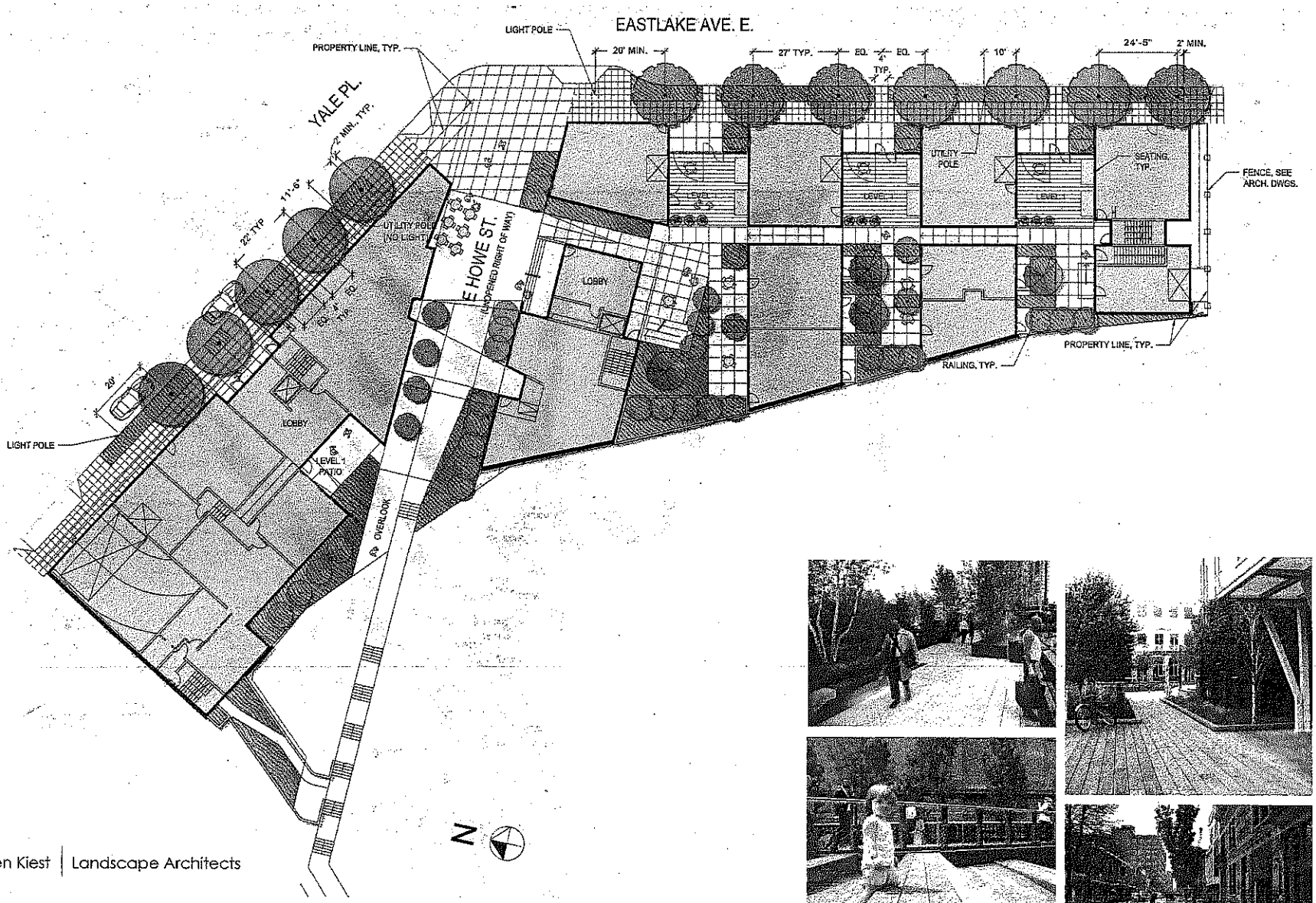


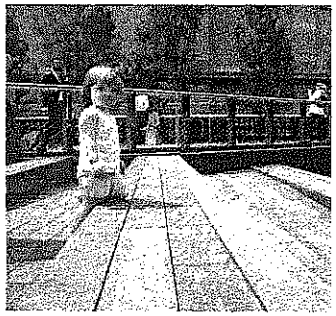
View west from Howe Street ROW to Lake Union

Public Benefit Preliminary Diagram



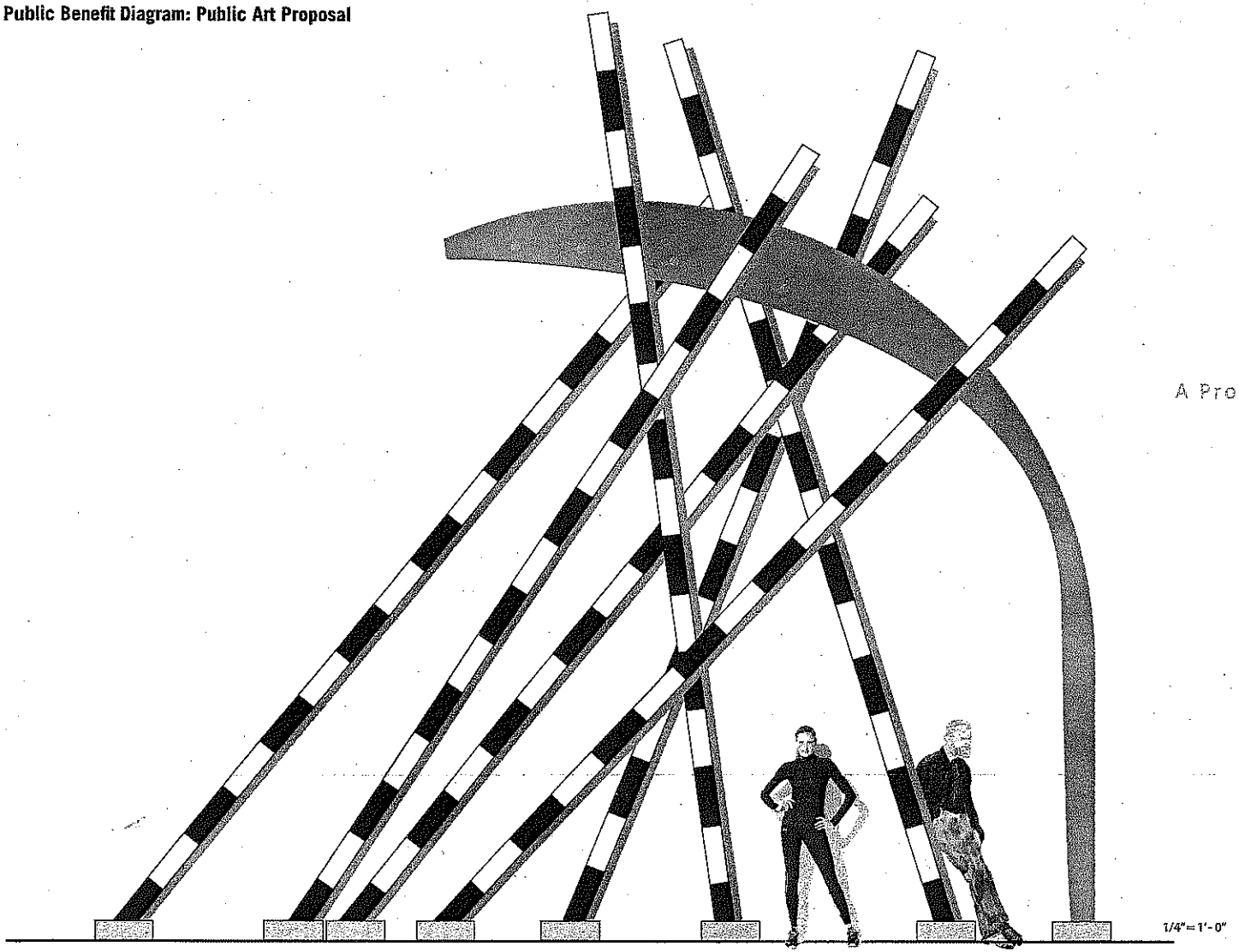
Public Benefit Diagram: Schematic Landscape Plan





Karen Kiest | Landscape Architects

Public Benefit Diagram: Public Art Proposal



"Reunion"

A Proposed Steel Sculpture

Mike Phifer

AERIAL PHOTO — DESIGN CONTEXT

The project is located at the south end of the Eastlake Residential Urban Village. The urban fabric maps closely to current zoning heights. North of site, building heights are primarily 2–3 stories; at the project site, they are 3–4 stories, south of the site, 4–6 stories.

Eastlake Avenue E

Eastlake Avenue E is an arterial with frequent transit and heavy vehicular traffic. Eastlake is also an established scenic route and route of the future streetcar.

North and east on Eastlake Ave E are 3-story residential and commercial structures (KIRO TV, Lake Union Terrace Apartments ❶, Arts Conservation Service ❷, Abbey Park Apts, Villa Capri Apartments ❸) and a surface parking lot.

South/southwest of project site ❹, the remainder of the block is currently undeveloped. A DRB proposal for a biotech building on the adjacent site (1818 Fairview Avenue E, DPD 3012732) received DRB recommendation in September 2012.

South on Eastlake Ave E, the buildings are larger scaled biotech and mixed use buildings ❺.

Yale Place E

Yale Place E is a 2-way side street. To the northwest on Yale Place E are 3-story commercial structures (Hart Crowser ❻, WCI Voice and Data Service).

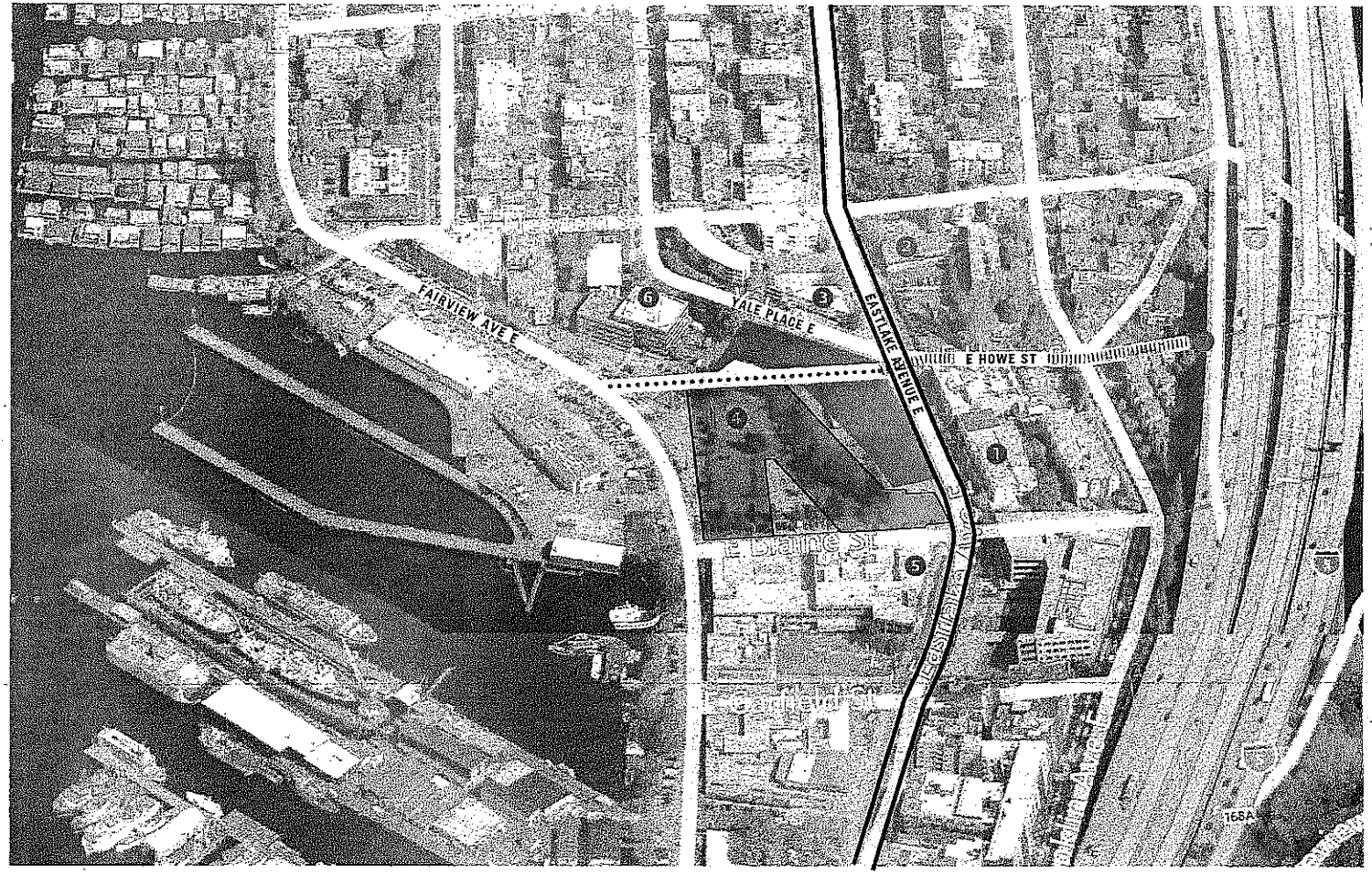
Across Yale Place E are 3 and 4-story apartments (Delta Vista Apartments, Villa Capri Apartments ❸).

Unimproved E Howe Street ROW

The unimproved E Howe Street ROW extends from Eastlake Ave E to Fairview Ave E. Currently it is used for surface parking (Don Eduardo's, Hart Crowser) and has an steep slope. If improved, it would connect Lake Union with the E Howe Street Hillclimb, which runs from 10th Avenue on Capitol Hill to the base of Colonnade Park ❼ east of the site.

Fairview Ave E

Fairview Avenue E is also called the Cheshiahud Lake Union Loop. It is a shared car/bike/pedestrian loop around Lake Union that provides public access to the lake and connects the lakefront parks.



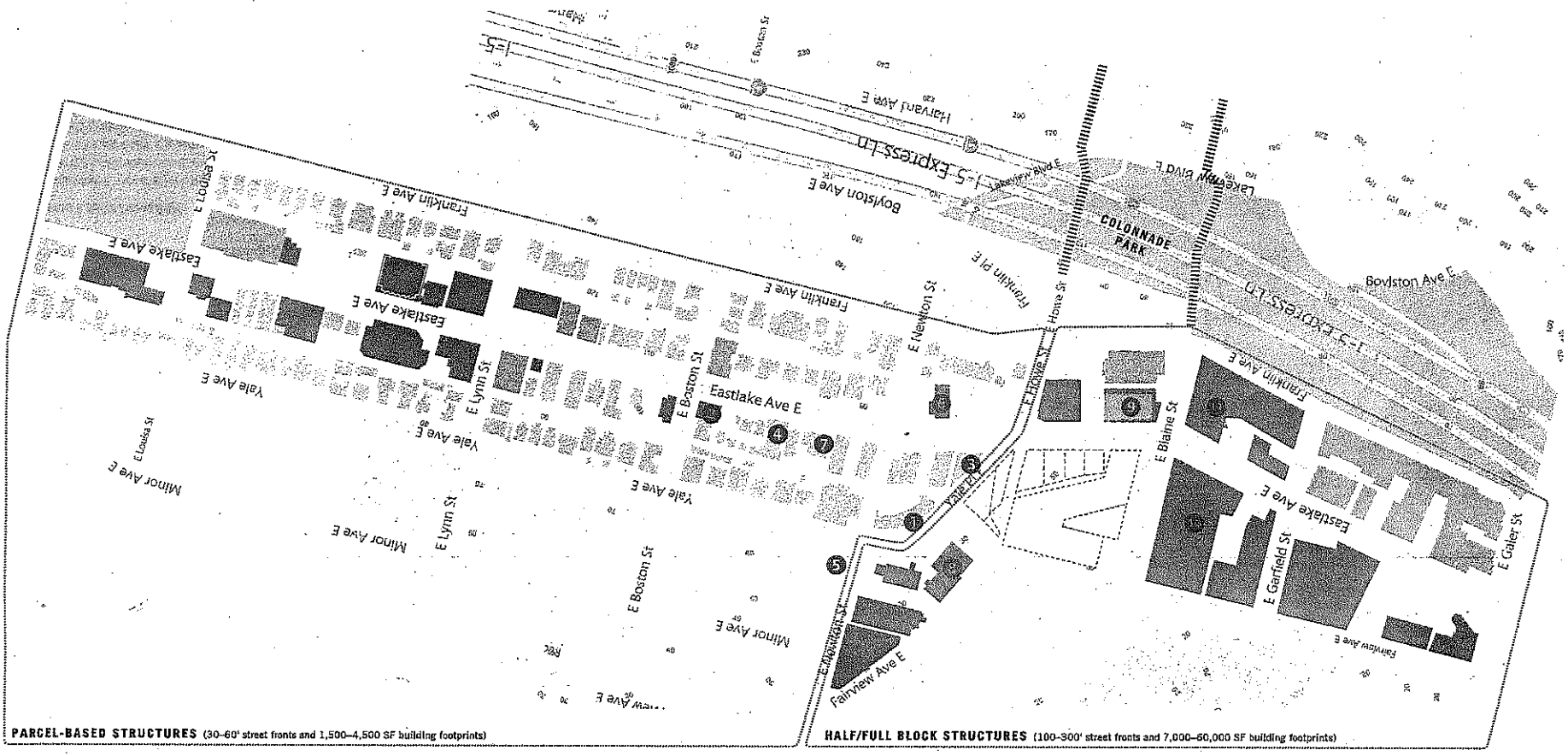
Frequent transit

Pedestrian (existing)

Pedestrian (future)

URBAN DESIGN ANALYSIS

- Residential building
- Commercial building (existing)
- Commercial building (future)
- Mixed-use building
- Proposed scheme
- E Howe Street and E Blaine Street Hillclimbs



Analysis of site shows predominance of parcel based structures north of the site and larger half/full-block structures south of the site. Diagram also shows concentration of commercial uses at intersections.

Gray, Moira

From: Seattle City Council Agenda <councilagenda@seattle.gov>
Sent: Friday, January 10, 2014 4:32 PM
To: Gray, Moira
Subject: Seattle City Council Introduction and Referral Calendar January 13, 2014

Having trouble reading this email? View it in your browser.

Seattle City Council Introduction and Referral Calendar
January 13, 2014

BY BAGSHAW
1. C.B. 118020
AN ORDINANCE relating to historic preservation, imposing controls upon Alexander Hall, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.Committee referral: Seattle Public Utilities and Neighborhoods

BY BAGSHAW
2. C.B. 118021
AN ORDINANCE relating to historic preservation, imposing controls upon the Neptune Building, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.Committee referral: Seattle Public Utilities and Neighborhoods

BY BAGSHAW
3. C.B. 118022
AN ORDINANCE relating to historic preservation, imposing controls upon the Chiarelli-Dore House, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.Committee referral: Seattle Public Utilities and Neighborhoods

BY LICATA
4. C.B. 118023

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.Committee referral: Full Council

BY RASMUSSEN

5. C.F. 313430

Petition of Inhabit Eastlake LLC for the vacation of a subterranean portion of East Howe Street between Eastlake Avenue East and Fairview Avenue East.Committee referral: Transportation

---

City Clerk's Office News and Events

Council Connection - Seattle City Council Blog

City of Seattle - Legislative Department
PO Box 34025
Seattle, Washington 98124-4025
This email was sent to: moira.gray@seattle.gov
Unsubscribe

BUSHNAQ STUDIO LLC
5007 S. GENESEE ST.
SEATTLE, WA 98118

1122
19-8130/3250

Dec 19, 2013
Date

Pay to the Order of City of Seattle $ 450.00

Four hundred fifty dollars + 00/100 Dollars

Security Features Details on Back.

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For Below Grade Street Vacation Petition

⑆325081306⑆ 0039118811⑈ 1122

Harland Clarke

GUARDIAN SAFETY® YELLOW

City of Seattle

FAS Treasury
Date: 12/20/2013 Cashier: domendj
Batch:55910 Trans #: 1

SDOT

Dept: SDOT Receipt# 14623875
Customer:NG-1219204

T000 ST VACATION FILI $450.00
GEN 444900 00164 TCR50
TRN TA556000 TA556000 N

Payment Total: $450.00

Transaction Total: $450.00
Check #1122 : $450.00

City of Seattle

Seattle Department of Transportation **Peter Hahn, Director**

FILED
13 DEC 20 AM 10: 10
CITY CLERK

MEMORANDUM

DATE: December 20, 2013

TO: Monica Martinez Simmons, City Clerk

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

SUBJECT: Vacation Petition for a Subterranean Portion of East Howe Street

The Seattle Department of Transportation has received a vacation petition from Inhabit Eastlake, LLC for a subterranean portion of East Howe Street between Eastlake Avenue East and Fairview Avenue East in the Eastlake neighborhood area of Seattle. Our office has verified that the petition meets the filing requirements for the vacation of:

A subterranean portion of East Howe Street, in the Hilton Addition to the City of Seattle, recorded in Volume 3 of Plats, page 157, Records of King County, Washington generally described as lying between the westerly margin of Eastlake Avenue East and a line projected between the easterly margins of Blocks 61 and 62, Lake Union Shore Lands.

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

Attachments

Seattle Municipal Tower, 700 5th Avenue, Suite 3800, PO Box 34996, Seattle, WA 98124-4996
Tel: (206) 684-ROAD Tel: (206) 684-5000 Fax: (206) 684-5180
Web: www.seattle.gov/transportation
An equal opportunity employer. Accommodations for people with disabilities provided on request.

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

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

A portion of East Howe Street between Eastlake Avenue East and Fairview Avenue East

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

A subterranean portion of East Howe Street, in the Hilton Addition to the city of Seattle, recorded in Volume 3 of Plats, page 157, Records of King County, Washington generally described as lying between the westerly margin of Eastlake Avenue East and a line projected between the easterly margins of Blocks 61 and 62, Lake Union Shore Lands and specifically described in Attachment A to this petition.

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

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

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

SIGNATURE OF PETTIONERS:

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

OWNER (Printed Name, Signature and Title)		**PROPERTY:**
Inhabit Eastlake, LLC By: Jim Daly, Manager	12·17·13	King County Parcel # 202504-9038; Portion of Government Lot 5, etc. and King County Parcel # 338390-0125 (Lots 1,2,3,4 Block 3 Hilton Addition)
OWNER	DATE	Parcel No. & Lot & Block

13 DEC 20 AM 10: 10
CITY CLERK
FILED

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

ACKNOWLEDGEMENT:

I/we Inhabit Eastlake, LLC acknowledge that:
(legal owner/s)

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

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

✓ the City Council decision on the vacation is discretionary, and will be based on the City's Street Vacation Policies contained in Clerk File 310078 and other adopted policies; and

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

✓ I/we have been informed of the cost, obligations, petition requirements, Street Vacation Policies, the time frame involved in the review of a vacation petition.

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

JIM DALY 12·17·13

Petitioner Date

CONTACT INFORMATION:

Developer:
Daly Partners – Patrick Ashman
1101 N. Northlake Way, Ste. 106
Seattle, WA 98103
206 816-3339

Contact:
Jeff Woodward, Bushnaq Studios
3210 Beacon Ave. S
Seattle, WA 98144

206 257-3345

ADDITIONAL PROPERTY OWNERS ABUTTING THE VACATION:

I/we acknowledge and support the petition to vacate a subterranean portion of:

East Howe Street between Eastlake Avenue East and Fairview Avenue East as described above

and declare that I/we have no objections to the street/alley vacation.

OWNER **PROPERTY**

(Printed Name and Signature)

For corporately held property, provide documentation of signatory authority.

BSOP1 LLC

By: **Title:**

Stan Baty

King County Parcel# 202504-9040
Portion of Government Lot 5, etc.

OWNER DATE Parcel No. & Lot & Block

Washington Real Estate Holdings, LLC

By: **Title:**

Ric Anderson

King County Parcel # 408880-2655
Lots 1,2,3,4 Block 62 Lake Union Shore Lands Add.
and
King County Parcel # 408880-2640
Portion of Lake Union Shore Lands Add.

OWNER DATE Parcel No. & Lot & Block

NOT REQUIRED PER DISCUSSION WITH SDOT 12-17-13

If you have any questions regarding the vacation process, please call street vacation staff at 206.684.7564.

SDOT Street Vacation Petition 2013

BUSHNAQ STUDIO LLC
5007 S. GENESEE ST.
SEATTLE, WA 98118

1122
19-8130/3250

Dec 19, 2013
Date

Pay to the Order of City of Seattle $ 450.00

Four hundred fifty dollars + 00/100 Dollars

Security Features Details on Back.

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For Below Grade Street Vacation Petition

⑆325081306⑆ 0039118811⑈ 1122

Harland Clarke

GUARDIAN SAFETY® YELLOW

City of Seattle

FAS Treasury
Date: 12/20/2013 Cashier: dottendj
Batch:55910 Trans #: 1

SDOT

Dept: SDOT Receipt# 14623875
Customer:NG-1219204

T000 ST VACATION FILI $450.00
GEN 444900 00164 TCR50
TRN TA556000 TA556000 N

Payment Total: $450.00

Transaction Total: $450.00
Check #1122 : $450.00

1903 YALE PL E / 1823 EASTLAKE AVE E
BELOW GRADE STREET VACATION PETITION

19 DECEMBER 2013

Summary of Proposed Petition Request

This petition is for a below grade street vacation in the eastern portion of the unimproved E Howe Street right-of-way (ROW) located between Eastlake Avenue E and Fairview Avenue E. The subject portion of ROW is in the Eastlake neighborhood. It is an irregular shape, 30' wide by 125' long at its longest point (3023 SF). The proposed vacation is for the subject portion of ROW that starts at approximately 5' below grade.

The below grade street vacation is part of a development proposal by Inhabit Eastlake LLC. The development proposal consists of two development sites located at 1823 Eastlake Avenue E (Eastlake Development Site) and 1903 Yale Place E (Yale Development Site). The unimproved E Howe Street ROW runs in between the two development sites. The development proposal is for two 4-story mixed use buildings connected by a below grade parking structure. The development proposal also includes the creation of a public open space park at grade in the subject portion of unimproved ROW. The overall development proposal consists of approximately 100,000 SF including 2,100 sf of commercial, 5,920 SF of live-work, and 57,600 SF of residential. The development proposal has one level of below-grade parking with 65 stalls. Structure heights are 44 feet to top of roof.

Two parcels abut the subject portion of ROW proposed for vacation. Inhabit Eastlake LLC owns these parcels. Four parcels, owned by Inhabit Eastlake LLC and two other property owners, abut the ROW west of the area proposed for vacation.

Accompanying this application are informational graphics prepared by the design team. Graphics include the 9-block urban context maps, site plans, lot and building dimensions, lot ownership, illustrations of below-grade street vacation and non-vacation alternatives, schematic building elevations, and studies for the proposed ROW park.

Petition and Supporting Documentation

01 P.04 FILING FEE

02 P.05 REQUIRED SIGNATURES

03 P.06 COMMUNITY INFORMATION

04 P.08 DEVELOPMENT TEAM

05 P.09 RIGHT OF WAY PROPOSED FOR VACATION

06 P.14 PROJECT LOCATION

07 P.19 REASON FOR VACATION

08 P.21 PROJECT DESCRIPTION

09 P.24 OTHER LAND USE ACTIONS

10 P.25 VACATION POLICIES / TRANSPORTATION IMPACTS

11 P.26 VACATION POLICIES/ UTILITY IMPACTS

12 P.29 VACATION POLICIES/ LAND USE IMPACTS

13 P.31 VACATION POLICIES/ PUBLIC BENEFIT

14 P.35 PUBLIC BENEFIT MATRIX

15 P.37 SITE MAPS

16 P.39 PROJECT MAPS

17 P.51 9-BLOCK URBAN DESIGN ANALYSIS

18 P.52 IMPACT ON PUBLIC TRANSPORTATION PROJECTS

19 P.53 ENVIRONMENTAL IMPACT STATEMENT (EIS)

20 P.54 NEIGHBORHOOD PLAN

21 P.55 COMPREHENSIVE PLAN AND OTHER CITY PLANS & GOALS

22 P.58 SUSTAINABLE PRACTICES

23 P.59 DESIGN REVIEW BOARD

24 P.60 COMPANY / AGENCY INFORMATION

25 P.61 DEVELOPMENT SCHEDULE

Appendices

A P. 62 REQUIRED SIGNATURES SIGNATORY AUTHORIZATION

B P. 82 EARLY DESIGN GUIDANCE MINUTES

C P. 91 EARLY DESIGN GUIDANCE PACKET

D P. 130 LETTERS OF SUPPORT COMMUNITY CORRESPONDENCE

Filing Fees

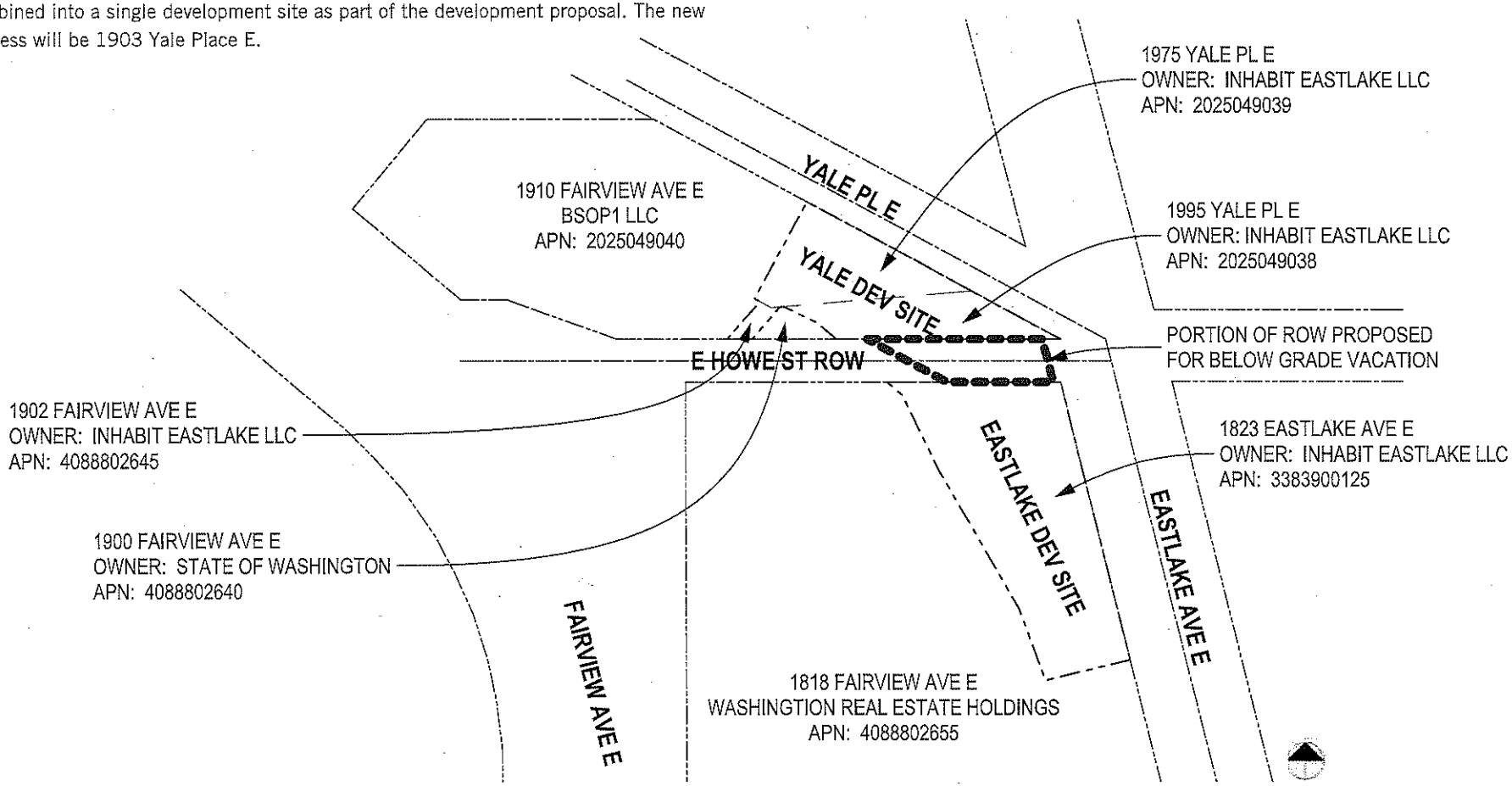
A check of $450 has been included with this application.

Required Signatures

Please refer to Appendix A for required signatures and signatory authority.

The figure below shows the parcels that abut the subject portion of ROW proposed for vacation. Inhabit Eastlake LLC owns the two parcels that directly abut the subject portion of ROW. Four parcels, owned by Inhabit Eastlake LLC and two other property owners, abut the ROW to the west of the area proposed for vacation. The Petitioner has contacted each of the other two owners about the proposed vacation.

Note: 1975 Yale Place E, 1995 Yale Place E and 1902 Fairview Avenue E will be combined into a single development site as part of the development proposal. The new address will be 1903 Yale Place E.



Community Meeting

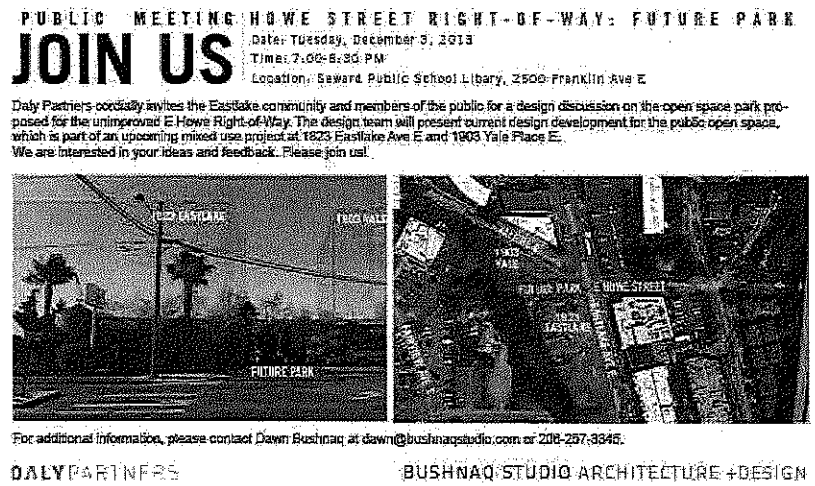
The Street Vacation Policies require community notification prior to beginning the vacation review process. List the community or neighborhood organizations and business groups that were provided information about the project, and include contact names, addresses, phone numbers, and e-mail addresses.

The design and development team have met three times since May with members of the Eastlake community and interested members of the public about the below grade street vacation and the future open space at grade in the unimproved ROW. Most recently, on 12/3, the design team held a public meeting at TOPS-Seward school to review progress on park plan.

Notice of the 12/3 public meeting, 7/24 DPD Early Design Guidance meeting and 7/11 and 5/16 breakfast meetings were sent to members of Lake Union Neighbors and the Eastlake Community Council as well as unaffiliated, interested members of the Eastlake community. The 7/11 and 5/16 breakfast meetings were small working sessions with the development team and Brian Ramey, Adam Ansel, Ron Endlich and Mary Hansen. The most recent 12/3 public meeting was attended by about 15 people - sign up sheet showing some of the attendees is on the following page.

Information about the project was also made public through the Early Design Guidance process. The development team received letters of support from Brian Ramey, Gabe Grant, and Feet First.

Please refer to Appendix D for email communications with community members and letters of support for the development proposal and proposed open space park in the ROW.


PUBLIC MEETING HOWE STREET RIGHT-OF-WAY: FUTURE PARK

JOIN US

Date: Tuesday, December 3, 2013
Time: 7:00-8:30 PM
Location: Seward Public School Library, 2500 Franklin Ave E

Daly Partners cordially invites the Eastlake community and members of the public for a design discussion on the open space park proposed for the unimproved E Howe Right-of-Way. The design team will present current design development for the public open space, which is part of an upcoming mixed use project at 1823 Eastlake Ave E and 1903 Yale Place E.
We are interested in your ideas and feedback. Please join us!

For additional information, please contact Dawn Bushnaq at dawn@bushnaqstudio.com or 206-257-3345.

DALYPARTNERS BUSHNAQ STUDIO ARCHITECTURE +DESIGN

Invitation to Public Meeting on December 3, 2013

Public Meeting on December 3, 2013 at TOPS Seward Public School

Public Meeting Sign in sheet.

HOWE ST. R.O.W PUBLIC MEETING

DEC 3, 2013

NAME	EMAIL / TELEPHONE #
Karen Kiest	206-323-6032
GAIL JENSEN	206-323-6005
Susan Stanford	206-931-1926
Carolyn Krall krallc@oo.net	206-322-5463
Chris Leman cleman@oo.net	(206) 322-5463
Leslie Silverman	206 595 224
Ron Endlich	206 320-0758 r.endlich@comcast.net
MARY HANSEN	206 329-2353
Paul Wyckoff	206 930 8378
JULES JAMES	206-329-1468
Bryan Partington	striatic@striatic.net

Property Owner / Petitioner
Inhabit Eastlake LLC
1101 N. Northlake Way, Suite 106
Seattle, WA 98103
Contact: Jim Daly, Manager
Phone: 206.816.3339
Email: jim@dalypartners.net

Architect/ Contact
Bushnaq Studio, LLC
3210 Beacon Avenue S Suite 130
Seattle, WA 98144
Contact: Dawn Bushnaq
Phone: 206.257.3345
Email: dawn@bushnaqstudio.com

Surveyor
Bush, Roed & Hitchings, Inc.
2009 Minor Avenue East
Seattle, WA 98102
Contact: Darrell Nance
Phone: 206.323.4144
Email: darrelln@brhinc.com

Geotechnical Engineer
PanGEO
3213 Eastlake Avenue E, Suite B
Seattle, WA 98102-7127
Contact: Siew Tan
Phone: 206.262.0370
Email: stan@pangeoinc.com

Civil Engineer
Magnusson Klemencic Associates
1301 Fifth Avenue, Suite 3200
Seattle, WA 98101
Contact: Patrick A. Hansen-Lund, P.E.
Phone: 206.215.8238
Email: phansen-lund@mka.com

Shoring
Ground Support PLLC
16932 Woodinville Redmond Road NE, Suite 210
Woodinville, WA 98072
Contact: John Byrne
Phone: 425.488.1143
Email: johnbyrne@groundsupport.com

Structural Engineer
MLA Engineering, PLLC
1424 Fourth Avenue, Suite 815
Seattle, WA 98101-2235
Contact: Michael Leonard
Phone: 206.264.2727
Email: mleonard@mlaengineering.com

Landscape Architect
Karen Kiest | Landscape Architects
111 West John Street Suite 305
Seattle, WA 98119
Contact: Karen Kiest
Phone: 206.323.6032
Email: kkiest@kk-la.com

Artist
Contact: Mike Phifer
Email: phiferstudios@msn.com

Land Use Attorney
Contact: Nancy Bainbridge Rogers
Cairncross & Hempelmann
524 Second Avenue, Ste. 500
Seattle, WA 98104-2323
Phone: 206.254.4417
Email: nrogers@cairncross.com

Right of Way Proposed for Vacation

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

The proposed below grade street vacation is for the eastern portion of the unimproved E Howe Street right-of-way (ROW) located between Eastlake Avenue E and Fairview Avenue E. The subject portion of ROW is located between two development sites located at 1823 Eastlake Avenue E (Eastlake Development Site) and 1903 Yale Place E (Yale Development Site). It is an irregular shape, 30' wide by 125' long at its longest point (3023 SF). The proposed vacation is for the portion of ROW that starts at approximately 5' below grade at elevation 50'.

Please refer to the following pages for parcel plan (page 5), neighborhood map provided for overall orientation (page 10), figure illustrating the proposed right-of-way (ROW) to be vacated below grade (page 11) and legal description of the ROW to be vacated (pages 12 and 13).

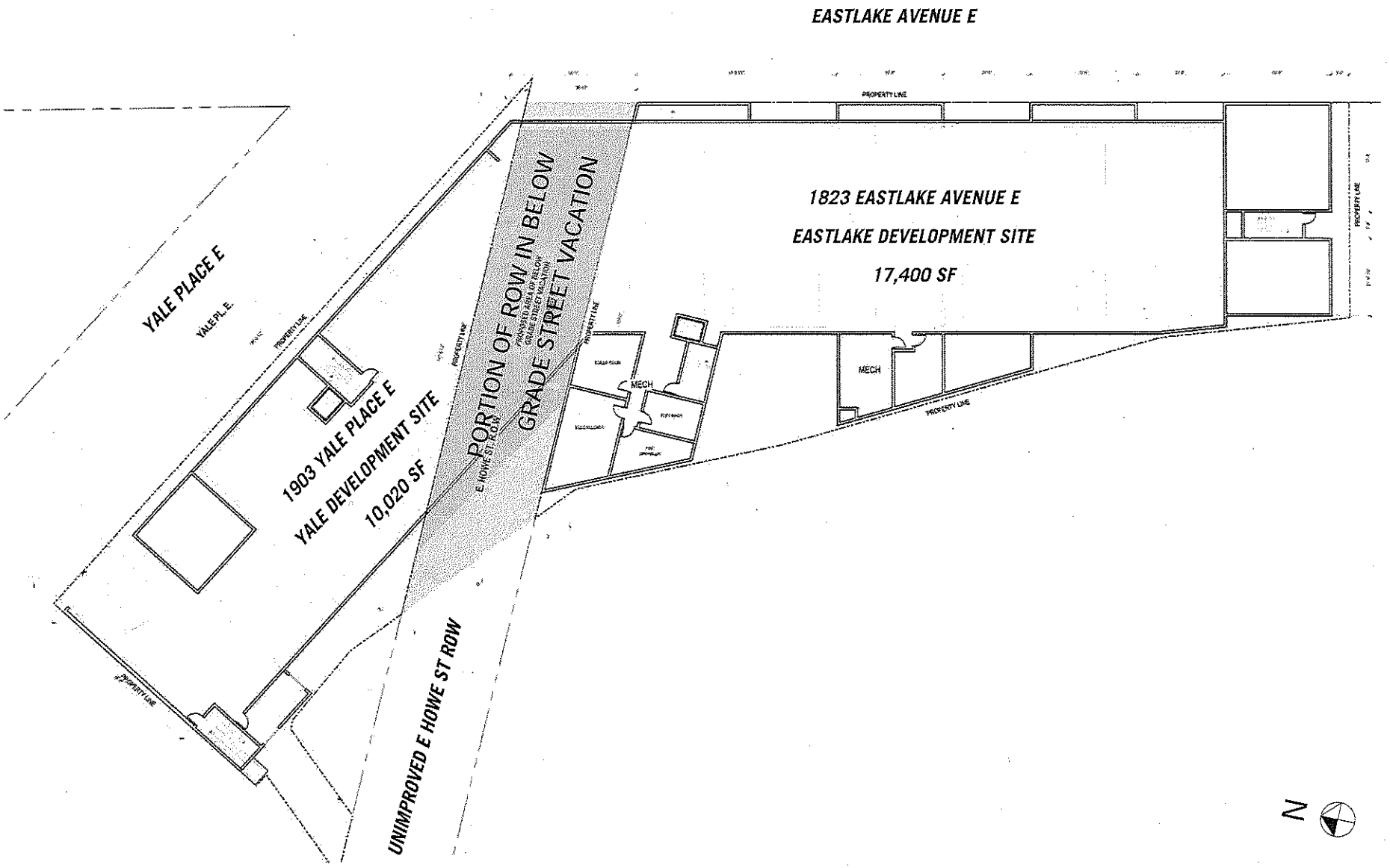
Right of Way Location

1 1903 Yale Place E (Yale Development Site)

2 1823 Eastlake Avenue E (Eastlake Development Site)

3 Subject portion of unimproved E Howe Street right-of-way proposed for below grade street vacation

05 RIGHT OF WAY PROPOSED FOR VACATION



05 RIGHT OF WAY PROPOSED FOR VACATION

STREET VACATION LEGAL DESCRIPTION

THAT PORTION OF EAST HOWE STREET, ALSO KNOWN AS BLOOMFIELD STREET, HILTON ADDITION TO THE CITY OF SEATTLE, RECORDED IN VOLUME 3 OF PLATS, PAGE 157, RECORDS OF KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A PUNCHED 5/8" BRASS PLUG IN CONCRETE IN CAST IRON CASE, DOWN 0.80' FEET, 5.00 FEET SOUTHERLY OF THE CENTERLINE OF EAST HOWE STREET, AS IT RUNS EAST, AND THE CENTERLINE OF EASTLAKE AVENUE EAST;
THENCE SOUTH 12°48'31" EAST, ALONG THE CENTERLINE OF EASTLAKE AVENUE EAST, A DISTANCE OF 10.46 FEET TO THE CENTERLINE OF EAST HOWE STREET AS IT RUNS WEST;
THENCE NORTH 88°58'36" WEST, ALONG THE CENTERLINE OF SAID EAST HOWE STREET, A DISTANCE OF 40.44;
THENCE SOUTH 12°48'35" WEST, A DISTANCE OF 15.45 FEET TO THE NORTH LINE OF LOT 1, BLOCK 3, OF SAID HILTON ADDITION, BEING 1.82' WEST OF THE NORTHEAST CORNER OF SAID LOT 1, ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 88°58'36" WEST, A DISTANCE OF 76.86 FEET;
THENCE NORTH 60°27'03" WEST, A DISTANCE OF 62.82 FEET TO THE NORTH LINE OF SAID EAST HOWE STREET;
THENCE SOUTH 88°58'36" EAST, ALONG SAID LINE, A DISTANCE OF 124.67 FEET;
THENCE SOUTH 12°48'35" WEST, A DISTANCE OF 30.90 FEET TO THE TRUE POINT OF BEGINNING;

THE UPPER LIMIT OF VERTICAL SPACE CONTAINED WITHIN THIS DESCRIPTION SHALL BE AN ELEVATION OF 50.00 FEET;

THE LOWER LIMIT OF VERTICAL SPACE CONTAINED WITHIN THIS DESCRIPTION SHALL BE TO THE LOWEST LIMIT OF LEGAL OWNERSHIP;

SAID ELEVATIONS DESCRIBED HEREIN ARE EXPRESSED IN TERMS OF THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AS OF THE DATE OF THIS INSTRUMENT AND ARE BASED ON CITY OF SEATTLE BENCHMARK NUMBER "SNV-5117", BEING A 2" BRASS CAP, 0.5' SOUTH AND EAST OF THE INTERSECTION OF BACK OF SIDEWALKS AT THE SOUTHWEST QUADRANT OF THE INTERSECTION OF EASTLAKE AVENUE EAST AND FAIRVIEW AVENUE EAST, HAVING AN ELEVATION OF 37.54 FEET;

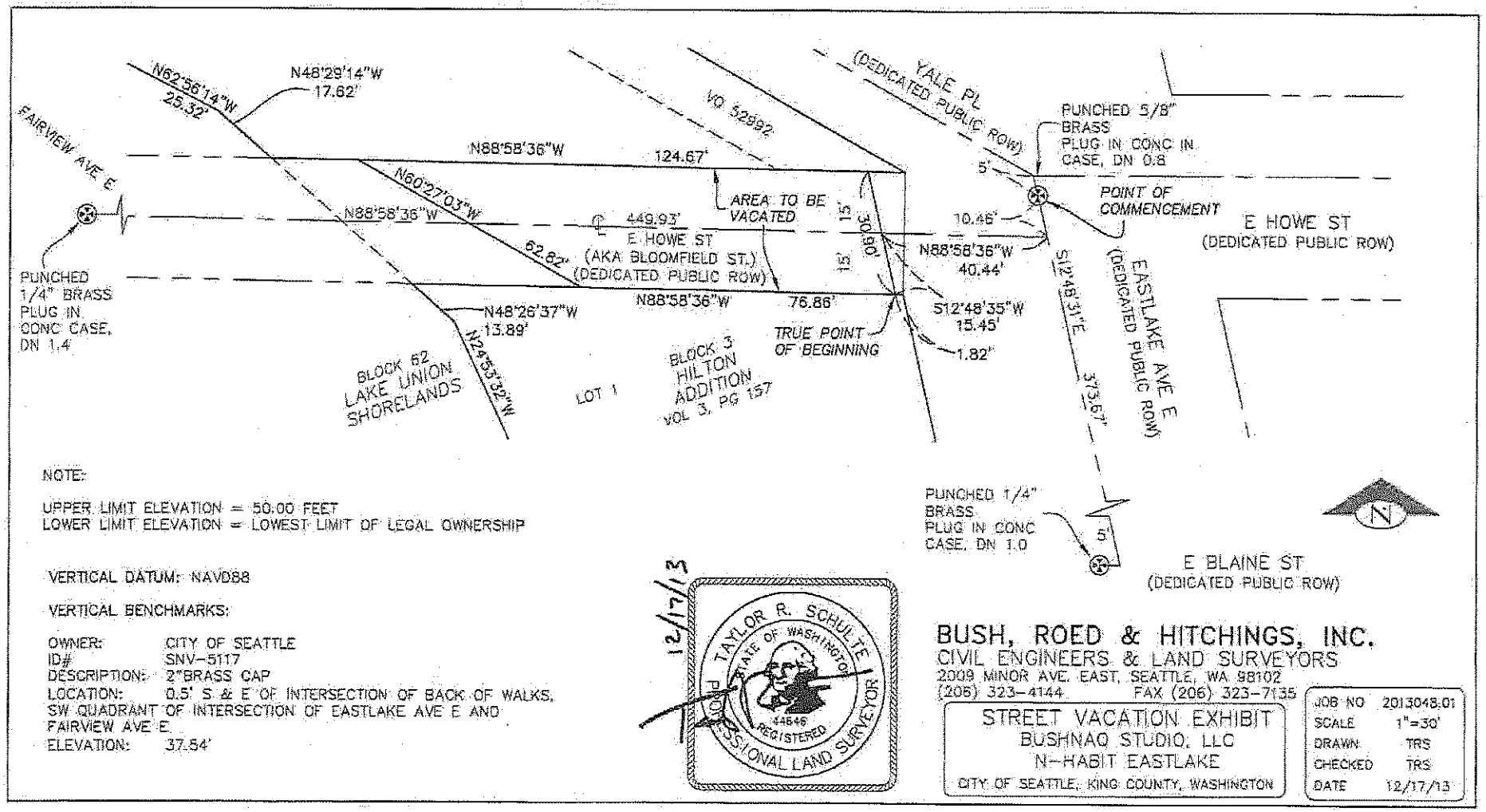
SITUATE IN THE CITY OF SEATTLE, KING COUNTY, WASHINGTON;

TAYLOR R. SCHULTE
STATE OF WASHINGTON
44646
REGISTERED
PROFESSIONAL LAND SURVEYOR
12/17/13

BUSHNAQ STUDIO, LLC
N-HABIT EASTLAKE
TAYLOR R. SCHULTE P.L.S. NO. 44646
BRH JOB NO. 2013048.01
DECEMBER 17, 2013

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

Street Vacation Exhibit



NOTE:

UPPER LIMIT ELEVATION = 50.00 FEET
LOWER LIMIT ELEVATION = LOWEST LIMIT OF LEGAL OWNERSHIP

VERTICAL DATUM: NAVD88

VERTICAL BENCHMARKS:

OWNER: CITY OF SEATTLE
ID# SNV-5117
DESCRIPTION: 2"BRASS CAP
LOCATION: 0.5' S & E OF INTERSECTION OF BACK OF WALKS, SW QUADRANT OF INTERSECTION OF EASTLAKE AVE E AND FAIRVIEW AVE E
ELEVATION: 37.54'

12/17/13

TAYLOR R. SCHULTE
STATE OF WASHINGTON
44646
REGISTERED
PROFESSIONAL LAND SURVEYOR

BUSH, ROED & HITCHINGS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
2009 MINOR AVE. EAST, SEATTLE, WA 98102
(206) 323-4144 FAX (206) 323-7135

STREET VACATION EXHIBIT
BUSHNAQ STUDIO, LLC
N-HABIT EASTLAKE
CITY OF SEATTLE, KING COUNTY, WASHINGTON

JOB NO	2013048.01
SCALE	1"=30'
DRAWN	TRS
CHECKED	TRS
DATE	12/17/13

Project Location

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

See pages 15 - 16 for a 9-Block aerial and figure ground diagram of the project site neighborhood and pages 17-18 for description of the project vicinity.

Project Address

Yale Development Site: 1903 Yale Place E

Eastlake Development Site: 1823 Eastlake Avenue East

Streets Bordering Project Site

Eastlake Avenue E to the east. Yale Place E to the north. The unimproved E Howe Street ROW bisects the Yale and Eastlake development sites.

Zoning

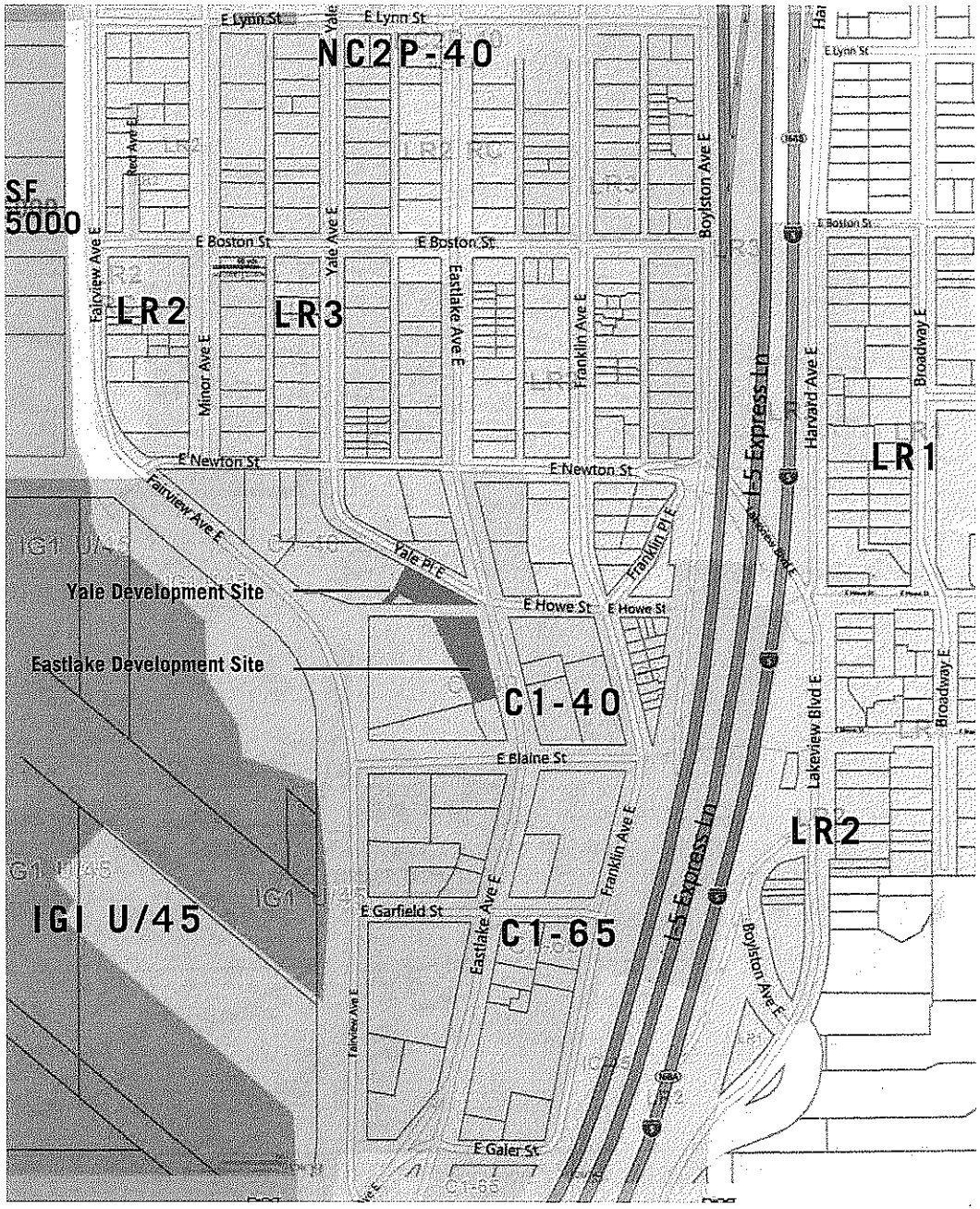
C1-40/Eastlake Residential Urban Village

Neighborhood Planning Area

Eastlake

Other Overlays

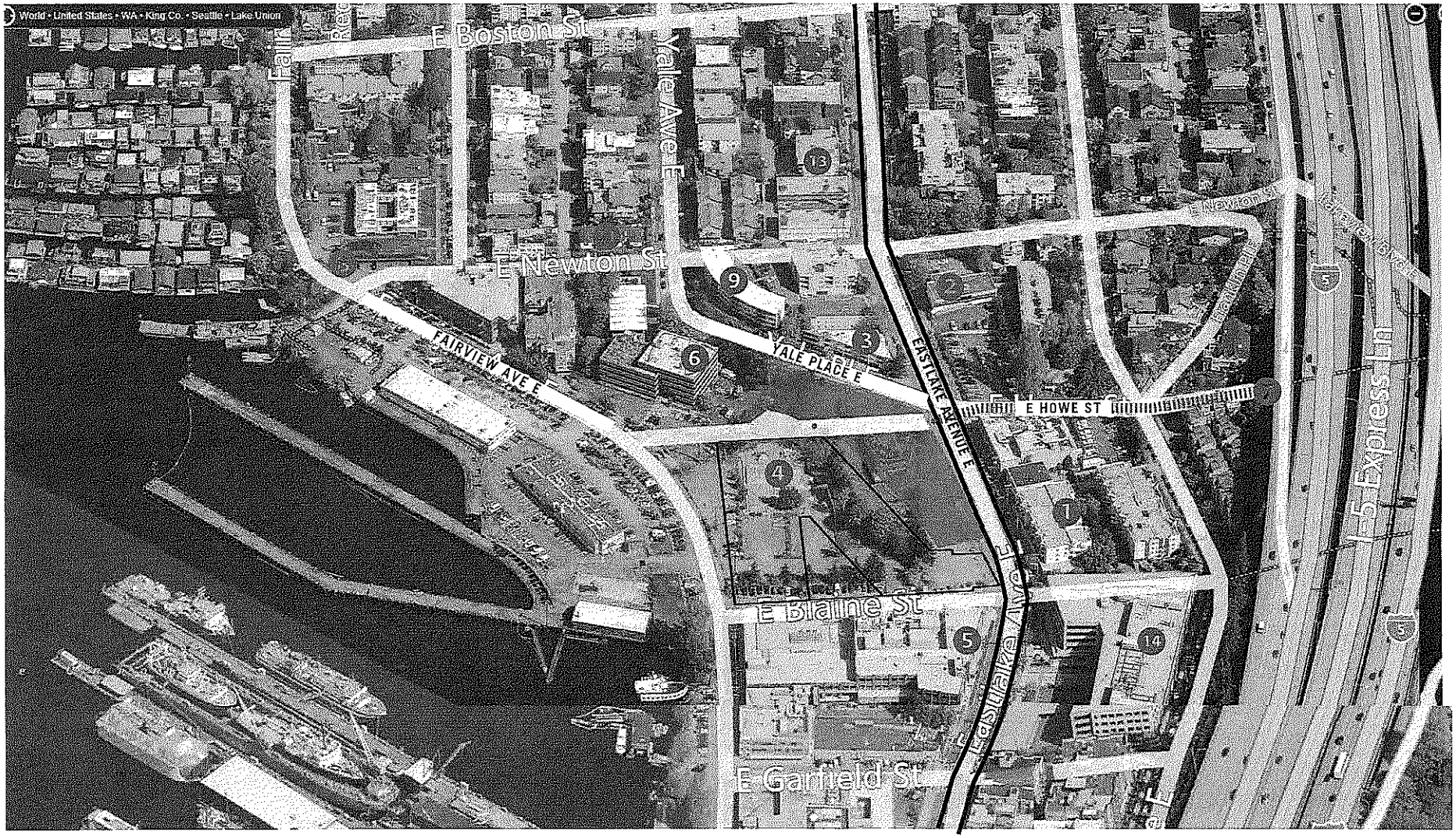
Eastlake is a scenic route per SMC 25.05.675 Attachment 1.



Project Location

The development site is located at the south end of the Eastlake Residential Urban Village. The urban fabric in the vicinity maps closely to current zoning heights. North of site, building heights are primarily 2–3 stories; at the project site, they are 3–4 stories, south of the site, 4–6 stories.

The development site is on axis with the Howe Street Hillclimb, the longest urban stairway in Seattle (388 steps). The Hillclimb extends from 10th Avenue on Capitol Hill to the base of Colonnade Park east of the site. The Hillclimb is heavily traveled by runners and walkers.



Project Location

The development site is in a zone of transition between typical Eastlake "parcel based" structures (structures primarily on single parcels) and "half/full block structures" more characteristic of South Lake Union that start south of E Howe Street on Eastlake.

To the north of the site, Eastlake Avenue E is also characterized by nodes of street level commercial at street intersections. Mid-block, between nodes, the dominant building type is residential.

- Residential building
- Commercial building (existing)
- Commercial building (future)
- Mixed-use building
- Proposed development site
- E Howe Street and E Blaine

"Half-block" structures south and west of site.

Eastlake Avenue E

Eastlake Avenue E is an arterial with frequent transit and heavy vehicular traffic. Eastlake is also an established scenic route. North and east on Eastlake Ave E are 3-story residential and commercial structures (KIRO TV, Lake Union Terrace Apartments ❶, Arts Conservation Service ❷, Abbey Park Apts, Villa Capri Apartments ❸) and a surface parking lot. South/southwest of project site ❹, the remainder of the block is currently undeveloped. A MUP and Building Permit for this site are in process for a biotech building (1818 Fairview Avenue E, DPD 3012732). South on Eastlake Ave E, the buildings are larger scaled biotech and mixed use buildings ❺.

Yale Place E

Yale Place E is a 2-way side street. To the northwest on Yale Place E are 3-story commercial structures (Hart Crowser ❻, WCI Voice and Data Service). Across Yale Place E are 3 and 4-story apartments (Delta Vista Apartments, Villa Capri Apartments ❸).

Unimproved Howe Street right-of-way

The unimproved E Howe Street ROW extends from Eastlake Ave E to Fairview Ave E. Currently it is used for surface parking (Don Eduardo's, Hart Crowser) and has a steep slope.

Fairview Avenue E

Fairview Ave E is also called the Cheshiahud Lake Union Loop. It is a shared car/bike/pedestrian loop around Lake Union that provides public access to the lake and connects the lakefront parks.

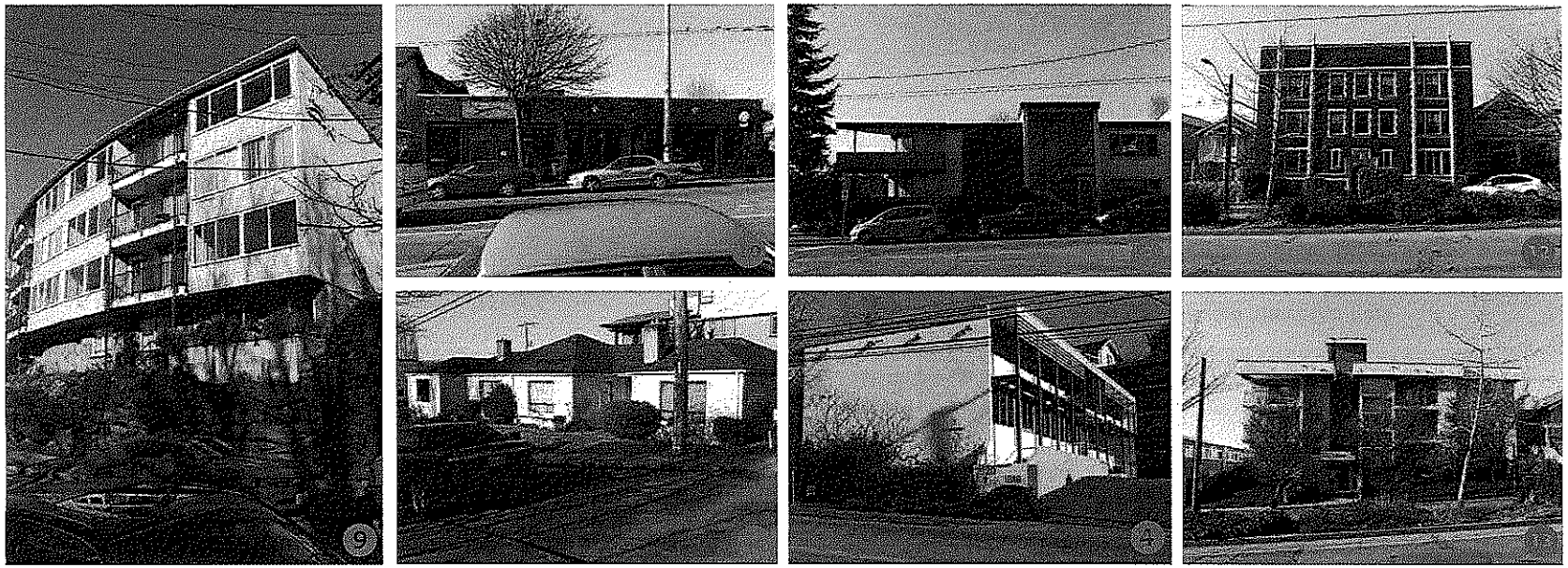
Nearby Open Space/Outdoor Amenities

Lake Union is directly west of the site. Colonnade Park ❼, located under I-5 between Howe and Blaine Street stairways, and Newton Street End Park ❽ are also nearby.

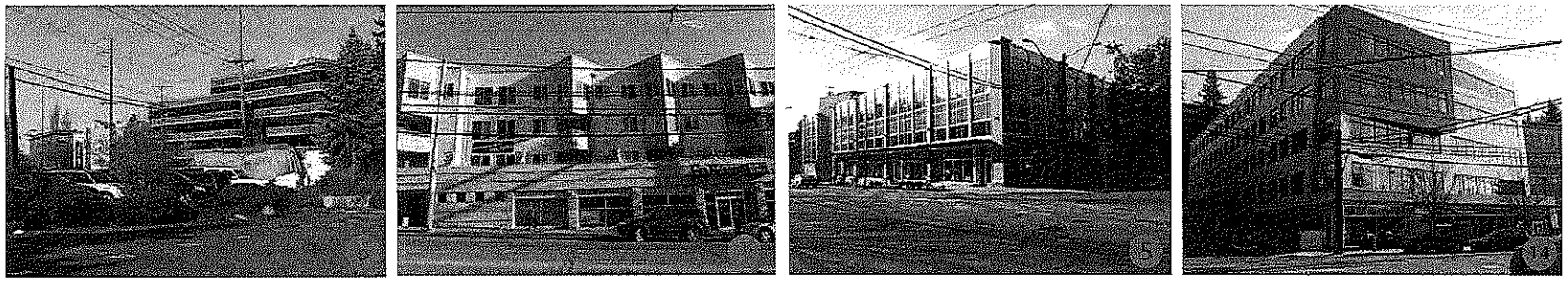
❼ **Howe Street Hillclimb through Colonnade Park**

❽ **Newton Street End Park**

Surrounding Neighborhood



"Parcel-based" structures north of site. Includes typical examples of eclectic architectural styles in the vicinity.



"Half-block" structures south and west of site.

Reason for Vacation

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

Current Site Conditions and Use

The development site is occupied by a single story restaurant and surface parking lot. The high point of the site is at the northeast site corner (±58.5' above sea level). Eastlake Ave E has 12' sidewalks and three curb cuts along the site frontage. Yale Place E is a 2-way side street with street parking permitted on both sides of the street. It has 9-10' sidewalks. An existing crosswalk at Eastlake connects the sites to E Howe Street and the Hillclimb beyond across Eastlake Ave E.

Current vehicular access to both sites is from curb cuts on Eastlake Ave E. The site has two ECAs: steep slope at the northwest corner of Yale site and liquefaction on both site.

Views to Lake Union are currently obstructed by overgrown vegetation on the development site.

Site Constraints

The development site does not have an alley. This creates a challenge for locating parking access and utility/back-of-house functions in a way that does not adversely impact the streetscape and the proposed street level open space park in the ROW.

The development site's irregular shape and topography are an added challenge for making an efficient building that addresses neighborhood scale, massing and street-level development.

Why is vacation requested

The project goal is to develop a pedestrian oriented mixed use project centered around an at grade urban park. The development proposal aims to support vibrant small scale commercial activity at street level and to provide maximum light, air and open space to each residential unit. As part of this, the applicant proposes to redevelop the subject portion of unimproved E Howe Street ROW as public park that extends the pedestrian path from the Howe Street Hillclimb and creates a new amenity for the Eastlake community.

The below grade street vacation would allow the two development sites to share below grade parking structure and common utility infrastructure. Because the vacation provides below grade area only and because the project proposes to create a public park at grade in the abutting portion of the Howe Street ROW, the vacation does not result in an increase of develop-able land. Instead the vacation allows for a single point of parking access and a more efficient below grade structure for shared parking and utilities. Creating a more efficient garage allows the project to prioritize street-level uses along Eastlake, Yale and the unimproved E Howe Street ROW and to create active pedestrian-friendly frontage along all three streets. The single parking access from Yale Place E would minimize automobile intrusion on the proposed park and the pedestrian streetscape, especially along Eastlake Avenue E. This follows the intent of the land use code and the goals of the Comprehensive Plan and Eastlake Neighborhood Plan to keep vehicular access off of Eastlake/Arterials.

The vacation will also allow for shared utilities and services such as egress stairs, mechanical, electrical and fire suppression systems.

3 parking stalls are required for the proposed commercial space in the Yale Development Site. The remainder of the 65 parking stalls are not required by code. The remaining stalls would allow the Petitioner to provide approximately 60% parking ratio for the residential units and to minimize the effect of the development on existing parking deficits.

If there were no vacation

Without the below grade street vacation, the building massing above grade would not change. However, there would be a second parking ingress/egress location at the south side of Eastlake Avenue E, which would include a 22' wide curb cut and elimination of the courtyard in the current proposal. The number of parking spaces would be reduced by one-third to one-half (depending on utility infrastructure). Each site would also require its own utility connections and infrastructure.

No Vacation Option - Basement

Two-way 22' curb cut on Yale and ±15 parking spaces on Yale Site.

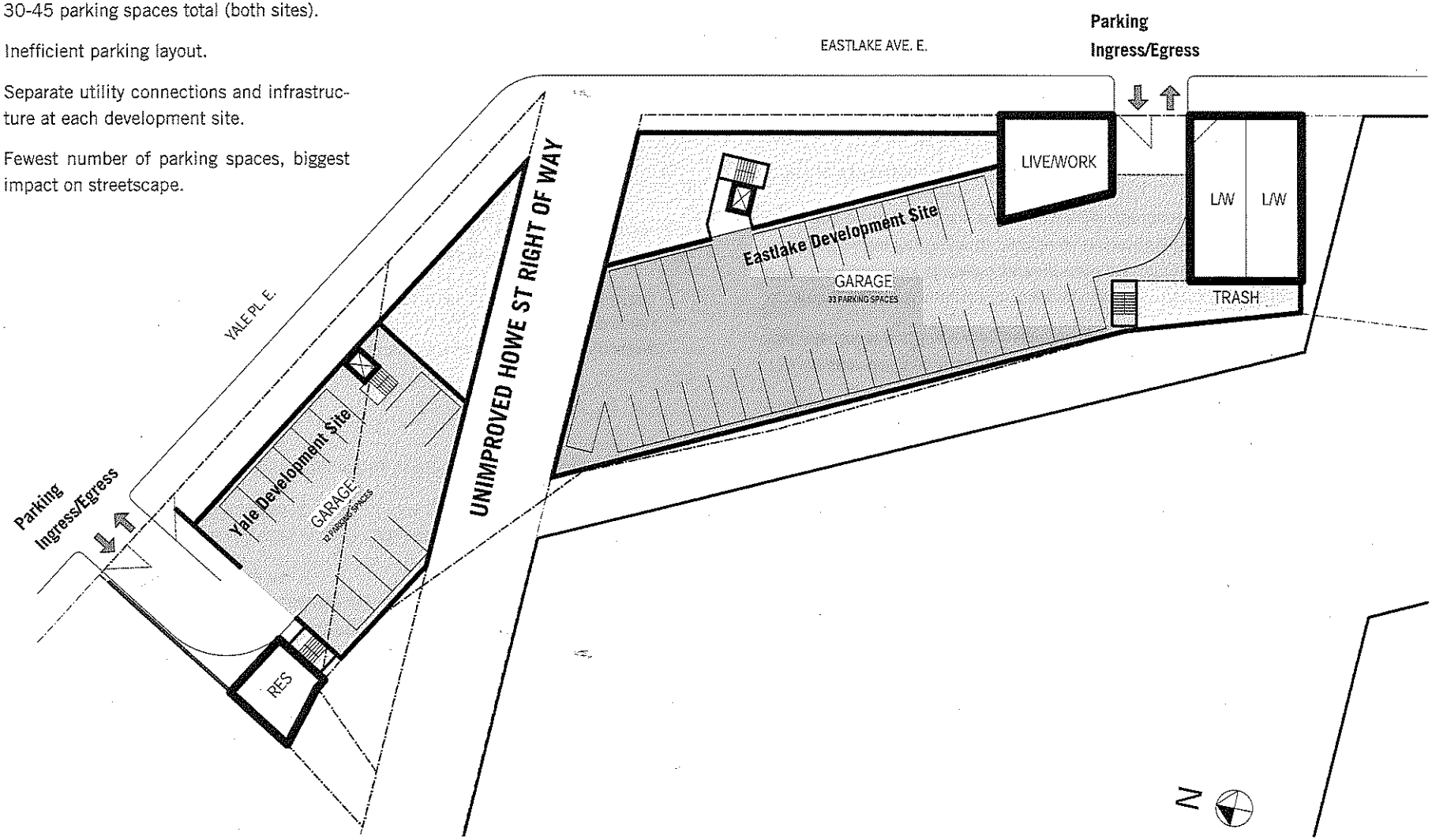
Two-way 22' curb cut on Eastlake and ±30 parking spaces on Eastlake Site.

30-45 parking spaces total (both sites).

Inefficient parking layout.

Separate utility connections and infrastructure at each development site.

Fewest number of parking spaces, biggest impact on streetscape.

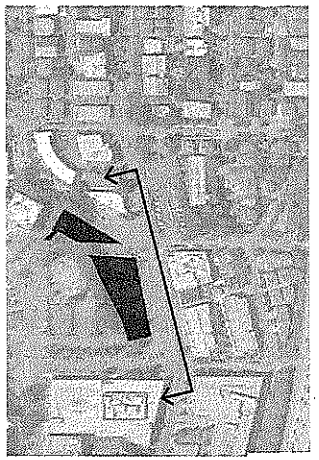


Project Site

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

The sites are currently occupied by a single story restaurant structure and a surface parking lot. The restaurant structure and parking lot will be demolished as part of the proposed project. The restaurant structure was built in 1933. The original restaurant structure has been significantly altered over the years and the applicant received preliminary input from the Department of Neighborhoods that the existing structure is not historically significant. This will be confirmed as part of the SEPA.

The high point of the site is at the northeast site corner (±58.5' above sea level). The site slopes radially down 6'-11' to the west and south with the lowest elevation along Eastlake Ave E at ±48.5'. The lowest point along Yale Pl E is ±52.5 feet.



1823 EASTLAKE AVE / 1903 YALE PL E

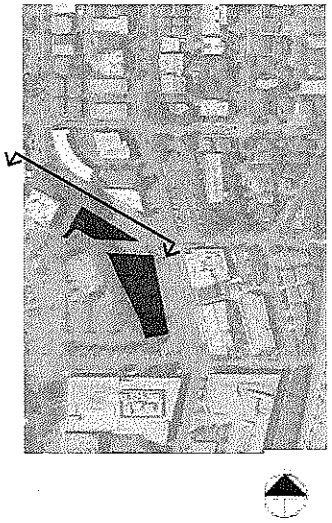
Streetscape on Eastlake Ave E

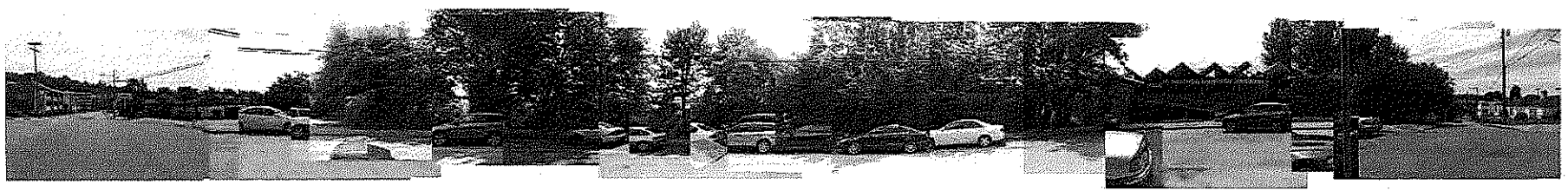
Eastlake Ave E has 12' sidewalks and three curb cuts along the site frontage. High voltage power lines on Eastlake Ave E are located on the opposite side of the street. Current vehicular access to both sites is from curb cuts on Eastlake Ave E. An existing crosswalk at Eastlake connects the sites to E Howe Street and the Hillclimb beyond across Eastlake Ave E. Views to Lake Union through the unimproved ROW are currently obstructed by overgrown vegetation on the development site.

Project Site

Yale Place E is a 2-way side street with street parking permitted on both sides of the street and 9-10' sidewalks. Power poles along Yale will require building setbacks of additional 3-4' set back at Level 4.

The site has two ECAs: steep slope at the northwest corner of Yale site and liquefaction on both site.





1903 YALE PL E

E Yale Place looking south

Project Description

The development proposal is divided into two development sites: the Eastlake Development Site (lot area of 17,400 SF) and the Yale Development Site (lot area of 10,020 SF). The development proposal includes gross square footage of approximately 100,000 SF.

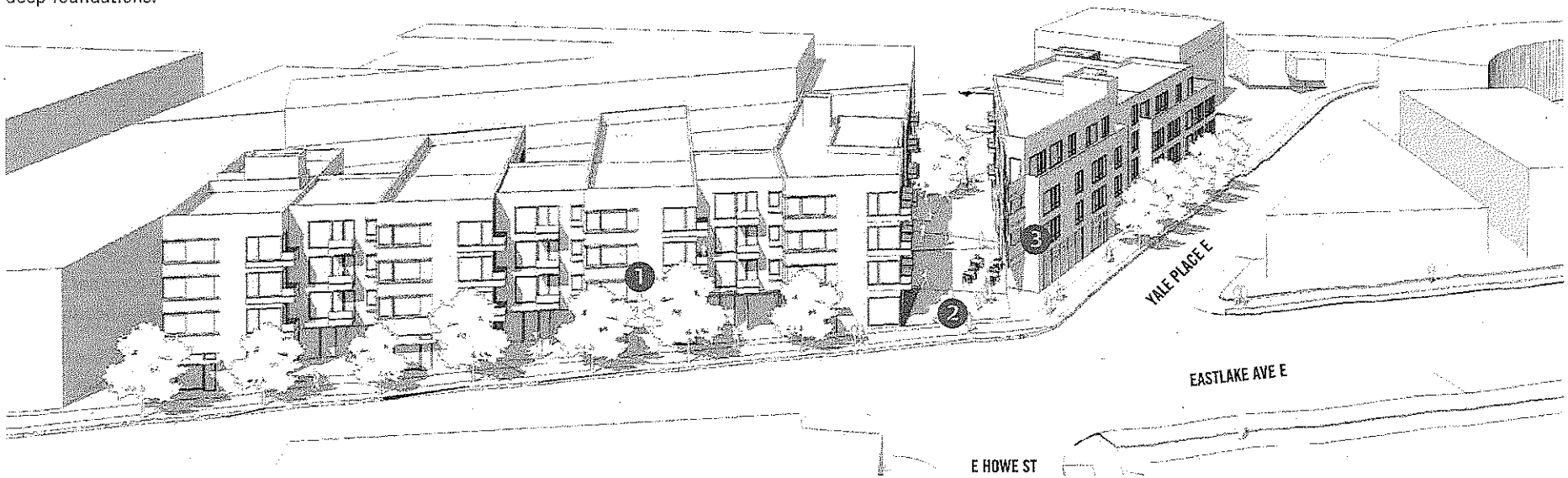
The development proposal is for two, four-story mixed-use buildings organized around an at-grade public park in the portion of the E Howe Street ROW that abuts the development sites. The two buildings are proposed with a single, shared below grade parking structure for ±65 parking spaces. The below grade parking extends through E Howe Street ROW and requires below grade street vacation. Due to poor soils, the project will also require deep foundations.

Project Goals

Provide a pedestrian-oriented mixed use project centered around an at grade public park in the portion of unimproved E Howe Street ROW that abuts the development sites.

Create architectural conditions for vibrant small scale commercial activity at street level and maximum light, air and open space to each residential unit.

Redevelop the unimproved E Howe Street ROW as public park that extends the pedestrian path from the Howe Street Hillclimb toward Lake Union and that provides a new outdoor amenity space in Eastlake.



1 Eastlake Development Site

4-Stories, 44' building heights maximum
±62,000 SF enclosed building area (including parking)
5 live-work units (5,200 SF)
58 apartments (36,500 SF)
±10,600 SF below grade parking (includes ½ of ROW)

2 E Howe Street ROW

At grade: 4,124 SF ROW (entire 30' width of ROW abutting the development site) to be developed as a publicly accessible open space park.

Below grade (starting at elevation 50'-0"): 3,023 SF of ROW abutting development sites to be developed as part of structured below grade parking.

3 Yale Development Site

4-Stories, 44' height maximum
±38,000 SF enclosed building area (including parking)
1 commercial space (2,100 SF)
1 live-work unit (720 SF)
32 apartments (21,100 SF)
7,100 SF below grade parking (includes ½ of ROW)

Other Land Use Actions:

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

Other Land Use Actions required for the Project include:

- Early Design Guidance (completed)

- Master Use Permit (application to be submitted January 2, 2014)

- Design Review Board Recommendation (included in Master Use Permit)

- Environmental Critical Areas review /Steep Slope Relief Request/Street Improvement Exemption Request (included in Master Use Permit)

- SEPA review (to be submitted with Master Use Permit). Traffic analysis will be provided as part of SEPA.

The project will also require a Street Improvement Permit from SDOT. 30% SIP drawings will be submitted December 2013.

Aside from the below grade street vacation, no other council-related actions will be required of the project.

Vacation Policies / Transportation Impacts

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

"The City Council will not vacate a public right of way, even below grade, unless it determines that the potential development and use of the vested row would serve the public interest in a significant way. This project will serve the public by advancing specific goals in the City's comprehensive plan and by adhering to the City's alley vacation policies by providing open space, environmentally friendly features and other amenities that will attract pedestrians businesses and new residents to this emerging neighborhood. Specifically, the City will consider the public trust functions of the unimproved ROW, the land use impacts of the proposal and whether the vacation proposal provides a long term benefit for the public. Each of these components are analyzed below, as stated by the City's alley vacation policies.

Public Trust

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

I. Unimproved Streets and Alleys.

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

Public Trust Policy 1: Circulation and Access

A proposed vacation may be approved only when the increase in development potential that is attributable to the vacation would be consistent with the land use policies adopted by the City Council Petitioner shall provide the City with information about the expected completed density of the project and the development potential of the property without the vacation. Such information should be provided as both the percentage increase in the development potential and the additional square footage added to the project. The Petitioner shall also provide the City with information as to how the project advances City planning goals and meets the zoning criteria in the area where the project is located.

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

Discussion

The existing E Howe Street ROW is unimproved and currently used as a surface parking lot. With the proposed below grade street vacation, there would be no change to the current street grid. The proposed project would create public open space at grade in the portion of the unimproved E Howe Street ROW that abuts the development sites. The public open space would extend the pedestrian connection from the Howe Street Steps toward Lake Union and create a new amenity for the Eastlake neighborhood within the context of the existing street grid.

The vacation would minimize transportation impacts of the proposed development by allowing two development sites to share a single parking structure and entrance. The single parking ingress/egress will allow the Petitioner to prioritize the streetscape on Eastlake, a portion of Yale, and the unimproved Howe Street ROW for pedestrian-oriented street level use.

Traffic analysis will be submitted as part of SEPA.

Vacation Policies / Utility Impacts

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

Policy 2 – Utilities: Rights-of-way which contain or are needed for future utility lines or facilities may be vacated only when the utility can be adequately protected with an easement, relocation, fee ownership or similar agreement satisfactory to the utility owner.

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

Guideline 2.1 Review of Petitions by Affected Utilities

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

Guideline 2.2 Utility Conditions on Vacations

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

Guideline 2.3 Utility Easement Provisions/Property Owners Risk and Responsibility

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

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

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

Discussion

It does not appear that any utilities will be impacted by the development.

1. Sanitary Sewer Utilities: No public sanitary sewer mains or private laterals exist with the Howe St. ROW. This is confirmed by Sewer Card #3955, utility record drawings, and site observation.

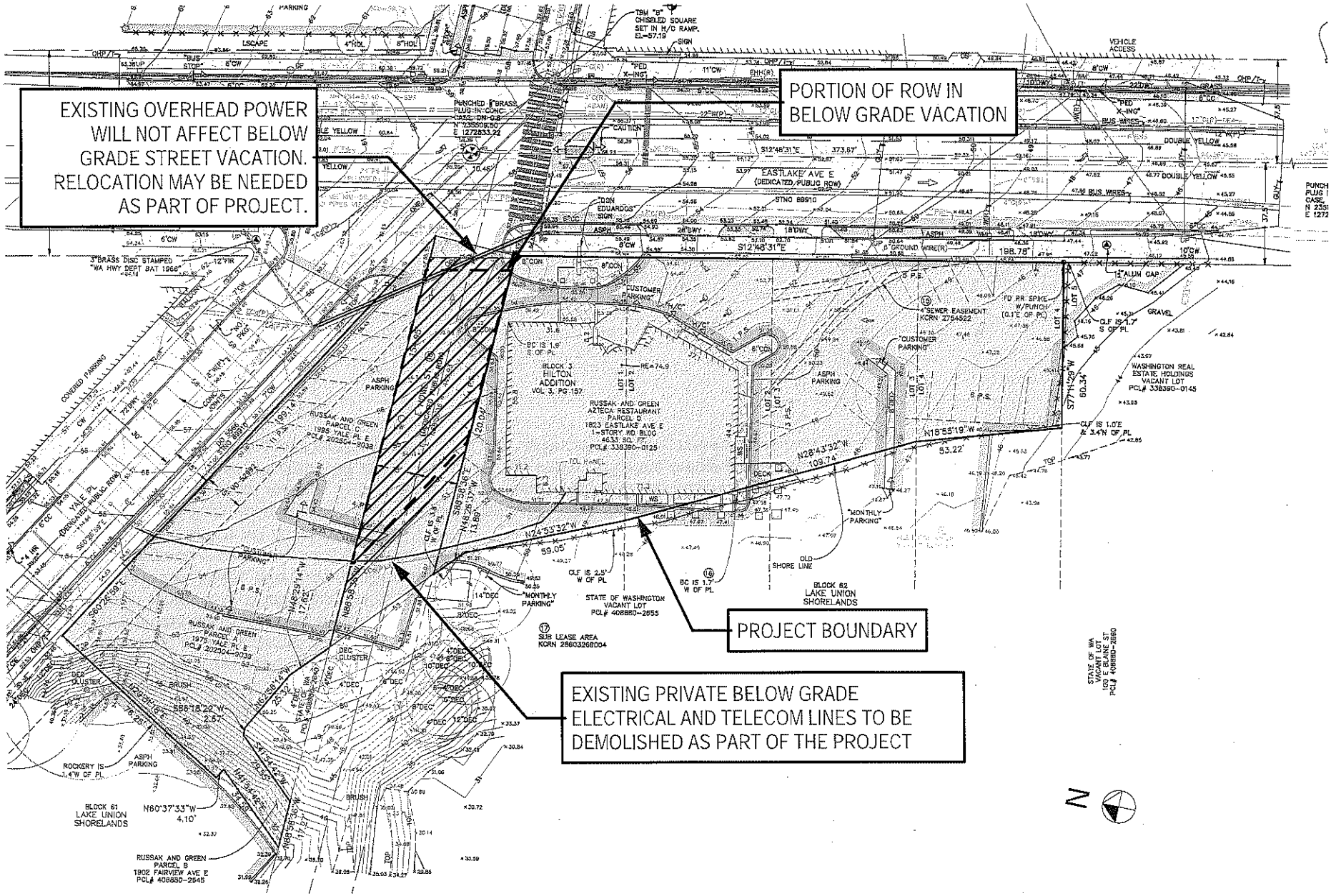
2. Storm Drainage Utilities: No storm drainage utilities exist within the Howe St. ROW This is confirmed by Sewer Card #3955, utility record drawings, and site observation.

3. Water Utilities: No public or private water utilities exist within the Howe St. ROW. This is confirmed by utility record drawings and site observation.

4. Telecomm Utilities: Existing overhead telephone and communications lines exist within the Howe Street ROW adjacent to Eastlake Avenue. This is confirmed by field survey and site observation. These overhead facilities are proposed to remain but are not impacted by the below-grade vacation. A private telephone conduit exists within the ROW serving the existing restaurant, which will be demolished.

5. Electrical Utilities: Existing overhead electrical lines exist within the Howe Street ROW adjacent to Eastlake Avenue. This is confirmed by field survey and site observation. These overhead facilities are proposed to remain but are not impacted by the below-grade vacation. A private electrical conduit exists within the ROW serving the existing restaurant, which will be demolished.

See Page 27 for diagram showing existing utilities in the ROW to be removed and overhead utilities that will not be affected by the ROW. See Page 28, for Magnusson Klemencic Associates email regarding utility non-impacts.



11 VACATION POLICIES / UTILITY IMPACT

Email from MKA regarding utility non-impacts

From: Patrick A. Hansen-Lund [mailto:phansen-lund@mka.com]
Sent: Wednesday, December 04, 2013 2:46 PM
To: Dawn Bushnaq (dawn@bushnaqstudio.com)
Subject: 1823 Eastlake Utility Impacts

Dawn, for the vacation request, a bullet-point list of utility non-impacts:

1. Sanitary Sewer Utilities: No public sanitary sewer mains or private laterals exist with the Howe St. R-O-W. This is confirmed by Sewer Card #3955, utility record drawings, and site observation.
2. Storm Drainage Utilities: No storm drainage utilities exist within the Howe St. This is confirmed by Sewer Card #3955, utility record drawings, and site observation.
3. Water Utilities: No public or private water utilities exist within the Howe St. R-O-W. This is confirmed by utility record drawings and site observation.
4. Telecomm Utilities: Existing overhead telephone and communications lines exist within the Howe Street R-O-W adjacent to Eastlake Avenue. This is confirmed by field survey and site observation. These overhead facilities are proposed to remain but are not impacted by the below-grade vacation. A private telephone conduit exists within the R-O-W serving the existing restaurant, which will be demolished.
5. Electrical Utilities: Existing overhead electrical lines exist within the Howe Street R-O-W adjacent to Eastlake Avenue. This is confirmed by field survey and site observation. These overhead facilities are proposed to remain but are not impacted by the below-grade vacation. A private electrical conduit exists within the R-O-W serving the existing restaurant, which will be demolished.

Thanks,
-Pat

Patrick A. Hansen-Lund, P.E.
Associate
Magnusson Klemencic Associates
1301 Fifth Avenue, Suite 3200
Seattle, WA 98101-2699
United States
Direct: +1 206 215-8238
Main: +1 206 292 1200
www.mka.com

Vacation Policies / Land Use Impacts

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

"POLICY 4 –Land Use: A proposed vacation may be approved only when the increase in development potential that is attributable to the vacation would be consistent with the land use policies adopted by the City Council. The criteria considered for making individual vacation decisions will vary with the land use policies and regulations for the area in which the right-of-way is located. The City Council may place conditions on a vacation to mitigate negative land use effects. Vacations can affect the land use and development patterns in an area by adding to the develop-able land base, altering the local pattern of land division, and increasing the development potential on the vacated and abutting properties. These changes may allow development that is inconsistent with adopted land use polices and have a negative effect on the area of the proposed vacation and other rights-of-way. The Petitioner shall provide the City with information about the expected completed density of the project and the development potential of the property without a vacation. Such information should be provided as both the percentage increase in the development potential and the additional square footage added to the project. The Petitioner shall also provide the City with information as to how the project advances City planning goals and meets the zoning criteria in the area where the project is located. It is the obligation of the Petitioner to provide a justification for the vacation and to provide information on whether there are feasible alternatives that do not require a vacation.

Guideline 4.6 Zone Specific Review

Adopted City Land Use Policies to be used In addition to the general street vacation policies and guidelines contained in this document, the adopted City land use policies for the zone in which a vacation is located, will be used to determine whether or not the land use effects of each vacation are in the public interest. These include policies such as the Comprehensive Plan, particularly its land use, urban village, transportation and neighborhood elements. Vacations will be reviewed according to Land Use Policies as now constituted or hereafter amended.

Area Specific Guidelines

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

D. Commercial Areas

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

Discussion

Site with or without a vacation

The proposed vacation adds below grade area only and the development proposes to create a public park at grade in the Howe Street ROW. As a result, the vacation does not increase the development potential of the site.

Scale, building orientation, and access to the site.

The development proposal creates opportunities for human scale massing and commercial activity at street level; generous street level open space and landscaping; and good solar exposure, ventilation and privacy for residential units. The scale of the building massing is informed by the parcel-based scale found north on Eastlake. The building massing and building heights step with the topography and heights are in scale with current and future development.

At street level, the building massing integrates the E Howe Street ROW and the interstitial building courtyards into a rhythm of open space and live-work units and commercial space. The street facing courtyards echo the Eastlake tradition of street level landscaping between buildings and at entry courtyards. The east-west orientation of courtyards at the Eastlake Development Site provide good access to light/open space while minimizing privacy issues with the future 1818 Fairview project.

The street level commercial uses, the ROW Park and the landscaped courtyards create a framework for a node of commercial activity at the street and residential open space at grade. The street level live-work and commercial spaces have good transparency with entrances visible from the street and opportunities for sidewalk activity (outdoor eating, public gathering, etc.) in the ROW and the interstitial building courtyards. The ROW park and street level courtyards will support passive recreation and provide layered landscape and pedestrian amenities along the streetscape.

The primary residential entry for the Eastlake Development Site faces the ROW and has direct access from both Eastlake Ave E and the ROW. The primary residential entry from the Yale Development Site occurs between the two main building masses on Yale. The Yale lobby has a high degree of transparency and provides an unobstructed view to the ROW park.

The subterranean parking structure is located below the Eastlake and Yale Development Sites and the portion of the E Howe St ROW that abuts the project sites. Access to the parking is at the northwest end of the Yale Development Site. While only 3 parking spaces are required (for the commercial space), the Petitioner and community members we have spoken with feel that parking would enhance the project due to parking deficits in the area. With the proposed vacation, the project would provide parking for ±60% of the residents.

Neighborhood character

See Page 54 and 57 for discussion of how the project supports Eastlake Community Design Goals.

Comprehensive Plan

See Page 55-57 for discussion of how project supports the Comprehensive Plan Goals.

Vacation Policies / Public Benefit

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

Policy 5 – Public Benefit.

A. A vacation petition shall include a public benefit proposal. The concept of providing a public benefit is derived from the nature of street right-of-way. Right-of-way is dedicated for use by the general public in perpetuity whether or not a public purpose can be currently identified. The City acts as a trustee for the public in its administration of rights-of-way. Case law requires that in each vacation there must be an element of public use or benefit,and a vacation cannot be granted solely for a private use or benefit. Therefore, before this public asset can be vacated to a private party, there must be a benefit that accrues to the general public.

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

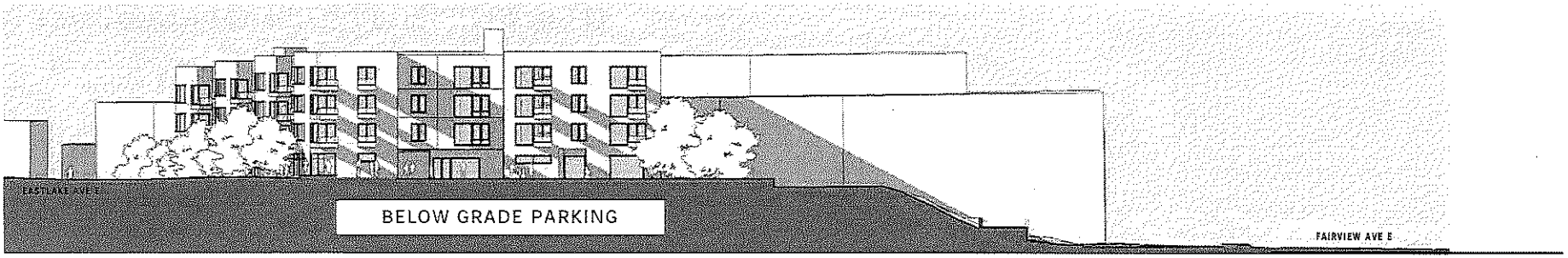
Discussion

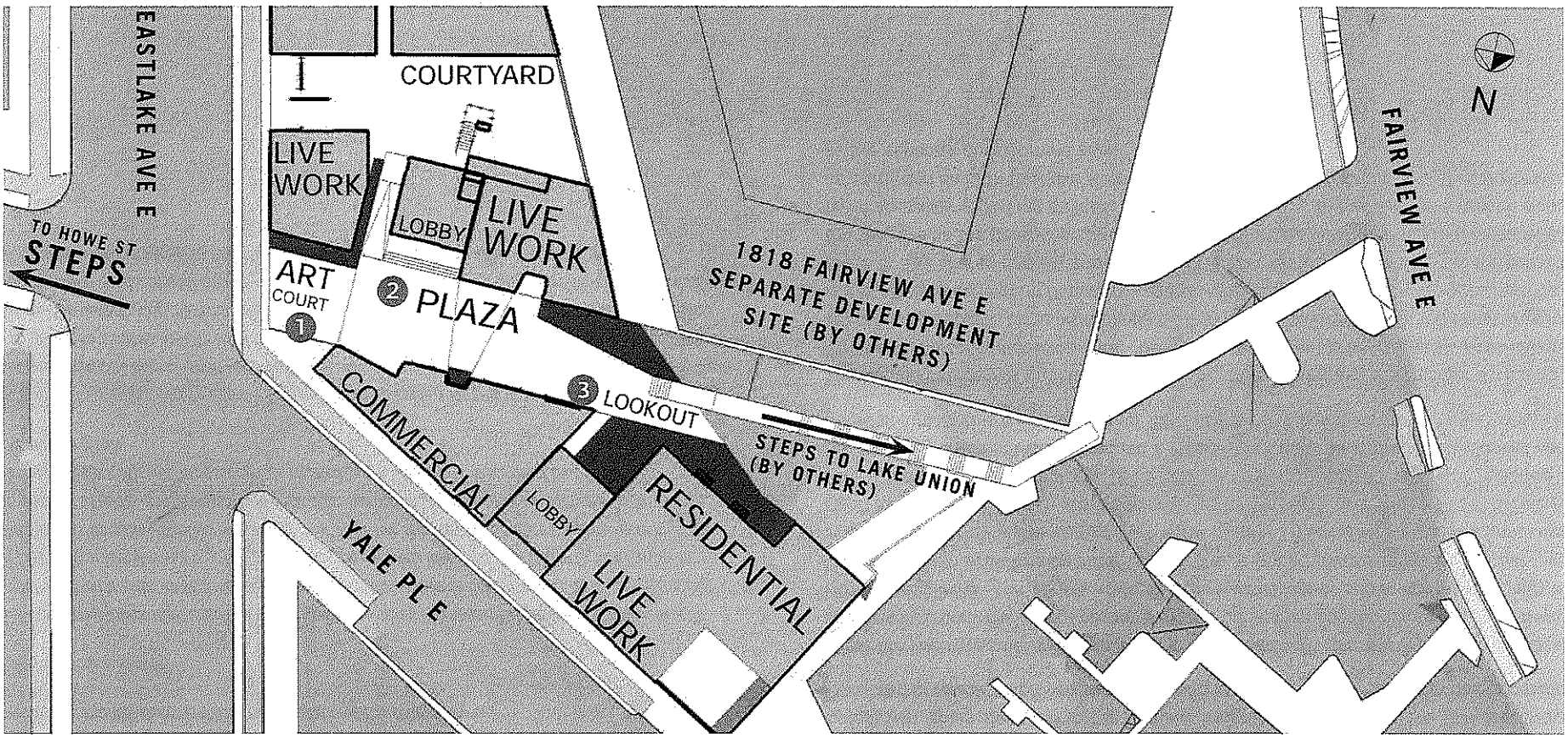
Consistent with City of Seattle criteria for the approval of street vacations, a targeted range of improvements are intended to provide long term public benefits. The public benefits associated with the below grade street vacation focus on public enhancements on-site and in the unimproved Howe Street ROW to improve the overall project in a manner consistent with goals identified in the Eastlake Neighborhood Plan and the Comprehensive Plan, and to enable improved pedestrian and vehicular circulation in the neighborhood.

There are two categories of public benefit envisioned with this street vacation proposal. The first is to create an urban pocket park and pedestrian connection in the unimproved Howe Street ROW. The park is conceived as a landscaped, public open space with an "art court" with sculpture by artist Mike Phifer, a public plaza animated by street-level commercial activity and a lookout with views to Lake Union. The park is also conceived as an extension of the east-west pedestrian path that begins with Howe Street Steps. As part of the MUP for the adjacent 1818 Fairview project, public stairs will be installed in the western portion of the unimproved E Howe Street ROW by others. The proposed park would complete this connection from 10th Avenue on Capitol Hill to Fairview Avenue E.

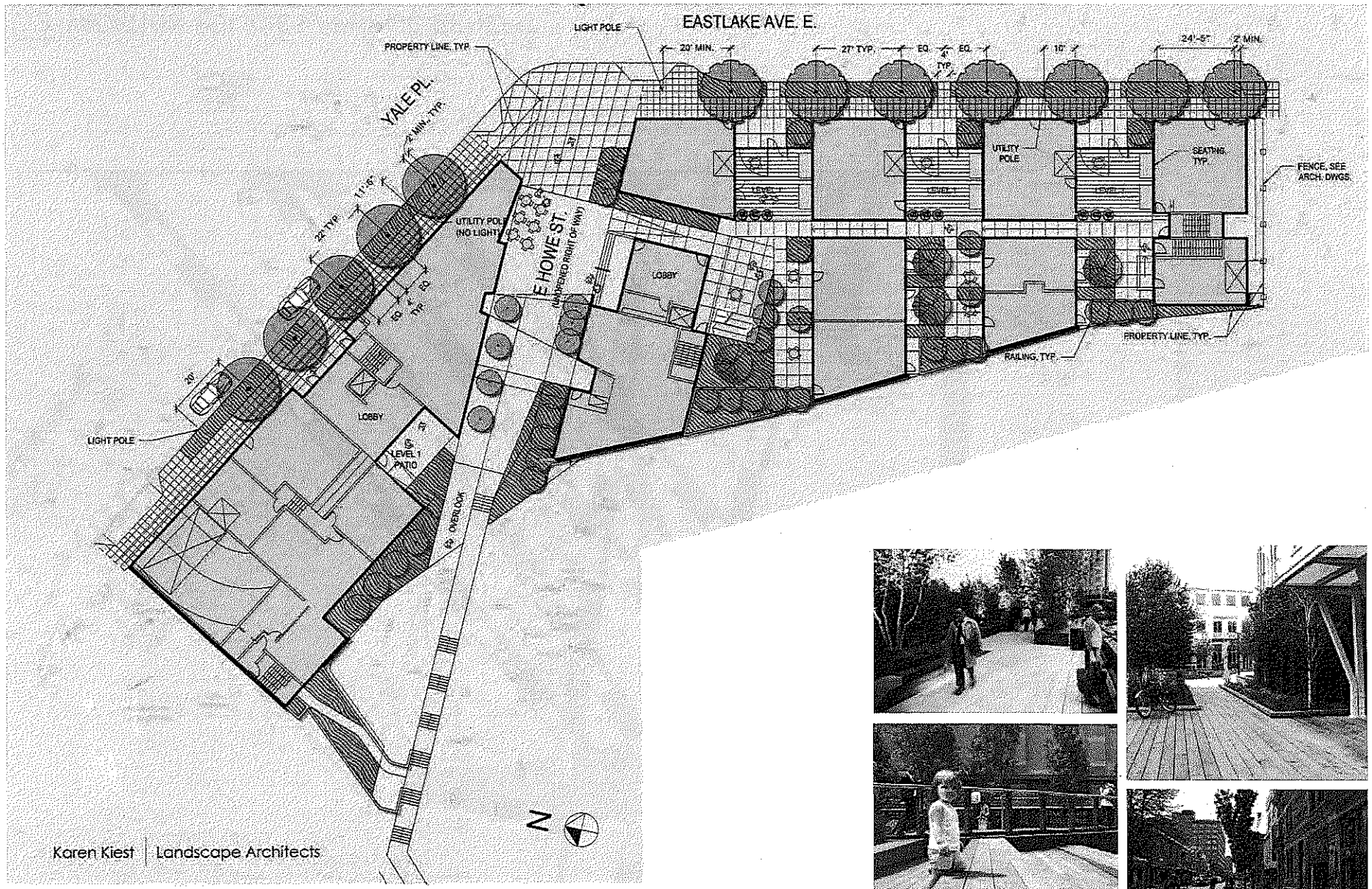
The second category of public benefit is to minimize the impact of vehicular access as a result of the proposed development. The Petitioner's intent is to provide a shared parking structure with spaces for approximately 60% of residents. The below grade street vacation would allow a single point of parking ingress/egress for both development sites from Yale Place E. The shared parking and single point of access would minimize the intrusion of the vehicles on the pedestrian streetscape while also providing parking in an area where there are existing parking deficits. By code, a 22' curb cut and parking entrance would be permitted on both Eastlake Avenue E and Yale Place E because DPD sees the project as two separate development sites.

Public Benefit Preliminary Diagram

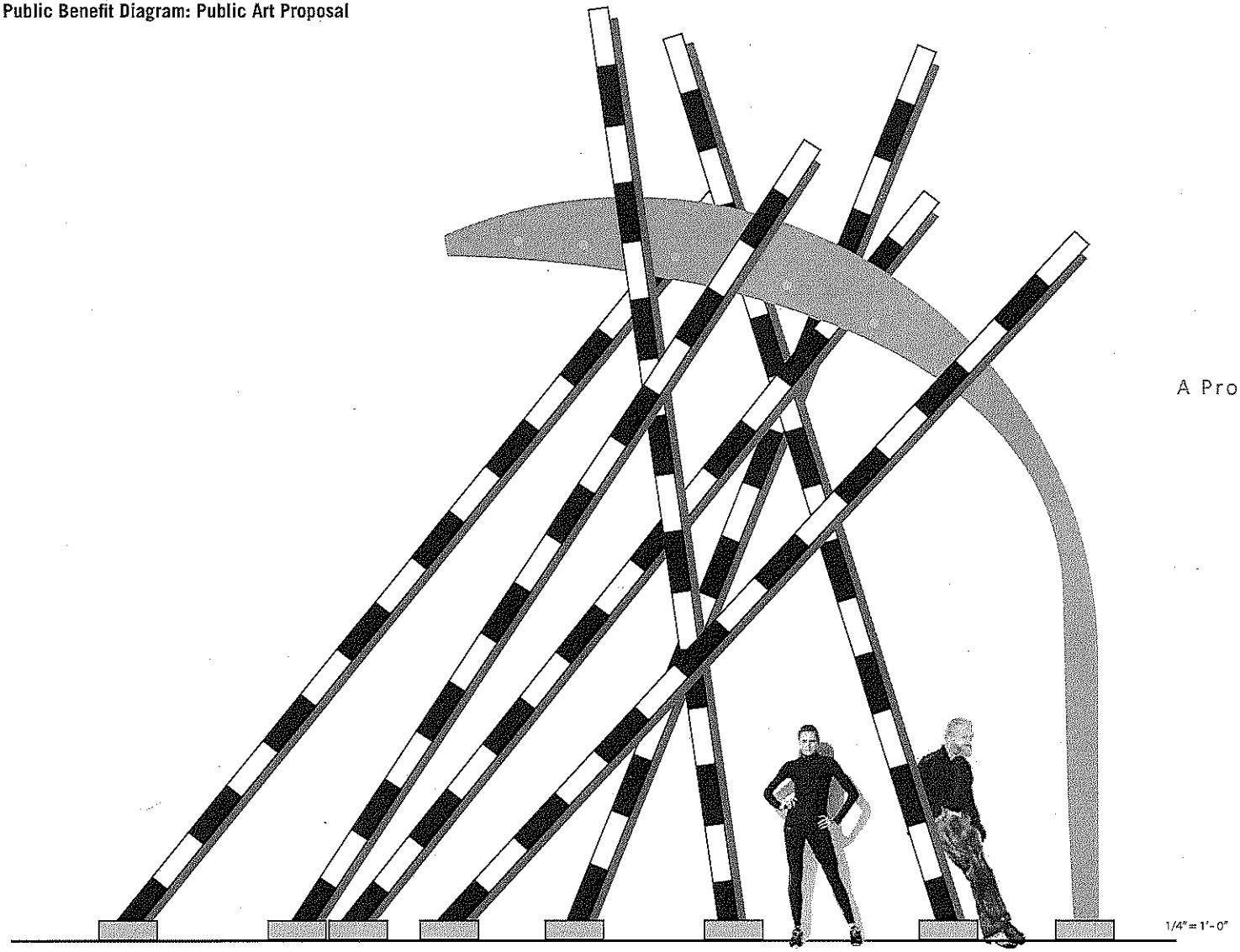




Public Benefit Diagram: Schematic Landscape Plan



Public Benefit Diagram: Public Art Proposal



"Reunion"

A Proposed Steel Sculpture

Mike Phifer

Public Benefit Matrix

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

Zoning designation

C1-40

Street classification

E Howe Street is an unimproved right-of-way (ROW)

Assessed values of adjacent property (based on King County Assessor's Office data):

1975 Yale Pl E (APN 2025049039) - $546,000/5,200 SF = $105/SF
1995 Yale Pl E (APN 2025049038) - $577,500/5500 SF = $105/SF
1823 Eastlake Ave E (APN 3383900125) - $1,838,500/17,500 SF = 105 SF
1902 Fairview Ave E (APN 4088802645) - $2,800/560 SF = $5/SF
1900 Fairview Ave E (APN 4088802640) - $0/600 SF
1818 Fairview Ave E (APN 4088802655) - $5,397,000/51400 SF = $105/SF
1910 Fairview Ave E (APN 2025049040) - $13,458,000/34,100 SF = $395/SF

Lease rates in the vicinity for similar projects per SF:

See page 36

Size of project in SF (includes both Yale and Eastlake Development Sites):

Project Total: 100,000 SF
Commercial: 2,100 SF
Live-work: 5,920 SF
Residential: 57,600 SF
Parking: ±65 spaces

Size of area to be vacated

3023 SF below grade. The proposed vacation is for the portion of ROW that starts at approximately 5' below grade (elevation 50'). Because the entire vacation is below grade, it does contribute to FAR or develop-able site area.
Contribution of vacated area to the development potential of the site: 0%

Itemized Public Benefit List

Off-Site Public Benefits in Unimproved Howe Street ROW

The proposed public benefit is an at-grade public park and pedestrian connection in the portion of unimproved E Howe Street ROW that abuts the development sites. The park will provide a new public open space in Eastlake and a pedestrian connection and view corridor toward Lake Union. The proposed park includes an "art court" with public art by artist Mike Phifer, street-level commercial frontage, streetscape amenities (outdoor seating, architectural lighting, high quality hardscape and landscape materials) and a public stair that connects to the public stair proposed by the 1818 Fairview project. (CD-2, CD-8, CD-10, CD-13, OS-2, OS-3)

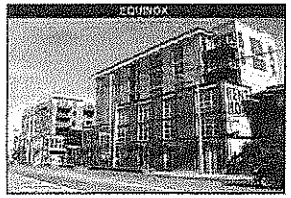
- 4,124 SF publicly accessible open space that provides passive recreation area, pedestrian connection toward Lake Union, retail frontage with opportunities for sidewalk seating/spillover (not required)
- Views to Lake Union (not required)
- Enhanced street trees/landscaping improvements in ROW (partially required)
- Public seating (not required)
- Exterior architectural lighting (not required)
- Street level commercial frontage (not required)
- Public art (not required)
- Public stair (not required)

On-Site Public Benefits at Development Site

With the below grade street vacation, the development proposal provides one point of parking access for both development sites.

- Single parking ingress/egress will be from Yale Place E. (not required)
- Parking activity separated from commercial and pedestrian frontages along Eastlake Ave E, a portion of Yale Pl E, and the unimproved Howe Street ROW. (not required)
- Parking spaces for ±60% of residents in an area where there are already parking deficits with minimal impact to the pedestrian and commercial streetscapes. (not required)

Lease rates for similar projects in the area



Year Built 2009

UNIT AMENITIES
9' + Ceilings, Air Cond Some, Alarm Sys Opt, Cable TV Opt, Ceiling Fans Some, Dishwasher, Disposal, Frst Free Ref, Ice Maker Some, Kit Island Some, Microwave, Mini Blinds, Priv Bal/Patio Some, Slf-Cln Oven Some, Storage Rm Opt, T1 Opt, Walk-Ins Some, Washer/Dryer

VACANCY Current Qtr 3%

UNIT MIX/RENTS — Cur Gross Rents

No	Beds/ Baths	Net SF	Low	High	$/SF	Av. $/SF
85	1 / 1	591	$1,330	$2,583	$2.25	$3.31
41	1 / 1	766	$1,582	$2,554	$2.07	$2.70
4	1 / 1.5	1136	$2,080	$2,174	$1.83	$1.87
28	2 / 1	1021	$1,731	$2,942	$1.70	$2.29
12	2 / 1.5	919	$2,195	$2,764	$2.39	$2.70
32	2 / 2	1199	$2,876	$3,398	$2.40	$2.62
1	3 / 2	1208	$3,067	$0	$2.54	$2.54
1	3 / 2	1294	$3,067	$0	$2.37	$2.37
204		817	$1,761		$2.16	$2.77

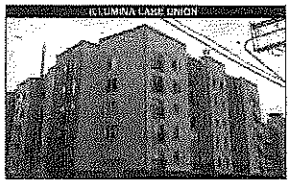
Year Built 2008

UNIT AMENITIES
9' Ceilings Some, Cable TV Opt, Dishwasher, Disposal, Frst Free Ref, Microwave, Mini Blinds, Priv Bal/Patio, Slf-Cln Oven, Storage Rm Opt, Stacked W/D, T1 Opt, Vaulted Ceil Some, Washer/Dryer

VACANCY Current Qtr 4%

UNIT MIX/RENTS — Cur Gross Rents

No	Beds/ Baths	Net SF	Low	High	$/SF	Av. $/SF
40	Studio	471	$1,350	$1,675	$2.87	$3.21
70	1 / 1	681	$1,555	$2,000	$2.28	$2.61
5	2 / 1	831	$2,200	$0	$2.65	$2.65
12	2 / 2	799	$2,400	$2,600	$3.00	$3.13
127		632	$1,596		$2.52	$2.82



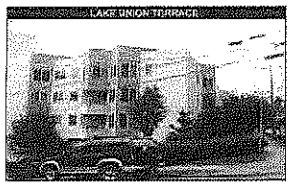
Year Built 2005

UNIT AMENITIES
Cable TV Opt, Dishwasher, Disposal, Frst Free Ref, Mini Blinds, Priv Bal/Patio, Slf-Cln Oven, Stacked W/D Some, T1 Opt, Vert Blinds, Wash/Dry Some, Walk-ins Some, W/D Hook-up

VACANCY Current Qtr 4%

UNIT MIX/RENTS — Cur Gross Rents

No	Beds/ Baths	Net SF	Low	High	$/SF	Av. $/SF
19	Studio	424	$1,197	$1,497	$2.82	$3.18
18	Studio	472	$1,164	$1,369	$2.47	$2.68
18	1 / 1	525	$1,520	$1,560	$2.90	$2.93
17	1 / 1	580	$1,464	$1,600	$2.52	$2.64
17	1 / 1	678	$1,015	$1,265	$1.50	$1.68
9	2 / 1	811	$1,301	$1,403	$1.60	$1.67
16	2 / 2	869	$1,569	$1,700	$1.81	$1.88
114		602	$1,316		$2.19	$2.33



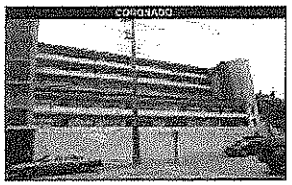
Year Built 1994

UNIT AMENITIES
Cable TV Opt, Dishwasher, Disposal, Frst Free Ref, Priv Entry Some

VACANCY Current Qtr 0%

UNIT MIX/RENTS — Cur Gross Rents

No	Beds/ Baths	Net SF	Low	High	$/SF	Av. $/SF
35	1 / 1	668	$1,000	$1,200	$1.50	$1.65
1	2 / 1	831	$1,250	$0	$1.50	$1.50
10	2 / 1.5	849	$1,250	$1,500	$1.47	$1.62
4	2 / 2	907	$1,440	$1,500	$1.59	$1.62
50		727	$1,090		$1.50	$1.64



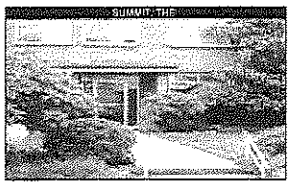
Year Built 1958

UNIT AMENITIES
Cable TV Opt, Mini Blinds

VACANCY Current Qtr 1%

UNIT MIX/RENTS — Cur Gross Rents

No	Beds/ Baths	Net SF	Low	High	$/SF	Av. $/SF
78	1 / 1	505	$895	$0	$1.77	$1.77
78		505	$895		$1.77	$1.77



Year Built 1949

UNIT AMENITIES
Cable TV Opt, Dishwasher Some, Frst Free Ref Some, Mini Blinds, Slf-Cln Oven Some, Storage Room, T1 Opt, Walk-ins Some

VACANCY Current Qtr 4%

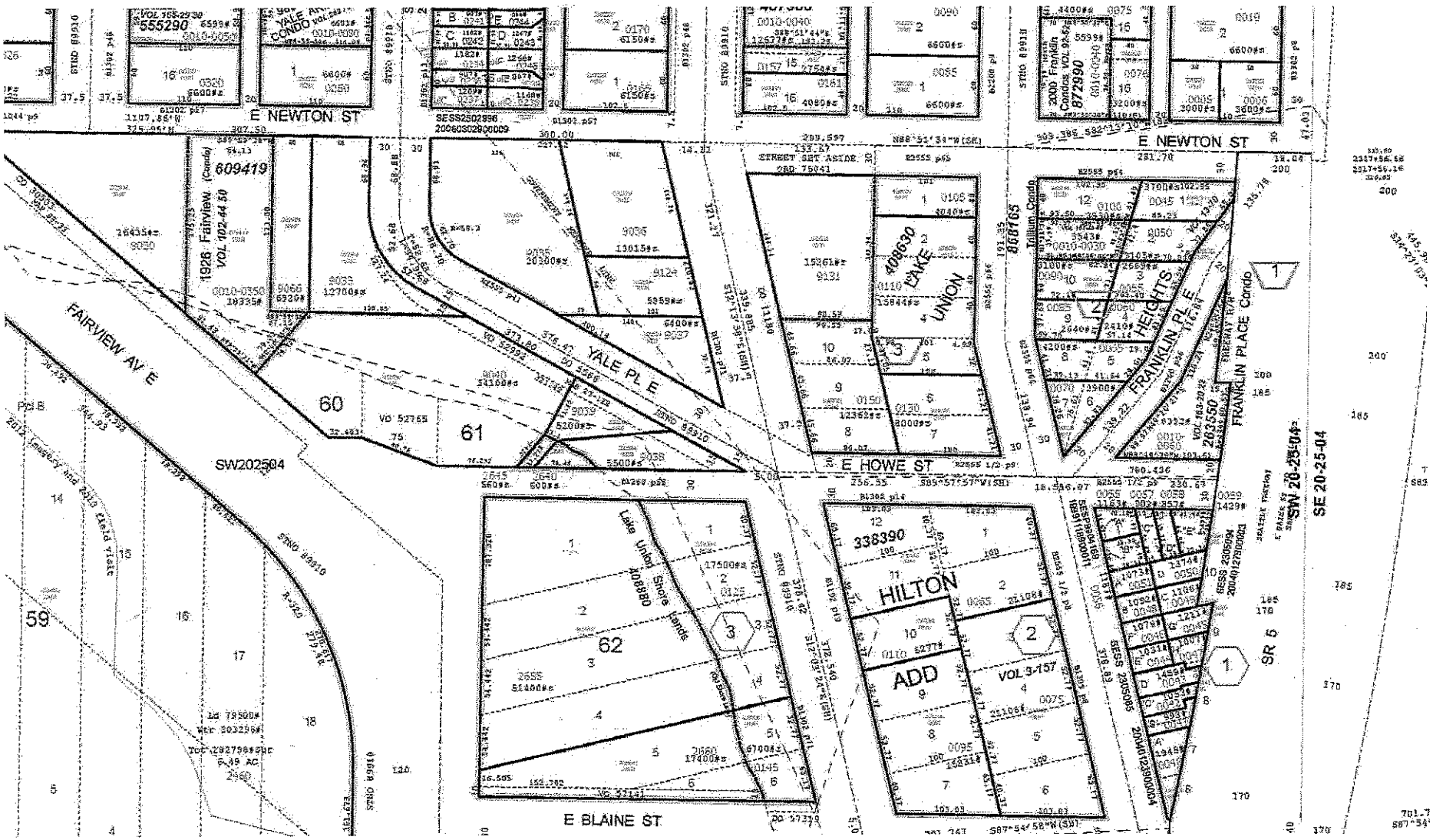
UNIT MIX/RENTS — Cur Gross Rents

No	Beds/ Baths	Net SF	Low	High	$/SF	Av. $/SF
1	1 / 1	400	$1,025	$1,075	$2.56	$2.63
1	1 / 1	521	$1,200	$1,226	$2.30	$2.33
2	1 / 1	548	$1,175	$1,300	$2.14	$2.26
5	1 / 1	562	$1,180	$1,340	$2.10	$2.24
3	1 / 1	571	$1,075	$1,284	$1.88	$2.07
9	1 / 1	583	$1,095	$1,125	$1.88	$1.90
3	1 / 1	607	$1,195	$1,230	$1.97	$2.00
4	1 / 1	627	$1,165	$1,350	$1.86	$2.01
3	1 / 1	630	$1,175	$1,215	$1.87	$1.90
3	1 / 1	647	$1,200	$1,295	$1.85	$1.93
4	1 / 1	650	$1,250	$1,382	$1.92	$2.02
3	1 / 1	651	$1,250	$1,382	$1.92	$2.02
3	1 / 1	656	$1,300	$1,399	$1.98	$2.06
4	1 / 1	687	$1,345	$1,395	$1.96	$1.99
4	1 / 1	700	$1,425	$1,440	$2.04	$2.05
52		616	$1,205		$1.96	$2.03

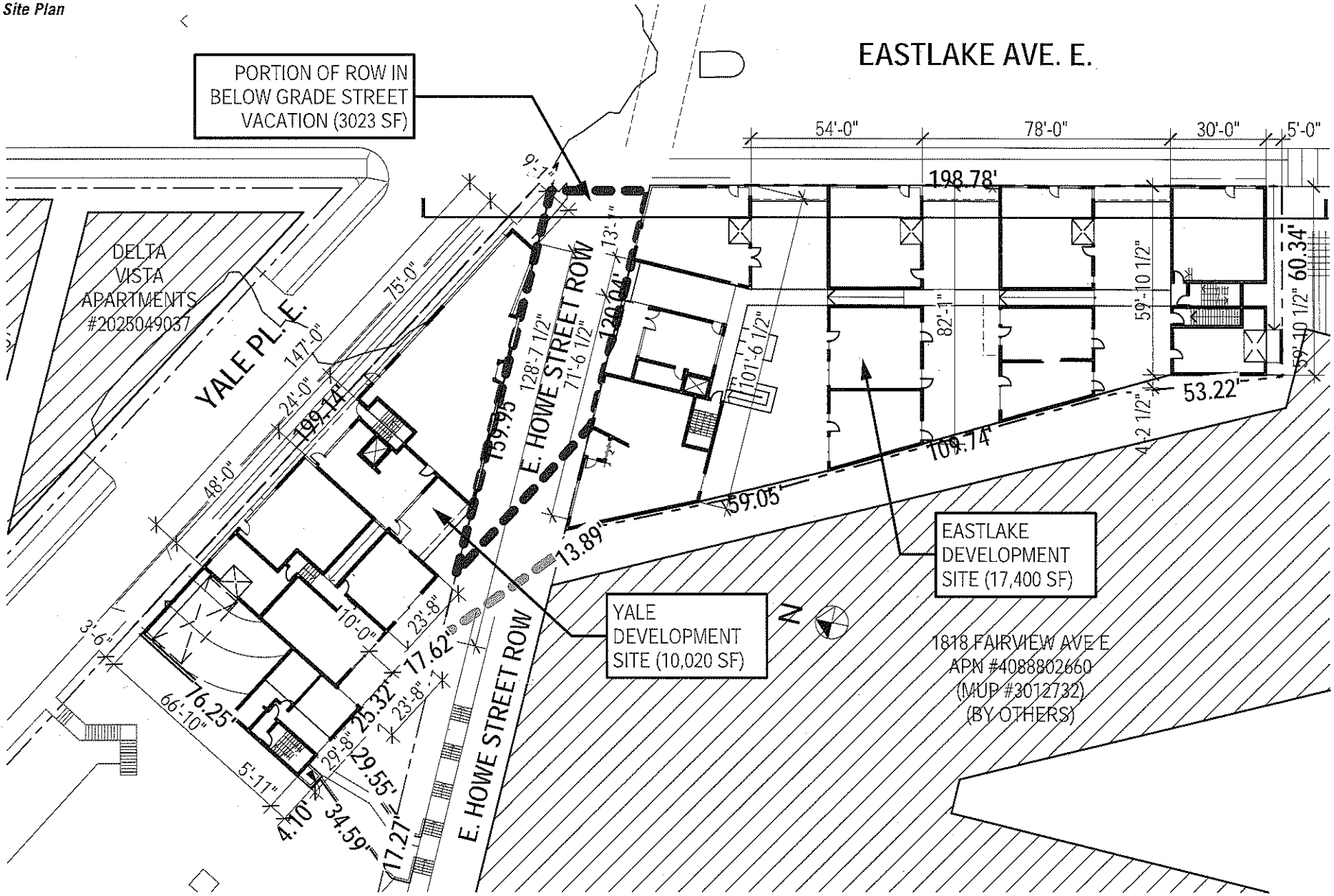
Site Maps

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

Plat Map SW 20-25-04 is below. See Page 38 for site plan with all property dimensions and total square footage. See Page 5 for map of current ownership.

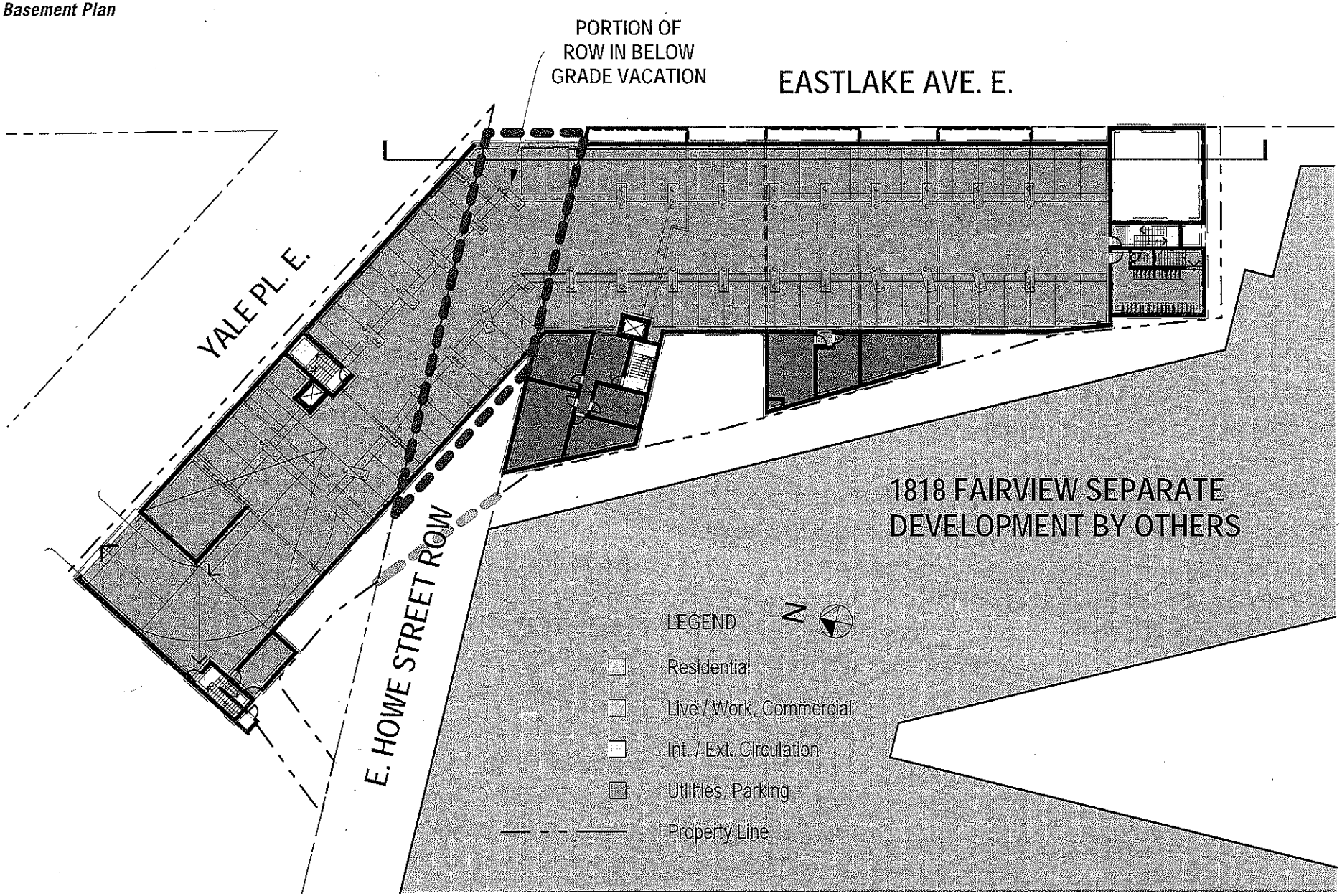


Site Plan

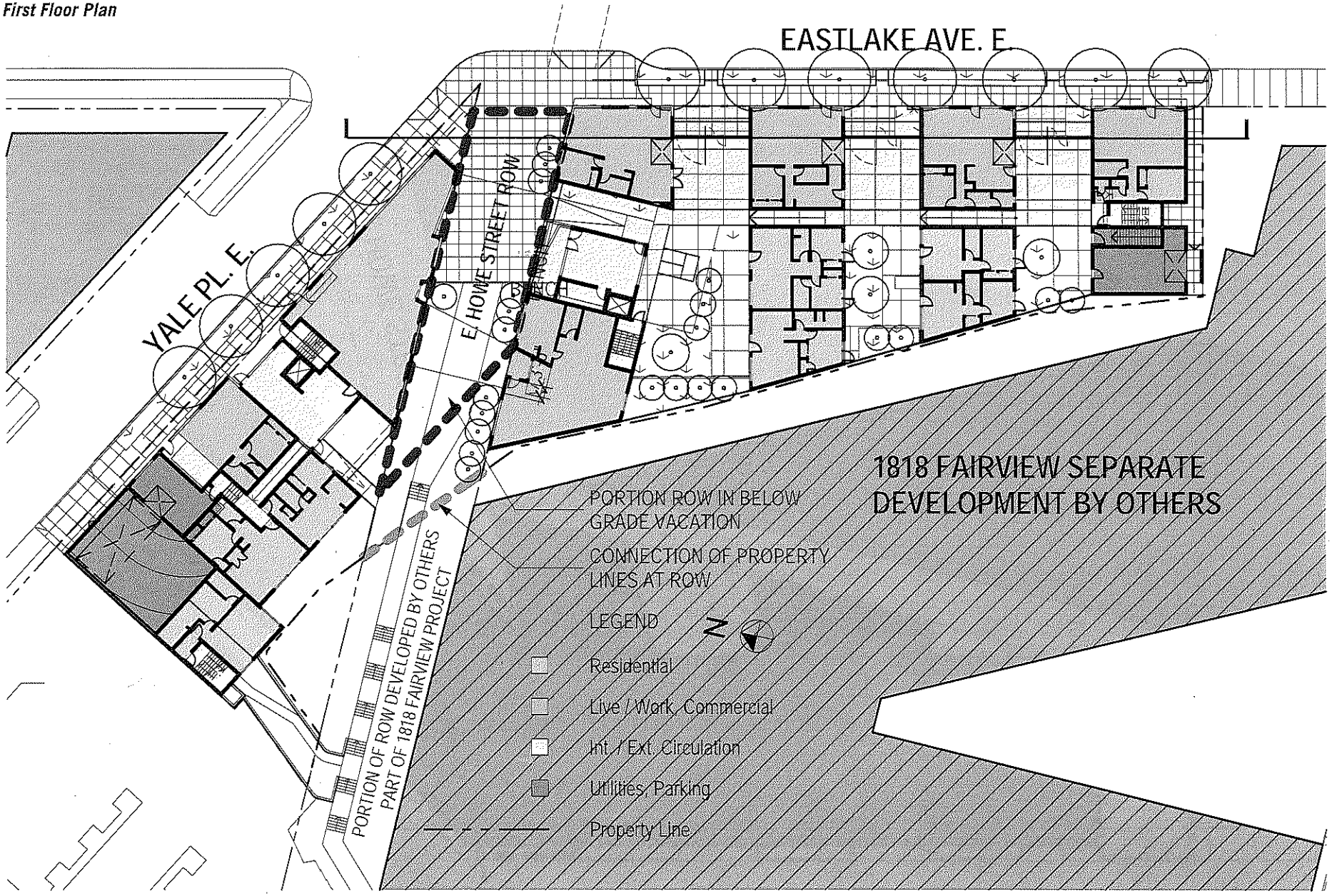


15 SITE MAPS

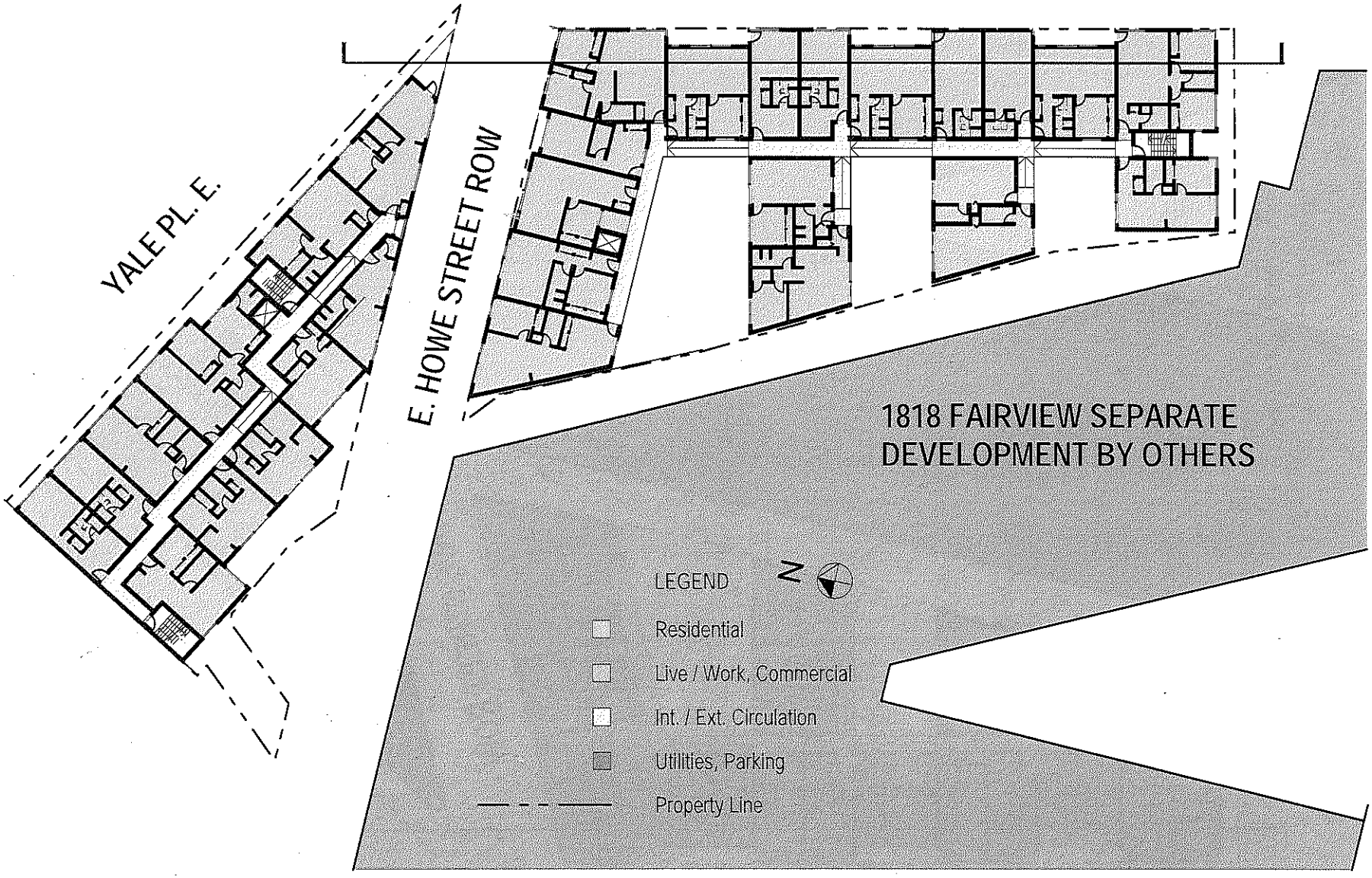
Basement Plan



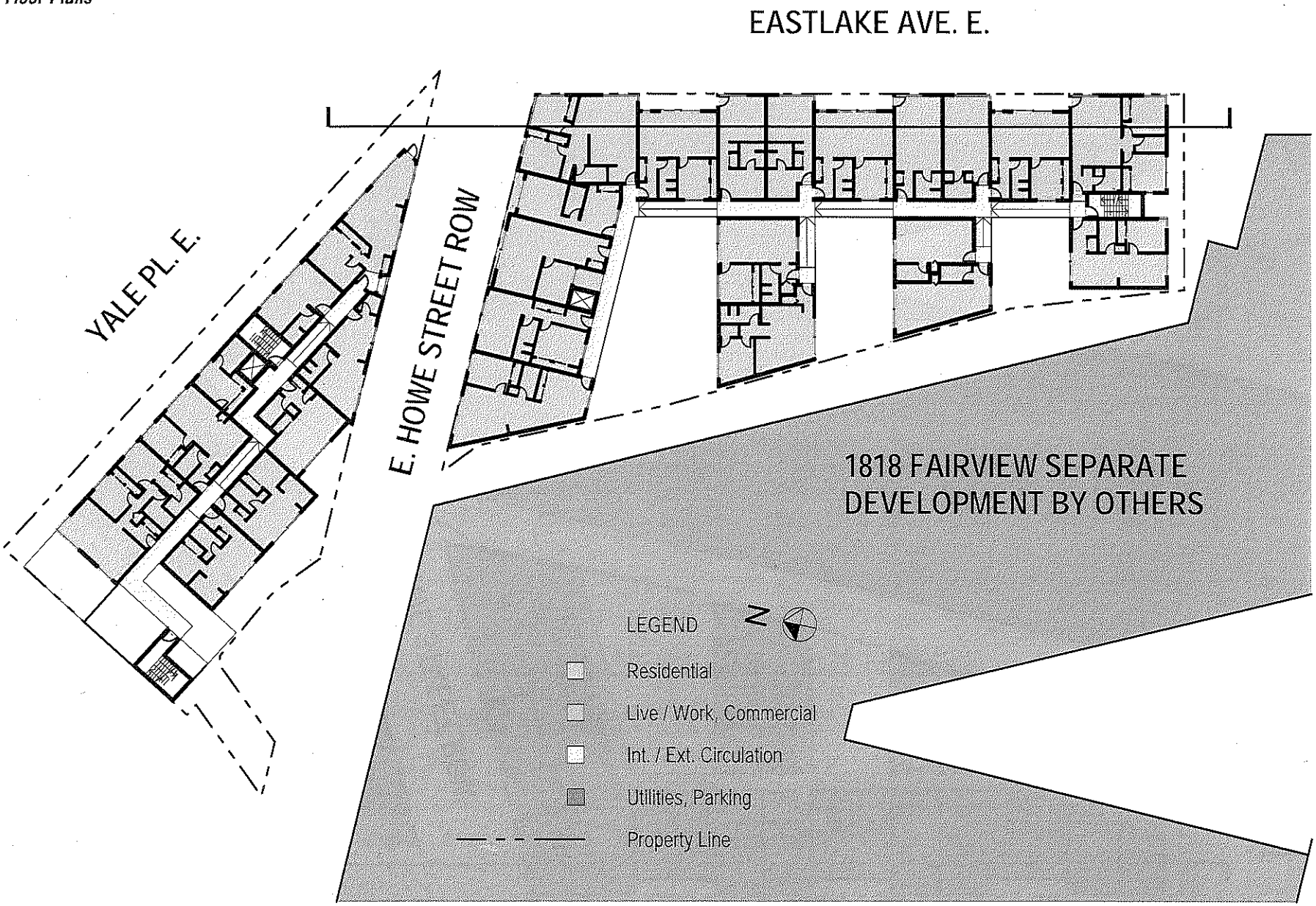
First Floor Plan



Second and Third Floor Plan

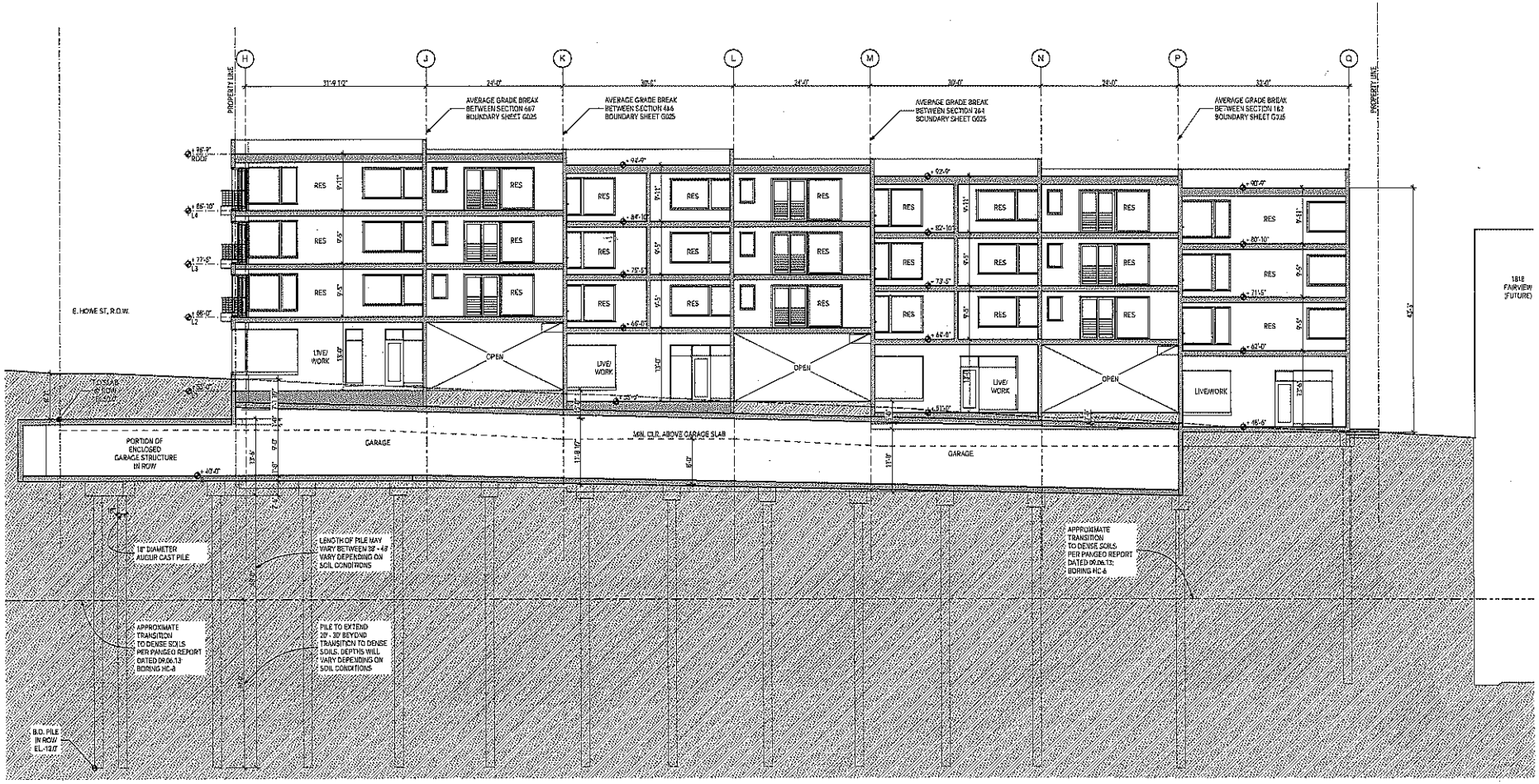


Fourth Floor Plans



Section through Eastlake Development Site and E Howe Street ROW looking East

The site section shows proposed deep foundations for the project. Due to poor soils at the site, the project will require a deep foundation system that includes 18" diameter augur cast piles. The piles will range from 38' - 48' depending on soil quality at each pile location. Twelve of these piles are located in the ROW (see Page 39 basement plan for locations).



1823 Eastlake Ave E Elevation

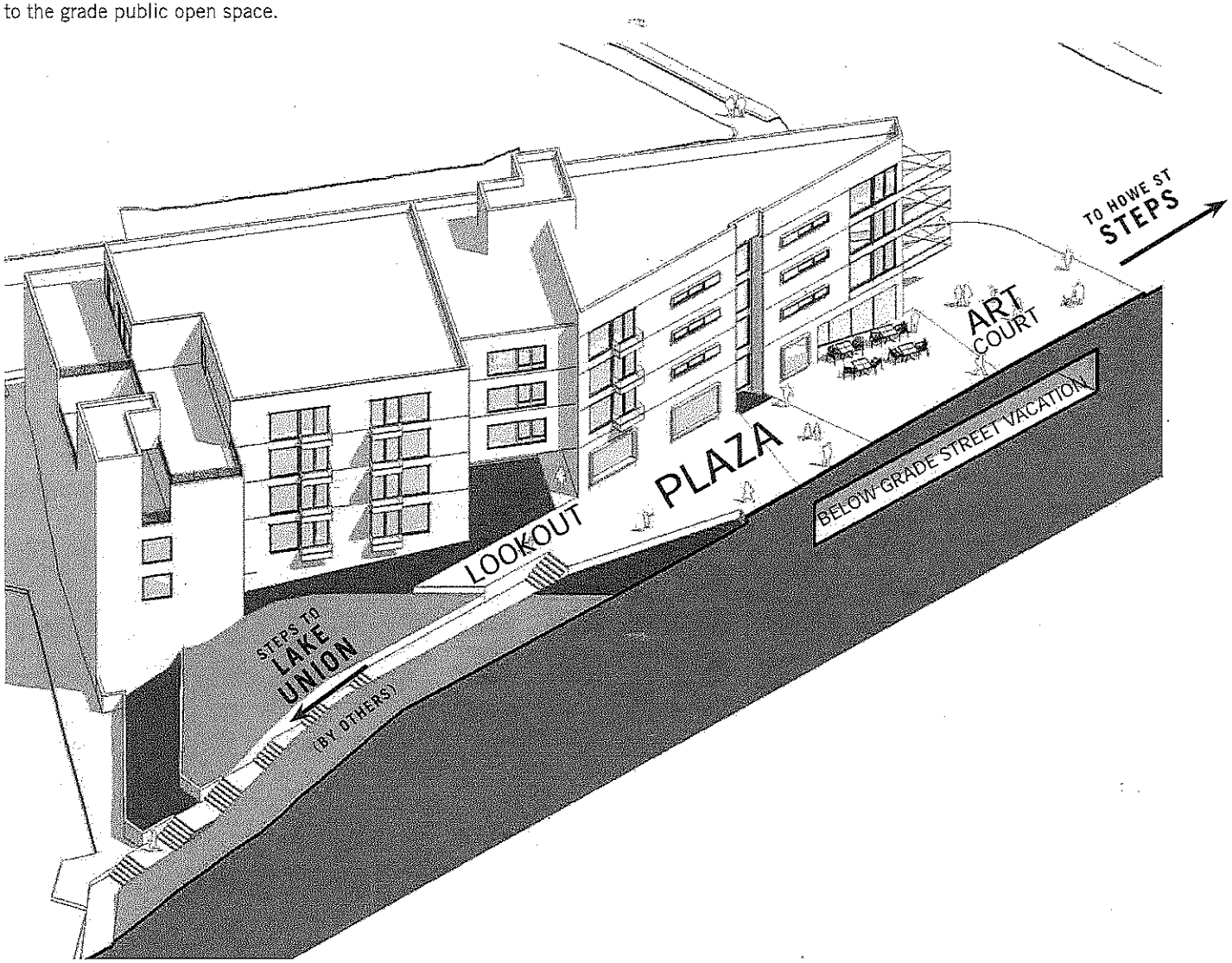
1903 Yale Pl E Elevation

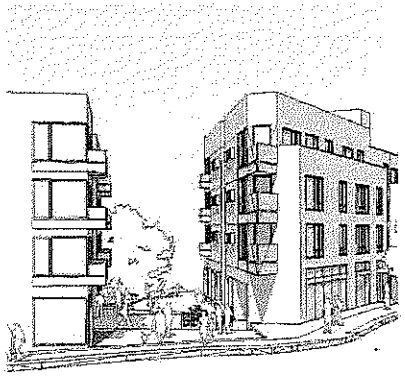
1823 Eastlake Ave E - E HOWE Street ROW Elevation

1903 Yale Pl E ROW Elevation - E HOWE Street ROW Elevation

Diagrammatic 3D Section

Section shows the below grade street vacation in relation to the grade public open space.

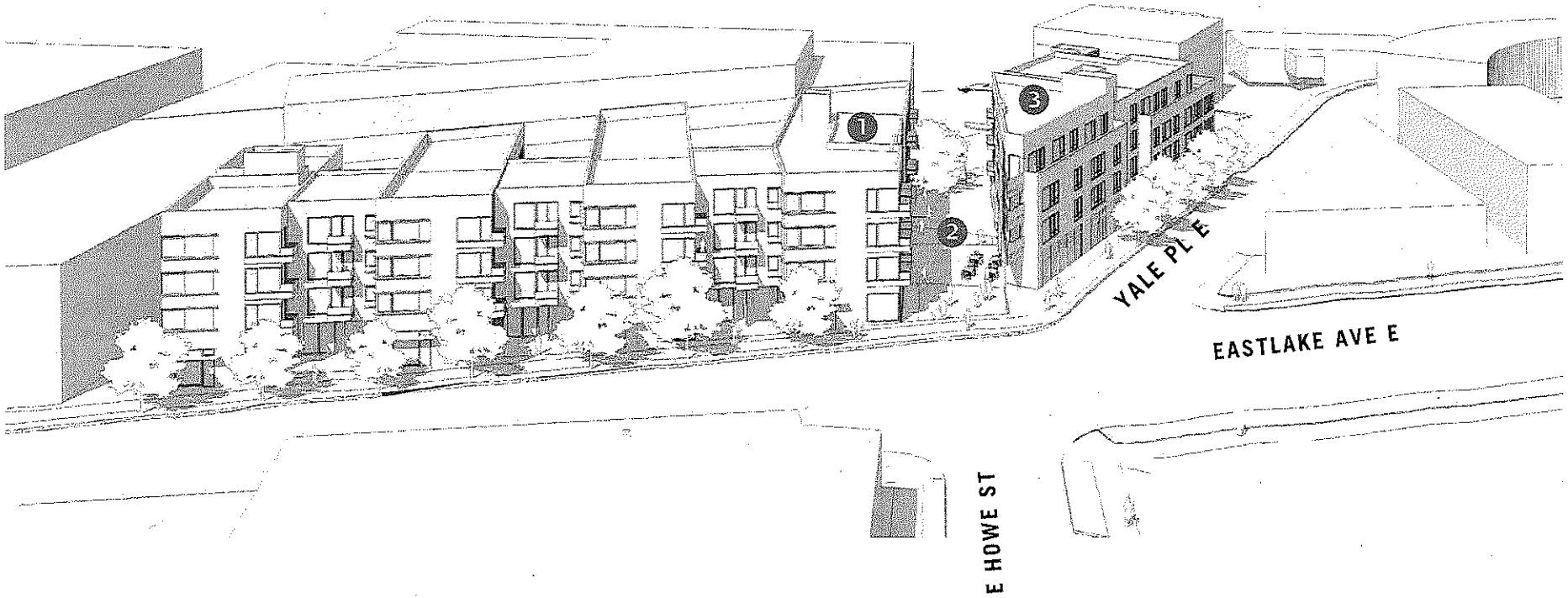




View west from Howe Street ROW to Lake Union

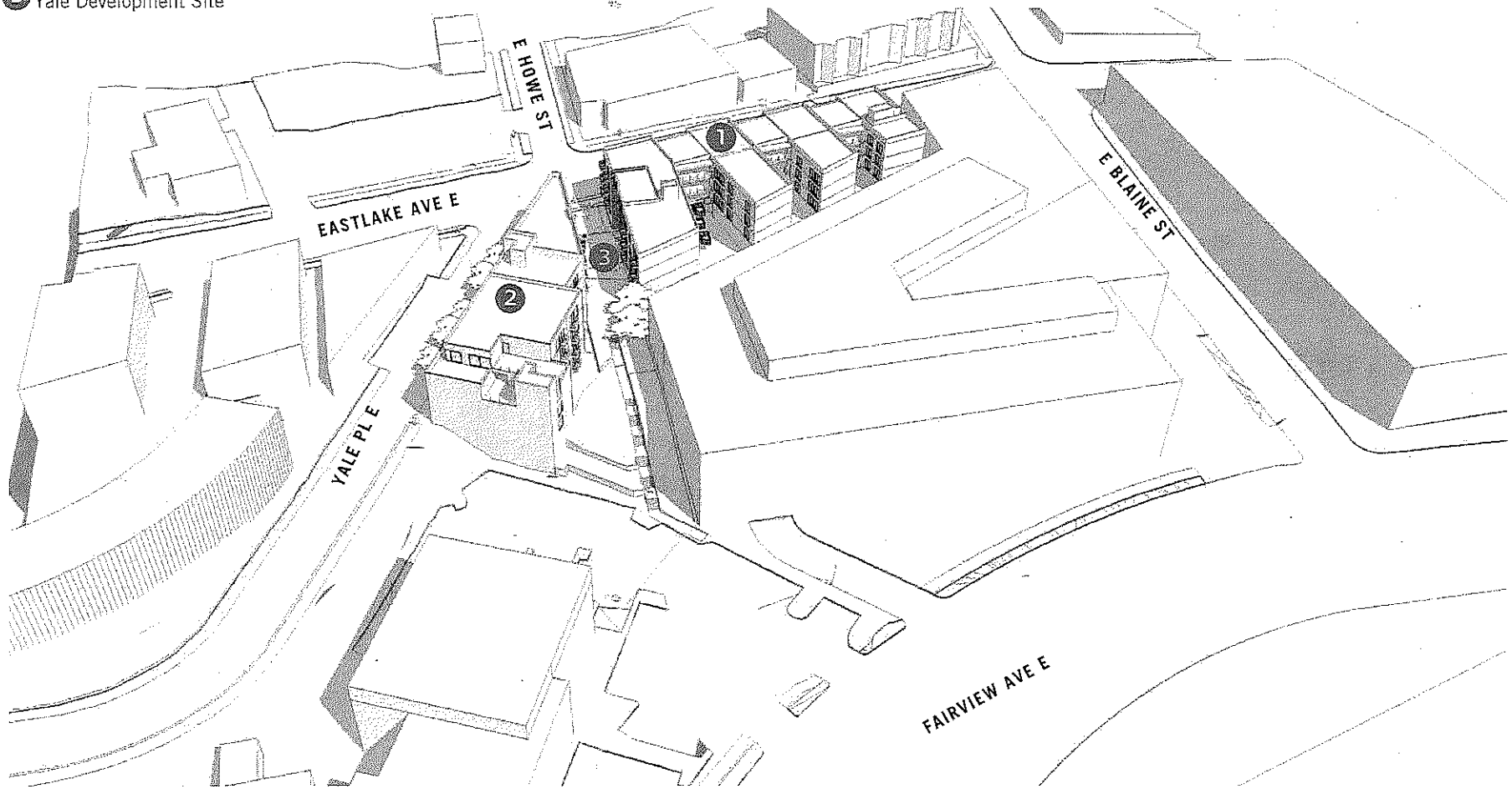
3D Aerial of Project Site Looking West

1. Eastlake Development Site
2. E Howe Street ROW
3. Yale Development Site



3D Aerial of Project Site Looking East

1. Eastlake Development Site
2. E Howe Street ROW
3. Yale Development Site



9-Block Urban Design Analysis

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

Refer to **Section 6: Project Location** for 9-Block Urban Design Analysis.

Impact on Public Transportation Projects

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

No known impact - project is not in the vicinity of a major transportation project.

Environmental Impact Statement

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

EIS not required. SEPA Checklist will be provided as part of the MUP Submittal.

Neighborhood Plan

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

The proposed project supports the following community design, open space and main street goals of the Eastlake Neighborhood Plan:

CD-7 Encourage the development of live/work units in areas that already allow commercial development, beginning with preparation of an evaluation of live/work units in Eastlake.

CD-10. Promote interesting, safe and diverse pedestrian connections on public property throughout Eastlake, and on key private properties, that are compatible with and sensitivity designed for abutting land uses.

CD-13. Increase the amount and creative use of vegetation on public and private properties and buildings.

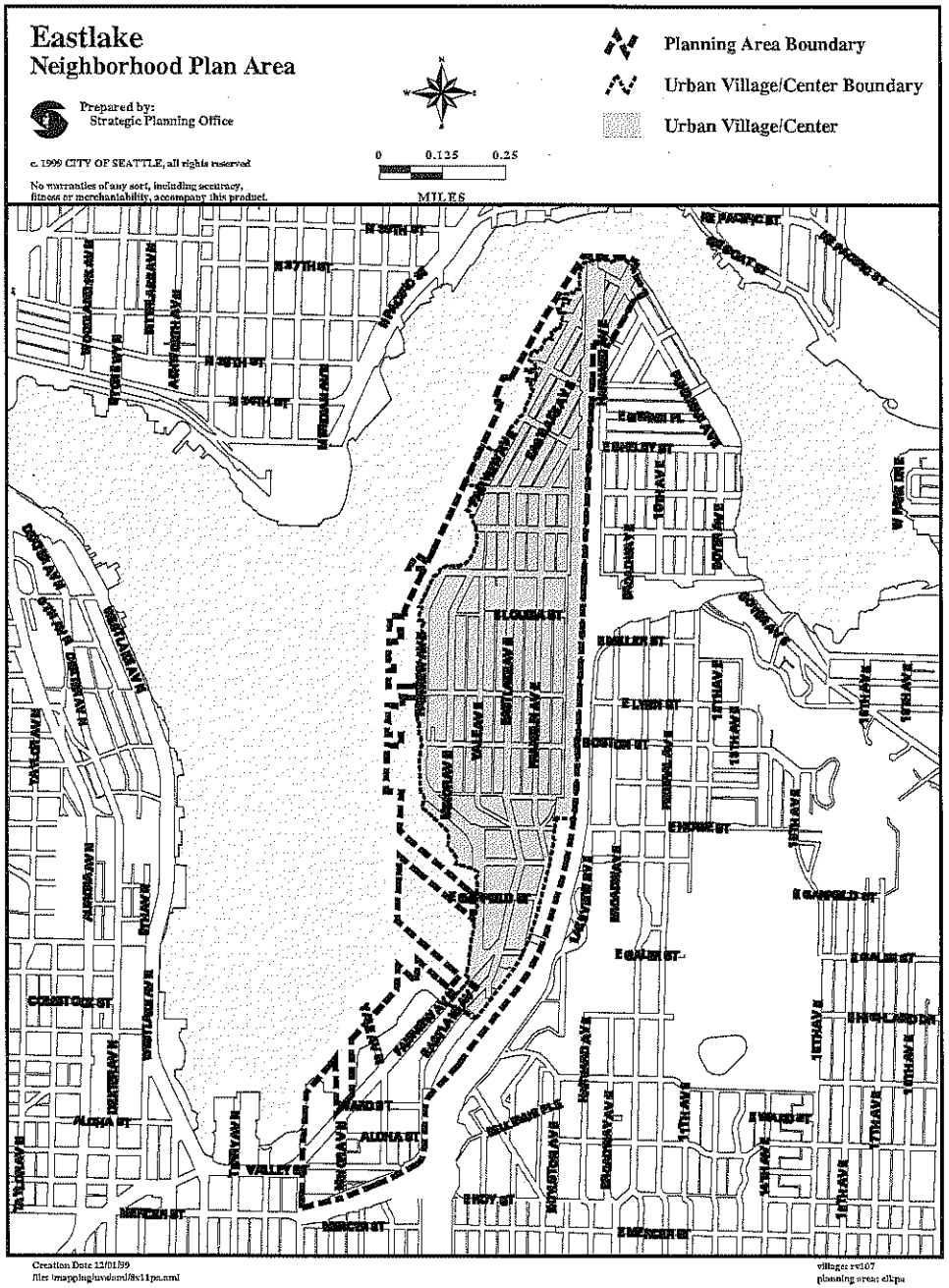
OS-2 Create and enhance pedestrian connections within Eastlake and to nearby neighborhoods, using both physical pathways and view corridors.

Goal OS—3 Improve the use of open spaces for passive recreation needs

Goal M-5: De-emphasize the "business strip" nature of Eastlake Avenue by concentrating new commercial development around several nodes M-5.1

Discussion

The project incorporates many goals of the Eastlake neighborhood plan. The development proposal concentrates small-scale live-work and commercial in a node around the proposed public park in the unimproved Howe Street ROW. The proposed buildings have small-scale massing elements that are informed by the parcel-based scale of buildings typical north of the site. The proposal includes generous at grade landscaping in the form of streetscape improvements, interstitial building courtyards and the new park in the ROW. All of these will contribute to the increase in vegetation in and around the site. The proposed park provides a new location for public art, passive recreation in the Eastlake community and creates a new pedestrian connection and view corridor aligned with the Howe Street Steps and Lake Union.



Comprehensive Plan and Other City Plans and Goals: Urban Village Element

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

Urban Village Element: The Urban Village Element establishes the City's urban village strategy for growth, by guiding the designation of urban centers, urban villages, and manufacturing industrial centers (all of which are broadly referred to as "urban villages", and by defining the priorities for land use in these areas. The project advances the following goals and policies for urban villages:

(UVG1) respect [for] Seattle's human scale, history, aesthetics, natural environment, and sense of community identity as the city changes;

(UVG3) promote densities, mixes of uses, and transportation improvements that support walking, use of public transportation, and other transportation demand management (TDM) strategies, especially within urban centers and urban villages;

(UVG7) accommodate the City's existing and future housing needs through maintenance of existing residential neighborhoods and the creation of new residential neighborhoods;

(UVG8) Use limited land resources more efficiently and pursue a development pattern that is more economically sound, by encouraging infill development on vacant and underutilized sites, particularly within urban villages;

(UVG9) maximize the benefit of public investment in infrastructure and services, and deliver those services more equitably by focusing new infrastructure and services, as well as maintenance and improvements to existing infrastructure and services, in areas expecting to see additional growth, and by focusing growth in areas with sufficient infrastructure and services to support that growth;

(UVG12) promote physical environments of the highest quality, which emphasize the special identity of each of the city's neighbor hoods, particularly within urban centers and villages;

(UVG15) provide parks and open space that are accessible to urban villages to enhance the livability of urban villages, to help shape the overall development pattern, and to enrich the character of each village;

(UVG27) Promote the development of residential urban villages, which function primarily as compact residential neighborhoods providing opportunities for a wide range of housing types and a mix of activities that support the residential population. Support densities in residential urban villages that support transit use;

(UVG29) encourage growth in locations within the city that support more compact and less land-consuming, high quality urban living;

(UVG37) providing safe and welcoming places for the people of Seattle to play, learn, contemplate, and build community. Provide healthy spaces for children and their families to play; for more passive activities such as strolling, sitting, viewing, picnicking, public gatherings, and enjoying the natural environment; and for active uses such as community gardening, competitive sports, and running;

(UVG38) through the creation, preservation, and enhancement of the city's open spaces, support the development patterns called for by this plan, enhance environmental quality, provide light, air, and visual relief; offer community-building opportunities; provide buffers between residential areas and incompatible uses; provide spaces for sports and recreation; and protect environmentally sensitive areas.

Discussion

The project advances UGV1 by reestablishing the subject portion of Howe Street ROW as a public open space that provides pedestrian access and view corridor toward Lake Union. The pedestrian path and view corridor are important aspects of Eastlake's community character. The development advances the intent of the residential urban village by creating a high-quality dense mixed use project on an under utilized site. The project will provide commercial activity at street level and a range of housing at upper levels and in the rear courtyards (UVG7, UVG8, UVG9, UVG12, UVG27, UVG29). The proposed public park will create a new public amenity in the Eastlake neighborhood. The Petitioner's intent is to create an urban pocket park defined by active street level commercial and live-work, public art, high quality landscape, streetscape amenities and a connection to the defining landforms that make Eastlake unique (UVG15, UVG37, UVG38).

Comprehensive Plan and Other City Plans and Goals: Land Use Element

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

Land Use Element The Land Use Element defines land use city-wide and in specific use categories. In the City of Seattle Comprehensive Plan, the GMA requirement for a Land Use Element is fulfilled by both this element and the Urban Village Element (described above), which further defines land use policies to implement the City's urban village strategy. This element also provides a framework for land use regulations contained in the City's Land Use Code (Seattle Municipal Code Title 23). The development proposal advances the following city-wide Land Use Element goals:

(LUG2)Foster neighborhoods in which current and future residents and business owners will want to live, shop, work, and locate their businesses. Provide for a range of housing types and commercial and industrial spaces in order to accommodate a broad range of families and individuals, income groups, and businesses;

(LUG17) Create strong and successful commercial and mixed-use areas that encourage business creation, expansion and vitality by allowing for a mix of business activities, while maintaining compatibility with the neighborhood-serving character of business districts, and the character of surrounding areas.

(LUG19) include housing as part of the mix of activities accommodated in commercial areas in order to provide additional opportunities for residents to live in neighborhoods where they can walk to services and employment.

(LU52) in order to maintain an attractive street level environment, to facilitate pedestrian and vehicular traffic circulation, to minimize adverse impacts of parking on adjacent areas and structures, to sustain on-street parking, and, where appropriate, to maintain or create a continuity of street fronts, generally prohibit street level parking between buildings and the street, **restrict the number and size of curb cuts,** *and require alley access to parking when a surfaced alley is accessible to the rear of a building, and not prevented by topography.*

(LU104) Consistent with the urban village strategy, prefer the development of compact concentrated commercial areas, or nodes, in which many businesses can be easily accessed by pedestrians, to the designation of diffuse, sprawling commercial areas along arterials, which often require driving from one business to another.

(LU115) Conserve commercially zoned land for commercial uses by limiting street-level residential uses in areas intended to function as concentrated commercial areas or nodes. Consider allowing street-level residential uses outside of those areas in order to reinforce the commercial nodes and accommodate fluctuating market conditions. When street-level residential uses are permitted, seek to provide privacy for ground floor tenants and visual interest along the street-front. Provide open space as part of residential development in commercial areas to ensure open space amenities are available to residents. Street level residential requirements should account for local conditions and planning objectives.

Discussion

Many of the Land Use Element goals mirror the response in the Urban Residential Village Element especially as they relate to creating strong and successful commercial and mixed use areas (Please see discussion on previous page for how the project advances LUG2, LUG17, LUG19, LU104). In particular, the development proposal advances LU115 by focusing street level live-work and commercial spaces along Eastlake, Yale and along the Howe Street ROW. This will help create an intersection-based node of small-scale commercial at the Eastlake and Yale, which is consistent with commercial patterns throughout Eastlake. The proposed shared parking structure supports LU52 by minimizing the effect of the car and parking with a single ingress/egress at Yale.

Comprehensive Plan and Other City Plans and Goals: Neighborhood Plan

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

City of Seattle Neighborhood Plan The City of Seattle Comprehensive Plan established guidelines for neighborhoods to develop their own plans to allow growth in ways that provide for a neighborhood's unique character needs and livability. The proposed N Habit Eastlake project is located within the Eastlake Neighborhood (please refer to the Figures Section on Page 5 for a neighborhood map). The development proposal advances the following goals and policies from the Eastlake neighborhood plan:

(EL -P1) Encourage the consolidation of commercial and residential uses on Eastlake Avenue East into districts or nodes that would: strengthen the identity of each area; reduce the potential for conflicts between land uses; increase residential development along parts of Eastlake Avenue East; increase the development of neighborhood-serving businesses at street level; and direct vehicle access and parking to alleys and side streets.

(EL-P2) Identify, preserve, enhance and create a variety of attractive and interesting views from and of public spaces.

(EL-P6) Explore the development of live/work units in areas that allow commercial development.

(EL-P7) Buildings are an important part of Eastlake's views and residential and commercial streetscapes, and their designs should reflect the neighborhood's lowrise, finely textured scale, comparatively small development sites, and the individuality of its architectural expressions.

(EL-P8) Pedestrian connections between buildings should occur at the street level. Avoid skybridges on public property and rights-of-way in Eastlake; when connections across such public land and rights-of-way are necessary, pursue below grade connections to buildings that do not detract from activity at the street level, the streetscape and public views.

(EL-P9) Promote interesting, safe, and diverse pedestrian connections that are compatible with and sensitively designed for abutting land uses.

(EL-P17) Provide open space for wildlife and plant habitat, pedestrian connections, and passive and active recreation. For individual open space sites, identify the primary purpose from among these four purposes, plan for compatible uses and discourage incompatible uses.

(EL-P19) Strive to improve pedestrian facilities including street crossings, sidewalks and other walkways, especially along Eastlake Avenue.

(EL-P20) Strive to establish additional pedestrian connections where they do not now exist, such as under or over Interstate-5 or along the shoreline.

Discussion

See also Page 54 for Eastlake neighborhood plan goals advanced by the project. The development proposal concentrates small-scale live-work and commercial in a node around the proposed public park in the unimproved Howe Street ROW (EL-P1, EL-P6). The proposed buildings have scaled massing that is informed by the parcel-based scale of buildings typical north of the site (EL-P7). The proposal includes generous at grade landscaping in the form of streetscape improvements along Eastlake and Yale, interstitial building courtyards and the new park in the ROW (EL-P8, EL-P19). All of these will contribute to the increase in vegetation in and around the site. The proposed park provides a new location for passive recreation in the Eastlake community and creates a new pedestrian connection and view corridor that aligns with the Howe Street Steps and extends toward Lake Union. (EL-P2, EL-P8, EL-P9, EL-P20). Per EL-P17, the open space is proposed for passive recreation and pedestrian connections.

Sustainable Practices

Provide information on green and sustainable construction and operational practices and the level of LEED certification associated with the project.

The proposed development is sited to maximize solar exposure, daylighting, passive ventilation, and open space access for the residential units. It makes use of an existing, underdeveloped site that is well-served by transit and neighborhood amenities. The project will provide at least one bike parking space per resident in addition to commercial bike parking spaces. Project specifications will include high efficiency appliances, equipment and fixtures, LOW or no-VOC finishes. Green Stormwater Infrastructure will be provided for treatment of rainwater. Landscaping will use native and drought tolerant plans.

Design Review Board

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

7/24/13 Early Design Guidance Meeting: The East Design Review Board expressed support for the proposed project and recommended the project to move forward with Master Use Permit drawings. The Board supported the proposed below grade street vacation and single point of vehicular access from Yale Pl E.

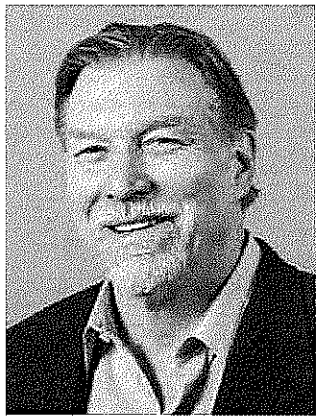
Please refer to Appendix B for minutes from Early Design Guidance Meeting and Appendix C for the Early Design Guidance Packet.

Company/Agency Information

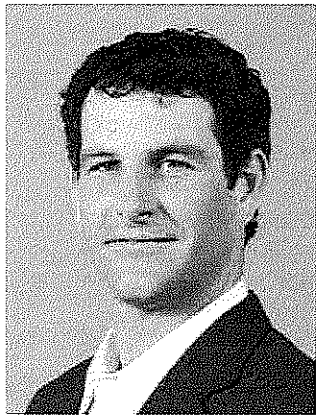
Include background information about your business or agency, its history, how long at your present location, number of employees, etc. Describe how your business or agency will grow with the vacation, such as number of employees or patients, or students served by the proposed development.

DALY PARTNERS

Inhabit Eastlake LLC is managed by Daly Partners LLC. Daly Partners is a real estate investment services firm offering comprehensive investment solutions to individual and institutional investment partners in the Pacific Northwest.



Jim Daly received his bachelors in architecture in 1968 from the University of Washington and has been a licensed architect in the state of Washington since 1973. Between 1972 and 2003, he practiced architecture and was instrumental in the design and construction of many structures and complexes in Washington and Japan. His career in real estate development began in 1980. Since then Jim has been integral in the design and development of dozens of projects. He maintains membership in numerous professional, business and service boards and associations. Additionally, he is a past member and chairman of both Hospice of Seattle and the City of Seattle Landmarks Preservation Board and a former Vice President and member of the Board of Trustees of the Seattle Chapter of the American Institute of Architects.



Before co-founding Daly Partners, **Patrick Ashman** spent six years with a local Seattle brokerage firm, specializing in multi-family transactions. During this time he closed on over 1,100 multi-family units totaling over $75,000,000.00 in transactions. Patrick has established an in-depth knowledge of the Seattle real estate market and created valuable relationships with owners, bankers, brokers, and investors. These relationships, along with his local expertise, allow him to accurately evaluate market conditions and investor sentiment, as well as to structure unique investment opportunities that provide maximum profitability. Since co-founding Daly Partners in mid-2009 Patrick has helped to source, underwrite, raise capital and close on five exciting multi-family acquisitions. Patrick holds a BA from the University of Oregon, as well as an active real estate license in the state of Washington. He is currently studying for his Series 65 exam to become a qualified investment advisor.

Development Schedule

Provide a proposed development timeline and schedule.

With the exception of the first three items, the dates below are proposed only. The actual dates will depend on the street vacation, MUP and development processes.

Early Design Guidance Meeting – July 24, 2013

Below Grade Street Vacation Petition Submittal – December 19, 2013

MUP Submittal – January 2, 2013

Design Commission Meetings - January 2014 and February 2014

Design Review Board Recommendation Meeting - March 2014

Design Commission Recommendation to SDOT – March 2014

Transmittal of SDOT Vacation Recommendation to City Council – March 2014

Vacation Public Hearing – May 2014

MUP Issuance – May 2014

City Council Conditional Concept Approval – June 2014

Building Permit Submittals –

- Excavation/Shoring Permit - May 2014
- Building Permit - June 2014

Construction Starts

- Excavation/Shoring - October 2014
- Building Construction - December 2014

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

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

A portion of East Howe Street between Eastlake Avenue East and Fairview Avenue East

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

A subterranean portion of East Howe Street, in the Hilton Addition to the city of Seattle, recorded in Volume 3 of Plats, page 157, Records of King County, Washington generally described as lying between the westerly margin of Eastlake Avenue East and a line projected between the easterly margins of Blocks 61 and 62, Lake Union Shore Lands and specifically described in Attachment A to this petition.

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

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

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

SIGNATURE OF PETTIONERS:

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

OWNER (Printed Name, Signature and Title) **PROPERTY:**

Inhabit Eastlake, LLC

By:

Jim Daly, Manager 12·17·13

OWNER DATE

King County Parcel # 202504-9038;
Portion of Government Lot 5, etc.
and
King County Parcel # 338390-0125
(Lots 1,2,3,4 Block 3 Hilton Addition)

Parcel No. & Lot & Block

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

ACKNOWLEDGEMENT:

I/we Inhabit Eastlake, LLC acknowledge that:
(legal owner/s)

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

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

✓ the City Council decision on the vacation is discretionary, and will be based on the City's Street Vacation Policies contained in Clerk File 310078 and other adopted policies; and

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

✓ I/we have been informed of the cost, obligations, petition requirements, Street Vacation Policies, the time frame involved in the review of a vacation petition.

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

JIM DALY 12·17·13

Petitioner Date

CONTACT INFORMATION:

Developer:
Daly Partners – Patrick Ashman
1101 N. Northlake Way, Ste. 106
Seattle, WA 98103
206 816-3339

Contact:
Jeff Woodward, Bushnaq Studios
3210 Beacon Ave. S
Seattle, WA 98144

206 257-3345

ADDITIONAL PROPERTY OWNERS ABUTTING THE VACATION:

I/we acknowledge and support the petition to vacate a subterranean portion of:

East Howe Street between Eastlake Avenue East and Fairview Avenue East as described above

and declare that I/we have no objections to the street/alley vacation.

OWNER **PROPERTY**

(Printed Name and Signature)

For corporately held property, provide documentation of signatory authority.

BSOP1 LLC

By: **Title:**

Stan Baty

King County Parcel# 202504-9040
Portion of Government Lot 5, etc.

OWNER DATE Parcel No. & Lot & Block

Washington Real Estate Holdings, LLC

By: **Title:**

Ric Anderson

King County Parcel # 408880-2655
Lots 1,2,3,4 Block 62 Lake Union Shore Lands Add.
and
King County Parcel # 408880-2640
Portion of Lake Union Shore Lands Add.

OWNER DATE Parcel No. & Lot & Block

NOT REQUIRED PER SDOT 12-17-13
DISCUSSION WITH

If you have any questions regarding the vacation process, please call street vacation staff at 206.684.7564.

SDOT Street Vacation Petition 2013

UNITED STATES OF AMERICA

The State of Washington

Secretary of State

I, SAM REED, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

CERTIFICATE OF FORMATION

to

INHABIT EASTLAKE LLC

a/an WA Limited Liability Company. Charter documents are effective on the date indicated below.

Date: 1/4/2013

UBI Number: 603-265-345

Given under my hand and the Seal of the State of Washington at Olympia, the State Capital

Sam Reed, Secretary of State

FILED
SECRETARY OF STATE
SAM REED

JANUARY 4, 2013

STATE OF WASHINGTON

603 265 345

01/04/13 2329051-001
$230.00 K
Id: 2453311

INHABIT EASTLAKE LLC

CERTIFICATE OF FORMATION

Pursuant to Title 25 of the Revised Code of Washington, the undersigned does hereby submit this Certificate of Formation for the purpose of forming a limited liability company.

1. The name of the limited liability company is "Inhabit Eastlake LLC".

2. The limited liability company shall have a perpetual existence from the date on which this Certificate of Formation is filed with the Secretary of State of the State of Washington.

3. The name of the initial registered agent of this limited liability company and the address of its initial registered office are as follows:

Cairncross & Hempelmann, P.S.
524 2nd Ave, Suite 500
Seattle, WA 98104-2323

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

1101 N Northlake Way, Suite 106
Seattle, WA 98103

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

YES [X]
NO [ ]

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

David Herrman
Cairncross & Hempelmann, P.S.
524 2nd Ave, Suite 500
Seattle, WA 98104-2323

7. This certificate is effective upon filing.

DATED this 2nd day of January, 2013.

David Herrman, Executor

(02166699.DOC;1)

CONSENT TO SERVE AS REGISTERED AGENT

Cairncross & Hempelmann, P.S. hereby consents to serve as Registered Agent in the State of Washington for Inhabit Eastlake LLC. It understands that as agent for the limited liability company, it will be its responsibility to receive service of process in the name of the limited liability company; to forward all mail to the limited liability company; and to immediately notify the office of the Secretary of State in the event of its resignation or of any changes in the registered office address.

CAIRNCROSS & HEMPELMANN, P.S.

Dated: January 2, 2013

By: Matthew B. Hanna
Its: Vice President
524 2nd Ave, Suite 500
Seattle, WA 98104-2323

{02166699.DOC;1 }

LIMITED LIABILITY COMPANY AGREEMENT
OF
INHABIT EASTLAKE LLC

This Limited Liability Company Agreement (this "Agreement") is dated for reference purposes and shall be effective January 4, 2013, by and between Daly Partners LLC, a Washington limited liability company ("Daly Partners") and those Persons admitted as Members and referred to herein as Investors. Daly Partners and the Investors may be referred to herein separately as a "Member" or collectively as the "Members."

The parties have agreed to organize and operate a limited liability company in accordance with the terms and subject to the conditions set forth in this Agreement.

NOW, THEREFORE, for good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the parties, intending legally to be bound, agree as follows:

ARTICLE I
Definitions

The following capitalized terms shall have the meaning specified in this Article I. Other terms may be defined in the text of this Agreement.

"Act" means the Washington Limited Liability Company Act, RCW 25.15, as amended from time to time.

"Adjusted Capital Account Deficit" means, with respect to any Interest Holder, the deficit balance, if any, in the Interest Holder's Capital Account as of the end of the relevant taxable year, after giving effect to the following adjustments:

(i) the Capital Account shall be credited with the amounts which the Interest Holder is deemed obligated to restore pursuant to Regulation Sections 1.704-2(g)(1) and (i)(5) (i.e., the Interest Holder's share of Minimum Gain and Member Minimum Gain); and

(ii) the Capital Account shall be debited with the items described in Regulation Sections 1.704-1(b)(2)(ii)(d)(4), (5) and (6).

"Agreement" means this operating agreement, as amended from time to time.

"Manager" means Jim Daly ("Daly"), and any Person subsequently appointed to replace him as a Manager as provided in this Agreement.

"Member" means each Person who has been admitted to the Company, excluding Unadmitted Transferees.

"Member Loans" means loans made by one or more Members to the Company as described in Section 2.8 below.

"Member Nonrecourse Deductions" has the meaning and shall be determined as set forth in Regulation Section 1.704-2(i) for "partner nonrecourse deductions."

"Member Minimum Gain" has the meaning and shall be determined as set forth in Regulation Section 1.704-2(i) for "partner nonrecourse debt minimum gain".

"Membership Rights" means those rights arising by virtue of this Agreement with respect to each Member of the Company.

"Minimum Gain" has the meaning and shall be determined as set forth in Regulation Sections 1.704-2(b)(2) and 1.704-2(d) for "partnership minimum gain."

"Negative Capital Account" means a Capital Account with a balance of less than zero.

"Nonrecourse Deductions" has the meaning set forth in Regulation Section 1.704-2(b)(1).

"Nonrecourse Liability" has the meaning set forth in Regulation Sections 1.704-2(b)(3) and 1.752-1(a)(2).

"Person" means and includes an individual, corporation, partnership, association, limited liability company, trust, estate, or other entity.

"Positive Capital Account" means a Capital Account with a balance of zero or greater.

"Preferred Return" means an amount equal to twelve percent (12%) per annum of the Cash Investment Account balance of a Member outstanding from time to time, calculated on a simple basis and not compounded, and calculated from the later of the date of this Agreement or the date the Capital Contribution was made (for the line of credit referenced herein it shall be the date upon which the monies were drawn from the line of credit) until the Capital Event (e.g., closing of the sale of the Property) which generates the funds from which the Capital Contributions are returned; provided,

4.5.4 The Manager is hereby authorized, upon the advice of the Company's tax counsel, to amend this Article IV to comply with the Code and the Regulations promulgated under Section 704(b) of the Code; provided, however, that no amendment shall materially affect distributions to an Interest Holder without the Interest Holder's prior written consent.

ARTICLE V
Management

5.1 Manager.

5.1.1 In General. The business and affairs of the Company shall be managed by the Manager. The Manager shall devote such time and effort to the business and internal affairs of the Company as the Manager determines, in its business judgment, may be reasonably necessary to manage and operate the Company. Except as otherwise expressly provided in this Agreement, the Manager shall have full and complete authority, power and discretion to manage and control the business, affairs and properties of the Company, to make all decisions regarding those matters and to perform any and all other acts or activities customary or incident to the management of the Company's business, including, but not limited to, managing the Members, maintaining the books and records of the Company, and acting as the representative of the Company in the purchase, improvement, management, operation, entitlement, permitting, leasing and sale of the Property. The Manager shall not be permitted to voluntarily withdraw prior to the sale of the Property and liquidation of the Company. At any time when there is more than one Manager, any one Manager may take any action permitted to be taken by the Managers, except that the approval of all of the Managers is expressly required for any decision regarding a Capital Event.

5.1.2 *Specific Powers.* Without limiting the generality of the foregoing, and except for those Extraordinary Transactions described in Section 5.1.3 below, the Manager shall have power and authority, on behalf of the Company to:

5.1.2.1 to acquire or tie-up the Property, negotiate and enter into agreements with any tenants at the Property, and to obtain all necessary governmental permits, entitlements, agreements and financing as required to acquire the Property and complete the Project;

5.1.2.2 to supervise and direct all aspects of the Project, including but not limited to entitlement, management, leasing, development, construction, and marketing of the Property, and hiring, supervising, and replacing all personnel necessary to complete the Project, including general contractors, construction managers,

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first above written.

COMPANY:

By:_____
James Daly, its Manager

MANAGER:

_____
Jim Daly

MEMBER:

DALY PARTNERS, LLC

By:_____
Jim Daly, its Manager

MEMBER/INVESTOR:

By:_____
Paul L. Wyckoff

Unofficial Document

20131205001414
OLD REPUBLIC T WD 77.00
PAGE-001 OF 006
12/05/2013 14:22
KING COUNTY, WA

When recorded return to:

Inhabit Eastlake LLC
1101 N. Northlake Way #106
Seattle, WA 98103

E2644094
12/05/2013 14:21
KING COUNTY, WA
TAX $78,325.00
SALE $4,400,000.00
PAGE-001 OF 001

STATUTORY WARRANTY DEED

THE GRANTOR(S) Allen Russak as his separate estate and Richard I. Green as his separate estate

for and in consideration of $10.00 and good and other valuable considerations

in hand paid, conveys, and warrants to Inhabit Eastlake LLC, a Washington limited liability company

the following described real estate, situated in the County of King, State of Washington:

See "Exhibit "A attached hereto and made a part hereof. OLD REPUBLIC TITLE, LTD 6177

Subject to Exhibit "B" attached hereto and made a part hereof. 17-13929

Abbreviated Legal: Portion of Government Lot 5, Section 20, Township 25 North, Range 4 East, W.M.; Lots 1 through 4, Block 3 Hilton Addition to the City of Seattle; and portion Block 61, Lake Union Shore Lands.

Tax Parcel Number(s): 336390012502, 202504903909, 202504903800, 408880264507

Dated: December 2, 2013

Allen Russak

Richard I. Green

State of Washington
County of King

I certify that I know or have satisfactory evidence that Allen Russak (is/are) the person(s) who appeared before me, and said person(s) acknowledge that (he/she/they) signed this instrument and acknowledged it to be (his/her/their) free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: December 4, 2013

Notary Public in and for the State of Washington

My appointment expires: 8-1-14

ARIE HOFFMAN
NOTARY PUBLIC
COMMISSION EXPIRES 08-01-14
STATE OF WASHINGTON

LPB 10-05

State of Washington
County of KING

I certify that I know or have satisfactory evidence that Richard I. Green (is/are) the person(s) who appeared before me, and said person(s) acknowledge that (he/she/they) signed this instrument and acknowledged it to be (his/her/their) free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: Dec. 4, 2013

Sandra J. Ullom
Notary Public in and for the State of Washington

My appointment expires: 2/13/16

SANDRA J. ULLOM
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
02-13-16

Unofficial Document

Unofficial Document

ORDER NO. : 5217013929-5

LEGAL DESCRIPTION EXHIBIT

The land referred to is situated in the County of King, City of Seattle, State of Washington, and is described as follows:

PARCEL A:

That portion of Government Lot 5, Section 20, Township 25 North, Range 4 East, W.M., in King County, Washington, described as follows:

Commencing North 61°43'43" West, 65.0 feet from a point 585.12 feet West of Southeast corner of said Government Lot 5;
THENCE North 61°43'43" West, 106.6 feet;
THENCE South 28°16'17" West, 61.25 feet to the shore of Lake Union, being the Northeasterly boundary of Block 61, Lake Union Shore Lands, according to the unrecorded plat thereof;
THENCE Southeasterly, along said Shore Line, 13.4 feet;
THENCE North 85°02'27" East, 111.7 feet to the True Point of Beginning;

TOGETHER WITH the vacated Southwesterly 15 feet in width of Yale Place North, now Yale Place East, adjoining the above described premises, which portion of Yale Place North was vacated by Ordinance No. 52992, of the City of Seattle.

PARCEL B:

That portion of Block 61, Lake Union Shore Lands, in King County, Washington, described as follows:

Commencing at a point of the South line of said Block 78.292 feet East of the Southwest corner of said Block, said Point being the Southeast corner of that certain tract of land conveyed to Design Services by Deed recorded under Recording No. 5620480;
THENCE East, along said South line, 17.274 feet;
THENCE North 40°58'5.5" East, to the shore line;
THENCE Northwesterly, along said shore line, to a point North 40°58'5.5" East of the Point of Beginning;
THENCE South 40°58'5.5" West, to the Point of Beginning.

PARCEL C:

That portion of Government Lot 5 in Section 20, Township 25 North, Range 4 East, W.M., in King County, Washington, described as follows:

Commencing 585.12 feet West of the Southeast corner of said Government Lot 5;
THENCE North 61°43'43" West, 65.00 feet;
THENCE South 85°02'27" West, 111.7 feet more or less, to the shore of Lake Union, being the Northeasterly line, Block 61, Lake Union Shore Lands;
THENCE Southeasterly along, said Line, to a point West of the Point of Beginning;
THENCE East, 129 feet, more or less, to the Point of Beginning;

TOGETHER WITH the vacated Southwesterly 15 feet in width of Yale Place North adjoining.

Parcel D:

Lots 1, 2, 3 and 4, Block 3, Hilton Addition to the City of Seattle, according to the plat thereof recorded in Volume 3 of Plats, page(s) 157, records of King County, Washington;

EXCEPT any portion within Lake Union Shore Lands.

ALL SITUATE in the County of King, State of Washington

ABBREVIATED LEGAL

Portion of Government Lot 5, Section 20, Township 25 North, Range 4 East, W.M.; Lots 1 through 4, Block 3, Hilton Addition to the City of Seattle, and portion Block 61, Lake Union Shore Lands.

Tax Account No. 202504-9039-09, 408880-2645-07, 202504-9038-00 and 338390-0125-02

Unofficial Document

Exhibit "B"

1. Terms and provisions as contained in an instrument, Entitled : Deed Executed By : State of Washington Recorded : May 21, 1910 in Book 755 of Official Records, Page 80-81 under recording Number 684340 Which, among other things, provides: Reserving to the grantor all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same, and providing that such rights shall not be exercised until provision has been made for full payment of all damages sustained by reason of such entry. Right of the State of Washington or its successors, subject to payment of compensation therefore, to acquire rights of way for private railroads, skid roads, flumes, canals, water courses or other easements for transporting and moving timber, stone, minerals and other products from this and other property, as reserved in Deed referred to above. No examination has been made as to the present ownership or encumbrances of the reserved mineral estate. Said matters affect Parcel B
2. Any private easements/rights in favor of the owners of other lots within the subdivision, which the herein described property is a part of, lying within the former lines of vacated streets and alleys. Said matters affect Parcels A and C
3. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following Instrument: Notice of Side Sewer Easement For: Side sewer Recorded: April 5, 1933 in Official Records under Recording Number 2754522 Affects: 4 feet in width along the line as constructed within Parcel D Liens and charges for upkeep and maintenance as provided in the above mentioned Instrument.
4. Terms and provisions as contained in an instrument, Entitled : Record of Survey Recorded : May 9, 1985 in Book 44 of Official Records, Page 178 under Recording Number 8505099001 The above referenced survey delineates, among other things, the following matters: Parking stalls that appear to be appurtenant to the property herein described are located within East Howe St, adjoining on the North; A Planter, which appears to be appurtenant to the property herein described are located within East Howe St, adjoining on the North; A Driveway, which appears to be appurtenant to the property herein described are located within East Howe St, adjoining on the North; A 6" high extruded curb encroaches onto the Westerly adjacent property; The Southwesterly portion of the building encroaches onto the Westerly adjacent property; Planters appurtenant to the property herein described encroach onto the Westerly adjacent property; Parking stalls within the Southwesterly portion of the property encroaches onto the Westerly adjacent property; A building appurtenant to the Southerly adjacent property encroaches onto the Southerly portion of the property herein described.
5. Matters as contained or referred to in an instrument, Entitled : Survey Recorded : March 26, 1986 in Official Records under Recording Number 8603269004 Which Among Other Things Provides : Sub Lease Area, Recording No. 7408080572 Covenants, conditions, restrictions, easements, provisions dedications and matters delineated or disclosed by the plat of Hilton Addition to the City of Seattle; Refer to the plat for full particulars; Said Plat recorded July 17, 1889 in Volume 3 of Plats, Page 157 under Recording Number 35047. Affects Parcel D
6. Matters disclosed by off-record Survey, made by Bush, Roed & Hitchings, Inc., dated April 2013, last revised November 27, 2013, under Job No. 2013048, including, but not

limited to the following matters: a) Fence line along South and Southwesterly line of Parcel D does not represent lot line; b) Sign appurtenant to Parcel D appears to encroach into right-of-way of Eastlake Avenue East; c) Unrecorded easement for Telephone conduit across Parcels A and C, for the benefit of Parcel D; d) Unrecorded easement for Electrical conduit across Parcels A and C, for the benefit of Parcel D; e) Unrecorded easement for Storm Sewer service drain, across Southerly portion of Parcel D; and f) Rockery along Southwesterly line of Parcel A straddles either side of lot line along portion of line, g) Legal description measured on Survey for Parcels A, B and C, does not coincide with distances and/or calls recited in legal description of Exhibit A herein.

End of Exhibit "B"

Unofficial Document

IRS.gov

EIN Assistant

Your Progress: 1. Identity 2. Authenticate 3. Addresses 4. Details **5. EIN Confirmation**

Congratulations! The EIN has been successfully assigned.

EIN Assigned: **46-1787483**

Legal Name: **INHABIT EASTLAKE LLC**

The confirmation letter will be mailed to the applicant. This letter will be the applicant's official IRS notice and will contain important information regarding the EIN. Allow up to 4 weeks for the letter to arrive by mail.

We strongly recommend you print this page for your records.

Click "Continue" to get additional information about using the new EIN. Continue >>

Help Topics

Can the EIN be used before the confirmation letter is received?

IRS.gov

EIN Assistant

Your Progress: 1. Identity 2. Authenticate 3. Addresses 4. Details **5. EIN Confirmation**

Summary of your information

Please review the information you are about to submit. If any of the information below is incorrect, you will need to start a new application.

Click the "Submit" button at the bottom of the page to receive your EIN.

Help Topics

What is Form 1128?

Organization Type: LLC

LLC Information

Legal name:	INHABIT EASTLAKE LLC
County:	KING
State/Territory:	WA
Start date:	JANUARY 2013
Closing month of accounting year:	DECEMBER (The closing month of the accounting year is defaulted to December due to your organization type. To change your closing month of accounting year, complete Form 1128.)
State/Territory where articles of organization are (or will be) filed:	WA

Addresses

Physical Location:	1101 N NORTHLAKE WAY STE 106 SEATTLE WA 98103
Phone Number:	206-816-3339
TPD Name:	DEANNA SEAGO
TPD Address:	524 2ND AVE STE 500 SEATTLE WA 98104
TPD Phone Number:	206-254-4470

Responsible Party

Name:	JAMES DALY MBR
SSN/ITIN:	XXX-XX-9703

Principal Business Activity

What your business/organization does:	REAL ESTATE
Principal products/services:	INVESTMENT IN REAL PROPERTY

Additional LLC Information

Owns a 55,000 pounds or greater highway motor vehicle:	NO
Involves gambling/wagering:	NO
Involves alcohol, tobacco or firearms:	NO
Files Form 720 (Quarterly Federal Excise Tax Return):	NO
Has employees who receive Forms W-2:	NO
Reason for Applying:	STARTED A NEW BUSINESS

We strongly recommend you print this summary page for your records as this will be your only copy of the application. You will not be able to return to this page after you click the "Submit" button.

Click "Submit" to send your request and receive your EIN. Submit

Once you submit, please wait while your application is being processed. It can take up to two minutes for your application to be processed.

City of Seattle

Department of Planning & Development
D. M. Sugimura, Director

EARLY DESIGN GUIDANCE OF THE
EAST DESIGN REVIEW BOARD

Project Number:	3014468 / 3015480
Address:	1823 Eastlake Avenue East & 1903 Yale Place East
Applicant:	Jim Daly
Date of Meeting:	Wednesday, July 24, 2013
Board Members Present:	Ric Cochrane Dan Foltz Natalie Gualy Christina Orr-Cahall
Board Members Absent:	Dawn Bushnaq (recused)
DPD Staff Present:	Bruce Rips

SITE & VICINITY

Site Zone:	Commercial One with a 40' height limit (C1 40). The site is located at the south end of the Eastlake Residential Urban Village.
Zoning Pattern:	C1 zoning extends several blocks south toward E. Galer St. and north along Eastlake Ave E. until E. Newton St. where the zoning transitions to multi-family Lowrise (LR) and Neighborhood Commercial (NC) classifications. The LR zones lie on both sides of elevated I-5. To the west, the C1 zoning gives way to the General Industrial One (IG1 U/40) zone.

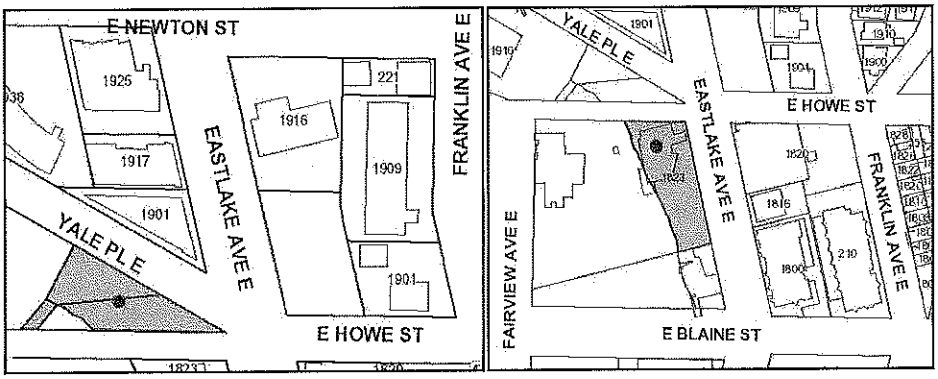
Lot Area:	Eastlake site: 17,400 square feet with approximately 200 linear feet of frontage on Eastlake. Yale site: 10,020 square feet with approximately 200 linear feet of frontage on Yale Pl.
Current Development:	A restaurant and surface parking occupy the two sites
Access:	Eastlake Ave E. and the unimproved E. Howe St. form the borders for the site at 1823 Eastlake Ave. Yale Place E. and the unimproved E. Howe form two sides of the triangular shaped site at 1903 Yale Place E. Eastlake Ave E is an arterial with frequent transit and heavy vehicular traffic. If improved, E. Howe St. would serve as a link in connecting Lake Union with the E. Howe Street hillclimb which runs from the base of Colonnade Park east of the site to 10th Ave on Capitol Hill. Fairview Ave E. which does not have direct access to the site is also known as the Cheshiahud Lake Union Loop---a car/bike/pedestrian loop around Lake Union that provides public access to the lake and connects the lakefront parks.
Surrounding Development & Neighborhood Character:	North and east on Eastlake Ave are three-story residential and commercial structures (KIRO TV, Lake Union Terrace apartments, Arts Conservation Service, Abbey Park apartments, and the Villa Capri apartments. South/southwest of the site, the remainder of the block is currently undeveloped. A master use permit application (MUP) under DPD review for the adjacent site to the west at 1818 Fairview Ave E. is for a four-story biotech building. South on Eastlake the buildings are larger scaled biotech and mixed use buildings. Hart Crowser, WCI Voice and Data Service have offices situated between Yale Place, Fairview Ave E and E. Newton St.
ECAs:	Portions of the Yale Place site have a mapped steeped slope area. Most of both sites lie within a liquefaction zone.

PROJECT DESCRIPTION

Eastlake Ave site: The applicant proposes to build a four-story mixed use building with eight live/work units and 50 residential units with a below grade parking garage.

Yale Place site: The applicant proposes a four-story structure with four live/work units, a small commercial space and 30 residential units with a below grade parking garage.

A subterranean vacation of East Howe St. is proposed to enable a continuous below-grade garage.



DESIGN DEVELOPMENT

The architect presented three concept alternatives or partis know as the "L" scheme, the "W" scheme and the "E" scheme due to the shape of their footprints. The three options arrange a series of live/work units at or near grade and a small commercial space near the intersection of Yale Place E. and E. Howe St. Each option responds to the existing (and future) larger scale buildings to the west and south, to the irregular-shaped sites on both sides of unimproved Howe St. and the heavily trafficked Eastlake corridor. The rhythmic pattern of small buildings form "L" shapes with a series of street facing courtyards facing Eastlake with open, single loaded corridors linking the structures and defining the courtyard elevations. As in all of the schemes, Howe St would be improved to create a park-like setting between the two development sites that would also serve as a corridor linking the Capitol Hill and Eastlake communities with Lake Union. Residential units in the "L" shaped scheme would look inward to the courtyards or to the rear toward the future research building.

The "W" scheme forms courtyards facing both Eastlake and the future research lab to the west. Open stacked walkways thread through the southern site connecting the upper level residential units along a north/south axis. In plan, the courtyards form truncated triangles that open wider to the street and the west property line. On the northern site, which does not form a "W", the circulation runs east/west to connect the units. The inverse "E" scheme forms two walls fronting Eastlake Ave and Yale Pl. with portals at grade connecting to a series of courtyards facing the west. This scheme's four wings in the east/west direction form three courtyards on the southern site. The majority of units would face either Eastlake Ave or the courtyards. The same theme carries through to the northern development site although due to the parcel's shape the eastern edge of the structure responds to the triangular plan condition.

All three strategies attempt to mediate between the larger structures to the west and the south and the finer grain development that occurs to the north along the Eastlake corridor. This includes recognition of the future large research lab building in which the subject proposal appears to be nestled within.

The applicant outlined several approaches to providing access to a below-grade garage. The preferred scheme requires a subterranean vacation of E. Howe St. to enable a continuous garage underneath the separate development sites. Maximizing the number of parking stalls, providing more efficient construction and allowing for a single point of access on Yale Place East rather than Eastlake Ave represent the key benefits to the applicant. A request for a below-grade vacation of E. Howe would likely require a public benefit in the improvement at grade of the E. Howe right of way. The other access alternatives would have separate garages accessed from Eastlake and Yale Pl.

PUBLIC COMMENT

Ten members of the public attended this Early Design Review meeting. Two speakers supported the project and praised the Howe St. right of way improvement for a pedestrian connection. Another participant observed that each of the three schemes would entirely block the view from the apartments across the street.

DPD received two letters addressing the proposals. In one letter, the author supported the "E" scheme and the below-grade street vacation. The other letter discussed microwave lengths and the potential impacts of a taller structure on radio stations in the area.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the Design Review website.

A. Site Planning

A-1 **Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

A-3 **Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.**

The information provided did not elucidate the location of entrances. By the Recommendation meeting, the locations of the multiple entrances will need to be clearly delineated on the plans and elevations.

A-4 **Human Activity. New development should be sited and designed to encourage human activity on the street.**

The Board urged DPD and the applicant to work with SDOT to augment the crosswalk to ensure improved pedestrian safety.

A-5 **Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.**

A-6 **Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

Give careful design attention to the relationship of the buildings and the streetscapes. On Eastlake this has historically been a challenge.

A-7 **Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.**

Provide quality designs for the courtyards as this will be an important consideration at the Recommendation meeting. Their designs should exceed mere formal characteristics and strive to create outdoor living rooms for the residents.

A-8 **Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.**

Affirming this guideline, the Board endorsed the one point of vehicular access on Yale Pl. To achieve this entails the approval of the subterranean vacation of E. Howe St.

A-10 **Corner Lots. Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.**

B. Height, Bulk and Scale

B-1 **Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.**

A notable achievement of the three schemes is how intelligently they mediate between the current and future large buildings south (and west) of the site and the smaller structures north on the Eastlake corridor.

C. Architectural Elements and Materials

C-1 **<u>Architectural Context</u>. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

By exposing the stairs and walkways to the upper units, the architect suggests that the design will relate to the mid-century modern structures of the Cortina, Villa Capri and Willis apartment buildings.

C-2 **<u>Architectural Concept and Consistency</u>. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

The Board found the three schemes compelling and site appropriate. Discussion primarily focused on the "E" and "L" options. Only the communication of privacy by the portals in the "E" scheme raised questions. The gates at the portals to the courtyards should not read as barriers between the rights of and the courtyards. If the applicant pursues the "E" schemes with its portals, provide drawings that depict views of the portals from both the street and from within the courtyards.

C-3 **<u>Human Scale</u>. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.**

C-4 **<u>Exterior Finish Materials</u>. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

By MUP application, the architect will have introduced colors and materials. Bring a materials board to the Recommendation meeting.

C-5 **<u>Structured Parking Entrances</u>. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.**

The Board preferred the one entry on Yale Place in order to avoid placing a curb cut on Eastlake Ave.

D. Pedestrian Environment

D-1 **<u>Pedestrian Open Spaces and Entrances</u>. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**

At the EDG meeting, the relationship of open spaces and entries was not entirely clear. The courtyards provide an opportunity to create small, social spaces for the residents.

D-6 **Screening of Dumpsters, Utilities, and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.**

The Board expects the delineation of back of house areas and an explanation of where solid waste will be stored on pick-up days.

D-7 **Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

D-9 **Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.**

By the Recommendation meeting, develop a concept signage plan for the live/work units and the commercial space.

D-12 **Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.**

E. Landscaping

E-1 **Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.**

The Board endorsed the intention to produce a Howe St. public amenity. Attributes of this public amenity should include openness to the community and robust landscaping. Due to its location sandwiched between the two development sites, the Howe St. park should not read as another courtyard for the project or in any way as a private garden between the two mostly residential structures. The design ought to have large trees and a stormwater detention system.

E-2 **Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.**

In each of the three options, the courtyards have a presence on Eastlake Ave. The extent of porosity or openness of the courtyards is an important consideration. Design the network of courtyards to create special settings for the residents.

E-3 **<u>Landscape Design to Address Special Site Conditions</u>. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.**

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) will be based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the Early Design Guidance meeting, the applicant had not outlined any departure requests.

BOARD DIRECTION

At the conclusion of the EDG meeting, the Board recommended the project should move forwards to MUP Application in response to the guidance provided at this meeting.

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1823 EASTLAKE AVE E MIXED USE
1903 YALE PLACE E MIXED USE
EARLY DESIGN GUIDANCE PACKET

EDG MEETING JULY 24, 2013

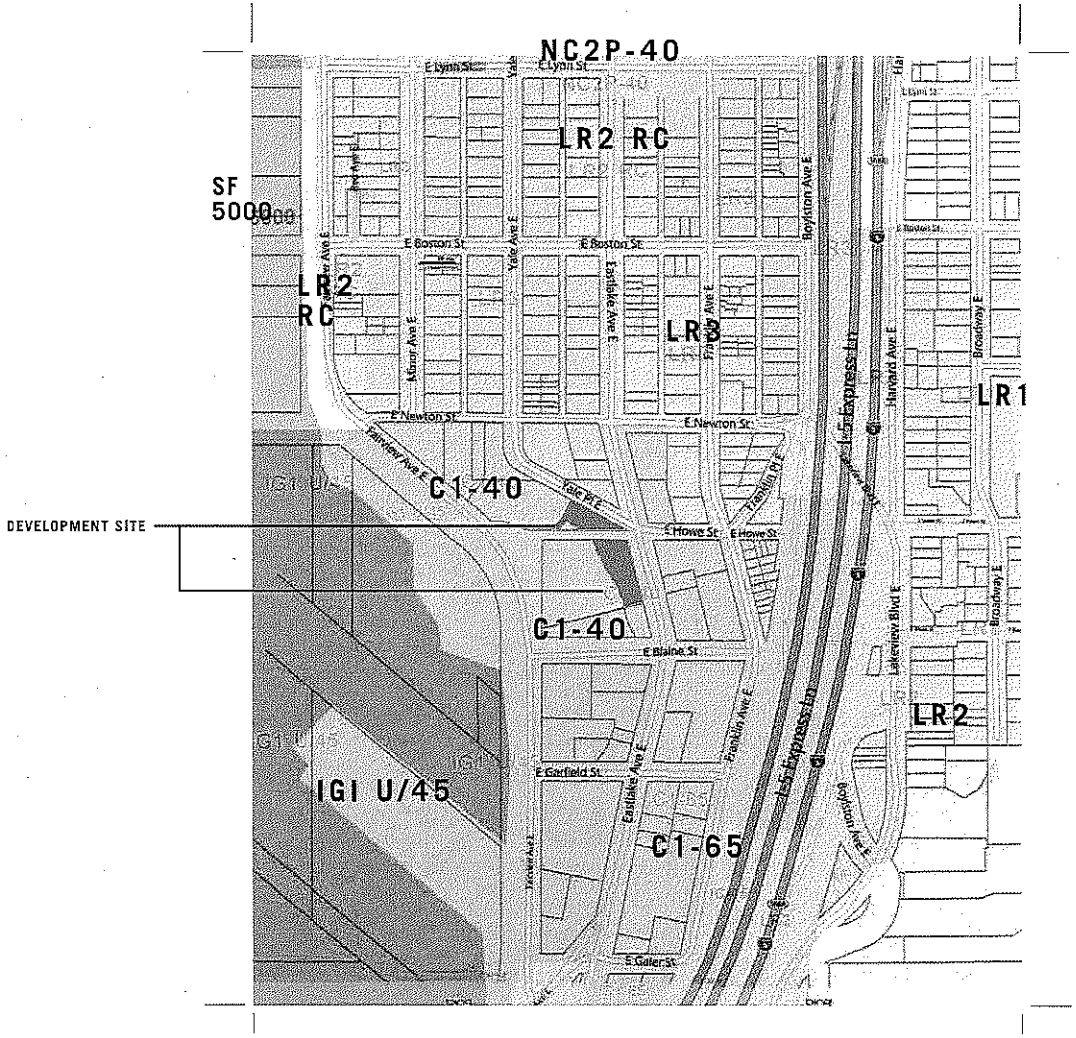
PROJECT TEAM

Owner

Daly Partners LLC
1101 N. Northlake Way, Suite 106
Seattle WA, 98103
Contact: Jim Daly, Manager

Architect

Bushnaq Studio, LLC
3210 Beacon Avenue S Suite 130
Seattle, WA 98144
Phone: 206-963-6306
Contact: Dawn Bushnaq



Zoning map

PROJECT DESCRIPTION

Project Site

The proposed project is located at the intersection of Eastlake Avenue E and Yale Place E. DPD views the project as two separate development sites that can be reviewed through a combined Design Review Board process.

Yale Development Site ❶: 10,020 SF site with approximately 200 linear feet of frontage along Yale. Address is 1903 Yale Place E.

Eastlake Development Site ❷: 17,400 SF site with approximately 200 linear feet of frontage on Eastlake. Address is 1823 Eastlake Avenue E.

Unimproved Howe Street ROW ❸: The unimproved ROW bisects the Yale and Eastlake development sites. The unimproved portion of ROW extends from Eastlake Ave E to Fairview Ave E.

Existing Conditions

The sites are currently occupied by a single story restaurant structure and a surface parking lot. The restaurant structure and parking lot will be demolished as part of the proposed project.

The restaurant structure was built in 1933. The applicant received preliminary confirmation from the Department of Neighborhoods that the existing structure is not historically significant. The applicant will confirm this as part of the SEPA process.

Zoning Summary

The sites are zoned C1-40/Eastlake Residential Urban Village.

Maximum height limit is 44' with 13' floor to floor height at commercial/live-work units. Live-work units are permitted outright.

Residential use is not restricted on either the Eastlake or Yale because neither are pedestrian designated zones

Parking is not required.

Project Goals

Redevelop the unimproved E Howe Street Right-of-Way (ROW) as public park that extends the pedestrian path from the Howe Street Hillclimb west toward Lake Union.

Develop a pedestrian oriented mixed use project around the future E Howe Street Park that supports vibrant small scale commercial activity at street level and provides maximum light, air and open space to each residential unit.

Development Objectives

At both sites, the proposed projects are four-story (44') mixed-use buildings with live-work units at street level and apartments at rear courtyards and on levels 2–4.

Yale Development Site ❶: 1 dedicated commercial space and 2 live-work units on Level 1 (±3000 SF); ±35 apartments on Levels 1–4.

Eastlake Development Site ❷: ±5 live-work units on Level 1 (±6000 SF); ±56 apartments on Levels 1–4.

Combined Parking: single level of subterranean parking to provide ±64 parking spaces. Below grade street vacation is required (see page 34).

E Howe Street ROW ❸: convert the unimproved E Howe Street Right-of-Way (ROW) into public open space.

In terms of the proposed project, the E Howe Street ROW consists of two parts. Portions of the ROW between the Eastlake and Yale development sites are the applicant's responsibility to improve (opaque white on diagram). The translucent white portions represent portions of the ROW that are under the purview of adjacent property owners.

The applicant team is working with adjacent property owners and neighborhood members to develop a cohesive design approach to the entire ROW. (See page 35 for more on the ROW development).

Aerial photo of project site and vicinity

AERIAL PHOTO — DESIGN CONTEXT

The project is located at the south end of the Eastlake Residential Urban Village. The urban fabric maps closely to current zoning heights. North of site, building heights are primarily 2–3 stories; at the project site, they are 3–4 stories, south of the site, 4–6 stories.

Eastlake Avenue E

Eastlake Avenue E is an arterial with frequent transit and heavy vehicular traffic. Eastlake is also an established scenic route and route of the future streetcar.

North and east on Eastlake Ave E are 3-story residential and commercial structures (KIRO TV, Lake Union Terrace Apartments ❶, Arts Conservation Service ❷, Abbey Park Apts, Villa Capri Apartments ❸) and a surface parking lot.

South/southwest of project site ❹, the remainder of the block is currently undeveloped. A DRB proposal for a biotech building on the adjacent site (1818 Fairview Avenue E, DPD 3012732) received DRB recommendation in September 2012.

South on Eastlake Ave E, the buildings are larger scaled biotech and mixed use buildings ❺.

Yale Place E

Yale Place E is a 2-way side street. To the northwest on Yale Place E are 3-story commercial structures (Hart Crowser ❻, WCI Voice and Data Service).

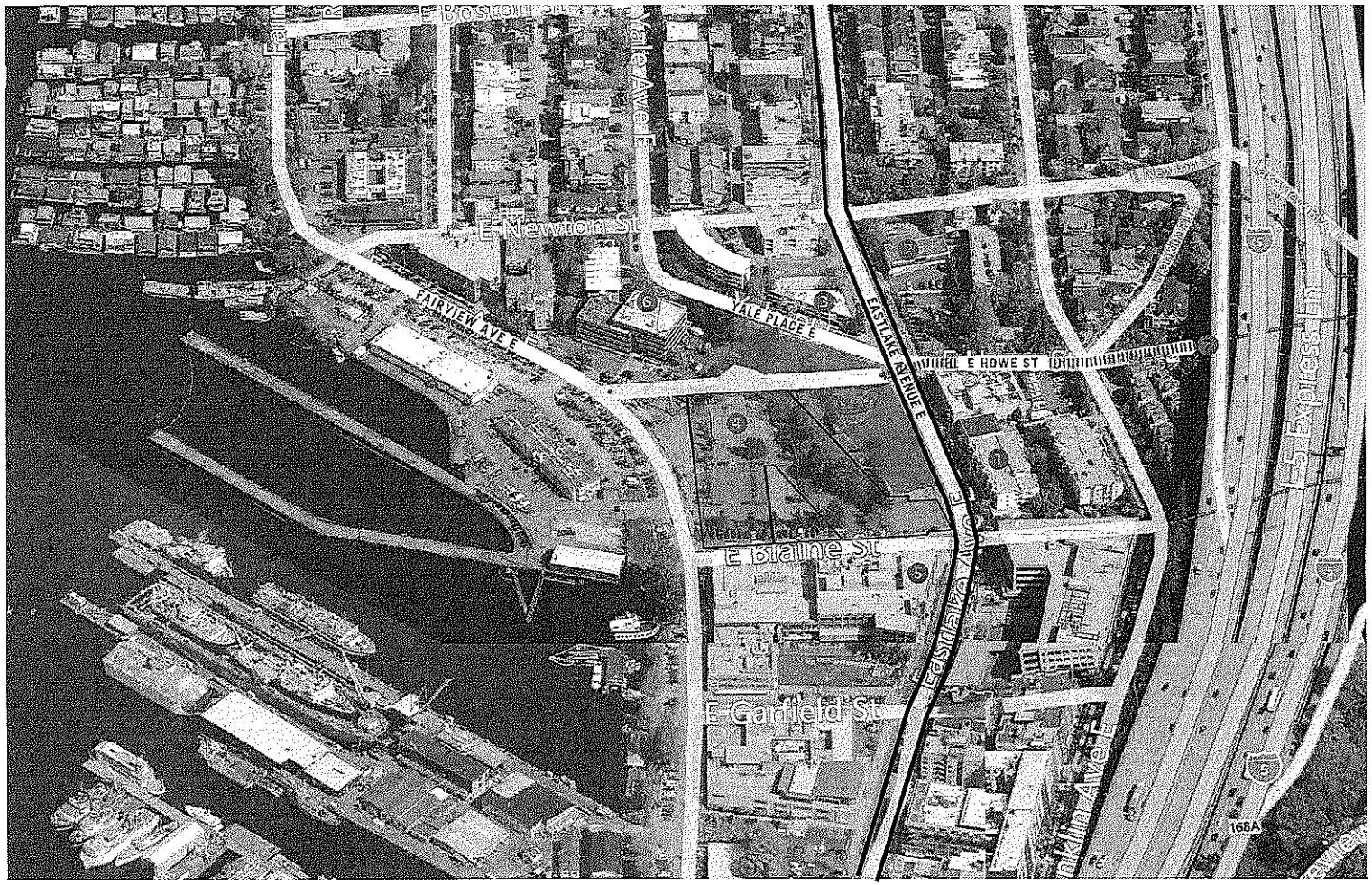
Across Yale Place E are 3 and 4-story apartments (Delta Vista Apartments, Villa Capri Apartments ❼).

Unimproved E Howe Street ROW

The unimproved E Howe Street ROW extends from Eastlake Ave E to Fairview Ave E. Currently it is used for surface parking (Don Eduardo's, Hart Crowser) and has an steep slope. If improved, it would connect Lake Union with the E Howe Street Hillclimb, which runs from 10th Avenue on Capitol Hill to the base of Colonnade Park ❽ east of the site.

Fairview Ave E

Fairview Avenue E is also called the Cheshiahud Lake Union Loop. It is a shared car/bike/pedestrian loop around Lake Union that provides public access to the lake and connects the lakefront parks.



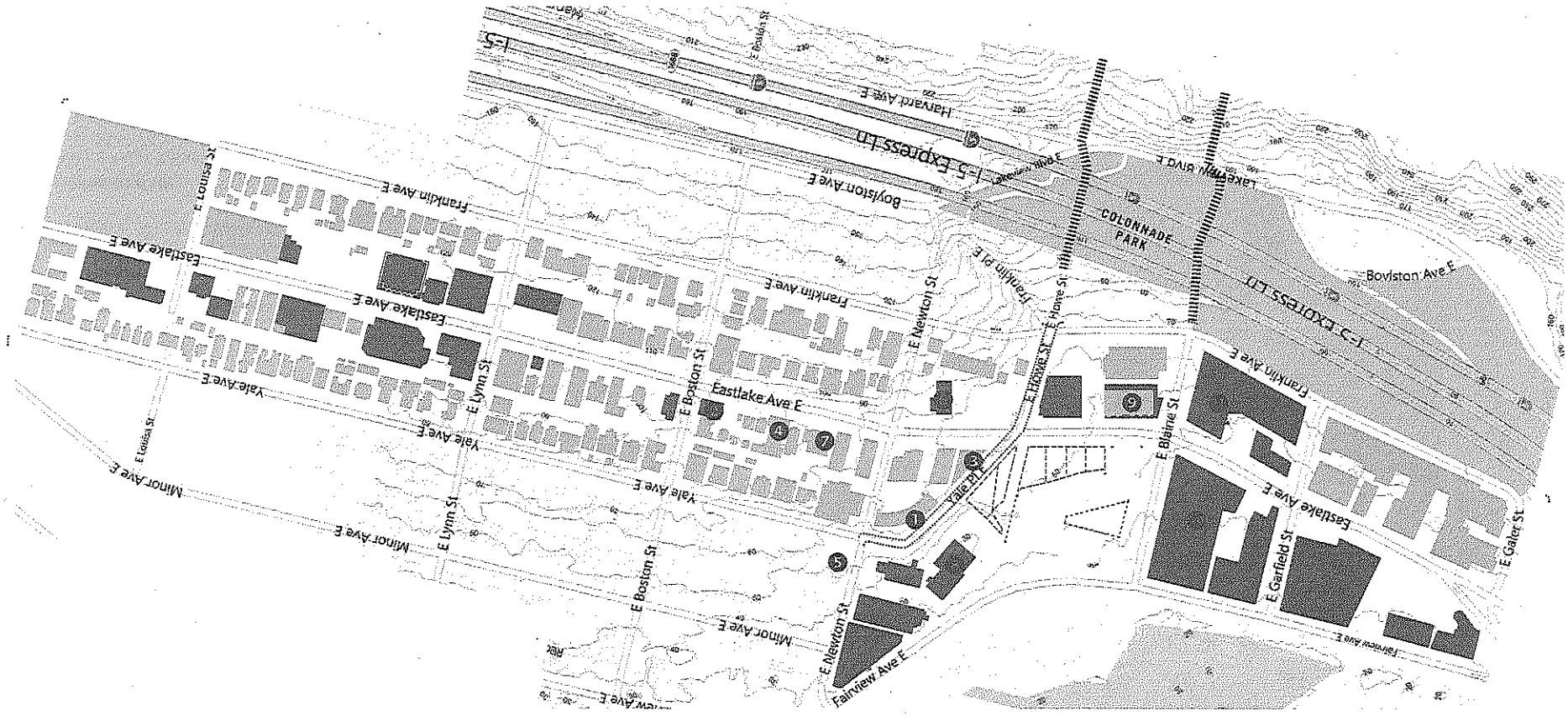
Frequent transit

Pedestrian (existing)

Pedestrian (future)

URBAN DESIGN ANALYSIS

- Residential building
- Commercial building (existing)
- Commercial building (future)
- Mixed-use building
- Proposed scheme
- E Howe Street and E Blaine Street Hillclimbs



PARCEL-BASED STRUCTURES (30–60' street fronts and 1,500–4,500 SF building footprints)

HALF/FULL BLOCK STRUCTURES (100–300' street fronts and 7,000–60,000 SF building footprints)

Analysis of site shows predominance of parcel based structures north of the site and larger half/full-block structures south of the site. Diagram also shows concentration of commercial uses at intersections.

URBAN DESIGN ANALYSIS

Design Cues/Opportunities

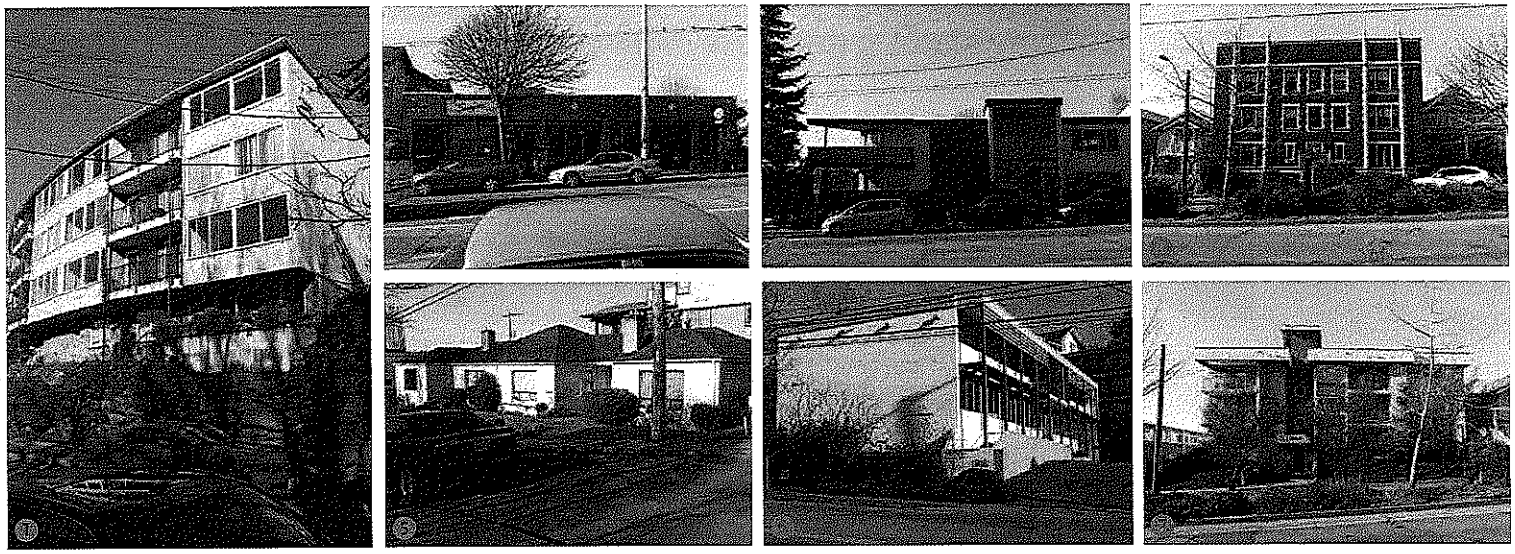
Design cues for the project derive from study of neighborhood building scale/massing, open space, use and site circulation. The project is an opportunity for a contemporary project with parcel-based massing and street level commercial nodes. It is also an opportunity to create layered street level landscaping /open space typical of many residential projects in the area and pedestrian connections in and around the site.

Granular Building Scale: The project sites are situated in a zone of transition between typical Eastlake "parcel based" structures (structures primarily on single parcels) and "half/full block structures" more characteristic of South Lake Union that start south of E Howe Street on Eastlake.

Commercial nodes: To the north of the site, Eastlake Avenue E is characterized by nodes of street level commercial at street intersections. Mid-block, between nodes, the dominant building type is residential.

Urban-scale Movement: the Howe Street Hillclimb is longest urban stairway in Seattle (388 steps). It travels from 10th Avenue on Capitol Hill to the base of Colonnade Park east of the site. The Hillclimb is heavily traveled by runners and walkers.

Architectural Style: Throughout the neighborhood, buildings reflect the era in which they were built. There are older, more traditional brick buildings alongside predominantly modern buildings from every decade.



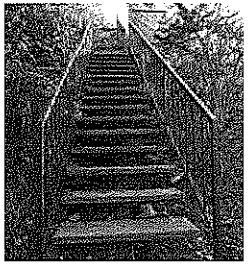
"Parcel-based" structures north of site. Includes typical examples of eclectic architecture that reflects the era in which it was designed and built.

"Half-block" structures south and west of site.

URBAN DESIGN ANALYSIS — EXTERIOR CIRCULATION ELEMENTS

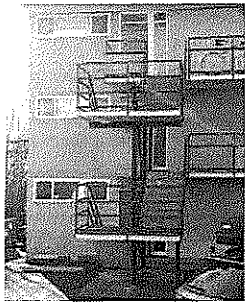
SITE STAIRS

1 Hart Crowser Steps

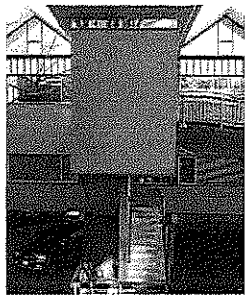


2 Site stair to Eastlake

MULTISTORY EXTERIOR VERTICAL CIRCULATION

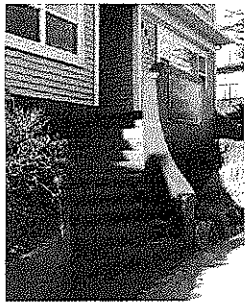


3 Villa Capri Exterior Stairs



4 WCI Parking Stair

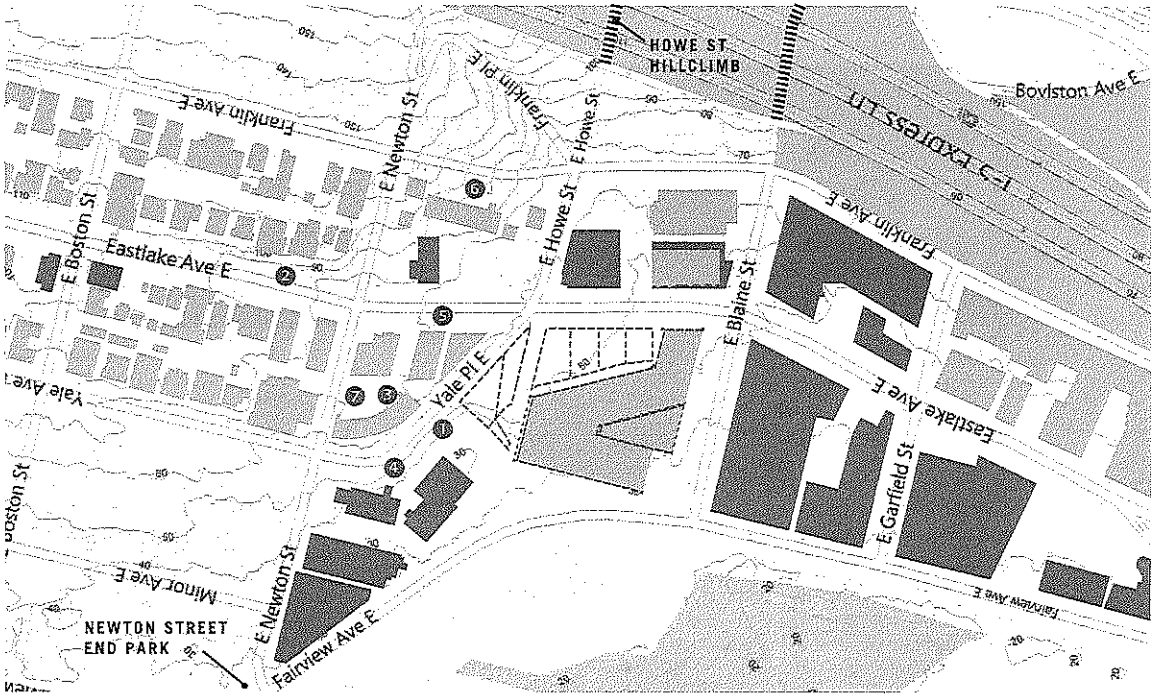
EXTERIOR TRANSITIONS BETWEEN RESIDENCE AND STREET



5 Abbey Park Apts Entry Stairs

6 Bridge Access to Willis Apts

Locations of typical exterior circulation elements.



EXTERIOR BRIDGES/HORIZONTAL CIRCULATION

8 WCI Access Ramp

7 Cortina Apts Exterior Circulation

URBAN DESIGN ANALYSIS

Design Cues/Opportunities continued

Site specific circulation/topography: Eastlake, in general, and the development sites, in particular, have complex topography which typically slopes east-west toward Lake Union.

Smaller, parcel-based structures often use of external means of circulation to navigate site slopes. Ramps, stairs, bridges are commonly used for site specific transition elements that individualize the street level experience.

Open Space/Landscaping: Colonnade Park, located under I-5 between Howe and Blaine Street stairways, is an inventive public open space in a neighborhood where open space opportunities are limited. Street end parks, the terraced Pea Patch and courtyard buildings represent similar thinking at smaller scales

Howe Street Hillclimb through Colonnade Park

Louisa Street End Park

Newton Street End Park

Eastlake Pea Patch

URBAN DESIGN ANALYSIS

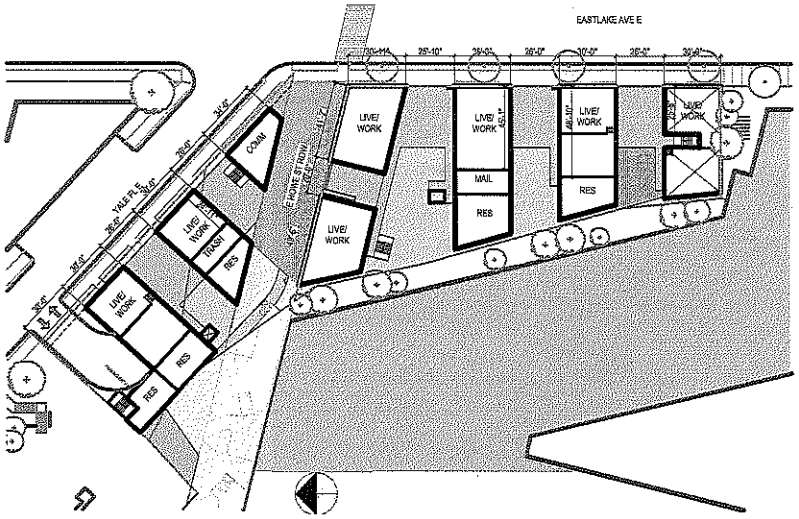
Design Constraints

Irregular site shape and topography: Parcel shapes, length of street frontages and topography are a challenge for efficient building forms that address appropriate scale, massing and street-level development.

Future building at 1818 Fairview: Eastlake development site needs to allow for light and air to all units without counting on south and west exposure. All proposed options in the packet have been developed with 1818 Fairview project in mind.

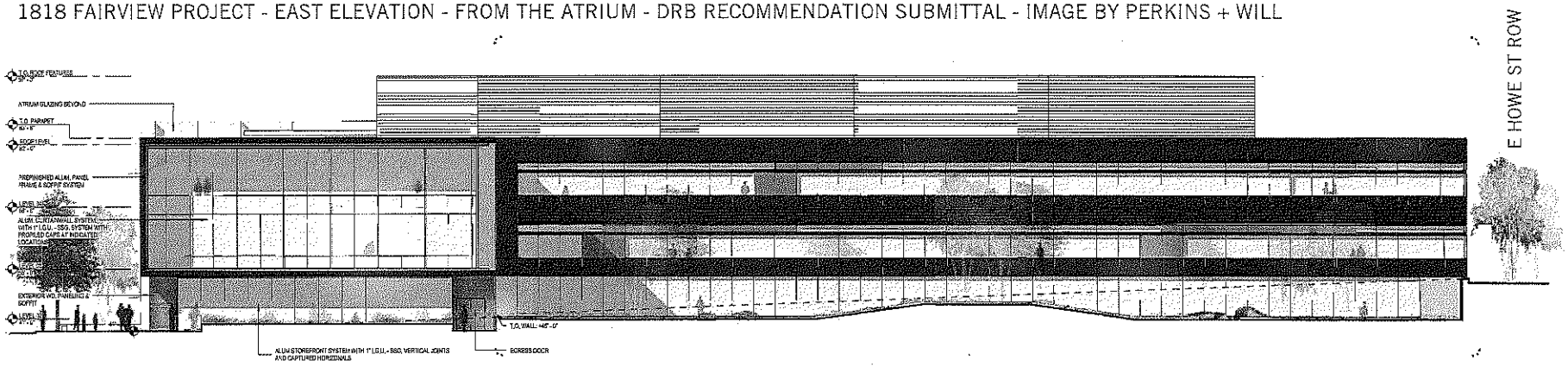
No alleys: Neither project site has an alley. Parking and services will be located to prioritize pedestrian, commercial streetscapes and future E Howe Street Park.

Power poles on Yale: massing designed around future power pole locations.



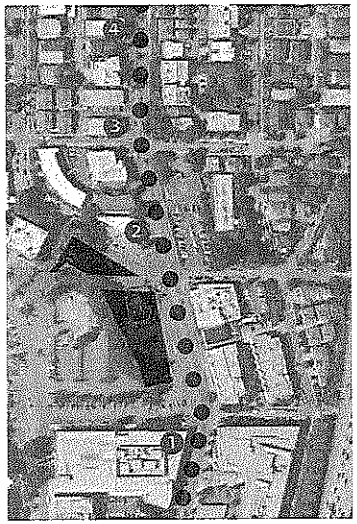
OPTION 3 - L1

1818 FAIRVIEW PROJECT - EAST ELEVATION - FROM THE ATRIUM - DRB RECOMMENDATION SUBMITTAL - IMAGE BY PERKINS + WILL



PROJECT SITE (VIEW TO WEST AFTER COMPLETION OF 1818 PROJECT)

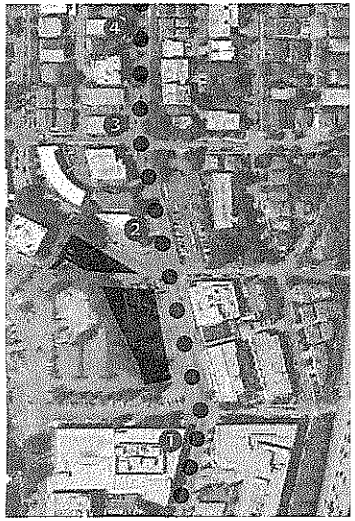
EASTLAKE AVE E STREETSCAPE

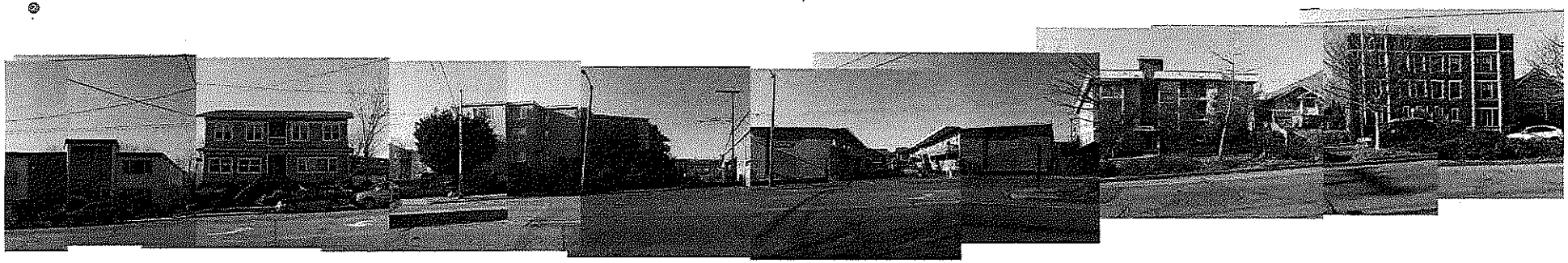


PROJECT SITE

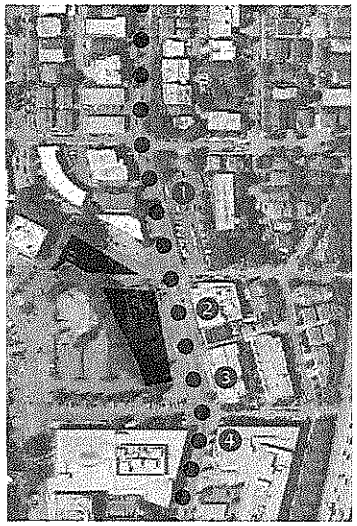
Eastlake Avenue E looking west

EASTLAKE AVE E STREETSCAPE





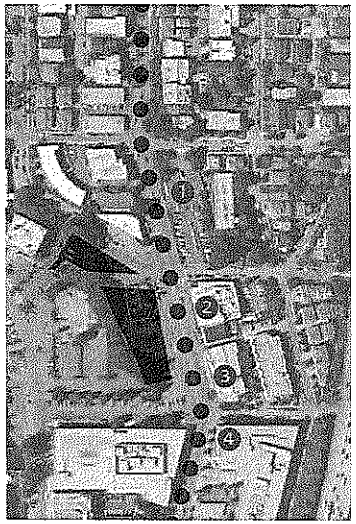
EASTLAKE AVE E STREETSCAPE



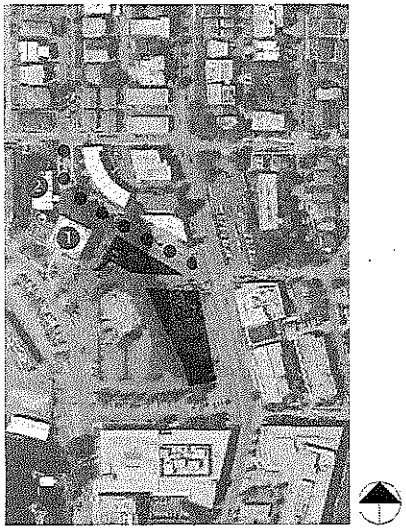
ACROSS FROM PROJECT SITE

Eastlake Avenue E looking east

EASTLAKE AVE E STREETSCAPE



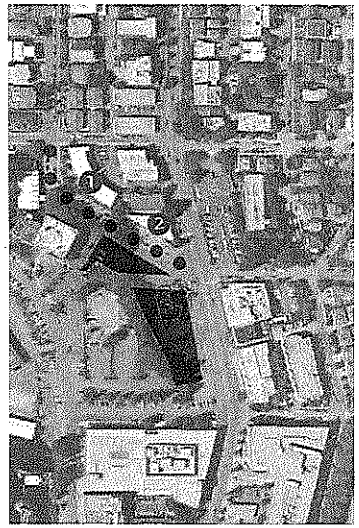
YALE PLACE E STREETSCAPES



PROJECT SITE

E Yale Place looking south

YALE PLACE E STREETSCAPES



ACROSS FROM PROJECT SITE

E Yale Place looking north

SITE ANALYSIS

The project sites and ROW are occupied by a single story restaurant and surface parking lot. The site has two ECAs: steep slope at the northwest corner of Yale site ⓖ and liquefaction on Yale site. No setbacks from the ECAs are anticipated.

Topography

The high point of the site is at the northeast site corner (±58.5' above sea level) ⓐ. The site slopes radially down 6'-11' to the west and south with the lowest elevation along Eastlake Ave E at ±48.5' ⓑ. The lowest point along Yale Pl E is ±52.5 feet ⓒ.

Eastlake Avenue E

Eastlake Ave E has 12' sidewalks ⓓ, a 50' roadway and three curbcuts along the site frontage. High voltage power lines on Eastlake Ave E are located on the opposite side of the street and will not impact the proposed buildings.

Yale Place E

Yale Place E is a 2-way side street with street parking permitted on both sides of the street. It has 9-10' sidewalks ⓔ and ±25' roadway. A 3.5' setback from the Yale property line is required. Power poles along Yale will require an additional 3-4' set back at Level 4.

Directly across from the site is a 70' curbcut for parking at the apartment across the street.

Unimproved Howe Street ROW

DPD's preliminary assessment of the sites called for 11' ROW dedication on each side of E Howe St. On a typical ROW, this dedication would be for sidewalks, etc. Since the E Howe Street is proposed as a pedestrian open space, the applicant is pursuing an exemption from this. Based on meetings with DPD/SDOT, the exception application is reasonable and a similar exception was granted to the 1818 Fairview project. This is handled through the ROW Improvement Exception Request process and does not involve departures.

Access

Current vehicular access to both sites is from curbcuts on Eastlake Ave E. Because DPD views the project as two development sites, a curb cut on both Yale and on Eastlake would be permitted outright.

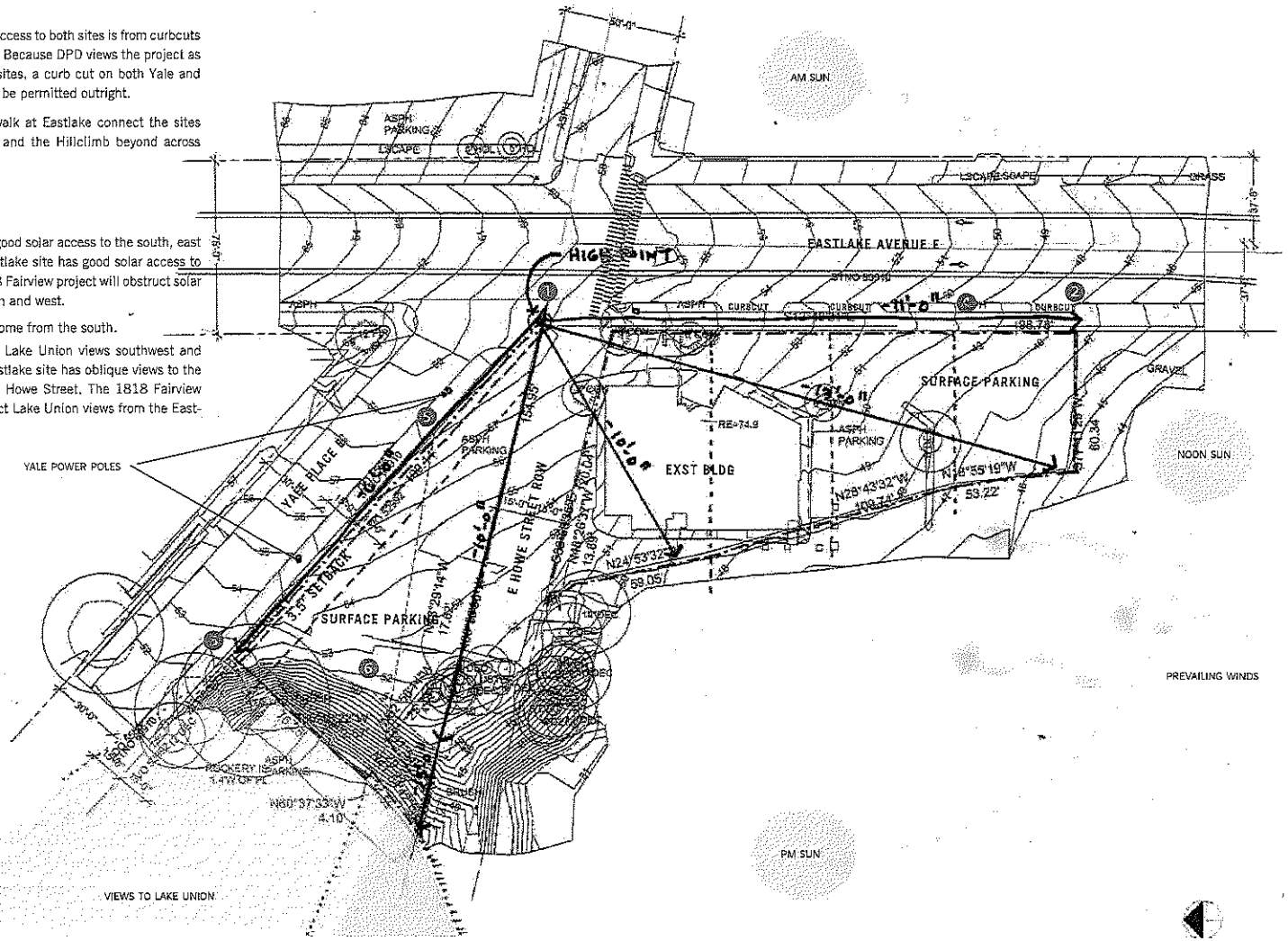
An existing crosswalk at Eastlake connect the sites to E Howe Street and the Hillclimb beyond across Eastlake Ave E.

Solar/Wind/Views

The Yale site has good solar access to the south, east and west. The Eastlake site has good solar access to the east. The 1818 Fairview project will obstruct solar access to the south and west.

Prevailing winds come from the south.

The Yale Site has Lake Union views southwest and northwest. The Eastlake site has oblique views to the northwest along E Howe Street. The 1818 Fairview project will obstruct Lake Union views from the Eastlake Site.



RESPONSE TO PRIORITY DESIGN GUIDELINES

SITE PLANNING

A1 Responding to Site Characteristics

Both development sites are irregularly shaped parcels. All proposed options involve alphabet-based diagrams to create opportunities for human scale massing and retail at street level; generous open space and landscaping; and good solar exposure, ventilation and privacy for residential units.

A2 Streetscape Compatibility

At street level, all options integrate the future E Howe Street Park and interstitial courtyards to establish a rhythm of open space and live work units that is in keeping with Eastlake's parcel based structures.

The street facing courtyards also echo the Eastlake tradition of street level landscaping between buildings and at entry courtyards.

A3 Entrances Visible from the Street

In all options, street level live-work, future E Howe Street Park and landscaped courtyards create a framework for commercial activity at the street and residential open space at grade.

Street level live work entrances will be highly transparent with entrances visible from the street. Live work units will also have direct access to landscape courtyards.

A4 Human Activity

Live work units will create opportunities for sidewalk spillover (outdoor eating, public gathering, etc.). Street level courtyards will support passive recreation and provide for layered landscape and pedestrian amenities along the streetscape.

A5 Transition Between Residence and Street

In the preferred option, the primary residential entry to each building is set back from the street in a courtyard. The path to the entrance lobby is to be a layered transition from street to residential lobby including landscaping, signage and lighting. Exterior circulation elements - stairs, ramps, elevated walkways, may also be incorporated to help with site transitions and to provide visible cues for entry.

A6 Residential Open Space

Residential open space is central to all options. The future E Howe Street Park and building courtyards define each massing scheme. The intent has been to explore opportunities for solar exposure, passive ventilation, privacy and smaller-scaled landscaped amenity space at residential units.

A10 Parking and Vehicle Access

The preferred parking option (Option 3) consists of a subterranean parking structure that is below both project sites and the future E Howe Street Park. This approach requires a below grade street vacation. Parking is not required for the project, but both the applicant team and community members have an interest in parking as part of the project. With the preferred parking option, the parking ratio is 60-65%.

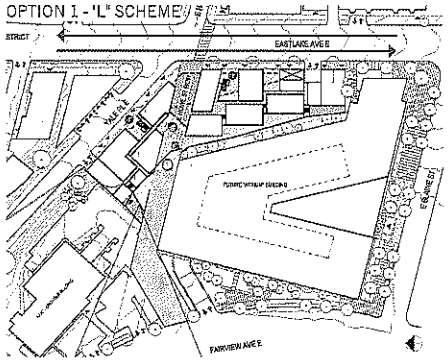
The preferred option maximizes parking quantity, minimizes automobile impacts on Eastlake and helps keep vehicular traffic away from the future E Howe Street Park.

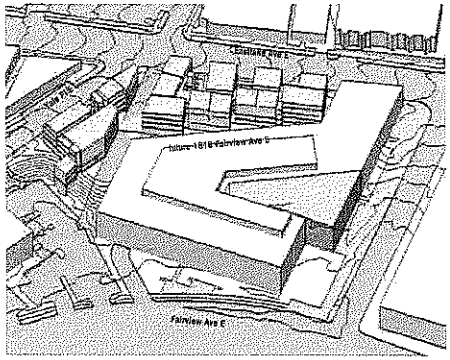
HEIGHT, BULK, SCALE

C1 Height, Bulk, and Scale Compatibility

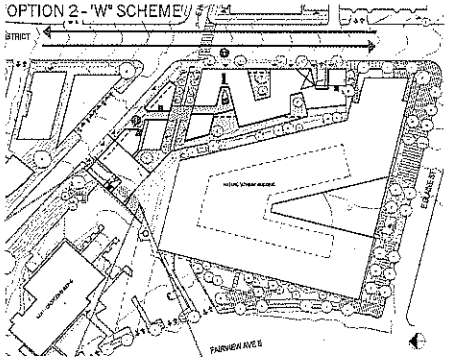
In all options, building massing and building heights step with the topography and have street level open space. Building massing is informed by parcel based scale found north on Eastlake. Building heights are in scale with current and future development.

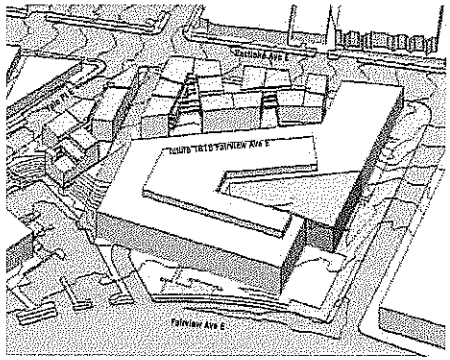
OPTION 1 - 'L' SCHEME



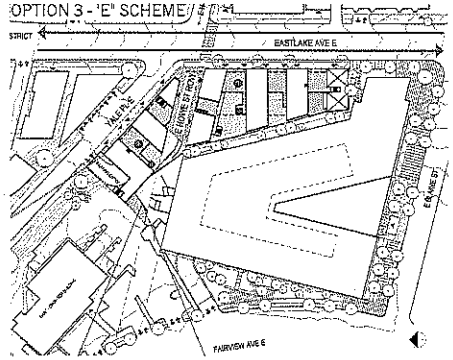


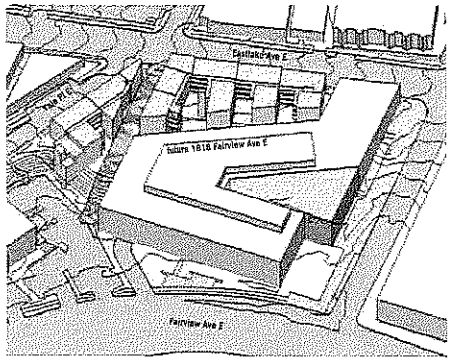
OPTION 2 - 'W' SCHEME





OPTION 3 - 'E' SCHEME





Early Design Guidance Packet DPD #3014468, # 3015480

RESPONSE TO PRIORITY DESIGN GUIDELINES

ARCHITECTURAL ELEMENTS AND MATERIALS

Architectural Concept and Consistency

The preferred option establishes a strong diagram for both development sites and the future E Howe Street Park. Further project development will focus on reinforcing and clarifying the diagram through material selection and details, exterior circulation, relationship between solid areas and windows/voids, and landscaping.

Human Scale

See C-2.

Exterior Finish Materials

See C-2.

PEDESTRIAN ENVIRONMENT

Pedestrian Open Spaces and Entrance

See A-6, A-7 and E-3.

Commercial Signage

To be addressed during Recommendation phase.

Commercial Lighting

To be addressed during Recommendation phase.

Commercial Transparency

To be addressed during Recommendation phase.

LANDSCAPING

Landscaping to Enhance the Building and/or Site

Landscaping, including Green Factor and Green Stormwater Infrastructure (GSI), will be concentrated in the future E Howe Street Park, along street frontages and in interstitial street level courtyards. Team will make use of native vegetation, habitat support, pervious pavement, green stormwater infiltration opportunities where possible.

Landscape Design to Address Special Site Conditions

The future E Howe Street Park is conceived as both path and place — a passive park and a connection between Howe Street Hillclimb and Fairview Ave E. The park is an opportunity to reclaim the ROW as a public open space. The park has potential for vegetated berms, rain garden, bioswales, other Low Impact Development techniques to be developed in conjunction with landscape architect and civil engineer. Design team also includes public artist Mike Phifer.

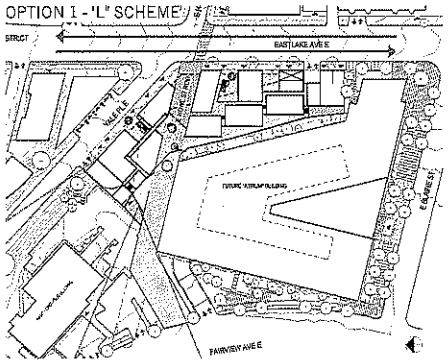
COMMUNITY

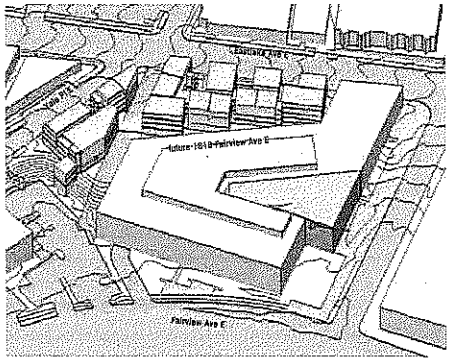
Response to the Priority Design Guidelines also reflects response to the Draft Eastlake Neighborhood Specific Design Guidelines.

The applicant team met with community members twice and together we are working to identify the future E Howe Street Park program. There has been discussion about passive recreation (spaces for reading, picnicking, etc), public gathering, urban farming, and "pop-up" activity — street food, open air market, etc.

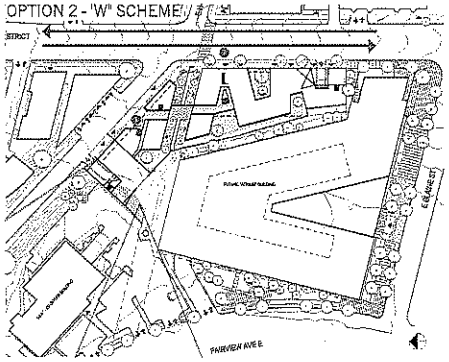
The future E Howe Street Park will involve a collaborative effort between the city, applicant team, 1818 Fairview team and community members.

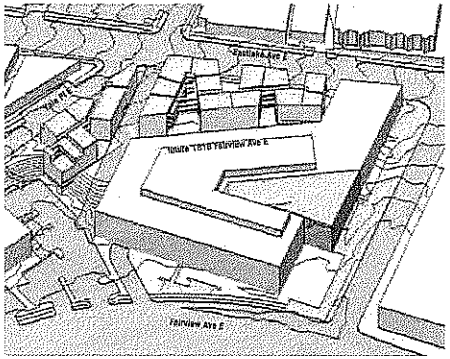
OPTION 1 - 'L' SCHEME





OPTION 2 - 'W' SCHEME





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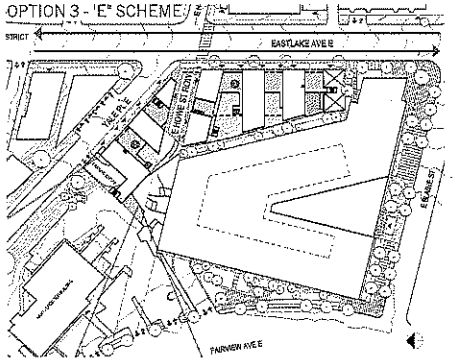
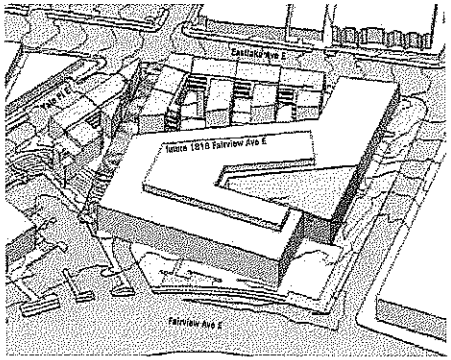




Early Design Guidance Packet DPD #3014468, # 3015480

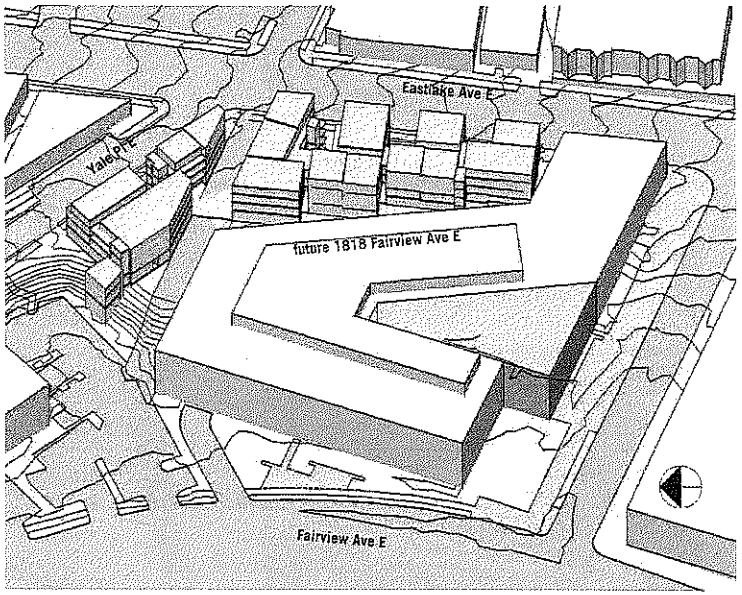
OPTION 1: "L" SCHEME

DESIGN GUIDELINES REFLECTED IN OPTION 1

- Alphabet massing responds to site conditions
- Option has small scale rhythm of open space and building massing
- Street level live work offer opportunities for active, transparent streetscape
- Live-work, ROW park, building courtyards create framework for human activity
- Courtyards allow for layered path to residential entries
- Building courtyards, park provide generous residential open space
- Massing diagram breaks down building scale
- ROW park, building courtyards provide street level pedestrian open space
- Landscape concentrated at ROW street frontage and building courtyards
- Landscaped ROW is central to project

PROJECT DATA

EASTLAKE SITE	YALE SITE
(no dedicated commercial spaces)	1 commercial space (±750 SF)
±9 live-work units (±7100 SF)	±4 live-work units (±2700 SF)
±55 residential units (±35,300 SF)	±26 residential units (±17,500 SF)
±33 below-grade parking spaces	±12 below grade parking spaces
±3700 SF ground level open space (does not include E	±1,100 SF ground level open space (does not include E
13' floor-to-floor height at live-work	13' floor-to-floor height at live-work
56,500 SF Total FAR	±30,000 SF Total FAR



Option 1 from west

PROS

Staggered "L-shaped" building elements have street-facing courtyards and single loaded corridors - opportunities for solar access, views and for passive ventilation.

Rhythm of building elements and intermediary courtyard spaces reduces scale along street front

Residential entries is visible in courtyard, close to Eastlake Ave. E.

CONS

Massing is focused at back of Eastlake site. Many units face the future 1818 Fairview project directly. This creates privacy/view issues.

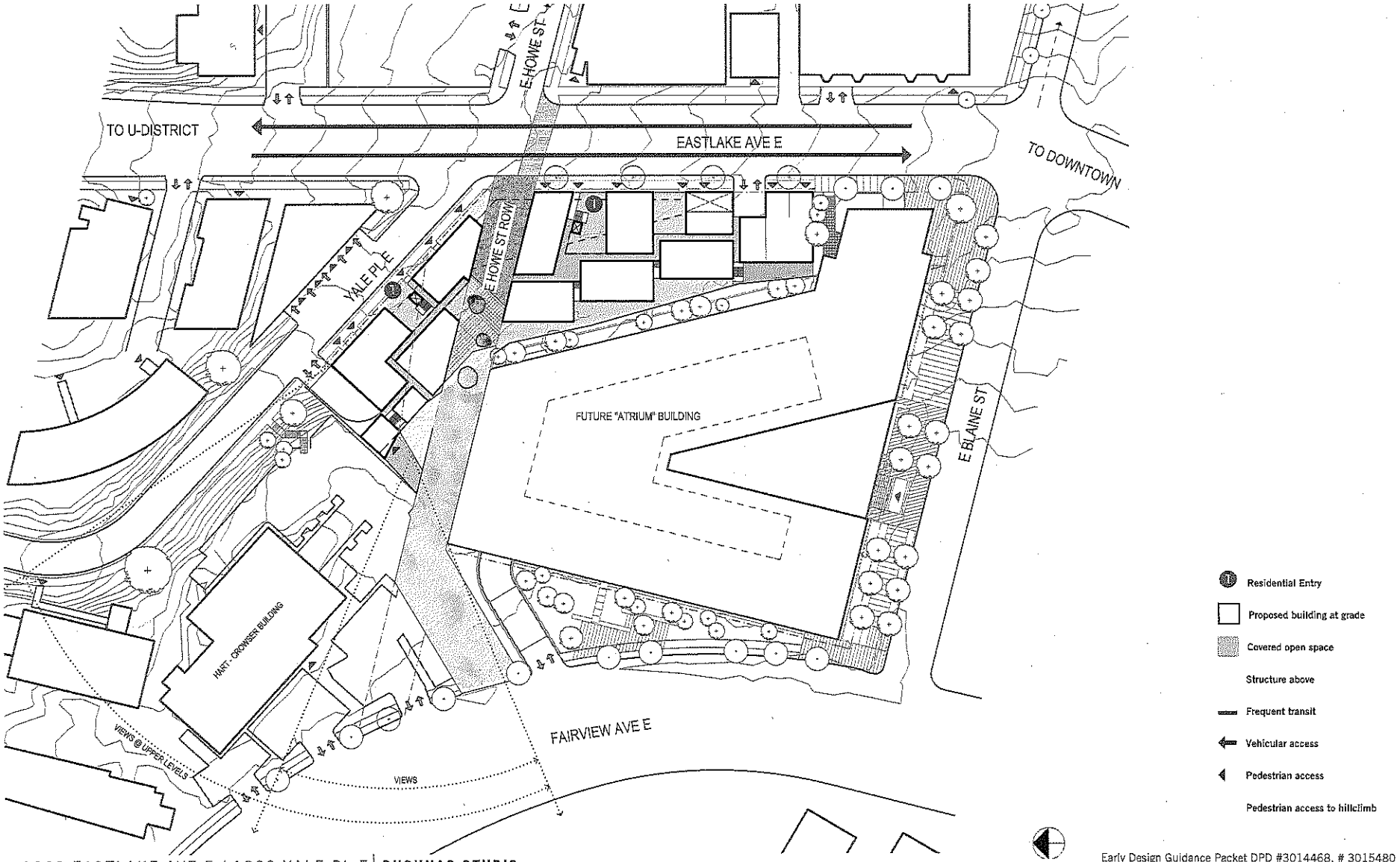
"L" shaped diagram breaks down at Yale site.

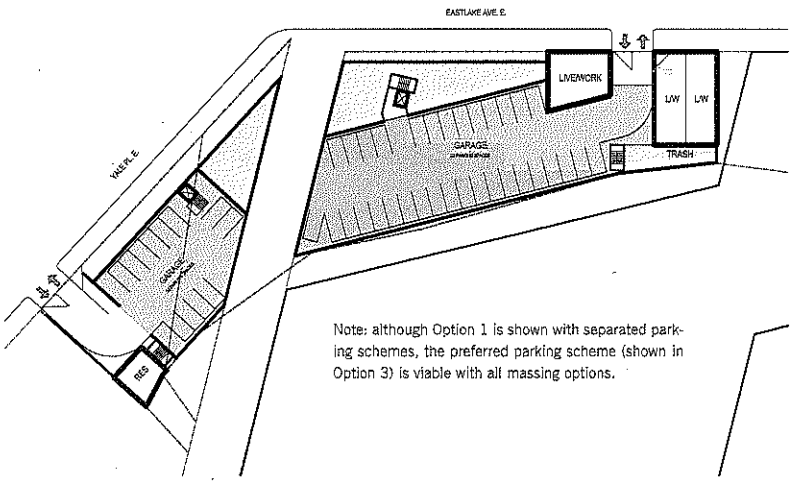
Of all schemes "L" shaped diagram also has most challenges for stepping massing with the site.

Separated parking structures under each building require two separate parking entries - impact on Eastlake streetscape.

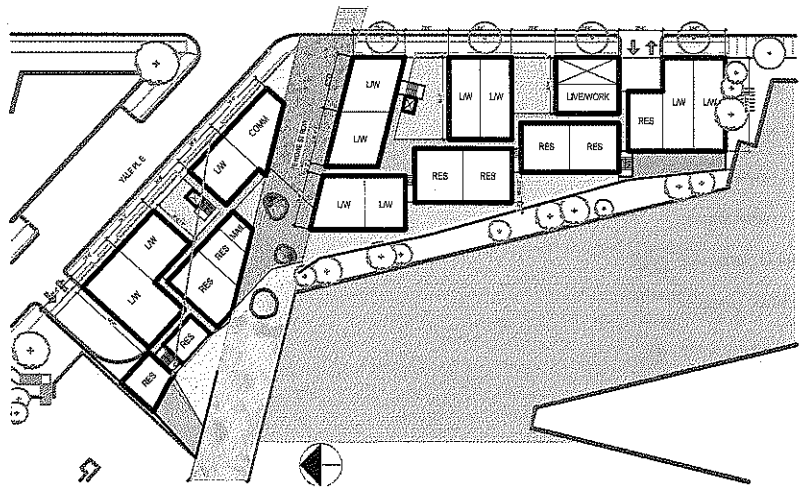
Rhythm of building elements on Eastlake may feel too small in scale compared to adjacent buildings.

OPTION 1: "L" SCHEME SITE PLAN

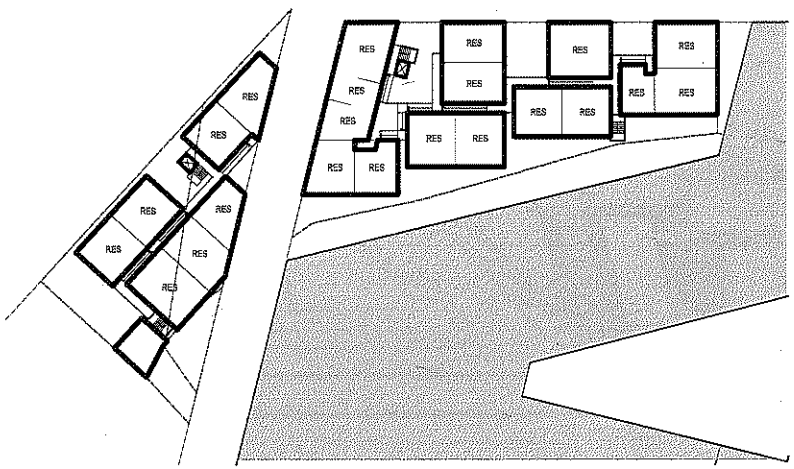




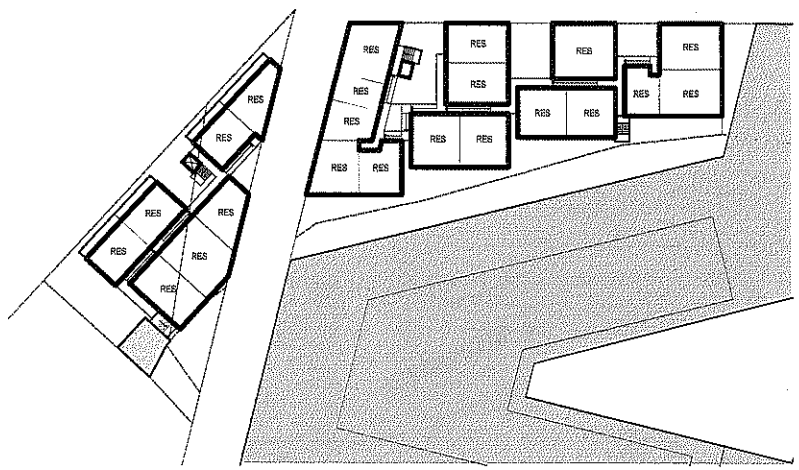
OPTION 1 - B1 DIVIDED PARKING



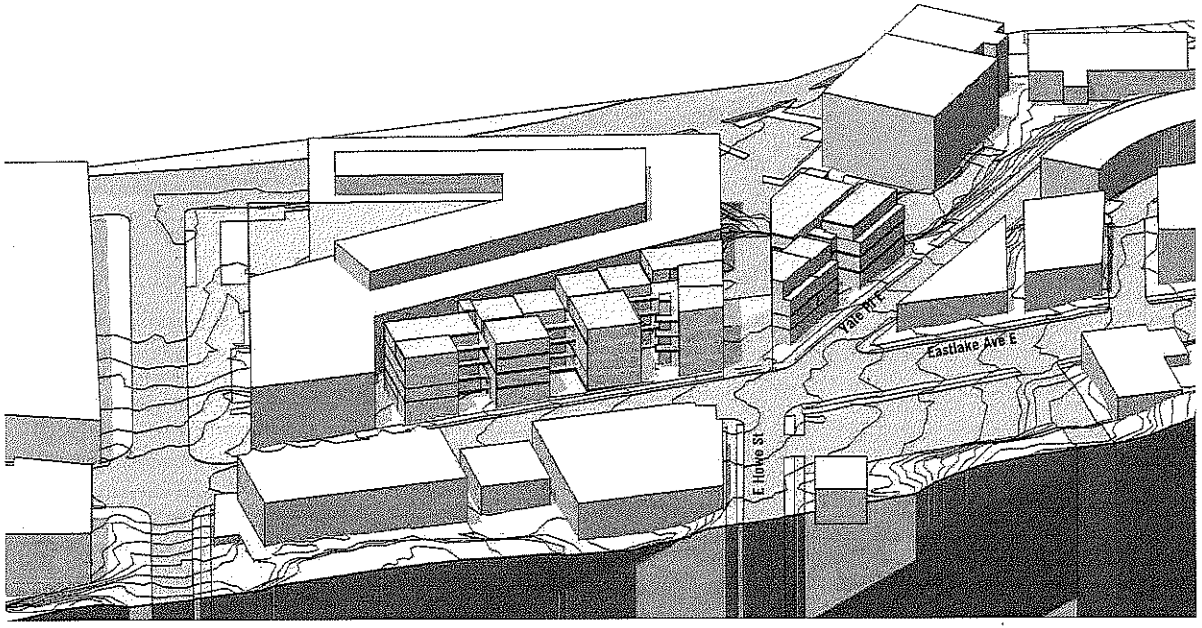
OPTION 1 - L1



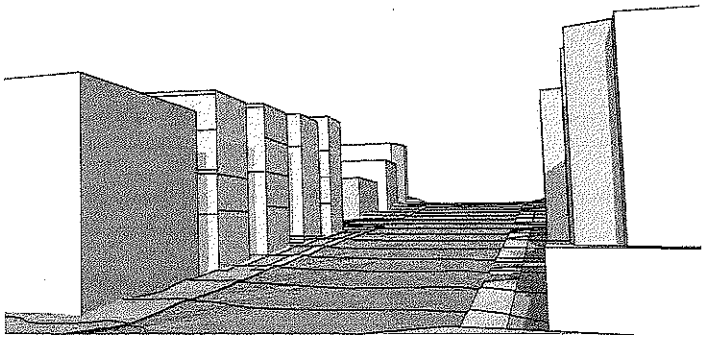
OPTION 1 - L2/L3 TYP



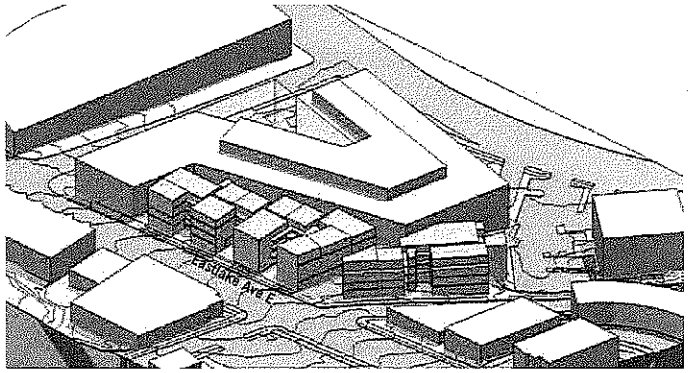
OPTION 1 - L4



Option 1 from east



Option 1 looking north on Eastlake



Option 1 from northeast

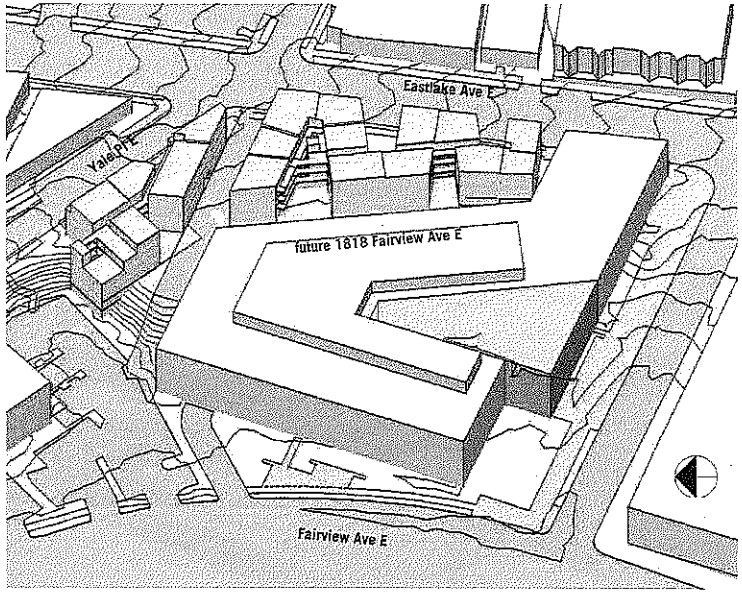
OPTION 2: "W" SCHEME

DESIGN GUIDELINES REFLECTED IN OPTION 2

- "W" shaped massing creates ±60' street frontages and street level public and semi-public courtyards at the front and back of the site.
- Option has street level rhythm of open space and building massing
- Street level live work offer opportunities for active, transparent streetscape
- Live-work, ROW park, building courtyards create framework for human activity
- Residential entry fronts directly on Eastlake.
- Building courtyards, park provide generous residential open space
- Massing diagram breaks down building scale
- ROW park, building courtyards provide street level pedestrian open space
- Landscape concentrated at ROW street frontage and building courtyards
- Landscaped ROW is central to project

PROJECT DATA

EASTLAKE SITE	YALE SITE
(no dedicated commercial spaces)	1 commercial space (±750 SF)
±8 live-work units (±6000 SF)	±2 live-work units (±2100 SF)
±52 residential units (±35,200 SF)	±31 residential units (±18,800 SF)
±60 below grade parking spaces (combined with Yale)	Parking included in Eastlake data
±4400 SF ground level open space	±1,900 SF ground level open space
±500 SF woonerf	
13' floor-to-floor height at live-work	13' floor-to-floor height at live-work
56,500 SF Total FAR	±31,700 SF Total FAR



View of Option 2 from west

PROS

Massing creates ±60' street frontages and street level public and semi-public courtyards at the front and back of the site. ±60' street facing massing is in keeping with width of adjacent parcel-based apartment buildings.

West facing interior courtyards for west units

Garage access can be two-way from Yale or "one-way-in" from Yale and "one-way-out" from Eastlake.

CONS

Angled, stepped building forms are more complicated from a construction standpoint without commensurate gain in livability/features.

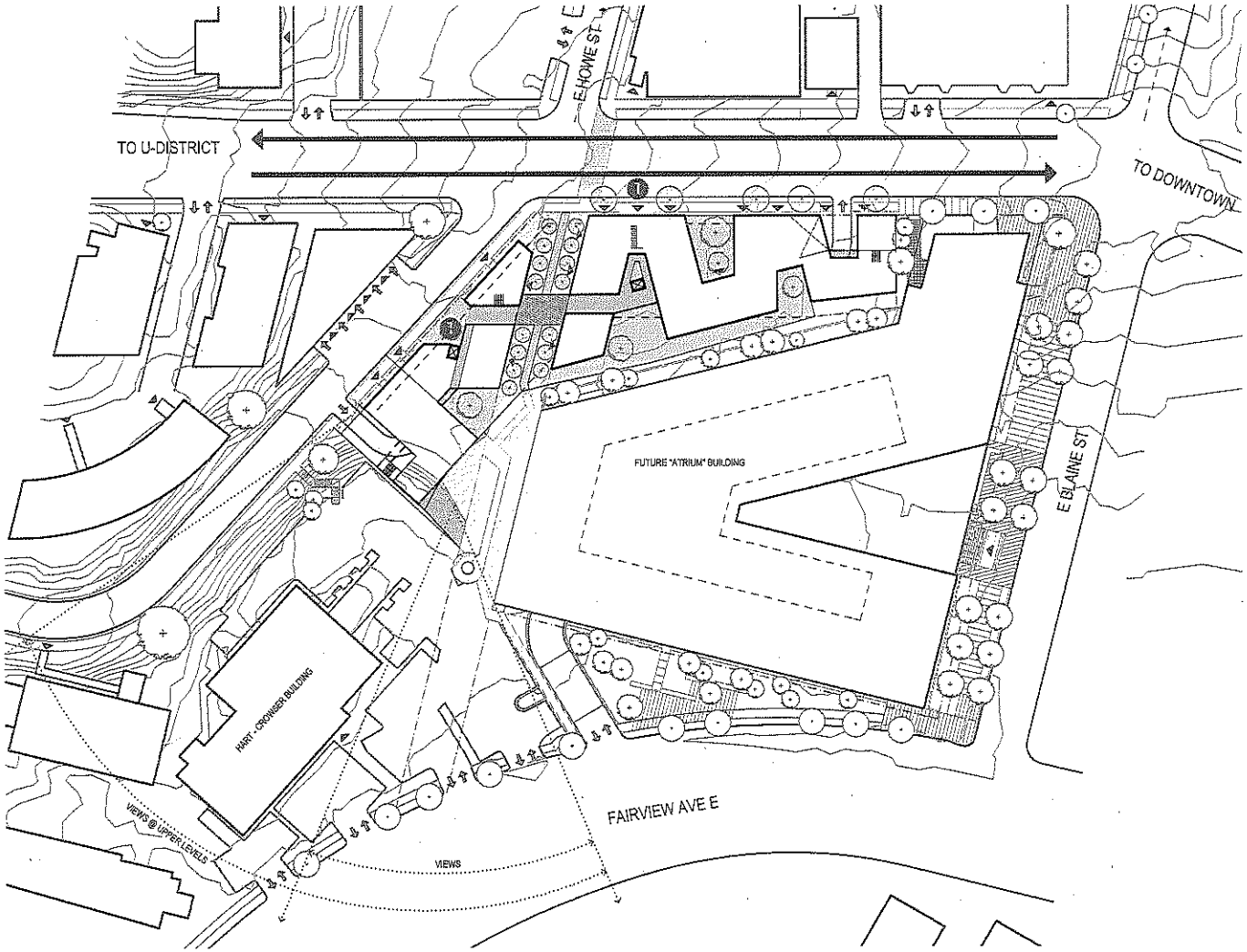
Option presents challenges for ramping residential horizontal circulation. Ramping is necessary to step building elements with site.

Units at back of Eastlake site have privacy/view issues with 1818 Fairview project.

Portions of open space concealed from street views.

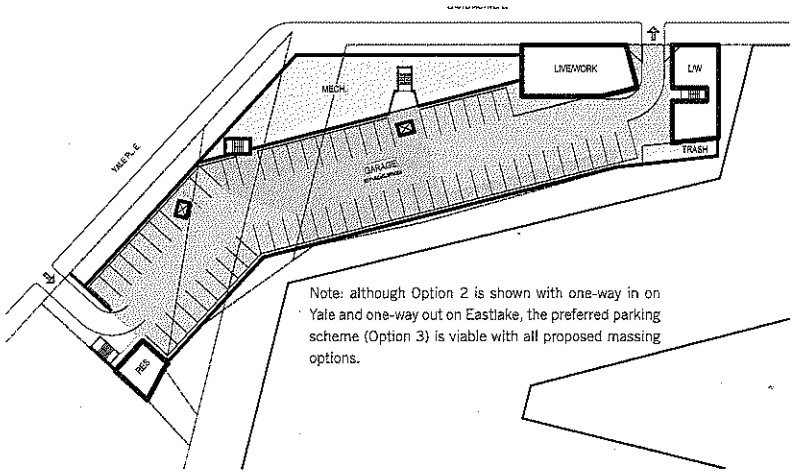
Below grade street vacation required for parking.

OPTION 2: "W" SCHEME - SITE PLAN

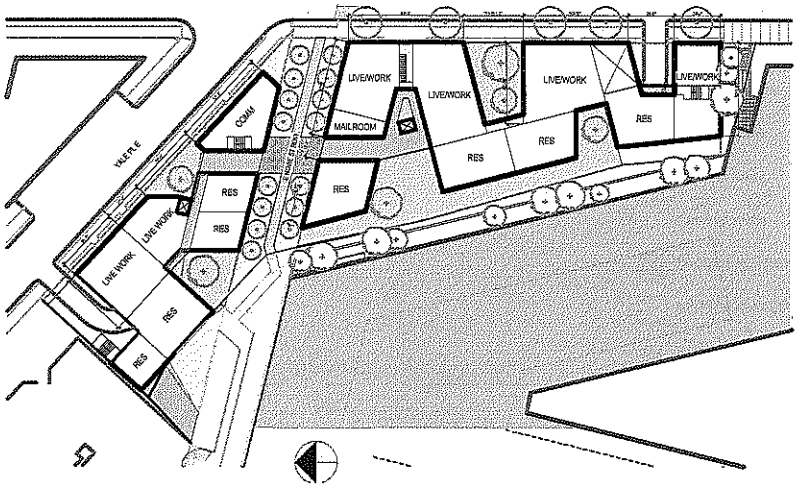


- Residential Entry
- Proposed building at grade
- Covered open space
- Structure above
- Frequent transit
- Vehicular access
- Pedestrian access
- Pedestrian access to hillclimb

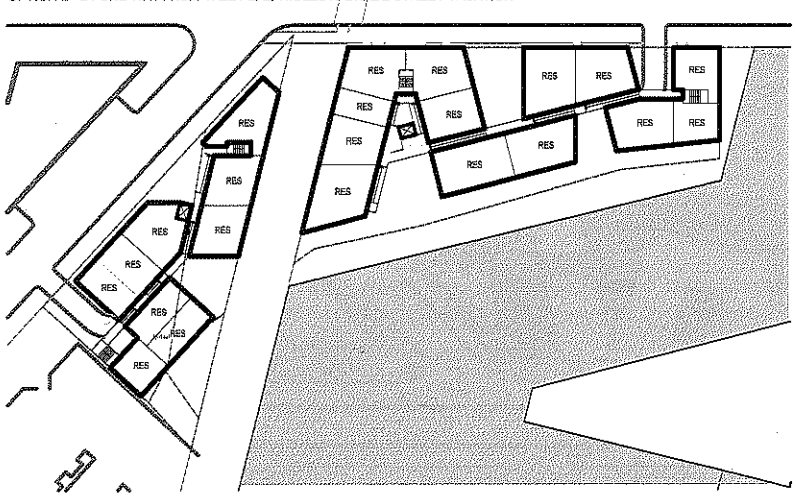
OPTION 2: "W" SCHEME - PLANS



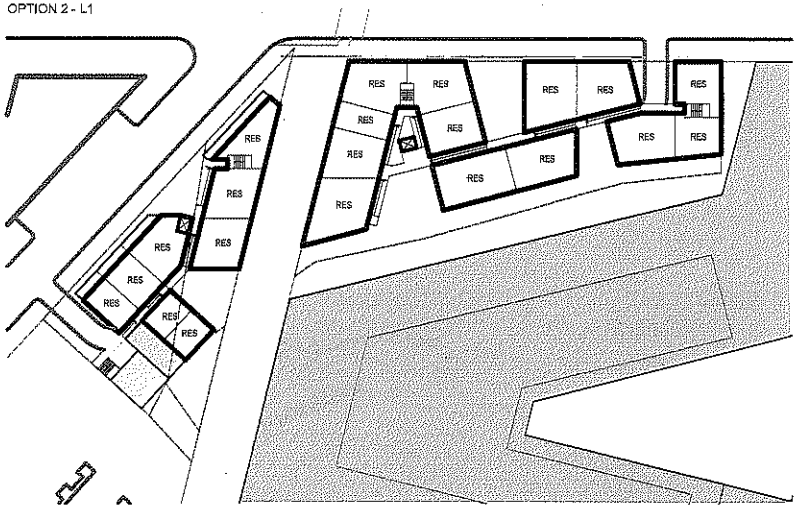
OPTION 2 - B1 ONE-WAY FROM YALE PL. E. W/BELOW GRADE STREET VACATION



OPTION 2 - L1

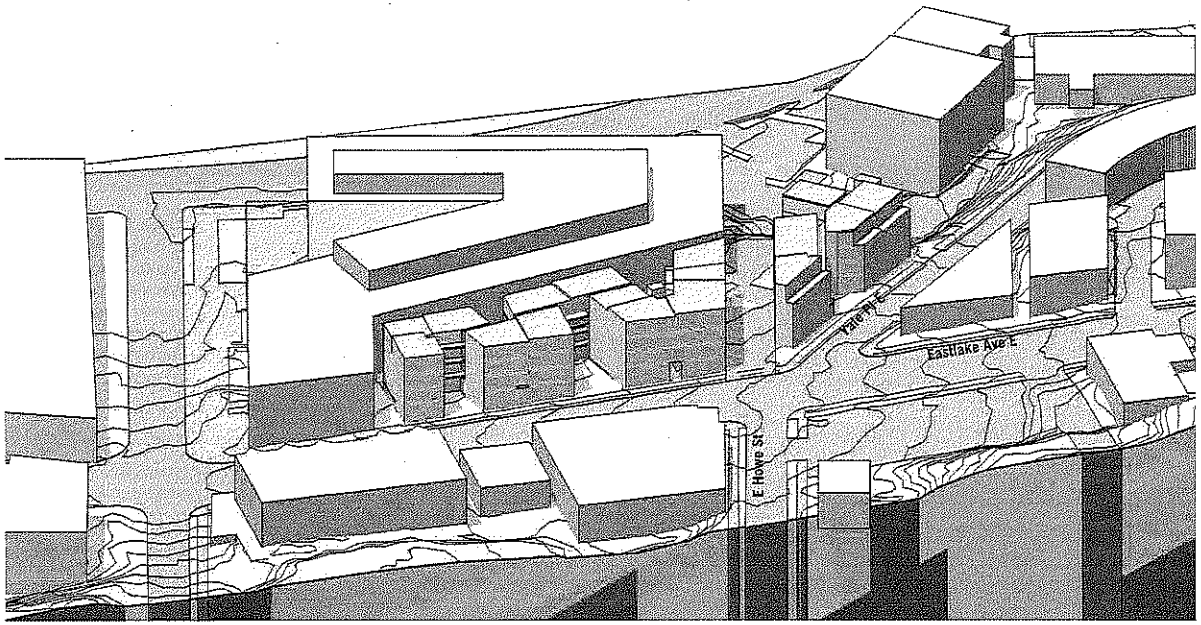


OPTION 2 - L2/L3 TYP

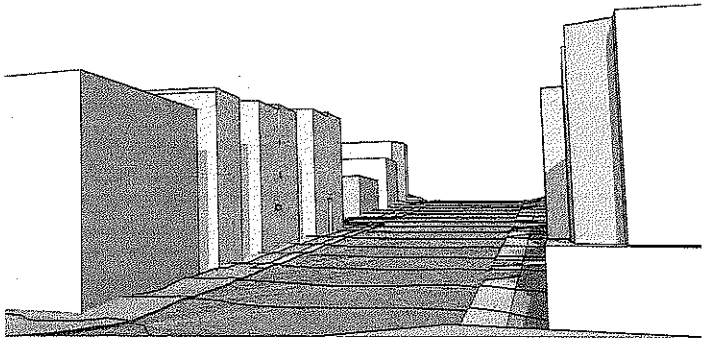


OPTION 2 - L4

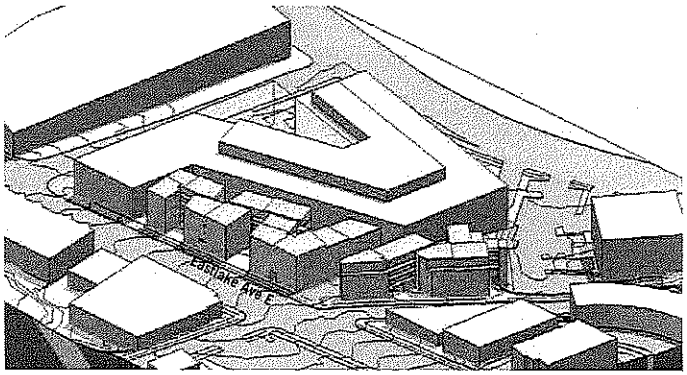
OPTION 2: "W" SCHEME



View of Option 2 from east



View of Option 2 looking north on Eastlake



View of Option 2 from northeast

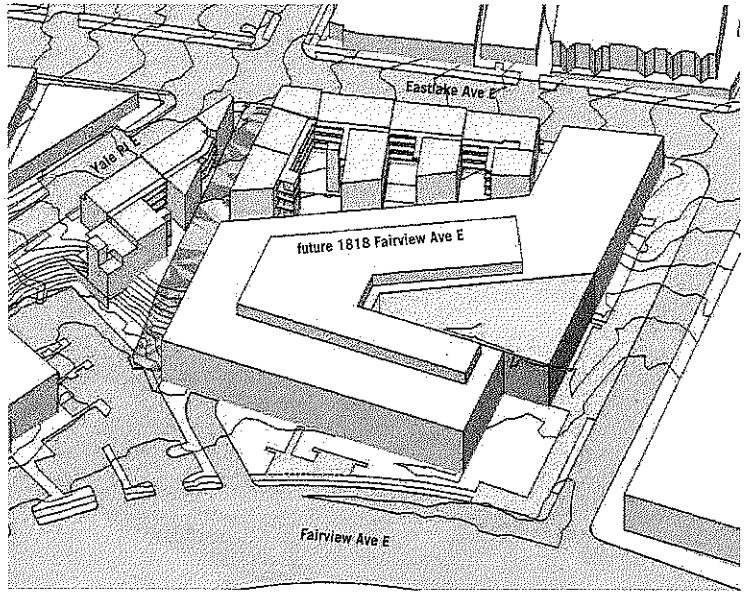
OPTION 3: INVERSE "E" SCHEME - PREFERRED

PRIORITY DESIGN GUIDELINES

- 1.1 Linear "bar" building elements, single loaded corridors and open-ended courtyards create opportunities for solar access, views and for passive ventilation.
- 1.2 Option has streetscape scale rhythm of open space and building massing
- 1.3 Street level live work offer opportunities for active uses and highly transparent facade
- 1.4 Live-work, ROW park, building courtyards create framework for human activity
- 1.5 Courtyards allow for layered path to residential entries
- 1.6 Building courtyards, park provide generous residential open space
- 1.7 Inverse "E" massing breaks down building scale
- 1.8 ROW park, building courtyards provide street level pedestrian open space
- 1.9 The preferred parking option is a single below grade parking structure that extends below the Howe Street ROW and connects the two development sites. Approach allows for one parking entry off Yale Place E and removal of curb cuts from Eastlake. This approach also requires a below grade street vacation (see page 35).
- 1.10 Landscape concentrated at ROW street frontage and building courtyards
- 1.11 Landscaped ROW is central to project

PROJECT DATA

EASTLAKE SITE	YALE SITE
(no dedicated commercial spaces)	1 commercial space (±750 SF)
±5 live-work units (±6200 SF)	±2 live-work units (±2200 SF)
±56 residential units (±35,200 SF)	±35 residential units (±17,400 SF)
±64 below grade parking spaces (combined with Yale)	Parking included in Eastlake data
±6400 SF ground level open space	±1,100 SF ground level open space
±1500 SF woonerf	
13' floor-to-floor height at live-work	13' floor-to-floor height at live-work
56,500 SF Total FAR	±31,700 SF Total FAR



Option 3 from west

PROS

Rhythm of massing and open space creates building scale portals with views to landscape courtyards. All courtyards are visible from street.

Inverse "E" diagram breaks down scale along street front and offers best access to sun, open space, passive ventilation for largest number of units.

East-west orientation of courtyards allows for solar access, open space, passive ventilation while minimizing privacy issues with 1818 Fairview project.

"E" massing has least construction challenges for stepping all floor levels with site.

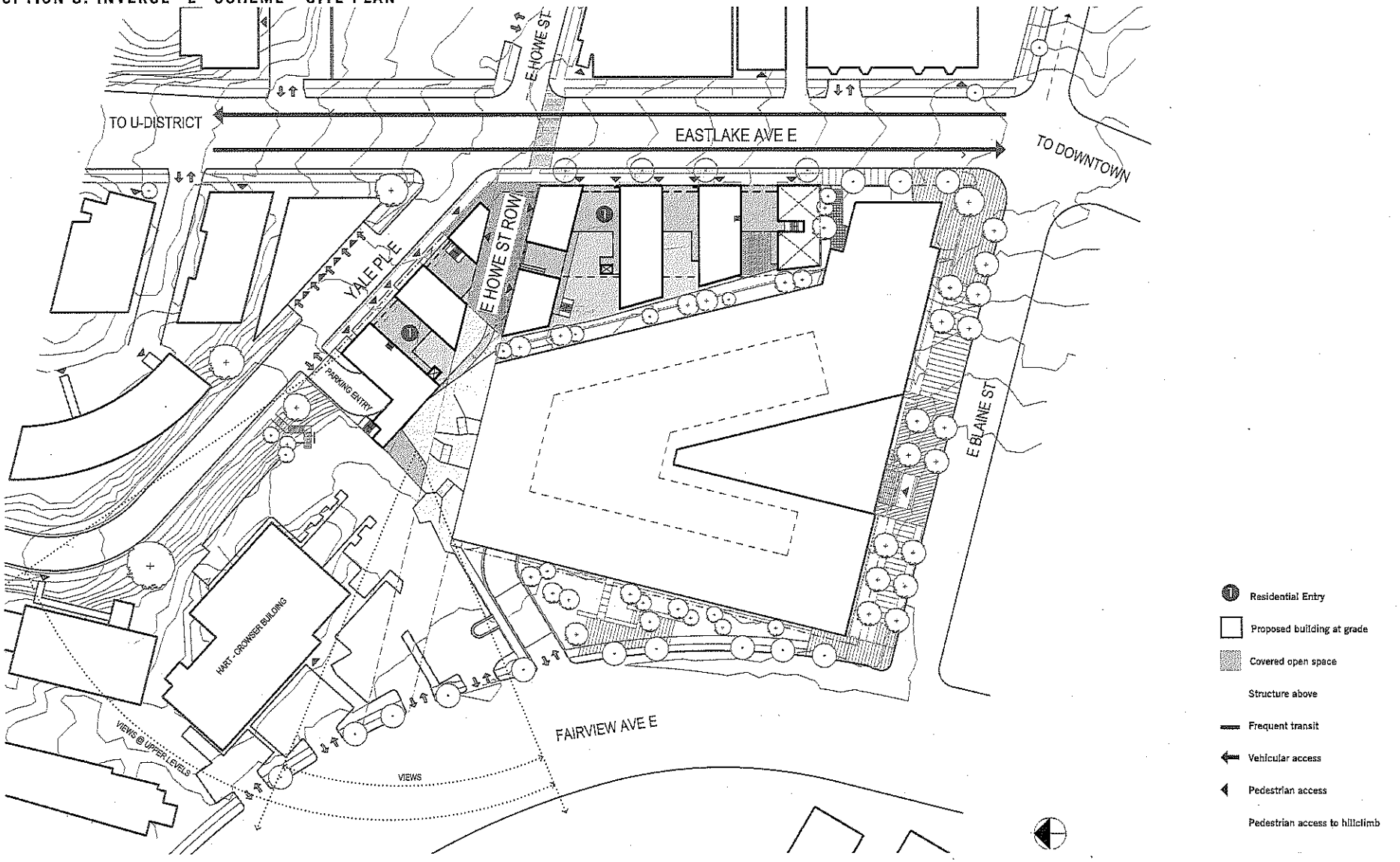
Option presents good opportunities for non-flat roof forms (see preliminary streetscape sketches).

Combined parking structure with two-way parking access from Yale Pl E minimizes intrusion of car on pedestrian environment.

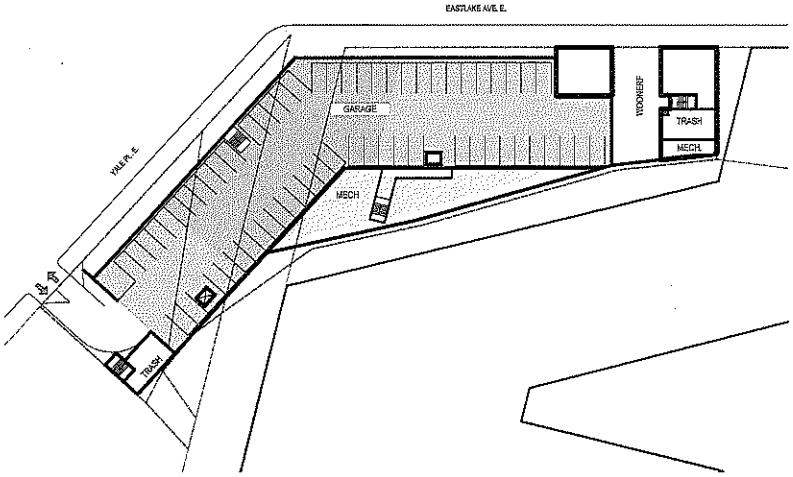
CONS

Below grade street vacation required for parking.

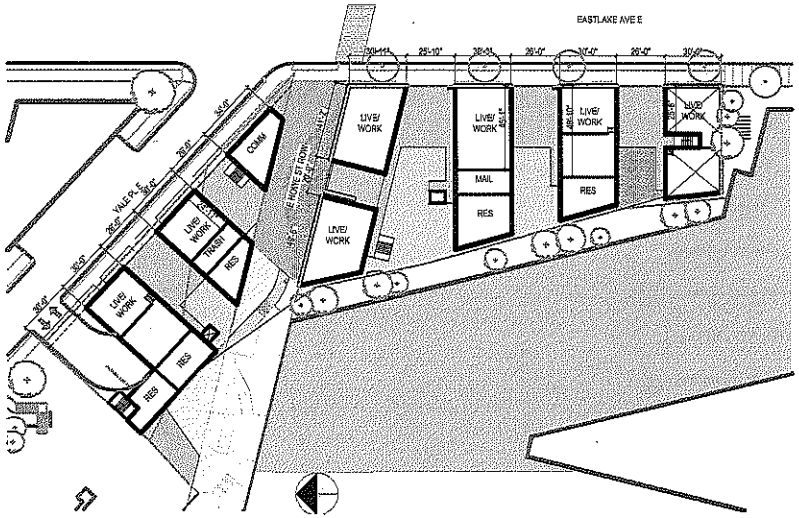
OPTION 3: INVERSE "E" SCHEME - SITE PLAN



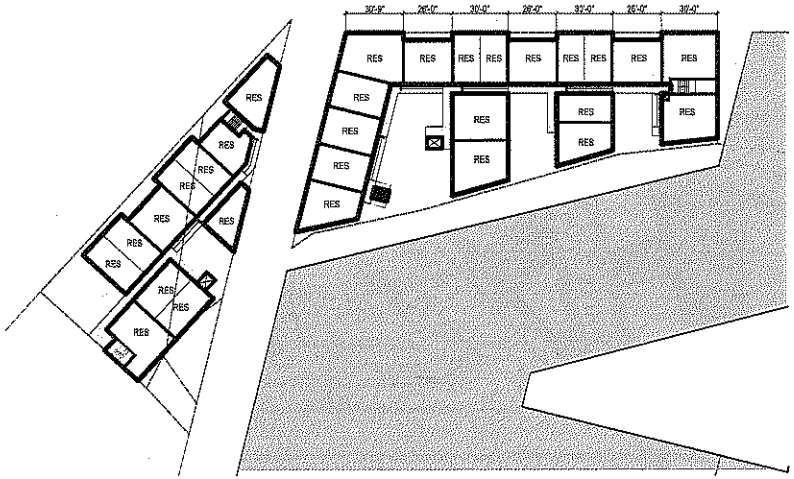
OPTION 3: INVERSE "E" SCHEME - PLANS



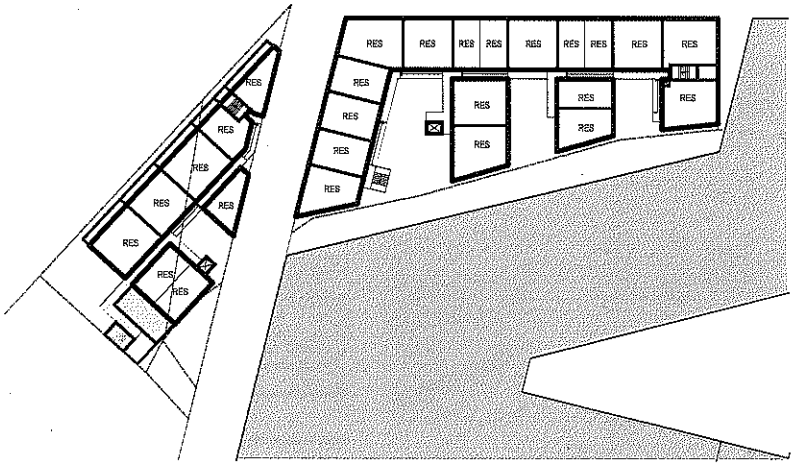
OPTION 3 - B1 TWO-WAY ACCESS @ YALE PL E/ WOONERF @ EASTLAKE AVE E



OPTION 3 - L1

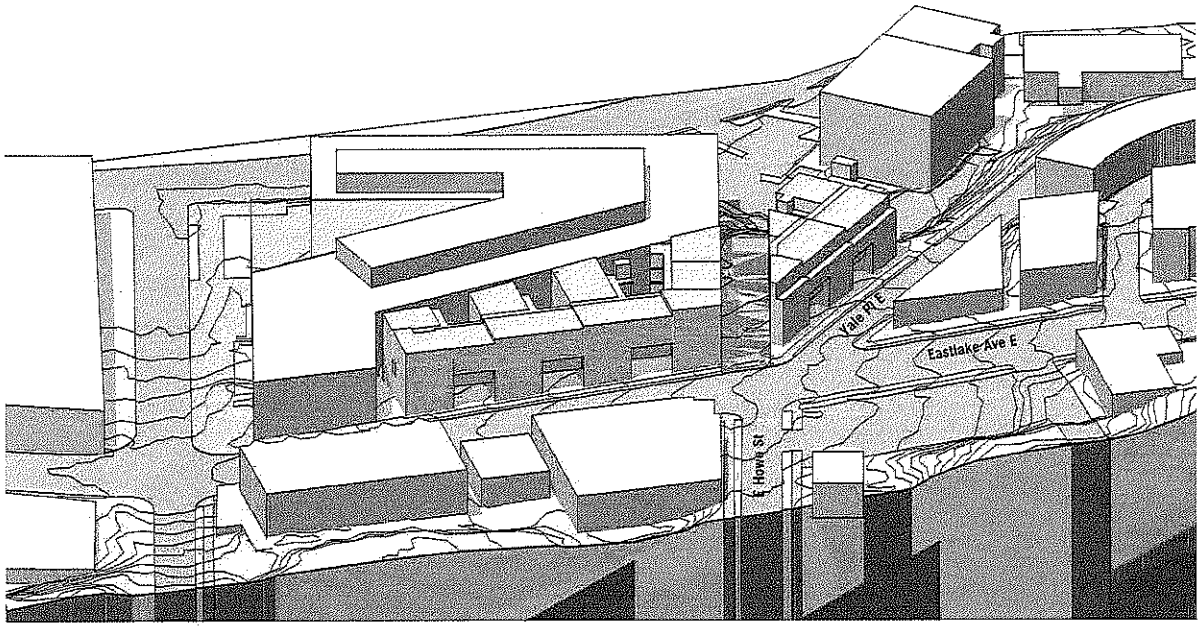


OPTION 3 - L2

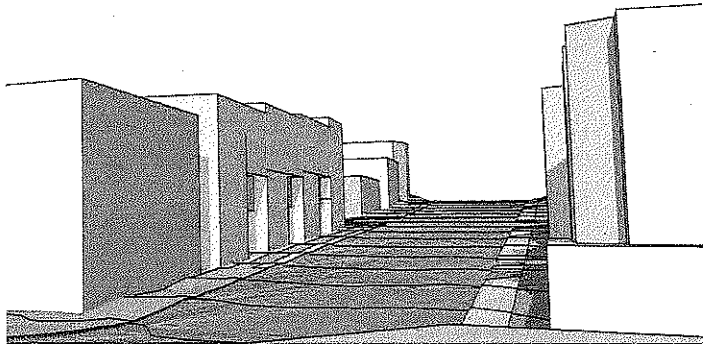


OPTION 3 - L3/L4

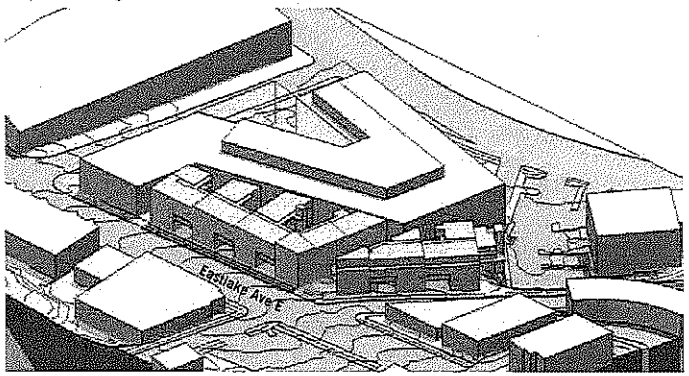
OPTION 3: INVERSE "E" SCHEME



Option 3 from east

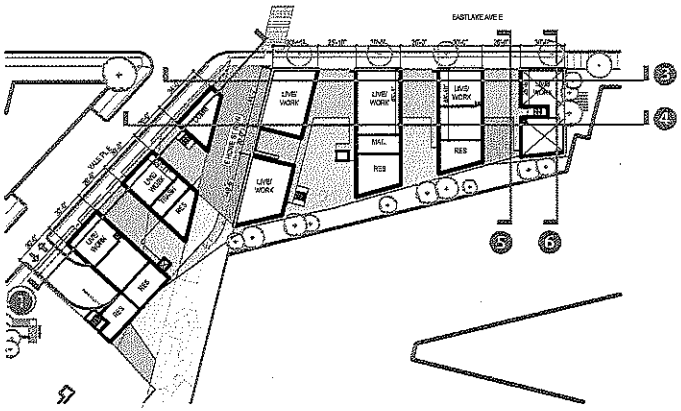


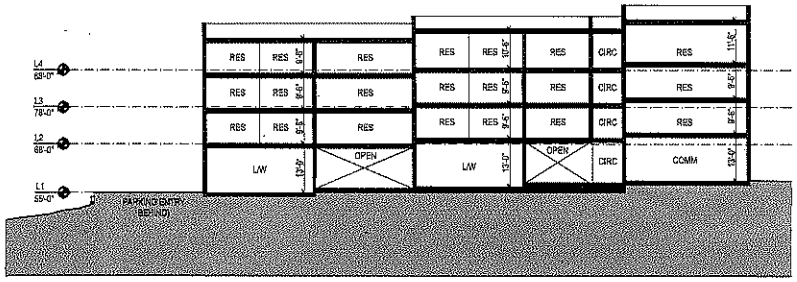
Option 3 looking north on Eastlake



Option 3 from northeast

OPTION 3: INVERSE "E" SCHEME - SECTIONS

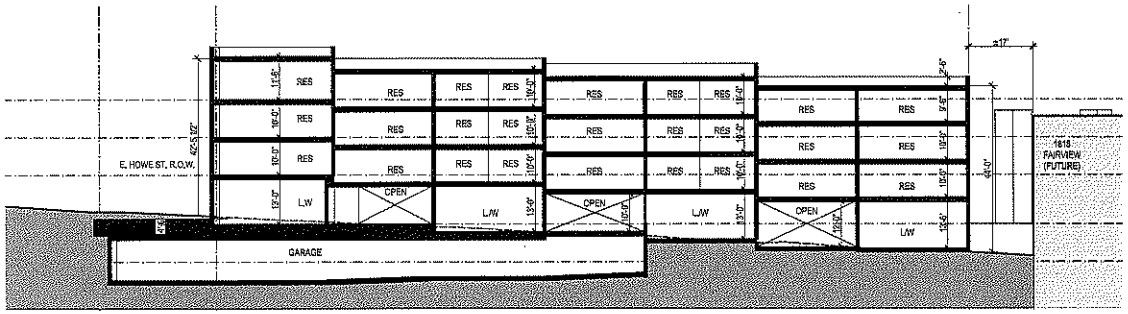




1 SECTION AT YALE LOOKING NORTH

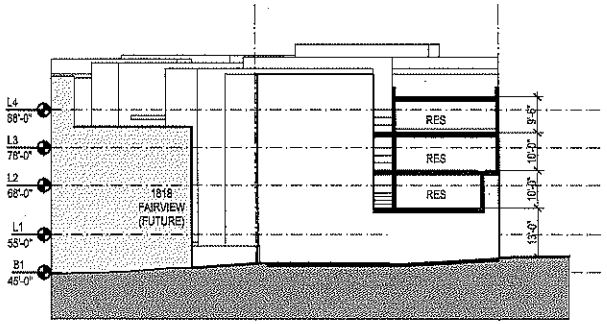
SCALE: 1/32" = 1'-0"

OPTION 3: INVERSE "E" SCHEME - SECTIONS



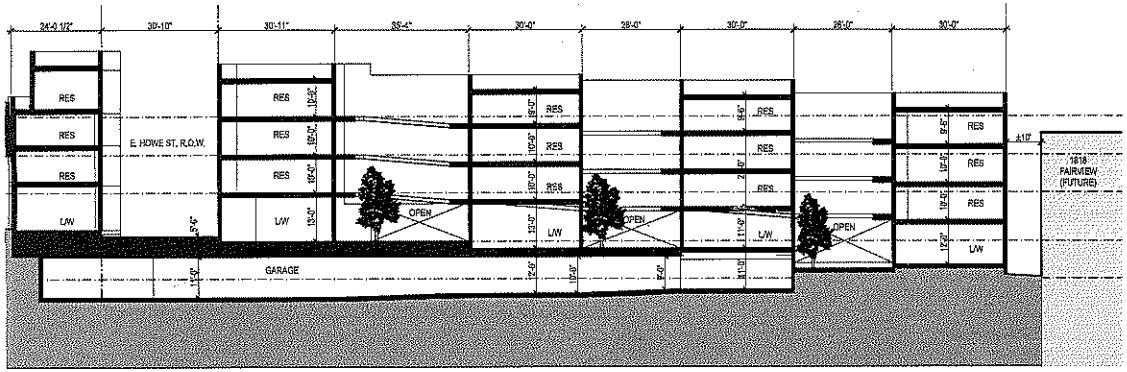
3 SECTION AT EASTLAKE LOOKING EAST

SCALE: 1/32" = 1'-0"

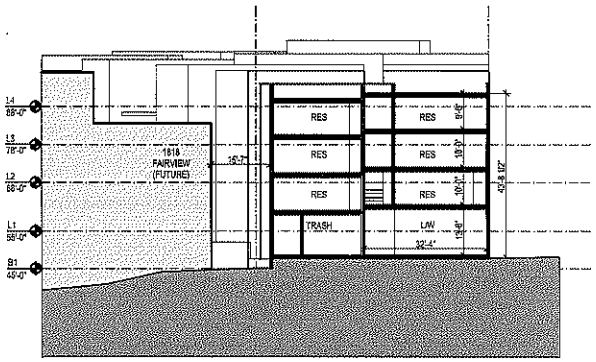


5 SECTION AT EASTLAKE WOONERF

SCALE: 1/32" = 1'-0"

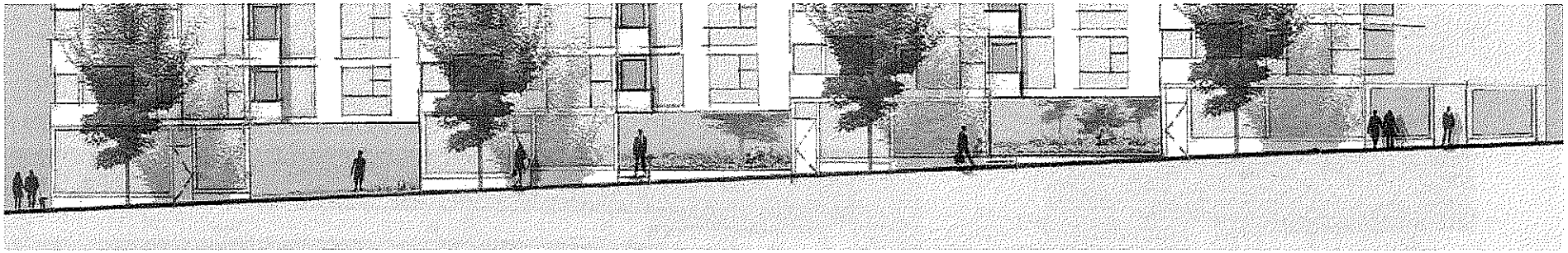


4 SECTION AT EASTLAKE COURTYARDS

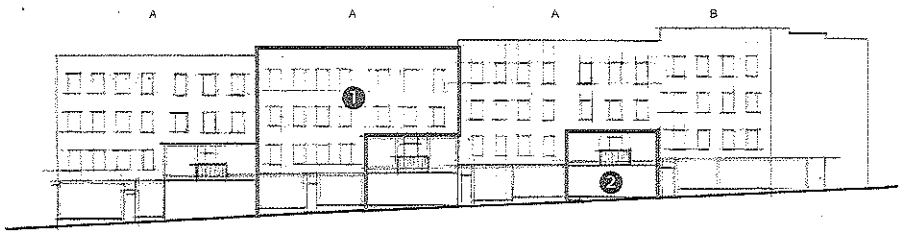


6 SECTION AT EASTLAKE SOUTH END

PRELIMINARY STREETSCAPE STUDIES



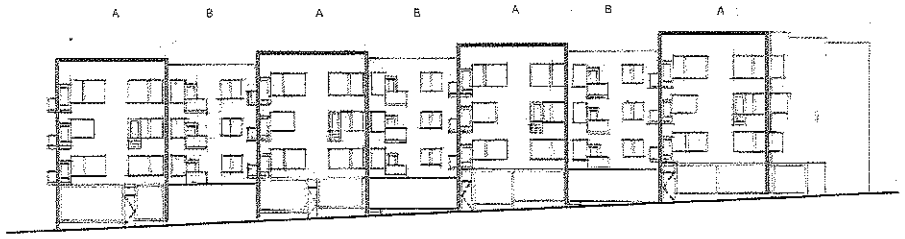
Eastlake streetscape study 2a: street level live work units and building courtyards step with grade. Courtyards at grade or within 30". Upper building stories frame courtyard views. Landscape concentrated at streetscape and in courtyards. Live work units turn corner at future E Howe Street Park.



Eastlake streetscape study 1:

1 "A, A, A, B" rhythm - facade divisions at upper levels based on steps in building massing, turns corner at E Howe St Park.

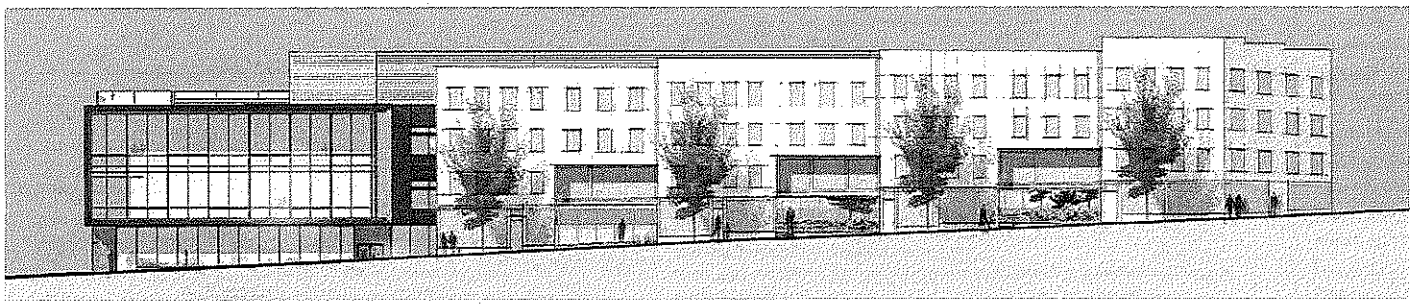
2 Recessed 2nd floor at courtyards - 2-story portal.



Eastlake streetscape study 2: "A, B" rhythm at streetscape - building steps with grade and sets back at courtyard entries

PRELIMINARY STREETSCAPE STUDIES

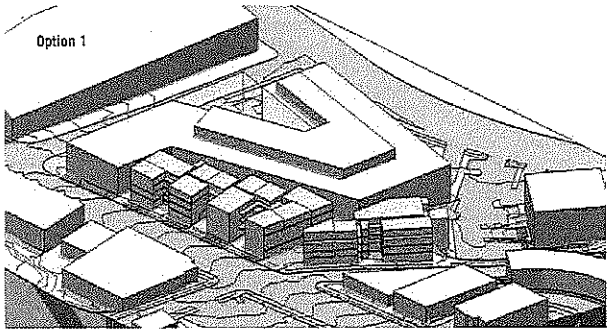
Eastlake streetscape study 3a: "A, B" rhythm at streetscape.



Eastlake streetscape study 2a: "A, B" rhythm at streetscape, sawtooth roof forms on "A" bays.

Eastlake streetscape study 1a: A, A, A, B" rhythm.

SUMMARY OF MASSING OPTIONS



PROS

Staggered "L-shaped" building elements have street-facing courtyards and single loaded corridors - opportunities for solar access, views and for passive ventilation.

Rhythm of building elements and intermediary courtyard spaces reduces scale along street front

Residential entries is visible in courtyard, close to Eastlake Ave. E.

CONS

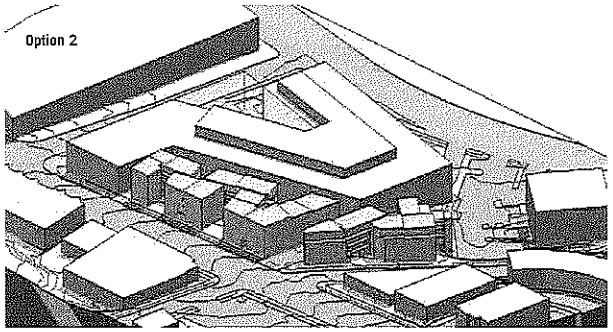
Massing is focused at back of Eastlake site. Many units face the future 1818 Fairview project directly. This creates privacy/view issues.

"L" shaped diagram breaks down at Yale site.

Of all schemes "L" shaped diagram also has most challenges for stepping massing with the site.

Separated parking structures under each building require two separate parking entries - impact on Eastlake streetscape.

Rhythm of building elements on Eastlake may feel too small in scale compared to adjacent buildings.



PROS

Massing creates ±60' street frontages and street level public and semi-public courtyards at the front and back of the site. ±60' street facing massing is in keeping with width of adjacent parcel-based apartment buildings.

West facing interior courtyards for west units

Garage access can be two-way from Yale or "one-way-in" from Yale and "one-way-out" from Eastlake.

CONS

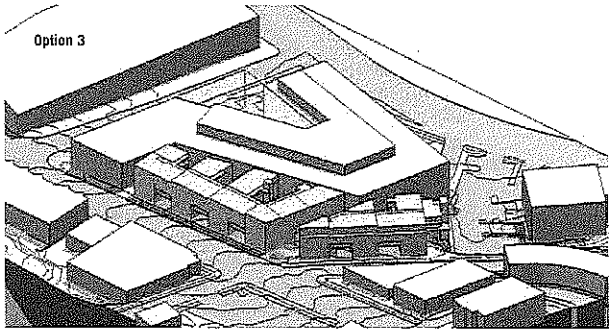
Angled, stepped building forms are more complicated from a construction standpoint without commensurate gain in livability/features.

Option presents challenges for ramping residential horizontal circulation.

Units at back of Eastlake site have privacy/view issues with 1818 Fairview project.

Portions of open space concealed from street views.

Below grade street vacation required for parking.



PROS

Rhythm of massing and open space creates building scale portals with views to landscape courtyards. All courtyards are visible from street.

Inverse "E" diagram breaks down scale along street front and offers best access to sun, open space, passive ventilation for largest number of units.

East-west orientation of courtyards allows for solar access, open space, passive ventilation while minimizing privacy issues with 1818 Fairview project.

"E" massing has least construction challenges for stepping all floor levels with site.

Option presents good opportunities for non-flat roof forms (see preliminary streetscape sketches).

Combined parking structure with two-way parking access from Yale Pl E minimizes intrusion of car on pedestrian environment.

CONS

Below grade street vacation required for parking.

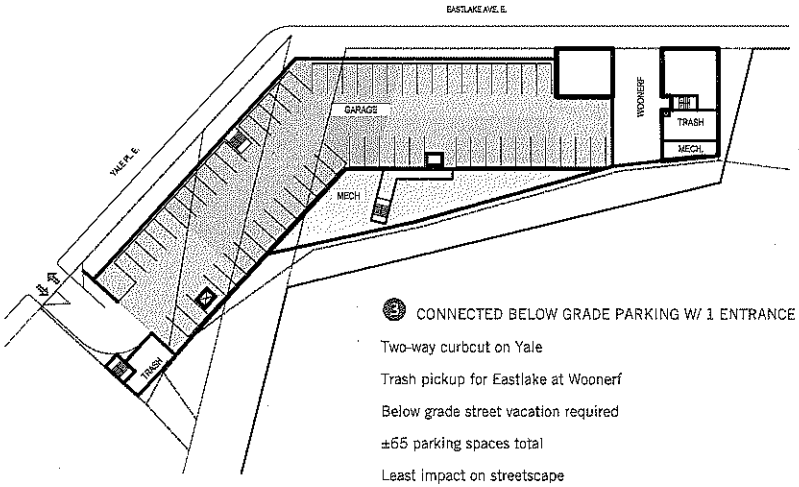
SUMMARY OF PARKING OPTIONS

Preferred Parking (Option 3) The preferred parking approach consists of a single subterranean level of parking below both development sites and the future E Howe Street Park. Vehicular access is from Yale Place E. This approach allows for a single parking entry for both sites and minimizes car activity on Eastlake. It also requires a below grade street vacation.

Parking is not required for the project, but the neighborhood has parking deficits and both the applicant team and community members have an interest in parking associated with the project. With the preferred parking, the project will provide 60-65% parking ratio.

A curbcut on Eastlake may still be required but it would only be used for trash pickup at the woonerf.

SDOT Below Grade Street Vacation: In the preferred scheme, the connected below grade parking requires a below grade street vacation. The applicant team met with SDOT on June 25 to assess the viability of the below grade street vacation. At the meeting, SDOT was receptive to the below grade street vacation and encouraged the applicant to continue to with the street vacation process which includes City Council and Design Commission approval.



3 CONNECTED BELOW GRADE PARKING W/ 1 ENTRANCE

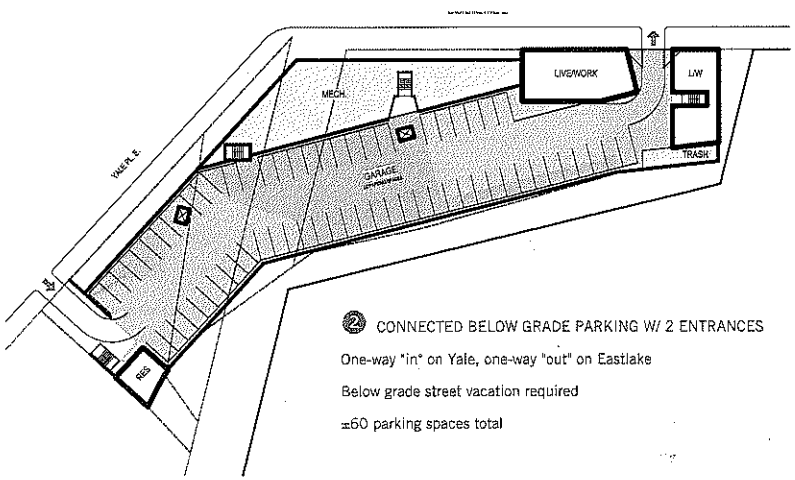
Two-way curbcut on Yale

Trash pickup for Eastlake at Woonerf

Below grade street vacation required

±65 parking spaces total

Least impact on streetscape

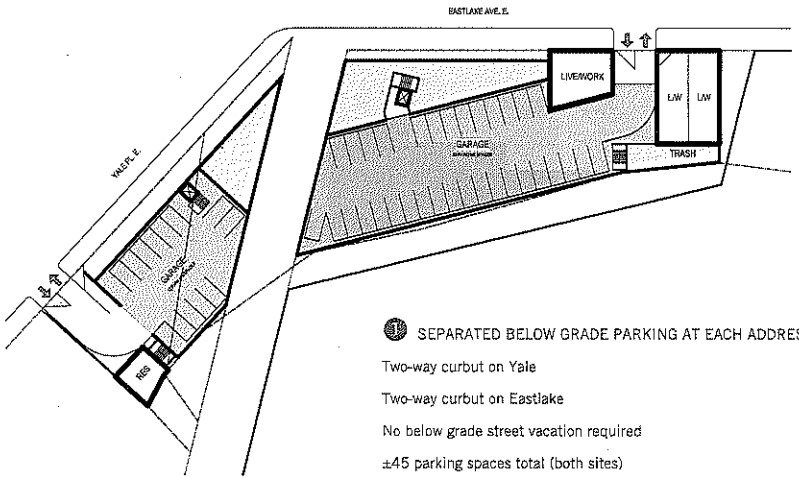


2 CONNECTED BELOW GRADE PARKING W/ 2 ENTRANCES

One-way "in" on Yale, one-way "out" on Eastlake

Below grade street vacation required

±60 parking spaces total



1 SEPARATED BELOW GRADE PARKING AT EACH ADDRESS

Two-way curbut on Yale

Two-way curbut on Eastlake

No below grade street vacation required

±45 parking spaces total (both sites)

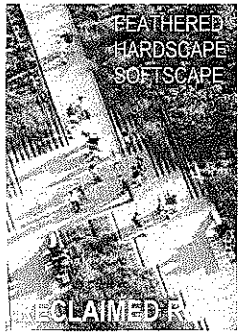
Fewest number of parking spaces, biggest impact on streetscape

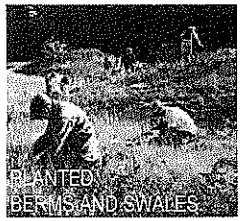
SUMMARY OF FUTURE E HOWE STREET PARK STUDIES

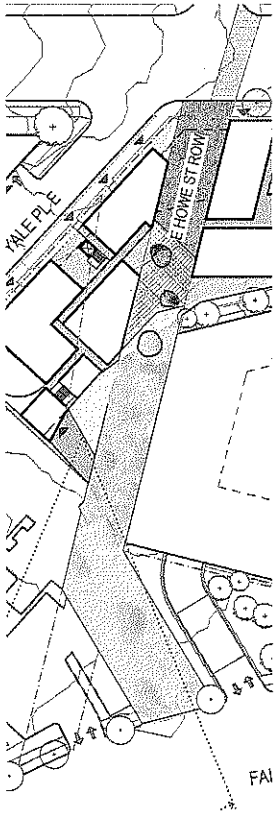
The E Howe Street ROW consists of two parts. Portions of the ROW between the Eastlake and Yale development sites are the applicant's responsibility to improve. The applicant team has met with neighborhood members and 1818 Fairview team. The meetings have been preliminary and the intent is to continue working with all to identify the park program and to develop cohesive design approach for the entire ROW. The studies below have been used to initiate discussion about concepts for the park.

ROW STUDY 1

Park is proposed as passive park with native vegetation, habitat support (plants, birds), and pervious pavement where hardscaped. Potential for vegetated berms, rain garden, bioswales, other Low Impact Development techniques.

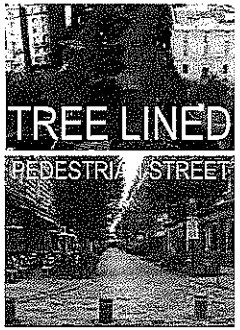


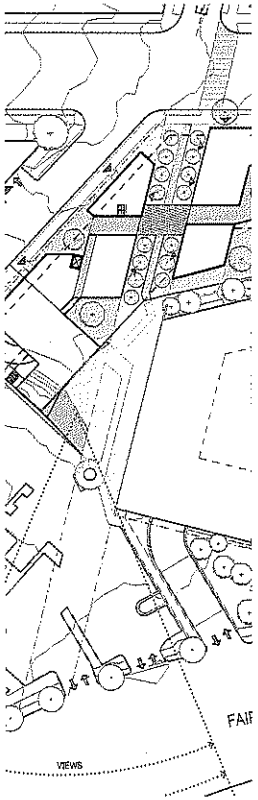




ROW STUDY 2

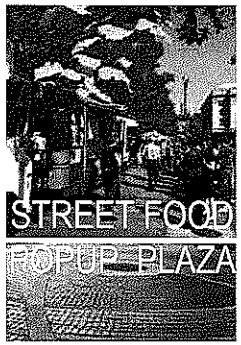
Park is proposed as tree-lined pedestrian street on applicant's portion of site with spiral lookout/steps at other end of ROW. Potential for individual activity (reading, meditating), outdoor sidewalk uses, sculptural trees, streetscape furniture, decorative paving, information kiosk.

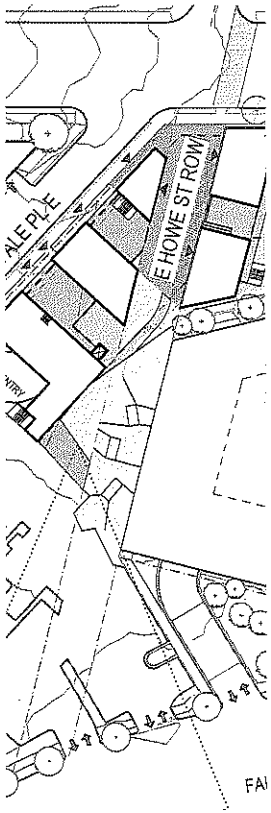


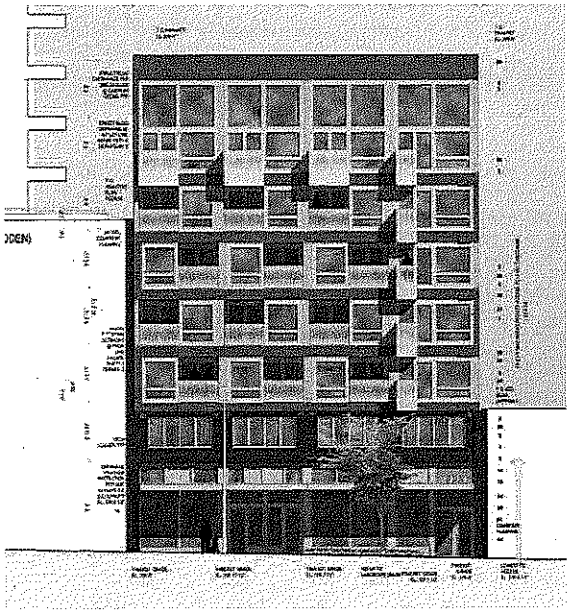


ROW STUDY 3

Park is proposed as public plaza on applicant's portion of sites and terraced steps for pedestrian access and passive activities (picnics, etc). Plaza has potential for pop-up activity - street food, open air market, etc.





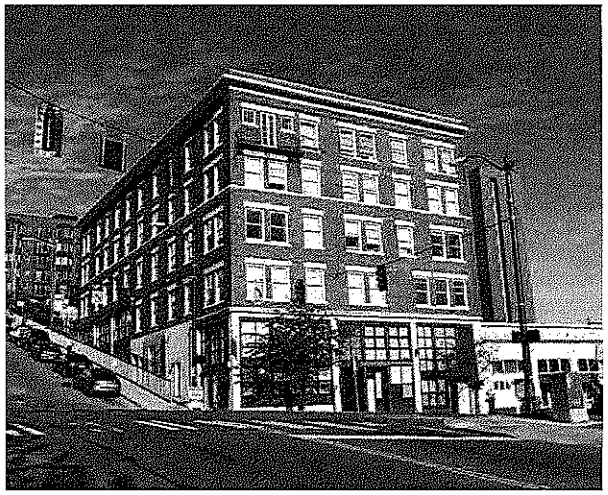


3rd & Bell Modular Mixed Use, Seattle - Under Construction.

Architect: Bushnaq Studio. Developer: Daly Partners

Belmont Terrace, Seattle: interior/exterior renovation of existing 10-unit Capitol Hill apartment building.

Architect: Bushnaq Studio. Developer: Daly Partners



Ascona Apartments, Seattle: major rehabilitation of existing brick apartment building.

Developer: Daly Partners

Dawn Bushnaq

From: lakeunionmail@juno.com
Sent: Friday, November 29, 2013 3:16 PM
To: dawn@bushnaqstudio.com
Subject: Notice Being Circulated

Dawn:

The following notice has been put out on the Facebook walls of the Eastlake Social Club, Lake Union Mail and my own account. FYI.

Jules James,
Eastlake

A GOOD public meeting is scheduled for Tuesday December 3rd at Seward School, 7:00 - 8:30. The developers of the Don Edwardo site are seeking input on the design of the Howe Street Right-of-Way. A handful of neighbors have been active on this one for months. This is the chance for all of us to pitch in a few ideas. Eastlake's best outdoor movie wall? Pre-school open space? Skateboard plunge? Basketball hoop? Bronze statue of some Star Trek characters? Other ideas? Type here or come share.

Do THIS before eating carbs (every time)
1 EASY tip to increase fat-burning, lower blood sugar & decrease fat storage
http://thirdpartyoffers.juno.com/TGL3141/529920a06945209f7cccst01vuc

Dawn Bushnaq

From: Brian Ramey <brianramey@comcast.net>
Sent: Tuesday, November 19, 2013 6:46 PM
To: DUCK Busters
Subject: FW: E Howe Street Park: 12/3 Public Meeting
Attachments: E Howe St Park Invite.pdf

FYI

I hope some of you will come and comment on this proposal by a developer here in Eastlake to help create the pathway public park link of E Howe Street at the location of 1823 Eastlake Avenue E.

This proposed park/path/stairs link is a part of the Eastlake Neighborhood Plan and would create a path leading from the top of Capitol Hill to Fairview Avenue E and the East shores and parks of Lake Union. This is one way to show the city that Fairview Avenue E is as much a pedestrian and bicycle corridor as it is a corridor accessing our neighborhood for residents in cars and therefore is not a good street to have the DUCKS vessels traversing it every 3.5 minutes.

Brian Ramey
Lake Union Neighbors
117 East Louisa Street, #187
Seattle, WA 98102
(206) 271-4744
brianramey@comcast.net

"Whether we and our politicians know it or not, Nature is party to all our deals and decisions, and she has more votes, a longer memory and a sterner sense of justice than we do." – Wendell Berry

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From: Brian Ramey [mailto:brianramey@comcast.net]
Sent: Tuesday, November 19, 2013 6:18 PM
To: Jules James
Subject: E Howe Street Park: 12/3 Public Meeting

Jules,
Lake Union Mail

Would you please forward this to the ECC for distribution to the current email mailing list?

Would you also please post one of these in your window. I can bring you a color copy if needed.

Thanks,

Brian Ramey

PUBLIC MEETING

JOIN US

HOWE STREET RIGHT-OF-WAY: FUTURE PARK

Date: Tuesday, December 3, 2013
Time: 7:00-8:30 PM
Location: Seward Public School (Libary), 2600 Franklin Ave E

Daly Partners cordially invites the Eastlake community and members of the public to a design discussion on the open space park proposed for the unimproved E Howe Right-of-Way. The design team will present current design development for the public open space, which is part of an upcoming mixed use project at 1823 Eastlake Ave E and 1903 Yale Place E.
We are interested in your ideas and feedback. Please join us!

For additional information, please contact Dawn Bushnaq at dawn@bushnaqstudio.com or 206-257-3345.

DALYPARTNERS

BUSHNAQ STUDIO ARCHITECTURE +DESIGN

Dawn Bushnaq

From: Brian Ramey <brianramey@comcast.net>
Sent: Wednesday, August 07, 2013 11:54 AM
To: Dawn Bushnaq
Cc: Mary Hansen
Subject: Design help for the E Howe Right of Way

Dawn,

By copy of this email I would like to introduce Mary Hansen a neighbor and one of the long time supporters of the E Howe Street Park / Pedestrian Pathway and Stairs.

I saw her last night at the neighborhood's 1st Tuesday in August "Seattle Nite Out" potluck and we talked about her availability to offer help and support for the design plans for the right of way. She agreed to help in any way she can.

I hope that you will include Mary when the time comes to map out a plan for the right of way. Mary could be very helpful.

Thanks again for your continued efforts to bring the best designs to the table for your project and for the benefit of the community.

<span STYLE="FONT-FAMILY: Roman;? New Times>Brian Ramey
Lake Union Neighbors
117 East Louisa St. #187
Seattle, WA 98102
206-271-4744

feet first

PROMOTING WALKABLE COMMUNITIES

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Staff
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Jen Cole
Safe Routes to School Program Director
Gia Clark
Active Communities Mapping Specialist
Caitlin Callaghan
Safe Routes to School Event Coordinator
Darcy Edmunds
Volunteer Coordinator

314 1st Avenue South
Seattle, WA 98104
206.652.2310 ph
206.381.1631 fx
www.feetfirst.org

Peter Hahn
Director of Seattle Department of Transportation (SDOT)
PO Box 34996
Seattle, WA 98124-4996

August 2, 2012

Dear Mr. Hahn:

Walking is an essential part of our everyday lives. Walking connects us to people, places and to other forms of transportation. For over ten years, Feet First as working to ensure there are walkable communities throughout Washington.

To this end, our efforts support the establishment of more walkable and vibrant communities and for pedestrian connections that improve safety, mobility and access for all. The City of Seattle has an opportunity to provide a continuous pedestrian connection between along the East Howe right-of-way in Eastlake. A majority of this right-of-way is already a pedestrian-accessible walking path/stairway running from North Capitol Hill to Eastlake Avenue East passing beneath I-5. Unfortunately, adjacent property owners are encroaching on the westernmost portion of the right-of-way near Fairview Avenue East, thereby blocking people being able to walk to Lake Union. Additionally, there is a proposed development at 1818 Fairview Avenue East that could complete this walkway, once cleared of encroachments.

The completion of the East Howe walking path would be a great asset to the Eastlake community and supports the city's efforts to become the most walkable city in the nation. The former NOAA site at the western end of the right-of-way is a possible venue for water access to Lake Union. A pathway section in this location would also improve people's access to bus stops along Eastlake Avenue. Restoring the connections between communities severed decades ago by the construction of Interstate 5 should be a high priority for the City. Lake Union is one of Seattle's jewels, and a continuous walkway along the East Howe right-of-way will help to reestablish Capitol Hill's link with this wonderful asset as well as benefiting people who work and live in Eastlake.

Feet First encourages the City to include provisions for this connection when considering the draft MUP for the proposed development at 1818 Fairview East. We also encourage the City to enforce its right-of-way use policies to restore this section of the right-of-way to public use. Should you have any questions, feel free to contact me by calling me at 206-652-2310 ext. 6 or by emailing lisa@feetfirst.org.

Sincerely yours,

Lisa Quinn
Executive Director

cc:
Moira Gray, Street Vacations
Beverly Barnett, Seattle Department of Transportation
Brian dePlace, Street Use, Seattle Department of Transportation
Michael Dorcy, Planner
Seth Schromen-Wawrin, Chair of the Pedestrian Advisory Board, City of Seattle
Brian Ramey, Eastlake Resident

Dawn Bushnaq

From: Gabriel Grant <gabrielfgrant@gmail.com>
Sent: Wednesday, July 24, 2013 4:25 PM
To: Bruce Rips
Subject: 1823 Eastlake

Dear Bruce,
As you know I currently chair the Downtown Design Review Board but wanted to write in my capacity as a resident of Eastlake. My wife and I live less than 100 yards (on Yale) from the proposed project at 1823 Eastlake and 1903 Yale Place.

Having just reviewed the EDG packet in detail, I would like to offer my strong support, as well as the following comments:

1. The EDG packet is very thorough and offers three different and well considered massing options. I agree with the applicant that option #3 is best as it offers a highly porous ground plane that will add a great deal to the street life in that area.

2. The opportunity that this project creates for opening up the E. Howe Street Right of Way is exceptional and I applaud the applicant for incorporating it as a centerpiece to the project. At the Recommendation phase, it would be great to see more evolved landscape drawings.

3. The preferred parking scheme is by far the best. As mentioned above, we live on Yale and despite the fact that the preferred parking scheme would result in all of the vehicular ingress and egress occurring on Yale, I still think it is much better than having a curb cut on Eastlake. The woonerf is a nice thought as well.

4. As the applicant likely knows, traffic speeds along Eastlake can be very fast. One suggestion would be to add a curb bulb at the corner of Yale Place East and Eastlake to shorten the distance of the cross walk.

5. I like the location of the commercial space, as it could make for a great counterpoint to the ROW. I think that the live work spaces on the remaining Eastlake frontage are appropriate for the neighborhood. The one exception might be the live work space directly opposite the commercial space, which could probably support a fully commercial use as well.

In short, I think this is a well conceived project and a very thorough EDG packet. As a neighbor, I am in support and hope the board feels it is appropriate to allow the project to proceed to a recommendation meeting.

Sincerely,
Gabriel Grant
2004 Yale Ave E
Seattle, WA 98102
206-388-7393

Dawn Bushnaq

Subject: FW: E Howe Street Park / Stairs / Pedestrian space IMPORTANT MEETING WEDNESDAY JULY 24TH

Attachments: 08-02-12 Feet_First_LTR_E Howe Street_FINAL.pdf; 07-15-13Design Proposal for 3014468 and 3015480.pdf

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From: Brian Ramey [mailto:brianramey@comcast.net]
Sent: Saturday, July 20, 2013 12:59 PM
To: brianramey@comcast.net
Subject: E Howe Street Park / Stairs / Pedestrian space IMPORTANT MEETING WEDNESDAY JULY 24TH

Dear Fellow E Howe Street Stairs / Park and Pathway Fans

Project Number: 3014468 permit status

- **The developer of the former AZTECA site and steward of that portion of the East Howe ROW has been working on a plan with the community and members of our group in hopes that he will have the neighborhood support when he next goes before the City Department of Planning Early Design Review panel (see July 24th meeting below). This meeting is next Wednesday night July 24th, see below. I know it is way out of our neighborhood and so it is important that if you do not go, please email your support and comments to Bruce Rips. See his email address below.**
- **PLEASE TRY TO ATTEND THIS MEETING AND AT LEAST SEND AN EMAIL TO BRUCE RIPS, PLANNER, TO SHOW YOUR SUPPORT FOR CREATION OF THE E HOWE STAIRS / PARK / PATHWAY. This is vital at this time. If possible, please copy both myself and Dawn Bushnaq with your comments.**

Thank you

Brian

- **THE DESIGN REVIEW MEETING (I HAVE ATTACHED THE LATEST DRAWINGS OF THE PROPOSED DEVELOPMENT AT 1823 AND 1903) Please also let Dawn Bushnaq know of any concerns you have about this project. She has been very supportive of the community but needs to know about individual concerns and support.**

- **8:00 Meeting slot is for both project #'s**
  1823 Eastlake Ave E
  1903 Yale Pl E
  Design Proposal available at review meeting
  Review Meeting: July 24, 8:00 PM
  Seattle University
  901 12th Ave

  Admissions & Alumni Community Room
  Review Phase: EDG--Early Design Guidance
  Project Number: 3014468 permit status

Planner: Bruce Rips
Phone: 206-615-1392
Fax: 206-386-4039
E-mail: Bruce.Rips@seattle.gov
Department: Planning and Development

Architect:
Dawn Bushnaq <dawn@bushnaqstudio.com>

MY LETTER FOR THE RECORD IS BELOW:

Dear Bruce Rips:

Comments on **Project Number: 3014468:**

Subsurface street vacation

I support preferred parking option (Option 3) - below grade street vacation for subsurface parking structure that serves both development sites.

- The preferred parking option (Option 3) consists of a single subterranean parking structure that connects the Yale and Eastlake development sites below grade. Because portions of the parking structure would be located below the E Howe Street ROW, this option requires a *subsurface street vacation*.
- The single parking structure allows for a single parking entry to serve both development sites. Without the street vacation, there may be two parking entries - one on Eastlake Ave E and one on Yale Place E. The single parking entry minimizes car impacts on Eastlake Ave E.
- The parking entry is proposed to be located as far west on Yale Place E as possible. This separates the parking entry from the intersection of Eastlake, Howe and Yale to help minimize vehicular impacts on Eastlake and at the intersection of Yale Place E and E Howe Street.
- Parking is not required for the project, but community members have an interest in parking as part of the project because of parking deficits in the neighborhood.
- Having parking makes the project viable for the developer which is key to realizing the at-grade public open space park at E Howe Street ROW.
- The amount of proposed parking in the preferred option is not excessive - the parking ratio is 60-65% of proposed quantity of residential units.

Live Work

I support and would encourage the applicant's proposal to create a node of small scale commercial space at street level through live work units.

- I support the siting of live work units which will be relatively small (±900-1500 SF), and will ensure small scale commercial/business activity at ground level throughout the project.
- I support the developer's plan for live work units which will be commercial in character at street level with a high degree of transparency. They should have operable windows and I like the plan for open space between each live-work unit which could be used in some circumstances as outdoor spaces to exhibit the art or craft which is the product of the tenant of the live work space.. Transparency will lend itself to commercial use at street level. Operable windows and adjacent open space will help support sidewalk activity at the live work location. Windows may wrap around corners toward courtyards so units have transparency on multiple sides to reinforce connection to ground level open space.
- Live work units and ground level courtyards offer good possibilities for active streetscape including small scale street level commercial and visible landscape courtyards at grade.

- Live work adjacent to the E Howe Street ROW will support pedestrian activity in the park. I support the developers desire that for park-facing live-work spaces to be public/commercial in nature.
- I support the developers desire to have the residential portions of the live-work at the back of the units or on a second story. Current drawings do not show location of "live" portions versus "work" portions but two story units are possible in some locations. The community was told that probably 8 of these units would become a part of the development.
- Live work units are permitted outright by the code.

Note: all options show a single small commercial space at the intersection of Yale and Howe on the Yale development site. We would encourage the developer to pursue a live work space that is designed to accommodate a coffee shop or other dedicated community type business.

Preferred Option "Inverse E" (Option 3)

I support the applicant's preferred massing diagram and residential program at upper levels:

- The neighborhood is very supportive of a project which will include residential units at this location.
- Overall proposed height, bulk and scale of proposed buildings are appropriate.
- Proposed building heights of 44', includes 13' floor to floor at live work, is appropriate for the neighborhood.
- Building massing, rhythm of live work units and open space breaks down building scale along street and the application of surface façade elements of design could make for a very appealing frontage on Eastlake.
- East-west orientation of courtyards creates good framework for residential units with solar access, open space, passive ventilation while also minimizing privacy issues with 1818 Fairview project.
- I support the developer's intent to make the Residential program include studios, one bedrooms and two bedrooms.
- I support the street level courtyards at the Yale site which would create views through the project to E Howe Street ROW.
- Potential for non-flat roof forms. Because of topography in neighborhood, roof will be another façade. Preferred option has potential for interesting appearance from above. This proposal from the developer is particularly responsive to concerns from residential and commercial buildings east of Eastlake which will look down upon the project.

E Howe Street ROW

I support applicant's plans to create public open space and pedestrian connection through E Howe Street ROW.

- Open space will be designed as clearly public without gates or other obstructions.
- ROW landscaping, street furniture paving, etc. will be designed to encourage "reading" as public.
- ROW signage/community kiosk may also be used to reinforce public character of the ROW.
- The neighborhood is working with the owners of 1823 Eastlake Avenue E, 1903 Yale Place E, 1818 Fairview Avenue E and 1910 Fairview Avenue E to create a public space out of the East Howe ROW and part of the Fairview Avenue E ROW which is contiguous to those properties.
- Design Review for the 1818 Fairview Project has already required recognition of E Howe Street ROW development requirement.
- The Community Plan has identified the E Howe Street ROW as a missing link for the connection of a path which starts at the top of Capitol Hill and currently ends at 1823 Eastlake Avenue E west edge.

The community would like to see Street Trees along the Eastlake Avenue edge of the project. My preference would be Oak.

I am not sure how because I am not an architect, but Yale Place public side and streetscape should also incorporate vegetation to soften the north façade of 1903 Yale Pl E buildings.

The community would support a plan which redirects incompatible investments in hardscape for the E How ROW. We would like to have a detailed discussion with SDOT about the requirements for development of the E Howe ROW which will further the community and the developers designs for a pedestrian oriented space. This would mean that there should be flexibility in design to not necessarily require capital investments in "curbs, gutters, sidewalks and standard

Dawn Bushnaq

From: Brian Ramey <brianramey@comcast.net>
Sent: Sunday, July 14, 2013 7:13 PM
To: 'Dawn Bushnaq'
Cc: Brian Ramey
Subject: RE: thanks and meeting

I will wait until we meet to finalize an email to the community.

You could help by pointing me in the direction of bullets for my email such as
1 our support for the subsurface street vacation
2. our support for the concept of work live
3. possibly our support for departures.

Some discussion about imprinting (signage, elements of soft scape etc) that the ROW is a public space leading somewhere....

I will try to call you from my office tomorrow.

Thanks for all your help.

Brian Ramey
117 East Louisa Street, #187
Seattle, WA 98102
(206) 271-4744
brianramey@comcast.net

ramey.brian@epa.gov
206-553-1728

From: Dawn Bushnaq [mailto:dawn@bushnaqstudio.com]
Sent: Thursday, July 11, 2013 12:58 PM
To: 'Brian Ramey'
Subject: thanks and meeting

Hi Brian,

Thanks for meeting today and for your voicemail. Your meeting with SDOT sounds like it went very well – I'm glad to hear that and looking forward to hearing more next week.

I'm confirming that we're meeting next Thursday at 9 AM at my office. My address is 3210 Beacon Avenue South Suite 130. We're just across the street from Victrola Coffee. The entrance is on the north side of the building – when you come, give me a call if you can't find it.

See you next week.
Dawn

Dawn Bushnaq

From: Brian Ramey <brianramey@comcast.net>
Sent: Thursday, May 16, 2013 11:31 AM
To: 'Jim Daly'; lakeunionmail@juno.com
Cc: patrick@dalypartners.net; dawn@bushnaqstudio.com
Subject: 1823 Development concepts meeting this morning

Jim etal,

Thank you for meeting with the representatives from our group this morning and presenting the very hopeful concepts you brought to the community.
I encourage individual members of our group, especially those who understand better than I the development process to continue to communicate with you about their questions and ideas.

I will work to have the members of our group engage the City, especially SDOT about the unknowns not a part of your development and I will communicate with you and 1818 my progress.

If you feel it would help to meet again with us in a larger forum prior to Early Design Review, please let me know.

I am excited about the concepts you brought to the table this morning and look forward to a project which is a positive contribution to the community.

Brian Ramey
117 East Louisa Street, #187
Seattle, WA 98102
(206) 271-4744
brianramey@comcast.net

Dawn Bushnaq

From: Brian Ramey <brianramey@comcast.net>
Sent: Tuesday, May 07, 2013 7:56 PM
To: 'Jim Daly'; lakeunionmail@juno.com
Cc: patrick@dalypartners.net; dawn@bushnaqstudio.com
Subject: RE: Azteca Idea
Attachments: Azteca_pking_lot_at_E_Howe_lking_West.jpg; wallingfordsteps.jpg; HartCrowserPlotPlan1910Fairview.jpg; COLLONADE1.jpg; E_Howe_Parcel_MAP.jpg

Jim,

We have secured a table for 7:30am at Louisa's Bakery. At least three or four of us will be there from the E Howe Street Pedestrian walkway group. I will try to be there when they open at 7am to get a table. The proprietor is expecting us. How many people will be with you?
We look forward to working out a great project on the site with the incorporation of a long sought connection from the east Shores of Lake Union to the top of Capitol Hill. I have attached a few pictures to give you some information on the concept we have been working toward.

Give me a call and we can talk a little about your timeline and needs.

Brian Ramey
117 East Louisa Street, #187
Seattle, WA 98102
(206) 271-4744
brianramey@comcast.net

bcc E Howe Street ROW Pedestrian Walkway, path and Stairs neighborhood group.

From: Jim Daly [mailto:jim@dalypartners.net]
Sent: Tuesday, May 07, 2013 10:07 AM
To: 'Brian Ramey'; lakeunionmail@juno.com
Cc: patrick@dalypartners.net; dawn@bushnaqstudio.com
Subject: RE: Azteca Idea

Brian
We'd prefer to meet on the 16th at 7:30AM at Louisa's. The 17th will not work. If the venue changes please let us all know. We'll bring drawings, site plans, etc. which are very preliminary. We welcome your input.
Thanks
Jim

Jim Daly,
Managing Member
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Cell: (206) 730-5037
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