



SEATTLE CITY COUNCIL

Legislative Summary

CB 119562

Record No.: CB 119562

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125884

In Control: City Clerk

File Created: 06/13/2019

Final Action: 08/09/2019

Title: AN ORDINANCE vacating a portion of 41st Avenue Northeast and a portion of Northeast 46th Street, on the petition of Seattle Children's Hospital (Clerk File 309690).

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Ex 1 - Property Use and Development Agreement

Drafter: amy.gray@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	06/18/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	06/18/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
1	Council President's Office	06/20/2019	sent for review	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee						
1	City Council	07/08/2019	referred	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was referred. to the Sustainability and Transportation Committee						
1	Sustainability and Transportation Committee	07/30/2019	pass				Pass

Legislative Summary Continued (CB 119562)

Action Text: The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 2 Chair O'Brien, Vice Chair Pacheco

Opposed: 0

1 City Council 08/05/2019 passed

Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 9 Councilmember Bagshaw, Councilmember González , Council
President Harrell, Councilmember Herbold, Councilmember Juarez,
Councilmember Mosqueda, Councilmember O'Brien, Councilmember
Pacheco, Councilmember Sawant

Opposed: 0

1 City Clerk 08/09/2019 submitted for Mayor

Mayor's signature

1 Mayor 08/09/2019 Signed

1 Mayor 08/09/2019 returned City Clerk

1 City Clerk 08/09/2019 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

CITY OF SEATTLE

ORDINANCE 125884

COUNCIL BILL 119562

AN ORDINANCE vacating a portion of 41st Avenue Northeast and a portion of Northeast 46th Street, on the petition of Seattle Children's Hospital (Clerk File 309690).

WHEREAS, Seattle Children's Hospital ("Petitioner") filed a petition under Clerk File 309690

to vacate a portion of 41st Avenue Northeast and a portion of Northeast 46th Street; and

WHEREAS, after a May 25, 2010, public hearing on the petition, the City Council conditionally granted the petition on June 1, 2010; and

WHEREAS, a Property Use and Development Agreement recorded on May 15, 2019, with the

King County Recorder's Office under Recording No. 20190515001004 commits the

Petitioner and their successors to fulfill ongoing public benefit obligations required by the vacation; and

WHEREAS, as provided for in Revised Code of Washington (RCW) Section 35.79.030 and

Seattle Municipal Code Chapter 15.62, on August 6, 2013, the Petitioner paid the City a vacation fee of \$7,560,000, which is the full appraised value of the property; and

WHEREAS, the Petitioner has met all conditions imposed by the City Council in connection with the vacation petition; and

WHEREAS, vacating a portion of 41st Avenue Northeast and a portion of Northeast 46th Street is in the public interest; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A portion of 41st Avenue Northeast and a portion of Northeast 46th Street in the Laurelhurst neighborhood of Seattle described below are vacated:

1 41st Avenue Northeast from the southeast margin of Sand Point Way Northeast to its
2 boundary at Northeast 46th Street; and

3 Northeast 46th Street from its boundary with 41st Avenue Northeast to the east margin of
4 40th Avenue Northeast

5 Section 2. The Property Use and Development Agreement, King County Recording
6 Number 20190515001004, attached as Exhibit 1 to this ordinance is accepted.

7 Section 3. The Easement and Maintenance Agreements between the Department of Parks
8 and Recreation and Seattle Children's Hospital for access to the Burke-Gilman Trail across a
9 portion of the Petitioner's property, and for maintenance of the easement area as required by the
10 vacation conditions, are accepted in the Ordinance introduced as Council Bill 119564.

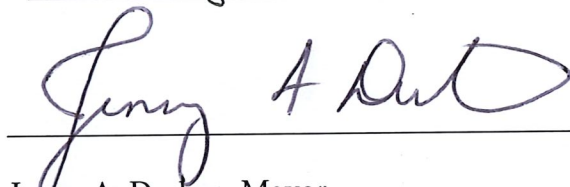
Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 5th day of August, 2019,
and signed by me in open session in authentication of its passage this 5th day of
August, 2019.



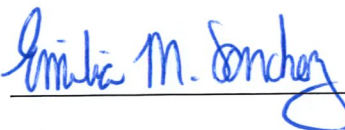
President _____ of the City Council

Approved by me this 9th day of August, 2019.



Jenny A. Durkan, Mayor

Filed by me this 9th day of August, 2019.



for Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Exhibit 1 - Property Use and Development Agreement

After Filing Return To:
John C. McCullough
McCullough Hill Leary PS
701 Fifth Avenue
Suite 6600
Seattle, Washington 98104



PROPERTY USE AND DEVELOPMENT AGREEMENT

Grantor(s): SEATTLE CHILDREN'S HOSPITAL

Grantee(s): CITY OF SEATTLE

Abbreviated Legal Description (lot, block and plat name, or section-township-range):

A portion of the West Half of the Southeast Quarter of the
Southwest Quarter of Section 10, Township 25 North, Range 4
East, W.M., in King County, Washington.

Assessor's Property Tax Parcel Account Number(s): 1025049265

Reference Numbers of Documents Assigned or Released (if applicable): N/A

PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS AGREEMENT ("Agreement") is made this date in favor of the CITY OF SEATTLE, a municipal corporation of the State of Washington ("City"), by SEATTLE CHILDREN'S HOSPITAL, a Washington nonprofit corporation, owner of the Property described herein ("Owner").

WITNESSETH

WHEREAS, the Owner is vested in fee simple title and has a substantial beneficial interest in the property located in King County, Washington, as legally described in Exhibit A hereto (the "Property");

WHEREAS, the Owner has developed the Property with new hospital facilities pursuant to City of Seattle Department of Planning and Development Project No. 3011377 and will continue to redevelop the Property with such facilities (the "Development"); and

WHEREAS, in connection with the Development, a petition was filed on December 31, 2008, pursuant to RCW Ch. 35.79 and Seattle Municipal Code Ch. 15.62, by the Owner, to vacate a portion of 41st Avenue NE and a portion of NE 46th Street, as legally described in Exhibit B; and

WHEREAS, the City Council granted preliminary approval of the vacation on June 1, 2010 (CF 309690) subject to conditions, including the public benefit features listed in Exhibit C; and

WHEREAS, the Owner now seeks final vacation of the portions of 41st Avenue NE and NE 46th Streets described in Exhibit B;

NOW, THEREFORE, the Owner covenants, bargains, and agrees on behalf of itself, its successors, and assigns to the following:

Section 1. Owner has completed the following required public benefit features described in Exhibit C in accordance with the Owner's Major Institution Master Plan Specific Design Guidelines:

a) ***Burke-Gilman Trail/Sand Point Way NE Connection at Hartmann Site:*** The purpose of this public benefit is to provide 24-hour pedestrian and bicycle public access from the Burke-Gilman Trail to Sand Point Way NE and across the new intersection at 40th Avenue NE and Sand Point Way NE. The specific features of this public benefit are set forth on Exhibit D. Owner has completed these improvements and Owner will maintain these improvements for the life of the public benefit;

b) ***Street Amenities on Sand Point Way NE:*** The purpose of this public benefit is to provide plaza, street and sidewalk improvements for public access and the use of Sand Point Way NE along the former Laurelon Terrace (east side of Sand Point Way NE) and

the Hartmann (west side of Sand Point Way NE) properties. Owner has completed these improvements, which include a sidewalk, cycle track, new street lighting, landscaping, and new Metro bus stops along Sand Point Way NE, on the Property as well as on the west side of Sand Point Way NE. The specific features of this public benefit are set forth on Exhibit E. Owner will maintain the improvements located on the Property for the life of the public benefit;

c) ***Enhanced Public Transit/Seattle Children's Shuttle Centers on Sand Point Way NE:*** The purpose of this public benefit is to improve public access to Metro bus routes and the Children's shuttle on both sides of Sand Point Way NE. Owner has completed the shuttle centers, immediately adjacent to the Phase 1 Building on the Property, and reserves the right to relocate the location of these transit and shuttle stops in subsequent Phases of development of the Property. The specific features of this public benefit are set forth on Exhibit F. Owner will maintain these improvements for the life of the public benefit;

d) ***\$2 Million Bicycle and Pedestrian Fund:*** The purpose of this public benefit is to allow SDOT to fund and develop unfunded priority projects in Northeast Seattle, particularly those that are within 1.5 miles of Children's main campus, that promote safe biking and walking for the general public. Owner is committed to paying \$500,000 into a Seattle Department of Transportation (SDOT) fund on a pro-rata basis (\$500,000 for each phase) for Phases 1-4 of hospital development and the \$500,000 payment for Phase 1 has been paid to the City;

e) ***Street Amenities on 40th Avenue NE:*** The purpose of this public benefit is to provide plaza, street and sidewalk improvements for public access and use of 40th Avenue NE along the former Laurelon Terrace site from NE 45th Street to Sand Point Way NE that are less intensive than the plazas on Sand Point Way NE and instead serve as a transition to the residential development on the west side of 40th Avenue NE. The specific features of this public benefit are set forth on Exhibit G. Owner has completed these improvements, which include a new sidewalk, small plaza area (with seating), and landscaping on the east side of 40th Avenue NE;

f) ***Pocket Park at Corner of 40th Avenue NE/NE 45th Street and NE 45th Street Edge:*** The purpose of this public benefit is to provide a public area of respite and a focal point at this transition area between the Laurelhurst neighborhood on the south and Seattle Children's future development. Owner has completed these improvements, which include seating, walking paths, pedestrian level lighting, a sculpture, landscaping (which includes relocated specimen trees from the former Laurelon Terrace development), and environmental education. The specific features of this public benefit are set forth on Exhibit H. Owner will maintain these improvements located on the Property for the life of the public benefit; and

g) ***Public Benefit Features:*** The completed improvements described in subsections (a)-(f) above shall be referred to in this Agreement as the "Public Benefit Features."

Section 2. The design of the Public Benefit Features, completed by the Owner as described in Section 1, was approved and permitted by all necessary City departments.

Section 3. The Owner reserves the right to make future modifications of the Public Benefit Features, as reasonably necessary to accommodate and serve the Development. The Owner shall also have the right to temporarily close or obstruct the Public Benefit Features for: (1) construction; (2) maintenance and repair; (3) temporary use for private functions directly related to the Development; (4) the maintenance of security for the Development or persons using the Development; and (5) other circumstances beyond the Owner's control.

Section 4. The Owner may adopt reasonable rules and regulations regarding the use of and access to the Public Benefit Features as necessary to ensure the security of the users of the Public Benefit Features and the Development. The rules and regulations shall be consistent with the terms of this Agreement. A summary of the current rules and regulations may be posted in visible locations on the Property.

Section 5. The Owner and the City through its Parks Department, Department of Neighborhoods, or other City agency, may coordinate programming of community and public events or other public functions associated with the Public Benefit Features. Any such events shall be coordinated between the City and Owner not less than six months in advance.

Section 6. This Agreement shall be recorded in the records of King County and the covenants of this Agreement shall attach to and run with the Property and shall be binding upon the Owner, its heirs, successors, and assigns.

Section 7. This Agreement may be amended or modified by agreement between the Owner and the City; provided the amended Agreement shall be approved by the City Council by ordinance. Nothing in the Agreement shall be construed as a surrender of the City's governmental powers.

Section 8. This Agreement is made for the benefit of the City and the public, and the City may institute and prosecute any proceeding at law or in equity to enforce this Agreement.

Section 9. Upon the effective date of the vacation ordinance, the Owner shall provide and thereafter maintain in full force and effect, commercial general liability insurance providing for a limit of not less than \$1,000,000 per occurrence for all damages arising out of bodily injuries or death from public use of the Public Benefit Features. The insurance policies obtained shall be approved as to form by the City Risk Manager and shall name the City as an additional insured.

Section 10. Owner shall indemnify, hold harmless, and defend the City and its officers, agents and employees, from any and all claims, losses, liabilities, liens, costs, or expenses including attorney's fees, resulting from or arising out of public use of the Public Benefit Features, except to the extent resulting from the negligence or intentional acts of the City.

Section 11. The Owner reserves the right to use the Public Benefit Features for any purpose which does not interfere with the public's use of such features.

Section 12. Notwithstanding the covenants contained in this Agreement, nothing in this Agreement shall constitute a public dedication of any portion of the Property.

Section 13. In the event any covenant or condition or any portion thereof in this Agreement is judicially determined to be invalid or void, such invalidity or voidness shall in no way affect any other covenant, condition or restriction contained in this Agreement.

Dated this 9th day of May, 2019.

OWNER:

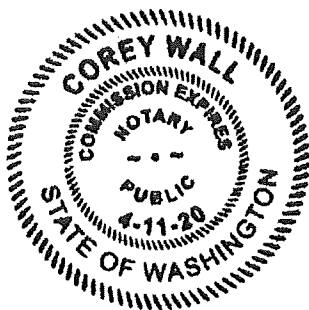
SEATTLE CHILDREN'S HOSPITAL,
a Washington nonprofit corporation

By Todd M. Johnson
Todd M. Johnson
Its: Vice President

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 9th day of May, 2019, before me, personally appeared Todd Johnson, to me known to be the Vice President of SEATTLE CHILDREN'S HOSPITAL, a Washington nonprofit corporation, that executed the within and foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that she was duly authorized to execute said instrument on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Corey Wall
NOTARY PUBLIC in and for the State of
Washington, residing at Seattle Childrens
My appointment expires 04-11-20
Print Name Corey Wall
#185064

Exhibit A

THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE NORTH ALONG WEST LINE THEREOF TO ITS INTERSECTION WITH THE SOUTHEASTERLY LINE OF SAND POINT WAY; THENCE NORTH $35^{\circ}10'24''$ EAST ALONG SAID SOUTHEASTERLY LINE, TO ITS INTERSECTION WITH THE WEST LINE OF BLOCK 1 OF GWINN'S LAURELHURST MANOR ADDITION, ACCORDING TO THE PLAT RECORDED IN VOLUME 41 OF PLATS, PAGE 27, IN KING COUNTY, WASHINGTON, PRODUCED NORTH; THENCE SOUTH ALONG SAID PRODUCED WEST LINE OF BLOCK 1 AND THE WEST LINE OF SAID BLOCK 1 TO THE SOUTH LINE OF SAID SUBDIVISION; THENCE WEST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING; EXCEPT THE SOUTH 30 FEET FOR EAST 45TH STREET; EXCEPT PORTION THEREOF LYING WITHIN 40TH AVENUE NORTHEAST; EXCEPT THAT PORTION THEREOF LYING WITHIN THE ALLEY ADJOINING TO THE WEST LINE OF SAID BLOCK 1, GWINN'S LAURELHURST MANOR ADDITION, ACCORDING TO THE PLAT RECORDED IN VOLUME 41 OF PLATS, PAGE 27, IN KING COUNTY, WASHINGTON. EXCEPT A STRIP OF PARCEL OF LAND 50 FEET IN WIDTH OVER AND ACROSS A PORTION OF THE SOUTHEAST QUARTER OF THAT SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, THE CENTERLINE OF WHICH SAID STRIP IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE OF THE WEST LINE THEREOF NORTH $0^{\circ}25'38''$ WEST 235.54 FEET; THENCE NORTH $89^{\circ}34'22''$ EAST 30 FEET TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID POINT NORTH $89^{\circ}34'22''$ EAST 129 FEET TO A POINT OF CURVE TO THE LEFT; THENCE WITH A RADIUS OF 42.50 FEET FOLLOWING THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90° FOR A DISTANCE OF 66.76 FEET TO A POINT OF TANGENCY; THENCE ON SAID TANGENT NORTH $0^{\circ}25'38''$ WEST 179.85 FEET TO A POINT OF CURVE TO THE RIGHT; THENCE WITH A RADIUS OF 204 FEET FOLLOWING THE ARC OF SAID CURVE IN A NORTHERLY DIRECTION THROUGH A CENTRAL ANGLE OF $27^{\circ}32'09''$ FOR A DISTANCE OF 98.04 FEET TO A POINT OF TANGENCY; THENCE ON SAID TANGENT NORTH $27^{\circ}06'31''$ EAST 111.02 FEET TO A POINT OF CURVE TO THE LEFT; THENCE WITH A RADIUS OF 330 FEET FOLLOWING THE ARC OF SAID CURVE IN A NORTHERLY DIRECTION THROUGH A CENTRAL ANGLE OF $13^{\circ}08'00''$ FOR A DISTANCE OF 75.64 FEET TO A POINT OF COMPOUND CURVE; THENCE WITH A RADIUS OF 98.94 FEET FOLLOWING THE ARC OF SAID CURVE TO THE LEFT IN A NORTHERLY DIRECTION THROUGH A CENTRAL ANGLE OF $69^{\circ}00'00''$ FOR A DISTANCE OF

119.15 FEET TO A POINT OF TANGENCY; THENCE OF SAID TANGENT NORTH 55°01'29" WEST 58.75 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAND POINT WAY; AND EXCEPT THE WEST 30 FEET OF THE NORTH 368 FEET OF THE SOUTH 298 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 10, TOWNSHIP 25 NORTH. RANGE 4 EAST. W.M. IN KING COUNTY. WASHINGTON.

Exhibit B
Legal Description of Vacated Portions of the Streets

Laurelon Terrace
Project 035349
November 13, 2008

Road Vacation Legal Description
NE 46th Street / 41st Avenue NE

All that certain property situate in the City of Seattle, County of King, State of Washington, lying within the southeast quarter of the southwest quarter of Section 10, Township 25 North, Range 4 East, W.M., being a 50.00 foot wide strip of land, the centerline of which is more particularly described as follows:

COMMENCING at the southwest corner of said subdivision, being marked by a brass nail in a 4" concrete monument in case at the intersection of NE 45th Street and 40th Avenue NE, thence N00°43'24"E, along the west line of said subdivision, also being the centerline of 40th Avenue NE, a distance of 235.60 feet to the intersection with NE 46th Street;
Thence S89°16'36"E a distance of 30.00 feet to the east margin of 40th Avenue NE and the **POINT OF BEGINNING** of said vacation centerline;
Thence continuing S89°16'36"E a distance of 129.00 feet;
Thence tangent to the preceding course along the arc of a curve to the left, having a radius of 42.50 feet and a central angle of 90°00'00", an arc length of 66.76 feet;
Thence tangent to the preceding curve N00°43'24"E a distance of 179.85 feet;
Thence tangent to the preceding course along the arc of a curve to the right, having a radius of 204.00 feet and a central angle of 27°32'09", an arc length of 98.04 feet;
Thence tangent to the preceding curve N28°15'33"E a distance of 111.02 feet;
Thence tangent to the preceding course along the arc of a curve to the left, having a radius of 330.00 feet and a central angle of 13°09'46", an arc length of 75.81 feet to a point of compound curvature;
Thence tangent to the preceding curve along the arc of a curve to the left, having a radius of 98.94 feet and a central angle of 68°58'09", an arc length of 119.10 feet;
Thence tangent to the preceding curve N53°52'22"W a distance of 58.81 feet to the southeasterly margin of Sand Point Way NE and the terminus of this road vacation centerline, said terminus bearing S53°52'22"E a distance of 42.00 feet from a brass nail in a concrete monument in case marking the intersection of 41st Avenue NE with the monument line of Sand Point Way NE, said monument line being offset 8 feet SE from the centerline of Sand Point Way NE.

Contains 41,919 S.F. +/- (0.96 acres)

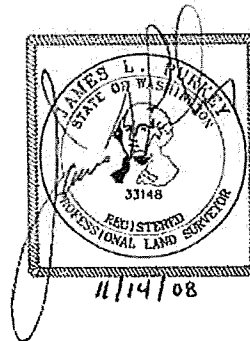


Exhibit C

Public Benefits Requested by City Council

Burke-Gilman Trail/Sand Point Way NE Connection at Hartman Site: The purpose of this public benefit is to provide 24 hour pedestrian and bicycle public access from the Burke-Gilman Trail to Sand Point Way NE and across the proposed new intersection at 40th Avenue NE and Sand Point Way NE. The trail connection is to be designed to provide a safe route for people to access the 40th and Sand Point Way NE intersection. Crime Prevention through Environmental Design (CPTED) strategies shall be a guideline for design for all of the public benefit elements. This connection would likely be constructed during the second phase of the Master Plan.

Street Amenities on Sand Point Way NE: The purpose of this public benefit is to provide plaza, street and sidewalk improvements for public access and the use of Sand Point Way NE along the former Laurelon Terrace (east side of Sand Point Way NE) and the Hartmann (west side of Sand Point Way NE) properties. These improvements would likely occur during the first two phases of development.

Enhanced Public Transit/Seattle Children's Shuttle Centers on Sand Point Way NE: The purpose of the enhancements is to improve public access to Metro bus routes and Children's shuttle on both sides of Sand Point Way NE. This enhancement is also part of Children's Transportation Plan. These improvements would likely occur during the first two phases of development.

\$2 Million for Bicycle and Pedestrian Fund: The purpose of this is to allow SDOT to fund and develop unfunded priority projects in Northeast Seattle, particularly those that are within 1.5 miles of Children's main campus, that promote safe biking and walking for the general public. The goal is to have the money distributed as early as possible in the development process.

Street Amenities on 40th Avenue NE: The purpose is to provide plaza, street and sidewalk improvements for public access and use of 40th Avenue NE along the former Laurelon Terrace site from NE 45th Street to Sand Point Way NE that are less intensive than the plazas on Sand Point Way NE and instead serve as a transition to the residential development on the west side of 40th Avenue NE. These improvements would occur within the first phase of development.

Pocket Park at Corner of 40th Avenue NE/NE 45th Street and NE 45th Street Edge: The purpose of this public benefit is to provide a public area of respite and a focal point at this transition area between the Laurelhurst neighborhood on the south and Seattle Children's future development. This improvement would occur within the first phase of development.

Exhibit D

BURKE-GILMAN TRAIL / SAND POINT WAY NE CONNECTION AT HARTMANN SITE

1. BURKE-GILMAN TRAIL / SAND POINT WAY NE CONNECTION AT HARTMANN SITE

Purpose:

Provide 24 hour pedestrian and bicycle public access from the Burke-Gilman trail to Sand Point Way NE and across the proposed new intersection at 40th Ave NE and Sand Point Way NE. Trail connection to be designed to create a safe route for people of all abilities. Crime Prevention through Environmental Design (CPTED) strategies shall be a guideline for design.

Construction Phase:

This connection would be constructed during the second phase of Master Plan development. Seattle children's will provide initial and ongoing maintenance for all public benefits listed below.

Public Benefits – Proposed Development Standards

Area A – Burke-Gilman Gateway

1. 17,000 SF. min. area between Hartmann building site and the Burke-Gilman trail. 5,000 SF. min. of which is on Seattle Children's Hospital property.
2. 800 SF. min. of gateway plaza consisting of specialty paving surfaces (e.g. concrete unit pavers, colored, textured concrete, etc) and 20 LF. of seating elements (e.g. site furnishings, seatwalls, stones)
3. Information and wayfinding signage identifying the connection route.
4. 6' wide min. to 8' wide pathway with intermediate landings and connecting to "Burke-Gilman Steps" (see area C below).
5. Low level safety lighting to allow 24 hours access from Burke-Gilman trail to Sand Point Way NE.
6. Planting material species consistent with and complimentary to sequoia grove and would include trees (deciduous and conifer), shrubs, grasses, ground covers, perennials, bulbs.
7. Plantings would be 20% min. native species, 20% min. evergreen species and 30% min. drought tolerant species.
8. Strategies for reduction of potable domestic water use for irrigation would be pursued (e.g. rain water capture and re-use, cisterns, drip irrigation, evapotranspiration monitoring and control overrides)
9. Landscaping quantities to conform at a minimum to requirements of Director's Rule 13-92.

Area B – Existing Sequoia Grove

1. 9,000 SF. min. area defined by the seven (7) existing Sequoia tree canopy. 5,000 SF. min. of which is on Seattle Children's Hospital property.
2. Existing Sequoia tree grove would be protected in place subject to a good health exam by a certified arborist.
3. All planning and development within the critical root zone of the existing sequoia grove would be reviewed and approved by certified Arborist.
4. All construction activity in this area would be reviewed by certified Arborist.

Area C – Burke-Gilman Steps

1. 2,500 SF. min. area adjacent to the Hartmann building.
2. Concrete staircase of 8' min width.
3. 30 LF min. of seating elements (e.g. site furnishings, seatwalls, stones).
4. Bike gutters at stairway edges allowing for rolling bike access up and down stairway.
5. Information and wayfinding signage identifying the connection route.
6. Neighborhood kiosk for posting of community and neighborhood events.
7. Signage to be coordinated with all agencies having jurisdiction (e.g. SDOT, METRO, WDSOT, Seattle Children's, etc) to minimize clutter and provide organized streetscape.
8. Low level safety lighting to allow 24 hours access from Burke-Gilman trail to Sand Point Way NE.
9. Planting material species consistent with and complimentary to sequoia grove and would including trees (deciduous and conifer), shrubs, grasses, ground covers, perennials, bulbs. Plantings would be a minimum of 30% drought tolerant species.
10. Plantings would be 20% min. native species, 20% min. evergreen species and 30% min. drought tolerant species.
11. Strategies for reduction of potable domestic water use for irrigation would be pursued (e.g. rain water capture and re-use, cisterns, drip irrigation, evapotranspiration monitoring and control overrides)
12. Landscaping quantities to conform at a minimum to requirements of Director's Rule 13-92.

Exhibit D

**BURKE-GILMAN TRAIL / SAND POINT WAY NE
CONNECTION AT HARTMANN SITE**

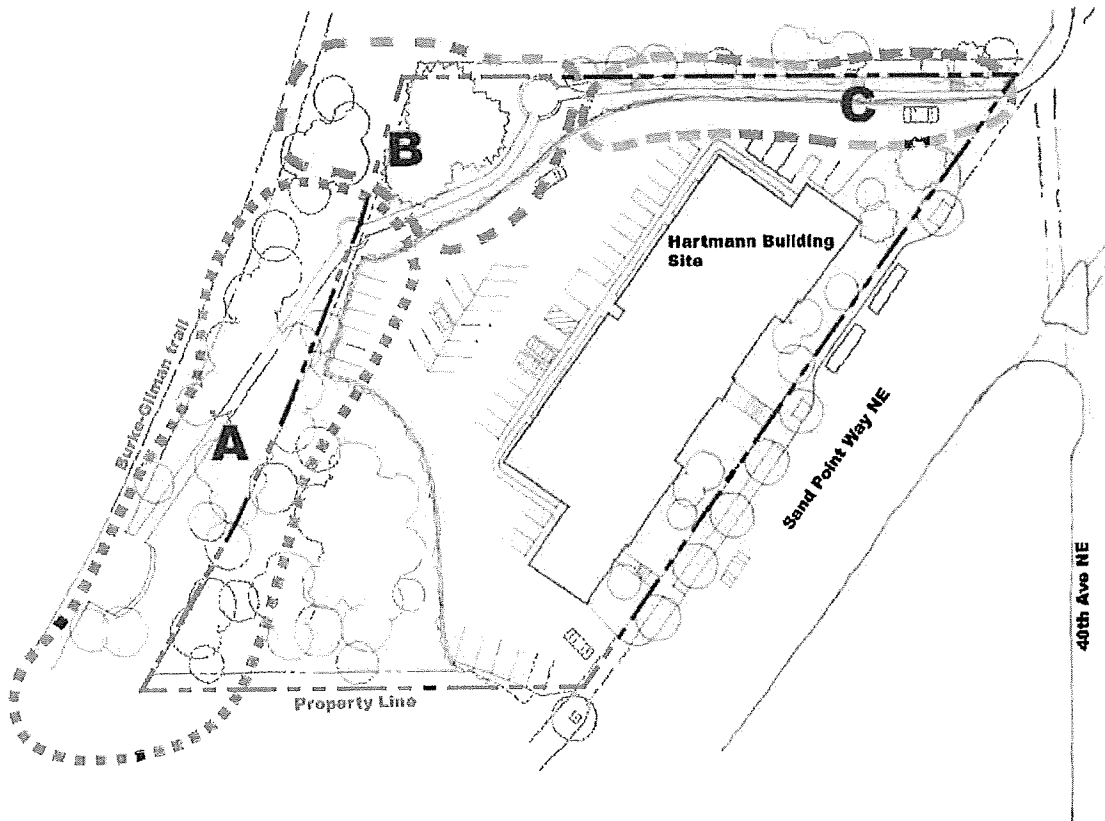


Exhibit E

STREET AMENITIES ON SAND POINT WAY NE

2. STREET AMENITIES ON SAND POINT WAY NE

Purpose:

Provide plaza, street and sidewalk improvements for public access and use of Sand Point Way NE along the former Laurelon Terrace condominium (east side of Sand Point Way NE), and Hartmann (west side of Sand Point Way NE) properties. Crime Prevention through Environmental Design (CPTED) strategies shall be a guideline for design.

Construction Phase:

These improvements would likely occur within the first and second phase of Master Plan development. Seattle Children's will provide initial and ongoing maintenance for all public benefits listed below.

Public Benefits – Proposed Development Standards

Area A – Sand Point Way NE Street Frontage

1. Up to 22'-6" wide public benefit zone from curb line to face of building (see cross sections) including the following:
2. Concrete sidewalks with planting strips to SDOT standards in the ROW on both sides of Sand Point Way NE.
3. Additional concrete sidewalks on Seattle Children's property along Sand Point Way NE of 6' min. to 10' max. widths depending on adjacent site development.
4. Street trees, in excess of the minimum required by code, would be provided on both sides of Sand Point Way NE. The quantity and placements of trees to be determined by consultation with the DPD Director and the Director of Transportation.
5. Street trees in ROW would be placed in continuous planting strips where possible and appropriate.
6. Street trees in tree pits of less than 32 SF. in size would have the growing medium linked to adjacent tree pits to allow for adequate soil volume for specified tree. (e.g. planting soil below sidewalk or permeable concrete paver zone over planting soil).
7. Landscaping would be consistent with current Seattle Children's planting scheme with 40:60 landscape to hardscape ratio.
8. Landscape to be 20% min. native species, 20% min. evergreen species and 30% min. drought tolerant species.
9. Strategies for reduction of potable domestic water use for irrigation would be pursued (e.g. rain water capture and re-use, cisterns, drip irrigation, evapotranspiration monitoring and control overrides)
10. Where appropriate spilling of the interior space out onto the sidewalk areas would be designed to create pedestrian friendly open spaces. (e.g. specialty paving at building entries from interior lobby extending out onto sidewalk).
11. Directional, information, and wayfinding signage would be provided for the public on both sides of Sand Point Way NE. Signage to be coordinated with all agencies having jurisdiction (e.g. SDOT, METRO, WDSOT, Seattle Children's, etc) to minimize clutter and provide organized streetscape.
12. 40 LF min. of seating elements at Laurelon Terrace frontage. 15 LF min. of seating elements at Hartmann frontage.
13. Enhanced pedestrian safety and street lighting would be provided along the developed areas on both sides of Sand Point Way NE.
14. Weather protection would be provided by means of canopies and building overhangs along entire developed Sand Point Way NE frontage.
15. Public bicycle parking would be provided at appropriate building entries. Minimum 2 racks at Laurelon frontage (6 bikes) and 1 Rack at the Hartmann site frontage (3 bikes).

Area B – Public Plaza

1. Public plazas would be created adjacent to the public crosswalks on the east side of Sand Point Way NE.
 - A. 2,500 SF. total plaza(s) at the corner, or along Sand Point Way NE and 40th Ave NE, or along Sand Point Way NE.
2. Plazas would incorporate durable and maintainable materials.
3. Each plaza would incorporate 20 LF seating elements.
4. Art would be incorporated into the plaza spaces. A minimum of one commissioned art piece.

Exhibit E

STREET AMENITIES ON SAND POINT WAY NE

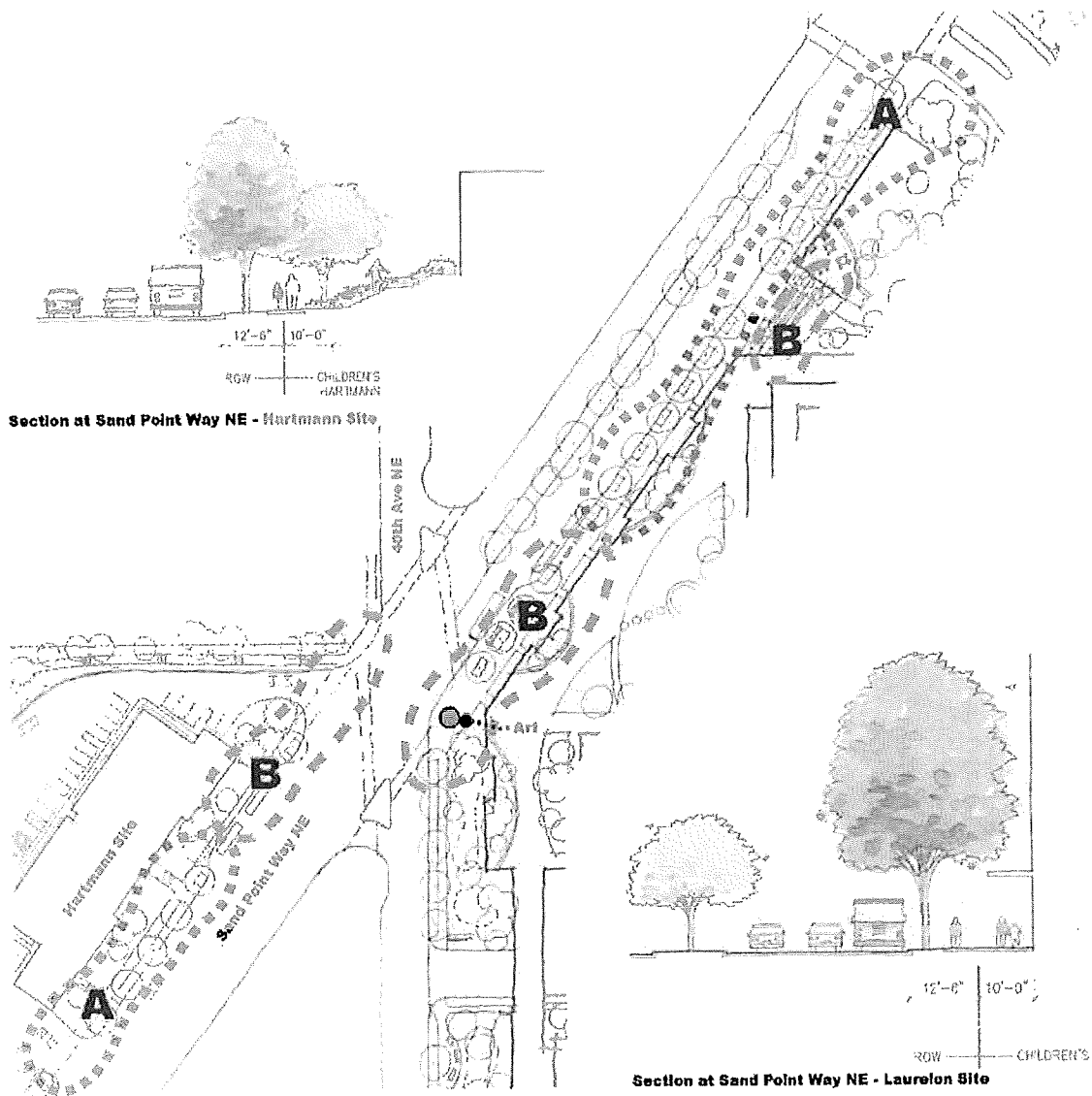


Exhibit F

ENHANCED PUBLIC TRANSIT / SEATTLE CHILDREN'S SHUTTLE CENTERS ON SAND POINT WAY NE

3. ENHANCED PUBLIC TRANSIT / SEATTLE CHILDREN'S SHUTTLE CENTERS ON SAND POINT WAY NE

Purpose:

Improve public access to METRO bus routes and Seattle Children's shuttles on both sides of Sand Point Way NE. This enhancement is part of Seattle Children's Comprehensive Transportation Plan. Crime Prevention through Environmental Design (CPTED) strategies shall be a guideline for design.

Construction Phase:

These improvements would likely occur within the first and second phase of Master Plan development. Seattle children's will provide initial and ongoing maintenance for all public benefits listed below. METRO bus stops will be maintained by METRO.

Public Benefits – Proposed Development Standards

Enhanced Public Transit / Seattle Children's Shuttle Centers on Sand Point Way NE

1. With METRO approval, relocate METRO bus stops on both sides closer to the intersection of Sand Point Way NE and 40th Ave NE.
2. Locate new Seattle Children's shuttle stops to Sand Point Way NE at the intersection with 40th Ave NE.
3. Seattle Children's shuttle stops would be constructed in pull-outs off of the main Sand Point Way NE right of way to minimize impacts to traffic congestion.
4. Provide custom bus and shuttle shelters with seating. METRO Shelter design would be coordinated with METRO through METRO arts program. Shelters to be distinct from each other to avoid confusion as to which service serves each shelter.
5. Provide a minimum of one shelter for METRO, and one shelter for Seattle Children's shuttles at each side of Sand Point Way NE. (4 shelters minimum).
6. Provide signage and maps for bus and shuttle timetable and route information.
7. Sidewalk and streetscape improvements and amenities to serve the transit and shuttle users on both sides of Sand Point Way NE would be developed per item 2. Street amenities on Sand Point Way NE. Refer to previous sheet.
8. Work with SDOT and WSDOT on intersection design at 40th Ave NE and Sand Point Way NE to compliment the street frontage design and provide pedestrian safety.

Exhibit F

**ENHANCED PUBLIC TRANSIT / SEATTLE CHILDREN'S
SHUTTLE CENTERS ON SAND POINT WAY NE**

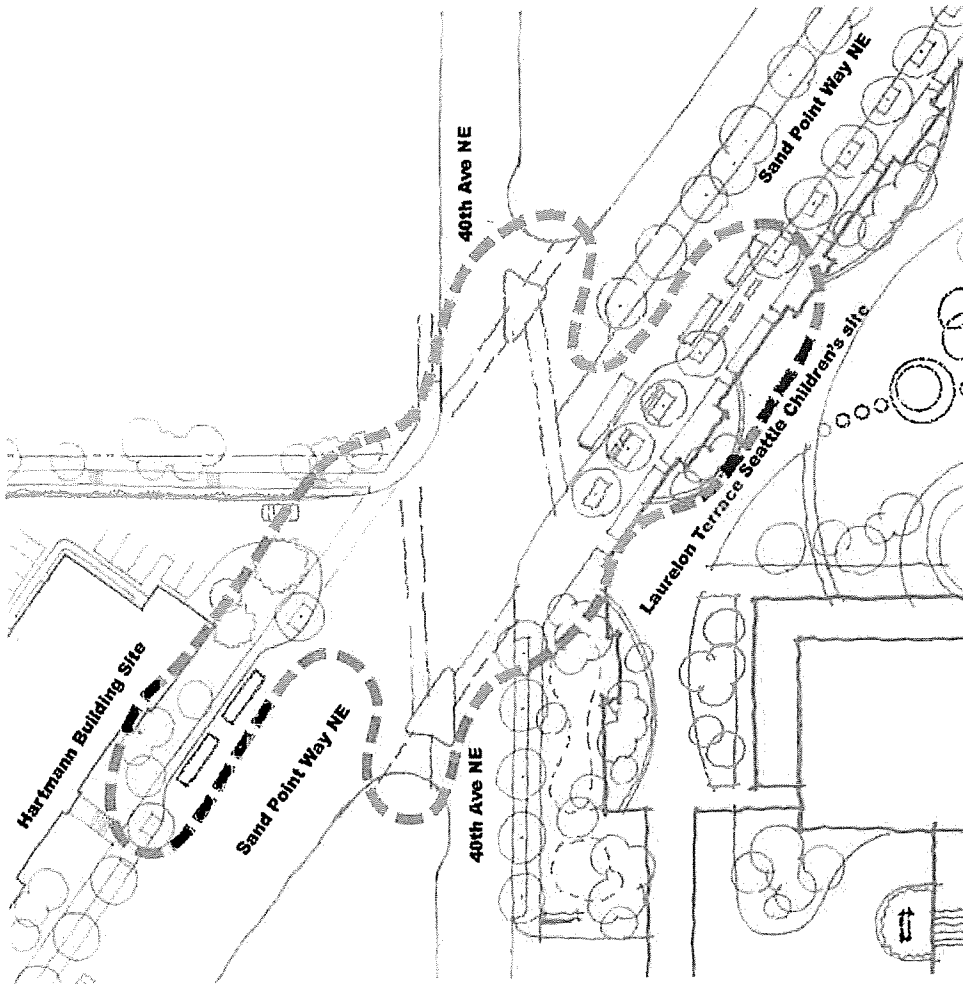


Exhibit G

STREET AMENITIES ON 40TH AVE NE

5. STREET AMENITIES ON 40TH AVE NE

Purpose:

Provide plaza, street and sidewalk improvements for public access and use of 40th Ave NE along the former Laurelon Terrace Condominium from NE 45th Street to Sand Point Way NE that are less intensive than the plazas on Sand Point Way NE and, instead, serve as transition to the residential development on the west side of 40th Ave NE. Crime Prevention through Environmental Design (CPTED) strategies shall be a guideline for design.

Construction Phase:

These improvements would occur within the first phase of development. Seattle children's will provide initial and ongoing maintenance for all public benefits listed below.

Public Benefits – Proposed Development Standards

40th Ave NE

1. A 32'-6" wide public benefit zone (see cross section) from curb line to face of building including the following:
2. Public plazas would be created along the 40th Ave NE street edge.
3. Provide 2 plaza / seating areas of 1,000 SF. min. Each plaza area to contain 15 LF of seating elements.
4. Plaza paving would be specialty paving of a different texture color, type or material than adjacent sidewalk paving. (e.g. permeable concrete pavers, stone paving, etc.)
5. Concrete sidewalks with planting strips to SDOT standards in the ROW.
6. Pedestrian crossings at curb cuts and driveways would be well defined and designed to provide maximum pedestrian safety.
7. Street trees, in excess of the minimum required by code, would be provided on the east side of 40th Ave NE. The quantity and placements of trees to be determined by consultation with the DPD Director and the Director of Transportation.
8. Street trees in ROW would be placed in continuous planting strips where possible and appropriate.
9. Street trees in tree pits of less than 32 SF. in size would have the growing medium linked to adjacent tree pits to allow for adequate soil volume for specified tree. (e.g. planting soil below sidewalk or permeable concrete paver zone).
10. Landscaping in the 20' setback would provide screening of the Seattle Children's buildings appropriate to buffer the views into the site from adjacent uses. Landscape to hardscape ratio to be 80:20 min.
11. Sustainability measures (e.g. rain gardens, bioswales, cisterns, storm water detention) could be part of the design of this area of the site.
12. Planting would be consistent and complimentary with Seattle Children's Campus planting scheme with a wide diversity of plant species including trees (deciduous and conifer), shrubs, grasses, ground covers, perennials, bulbs.
13. Landscape to be 20% min. native species, 20% min. evergreen species and 30% min. drought tolerant species.
14. Strategies for reduction of potable domestic water use for irrigation would be pursued (e.g. rain water capture and re-use, cisterns, drip irrigation, evapotranspiration monitoring and control overrides)
15. Landscaping quantities to conform at a minimum to requirements of Director's Rule 13-92.
16. Wayfinding signage would be provided for the public.
17. Enhanced pedestrian safety and street lighting would be provided.
18. A minimum of 1 bicycle rack (3 bike capacity) would be provide at appropriate building entries.

Exhibit G

STREET AMENITIES ON 40TH AVE NE

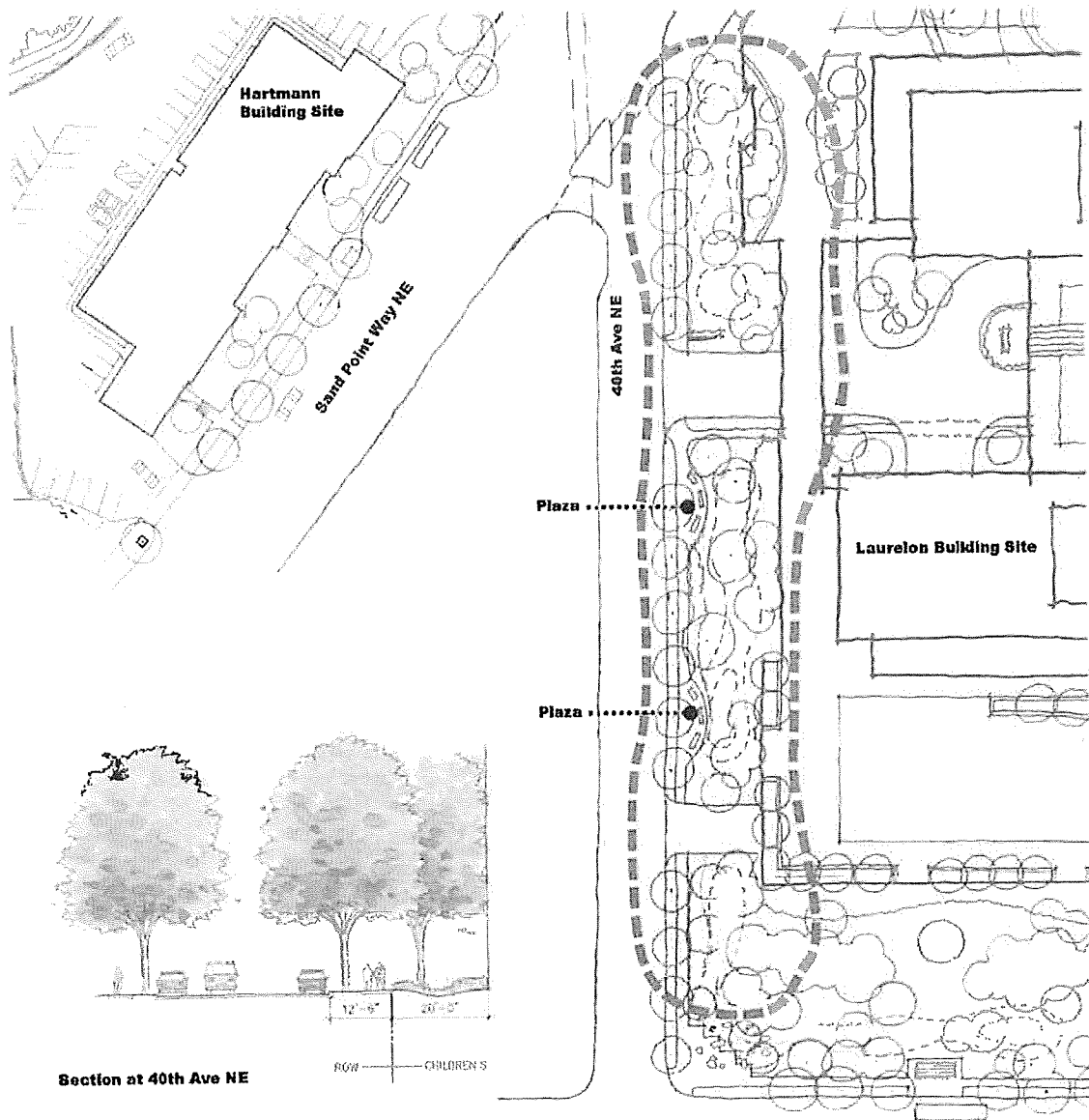


Exhibit H

POCKET PARK AT CORNER OF 40TH AVE NE / NE 45TH STREET EDGE

6. POCKET PARK AT CORNER OF 40TH AVE NE / NE 45TH STREET AND NE 45TH STREET EDGE

Purpose:

Provide public area of respite and a focal point at this transition area between the Laurelhurst neighborhood on the south and Seattle Children's future development. Crime Prevention through Environmental Design (CPTED) strategies shall be a guideline for design.

Construction Phase:

This improvement would occur within the first phase of development. Seattle children's will provide initial and ongoing maintenance for all public benefits listed below.

Public Benefits – Proposed Development Standards

Area A – Pocket park at corner of 40th Ave NE and NE 45th Street:

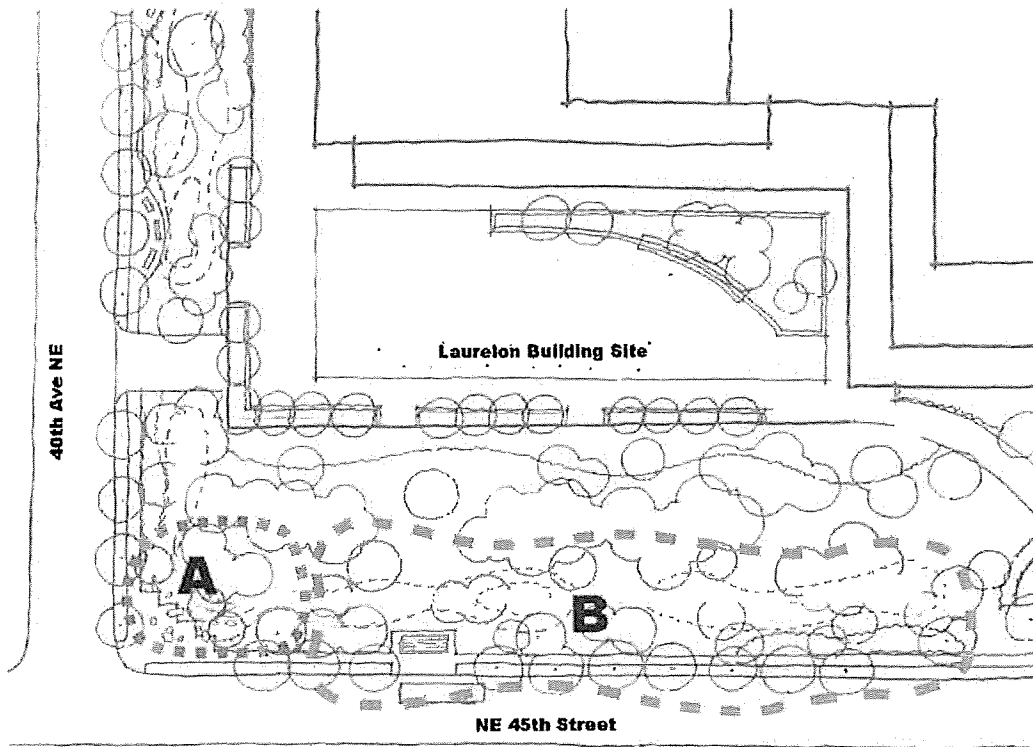
1. Provide a publicly accessible pocket park that is 3,000 SF. min. in size.
2. Pocket park would be approximately 60% planting and 40% hardscape area.
3. Hardscapes to incorporate seating elements and specially paving (e.g. boulders, seatwalls, stone paving, concrete unit pavers, etc).
4. Pocket park would contain a minimum of 20 LF of seating elements.
5. Information, wayfinding, sustainability feature and interpretive signage could be provided.
6. Pocket park would serve public. Consideration for informal play elements, arbors, trellises, or other shade structures would be included.
7. Pocket park would be planted with large caliper specimen quality trees, large specimen quality shrubs (2 gallon minimum size), ground covers, and perennials.
8. Sustainability measures (e.g. rain gardens, bioswales, cisterns, storm water detention) could be part of the design of this area of the site.
9. Provide a minimum of five (5) 8" caliper minimum specimen quality trees within pocket park area.
10. Pocket park plantings would be horticulturally diverse and provide opportunities for public awareness and horticultural knowledge (e.g. plant species would be labeled for identification).
11. Landscape to be 20% min. native species, 20% min. evergreen species and 30% min. drought tolerant species.
12. Pocket park would not include turf.
13. Strategies for reduction of potable domestic water use for irrigation would be pursued (e.g. rain water capture and re-use, cisterns, drip irrigation, evapotranspiration monitoring and control overrides)
14. Landscaping quantiles to conform at a minimum to requirements of Director's Rule 13-92.
15. Art would be incorporated into the garden design.

Area B – NE 45th Street Edge Buffer

1. Concrete sidewalks with planting strips to SDOT standards in the ROW
2. Street trees in ROW would be placed in continuous planting strips.
3. Existing street trees in good health as determined by SDOT could be protected in place.
4. The quantity and placements of street trees to be determined by consultation with the DPD Director and the Director of Transportation per SMC.
5. Existing trees within buffer would be protected in place where feasible.
6. Buffer enhancements would be done to provide year around opaque planted buffer for the full depth of the setback.
7. Buffers would match type and style of existing buffers around the Seattle Children's campus.
8. Buffer would be planted to provide full screening within a 5 - 8 year time frame.

Exhibit H

POCKET PARK AT CORNER OF 40TH AVE NE / NE 45TH STREET EDGE



SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Transportation	Amy Gray/206 386-4638	Christie Parker/206 684-5211

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE vacating a portion of 41st Avenue Northeast and a portion of Northeast 46th Street, on the petition of Seattle Children's Hospital (Clerk File 309690).

Summary and background of the Legislation:

This Council Bill completes the vacation process for portions of 41st Avenue Northeast and Northeast 46th Street in the Laurelhurst and Ravenna-Bryant neighborhoods, on the petition of Seattle Children's Hospital.

The Petitioner sought the vacation to support the hospital's expansion as part of the 2010 approved Major Institution Master Plan amendment. After an April 9, 2013 public hearing on the petition, the Council conditionally granted the petition.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ☐ Yes ☒ No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ☐ Yes ☒ No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No.

Is there financial cost or other impacts of *not* implementing the legislation?

This legislation will complete the vacation process. The Petitioner has met all the conditions imposed by the City Council. By not implementing this legislation, the City could be in violation of its obligations, which could have financial implications.

4. OTHER IMPLICATIONS

- a. **Does this legislation affect any departments besides the originating department?**
No.

b. Is a public hearing required for this legislation?

No.

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No.

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

No.

e. Does this legislation affect a piece of property?

Yes, it completes the vacation of portions of 41st Avenue Northeast and Northeast 46th Street.

f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

SDOT has not identified any Race and Social Justice Initiative implications related to the legislation.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

N/A

List attachments/exhibits below:

Summary Attachment A – Seattle Children's Vacation Map

STATE OF WASHINGTON -- KING COUNTY

--SS.

377047

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125876-885 TITLE ONLY

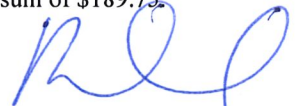
was published on

08/22/19

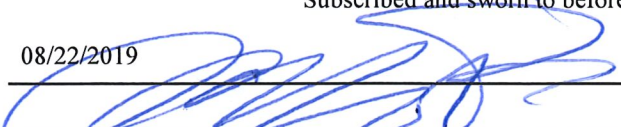
The amount of the fee charged for the foregoing publication is the sum of \$189.75.



Affidavit of Publication


Subscribed and sworn to before me on

08/22/2019


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on August 05, 2019, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125876

Council Bill 119596

AN ORDINANCE appropriating money to pay certain audited claims for the week of July 22, 2019 through July 26, 2019 and ordering the payment thereof.

Ordinance 125877

Council Bill 119582

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 7900 10th Avenue South; authorizing acceptance of a recording of the deed for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Ordinance 125878

Council Bill 119587

AN ORDINANCE relating to Seattle Parks and Recreation; authorizing the acceptance of a gift of three art pieces, and art tiles entitled "Explorer Voyage," from the Friends of Christie Park to be installed in Christie Park for public use.

Ordinance 125879

Council Bill 119588

AN ORDINANCE relating to Seattle Parks and Recreation; amending Ordinance 125724, which adopted the 2019 budget including the 2019-2024 Capital Improvement Program (CIP); authorizing the acceptance of a donation of real property in Seattle from Forterra NW for open space, park, and recreation purposes; authorizing acceptance of a donation of cash; increasing appropriations to Seattle Parks and Recreation in the 2019 Adopted Budget; and revising project allocations for certain projects in the 2019-2024 CIP.

Ordinance 125880

Council Bill 119579

AN ORDINANCE relating to City employment; establishing new wage relationships for certain job titles.

Ordinance 125881

Council Bill 119589

AN ORDINANCE relating to the City's criminal code; conforming the Seattle Municipal Code to state law for crimes that require the submission of biological samples to the State of Washington; making technical corrections; adding a new Chapter 12A.09 to the Seattle Municipal Code; amending Sections 3.33.020, 12A.04.100, 12A.06.030, 12A.06.130, 12A.06.155, 12A.06.195, and 12A.10.070 of the Seattle Municipal Code; and repealing Sections 12A.06.010, 12A.06.035, 12A.06.040, 12A.06.180, 12A.10.040, 12A.10.130, and 12A.10.140 of the Seattle Municipal Code.

Ordinance 125882

Council Bill 119471

AN ORDINANCE relating to land use and zoning; clarifying the definition of vessel and consistently using the term vessel in the Shoreline Master Program; and amending Sections 23.60A.204, 23.60A.916, and 23.60A.942 of the Seattle Municipal Code.

Ordinance 125883

Council Bill 119564

AN ORDINANCE relating to the Department of Parks and Recreation; accepting an easement from and entering

into a Maintenance Agreement with Seattle Children's Hospital, a Washington nonprofit corporation, as a condition of the public benefit requirement for the street vacation of portions of 41st Avenue NE and a portion of NE 46th Street petition approval contained in Clerk File 309690.

Ordinance 125884

Council Bill 119562

AN ORDINANCE vacating a portion of 41st Avenue Northeast and a portion of Northeast 46th Street, on the petition of Seattle Children's Hospital (Clerk File 309690).

Ordinance 125885

Council Bill 119581

AN ORDINANCE relating to Seattle's Commute Trip Reduction (CTR) program; adopting an updated Strategic Plan; adopting a local designation of Seattle's Center City as a "Growth and Transportation Efficiency Center" as defined by RCW 70.94.528; and amending Sections 25.02.030, 25.02.035, 25.02.040, 25.02.050, 25.02.055, 25.02.070, 25.02.080, and 25.02.090 of the Seattle Municipal Code.

Date of publication in the Seattle Daily Journal of Commerce, August 22, 2019.

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