



City of Seattle
Edward B. Murray, Mayor

Department of Transportation
Scott Kubly, Director

September 14, 2016

Honorable Mike O'Brien, Chair
Sustainability & Transportation Committee
Seattle City Council
600 Fourth Avenue
Seattle, Washington 98104

**Subject: Petition of SCD 2U LLC for the vacation of a portion of the alley in Block 6, A.A. Denny's Second Addition in the Seattle Downtown Urban Center, within City Council District 7, in the block bounded by University Street, 1st Avenue, Seneca Street, and 2nd Avenue
Clerk File 314320**

Dear Councilmember O'Brien and Honorable Members of the Transportation Committee:

We are returning the petition from SCD 2U LLC ("2+U" or "Petitioner") for the vacation of a portion of the alley described as:

The portion of the alley adjacent to Lots 5 through 8, and adjacent to the south 40 feet of Lots 3 and 4 in Block 6, A.A. Denny's Second Addition to the City of Seattle, recorded in Volume 1 of Plats, page 30, Records of King County, Washington, which is the block bounded by University Street, 1st Avenue, Seneca Street and 2nd Avenue.

The vacation petition includes the southern portion of the alley right-of-way that is 16 feet by 160 feet for a total of 2,560 square feet. The remaining public alley is 16 feet by 80 feet for a total of 1,280 square feet of right-of-way.

CITY COUNCIL DISTRICT

The proposed development is within the boundaries of City Council District 7.

BACKGROUND

The portion of the alley to be vacated is owned by the same owner on both sides, the Samis Foundation. The portion of the alley not included in the alley vacation is owned by the Samis Foundation on the east side and the owners of the Diller building on the west side.

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The owners of the Diller building are not participating in the alley vacation and the alley behind the Diller will remain as public right-of-way. The Diller building, a four-story brick building being operated as a hotel, is located at the northwest corner of the block at University Street and 1st Avenue. The Diller building is not a part of this project and this building will remain with the same owners and in the same use. The owners of the Diller building attended a Design Commission meeting and supported the proposed alley vacation and the proposed 2+U project.

Currently the Diller Hotel does not have automobile access from the alley and its loading occurs on University Street. The portion of the alley lying between the Diller Building and the proposed 2 + U project will remain as public right-of-way and the 2 + U project will provide a turnaround at the end of the remaining public alley to provide for service or other vehicles to enter and exit the non-vacated alley. The Diller does have garbage service from the alley and this use will remain. The turnaround has been designed to SDOT standards and will accommodate garbage and delivery trucks as well as automobiles.

The rest of the block is being developed by SCD 2U LLC, led by Skanska Commercial Development, which is owned by Skanska AB. Other than the Diller, all of the property on the block is owned by the Samis Foundation with a ground lease to SCD 2U LLC. The project is generally known as 2 + U and will be referenced as 2 + U in this recommendation.

The project site is currently occupied by three buildings that will be demolished for the redevelopment of the site. The buildings include the Galland Building constructed in 1906, the Seneca Building built between 1900 and 1906, and the Friedman building. A small parking lot and a small playground are also on the block.

In 2014, the Landmarks Preservation Board did not accept for consideration the Landmark nomination of the Friedman Building and denied Landmark designation for the Seneca Building on September 5, 2014, and for the Galland Building on September 9, 2014. The project does not include the Diller which was not considered by the Landmarks Board and is not currently a City Landmark.

The project is located in the Downtown Urban Center and is addressed as 1201 2nd Avenue. The eastern portion of the site to the centerline of the alley is zoned DOC 1U/450/U. It is 25,920 square feet plus 1,280 square feet of vacated alley, for a total eastern site area of 27,200 square feet with a maximum Floor Area Ratio (FAR) of 20, resulting in 544,000 gross square feet. The western portion of the site to the centerline of the alley is zoned DMC 240/290-400. It has a combined site area of 17,760 square feet, plus 1,280 square feet of vacated alley, for a total western site area of 19,040 square feet with a maximum FAR of 7, resulting in 133,280 gross square feet. Combined, the total site area is 46,240 square feet, with a maximum building capacity of 677,280 gross square feet.

The site is steeply sloped with a grade change of 8% on University Street and a grade change of 12% on Seneca Street.

Directly north of the site is the Seattle Art Museum which is six stories in height and to the northeast of the site is Benaroya Hall which is five stories in height. To the east of the site are other high rise office towers including 1111 Third which is 34 stories in height and 1201 Third which is 55 stories in height. Just to the south is the 2nd & Seneca building which is 22 stories in height. To the west of the site is the Harbor Steps residential apartments which varies in height and the Four Seasons Hotel which is 21 stories in height.

REASON FOR VACATION

The existing alley bisects the parcels leased by 2+U, making it more difficult to develop the site with a consolidated proposal. With an alley vacation the building services, including parking and loading, can be provided in one location rather than being duplicated on both sides of the alley. Combining the two halves of the block through the proposed vacation of the alley will allow for a single development on the site and a more efficient way to meet the development goals of the Petitioner.

In addition to the more practical reasons for the alley vacation, the design goals for the project could not be met without vacating the alley. Without the intervening alley bisecting the site, a consolidated parcel enables the construction of an office building that is elevated approximately 65-85 feet above existing grades. 2+U hopes to create an iconic if not unique downtown office tower with its proposal to elevate the building through two cores and structural columns to create a publicly-accessible "village" and open space at the base and interior of the spaces at grade. The project envisions creating numerous opportunities for public and retail space, art activities, and interesting ways for the public and building tenants to move around and through the site.

The petition from 2+U lists a number of reasons for the alley vacation, including:

- Enhanced neighborhood fabric: the "lift" creates the opportunity for light and air and both covered and uncovered gathering spaces. The village created by the lift allows more opportunity for retail activation and creates spaces that can be used by the community and for events during all seasons of the year.
- Greater accessibility: the vacation provides the opportunity for more active, accessible, and inviting spaces with human scale throughout the project.
- Building service efficiency: the alley vacation consolidates building services such as parking and loading in one location rather than being duplicated on each side of the alley.
- Enhanced development pattern: the vacation supports consolidated development of the site, supporting development consistent with the zoning and FAR for the site.
- Improved marketability: the vacation allows for the design of a building that offers flexibility to a wide variety of tenants desired in the market place. The lifted office tower design maximizes daylight and views, while creating a retail village at the street level.

- Added capacity: the alley vacation provides 2,560 square feet which leads to 34,560 square feet of additional development capacity improving the project design, retail and public space programming, and market attractiveness.

DEVELOPMENT THAT COULD OCCUR WITH A NO VACATION ALTERNATIVE

Without the vacation, the block could be developed with a 1/2 block rectangular building to an unlimited height (limited only by FAR) on the DOC1 side (east side) of the existing alley and another rectangular office building to a 240-foot height on its portion of the block on the DMC 240/290-400 side (west side) of the alley. On the DOC1 side (east side), a residential building could be developed to an unlimited height. On the DMC 240/290-400 side (west side), a residential building could be developed to a height of 400 feet.

2+U has filed a Master Use Permit (MUP) for a no-vacation option under MUP #3019178. The development without an alley vacation would begin with the development of the eastern side of the block that would include a commercial high rise consistent with the zoning at approximately 479 feet in height. A 400-foot residential building could be developed on the western side of the alley, but a MUP has not yet been filed for this proposal.

The massing of the no-vacation alternative would require maximum development within the zoning envelope on the eastern and western lots without providing voluntary setbacks or other open space. The no-vacation option does not include a building lift to allow for public access or open space. Incorporating most of the alley into the site allows for flexibility in creating both retail and public spaces throughout the site, and allows for the building lift to occur. Without the alley vacation, the only public open space on the block would be provided by the alley itself and at limited retail or lobby entries.

2+U has indicated that development without an alley vacation does not allow 2+U to meet its design and development goals on the site.

No vacation public benefits would be required for the no-vacation alternative but public amenities could be required by other land use code obligations.

PROJECT DESCRIPTION

The project is on a steeply sloped site with split zoning and bisected by the existing alley right-of-way. The proposed development encompasses the entire block between 1st Avenue and 2nd Avenue and Seneca Street and University Street, with the exception of the existing Diller Building located on the northwest corner of the block at 1st Avenue and University Street.

2+U is a 38-story office tower including approximately 665,000 square feet of office space, 18,000 square feet of retail, arts and cultural spaces and four levels of below-grade parking

providing 476 vehicle parking spaces and 186 bicycle spaces. The project site is split between two zones, DMC 240/290-400 and DOC 1. The DOC 1 zone is the eastern half of the block while the DMC 240-290/400 zone is the western half of the block. The DOC 1 zone does not include zoning height limitations for any use, although nonresidential uses are limited by an FAR cap of 20.

The building design is intended to respond to the specific site conditions as well as the split zoning. Like the site footprint, the building is an L shape and includes a midrise podium encompassing the western edge of the site on First Avenue. The eastern half of the block in the DOC 1 zone rises to 500 feet. The entire office tower structure is lifted between 65 feet and 85 feet off the ground plane providing the opportunity for more flexibility in the use of the space at the ground level and to allow for greater public access. The space created has been described by 2+U as a village. The stated goal is to create space for local retail shops, restaurants and event spaces including approximately 20,000 square feet in publicly-accessible gathering spaces. Publicly accessible gathering spaces include a weather-protected, publicly-accessible Central Plaza and Overlook Plaza in the southwest portion of the project.

The site is steeply sloped and the lifted building provides opportunities for greater transparency and multiple pedestrian entry points. The cross-block and diagonal access pathways through the site includes five access points and an elevator route using the building lobbies:

1. Alley at University Street: the alley remains open with a turnaround for vehicles and pedestrians can continue to the central plaza and exit to 1st Avenue or 2nd Avenue.
2. Stairs between the Diller and the new building lead from 1st Avenue into the site and continue to 2nd Avenue or University Street.
3. An at-grade plaza and grand stairs on 1st Avenue close to Seneca Street lead to an elevator or into the site and access to University Street or 2nd Avenue.
4. An at-grade plaza leads diagonally into the site from the corner of University Street and 2nd Avenue and into the site and central plaza or out on 1st Avenue.
5. An entry point on 2nd Avenue close to Seneca Street leads into the site and an ADA ramp to the southwest corner and stairs as well as an elevator route to the Central Plaza and 1st Avenue.

The project goal is to enhance pedestrian access, provide a view overlook, and create other public spaces and that can be used throughout the year with the weather protection provided by the building lift.

The major public benefit elements proposed include:

- Central open space plaza with associated Open Space Engagement Framework;
- "Bike dock," bike racks, electric bike charging station, and fix-it stand;

- Additional seating and drinking fountain;
- View overlook at 2nd Avenue and Seneca Street;
- All-generations gathering and play area;
- Building setbacks with enhanced landscaping along the right-of-way and at primary plaza access points;
- Elevator hillclimb assist;
- Art / cultural performance space; and
Art / cultural studio space with an Engagement Strategy and partnership with a local arts/cultural organization to program and allow public use of the art spaces

CIRCULATION/ISSUE IDENTIFICATION (NOT ISSUE RESOLUTION)

The proposed vacation was circulated to various City departments, outside agencies, and community groups for comment. The vacation review process also includes review by the Seattle Design Commission.

In addition to the vacation review the project review also included the following meetings and reviews:

Design Review Board:

Early Design Guidance 1: 2/17/15

Early Design Guidance 2: 5/19/15

Final Design Recommendation Meeting: 4/5/16 (Design Approval)

Design Commission:

Pre Meeting Design Commission Sub Committee

Urban Merit Meeting: 10/15/16 (Approval, 8-0)

Admin Review Design Commission Sub Committee: 1/21/16

Public Benefit Meeting: 1/26/16 (Approval 9-0)

Admin Review Design Commission Sub Committee: 5/10/16 (Approval)

Master Use Permit (#3019177)

MUP (3019177) – Third Correction Submittal 7/12/16

Land Use Correction Issued: 7/26/16

Zoning Correction Issued: 8/8/16

Plans Resubmitted: 9/2/16

Landmarks Preservation Board

Landmark Board Denial of Seneca Building designation: 9/5/14

Landmark Board Denial of Galland Building designation: 9/19/14

Landmark Board would not review Friedman Building, rejecting it outright.

Type 1 Site Access:

Submitted 3/31/15, no issues identified (Type I to be issued with MUP decision)

Loading Dock Exception Request Memo:

Submitted 3/31/15, no issues identified (Exception to be issued with MUP decision)

SIP/ Utility Permits:

30% Submittal: 5/8/2015

60% Submittal: 12/23/2015

60% SIP Approval: 3/31/2016

90% SIPs: projected to be submitted following City Council action on vacation

Projected Resubmittal Date: 9/15/16

Utility Major Permit Approved: 3/17/16

SEPA:

SEPA Checklist: 4/30/15

SEPA Addendum: Submitted 6/10/16

Comments Received: 7/29/16

Resubmitted for final review 9/2/16

Community Group Meetings:

Groundscape Work Session: January 2015

Open Community Workshop: April 2015

Vision of the Future – Youth Art Competition – February to April 2015

Diller Family: Ongoing meetings throughout development process

Downtown Families/Families for a Better Downtown: February 2015, August 2016

Watermark/Grand Colonial: December 2105

Friends of the Waterfront: Fall 2015, August 2016

West Edge Neighborhood: November 2015

Department of Arts and Culture: Multiple meetings with Randy Engstrom and Matthew Richter over 2015-2016

Equity Residential (owner of Harbor Steps): Summer 2016

Office of Economic Development (Small Business Liaison Michael Wells): July 2016

Benaroya Hall: Multiple, ongoing meetings 2015-2016, including Board Presentation in January 2016.

Seattle Art Museum: November 2014, February 2015, November 2015, August 2016

Sustainable Values Workshop: Spring 2015, Winter 2015

Downtown Seattle Association: February 2015, April 2015, June 2016

4Culture: Multiple meetings Summer 2016

The purpose of the broad review of the vacation petition is to identify issues that need to be addressed. Issues may be resolved in a variety of ways including by design revisions or changes to the project or by imposing conditions on the approval of the vacation. 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 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.*

~Beginning of Comment and Response section~

The following comments were received:

City Departments:

SDOT Roadway Structures: There is a proposed enhanced ROW improvement plan along the perimeter of the building. The sidewalk along 2nd Ave has existing areaway. What is the scope of the improvement? Per City of Seattle Street improvement manual, the renovation of the areaway shall be designed to a live load of 250lb/sf or HS20 which ever controls. Roadway Structures will need to review the improvement plan for the ROW at the areaway location. No concerns about the proposed vacation of the alley.

***2+U Response:** The UMP has been approved by SCL and related work was completed on 8/19/16; the infrastructure was turned over to SCL on 7/28/16. Utility reroute utilizes the existing 2nd Avenue areaway for a new SCL duct connecting two new vaults and transformers in University and Seneca Streets. The areaway, including the new duct bank, will be reinforced by the project's garage shoring and filled with CDF; improvements meet City standards.*

SDOT Street Improvement Permitting (SIP): Street Improvement Permitting managed by SDOT includes representatives from SDOT Transportation Operations and SDOT Policy and Planning. The purpose of the SIP process is to review the right-of-way elements of a development proposal including elements of the design of the street, sidewalks, planting areas, utility infrastructure such as drainage, and access for compliance with code requirements and City standards.

Skanska proposed a number of public benefit features in the public right-of-way and the SIP review team has reviewed the plans and had a series of meetings held in July of 2015 and March of 2016. The proposed elements included in the plans are consistent with city requirements and will be further reviewed and defined during the SIP process and be permitted under SIP# 265028.

***2 +U Response:** The 2+U team and its consultants will continue to work with SDOT through the SIP process (permit#265028) to ensure public benefit elements are consistent with city requirements. The project currently has 60% SIP approval, and is moving towards 90% approval expected by December 16, 2016.*

SDOT Urban Design: Here are comments from SDOT Urban Design:

- Agree with SDC that a clear wayfinding system (in addition to the efforts already taken to open up sight lines) will be key to signaling to pedestrians that these routes and open spaces are open to the public. Would like to see directional pedestrian wayfinding signage at each of the entry points (potentially with routes specifically called out as “public”)
- Also agree that because the accessible route is somewhat convoluted (and involves the use of two separate elevators), clear wayfinding signage will be critical to help clarify this route.
- Would like to see how the pedestrian pathways into and through the site could use similar materials (paving, landscape, furnishings, lighting) as used in the ROW at the perimeter of the block. This could help create a feeling of continuity to help these internal circulation routes read as public.
- Agree with the SDC comments (though didn't see this captured in the follow up actions) that the pathways/open spaces need to provide pedestrian-scale lighting. Ped-scale lighting should also ideally be provided along the perimeter of the development within the ROW (using the same fixture could help create a sense of continuity and publicly accessible space, as noted above).
- Finally, it's difficult to tell, but it looks like the opening at University is one of the only at-grade pedestrian access point into the inner plaza/walkway system. How will the portion of the alley not being vacated be treated to “read” as a welcoming pedestrian route, consistent with the rest of the block?

***2 +U Response:** Please see the public wayfinding plan included in public benefit package. The project includes wayfinding signage for an accessible route/hillclimb assist in addition to public benefit signage at the entry of every public benefit open space.*

The Hill Climb assist does not require both elevators (though two are provided as public benefit), as two routes to transition the hill assist are available from 1st to 2nd Avenues. Accessible route signage clearly marks the accessible routes for the public.

The pedestrian pathways to and through the site use similar materials as those used in the right-of-way to help draw pedestrians into the site's open space. The palette of materials used and approved through the DRB and Design Commission processes (and as called out on the MUP and SIP plans specifically) create continuity throughout the block and project design

The on-site open space and sidewalks in the right-of-way utilize pedestrian scale lighting through the use of several different strategies. Lighting design is focused on both lighting the soffit and columns of the overhead building structure as a key design feature emphasized by the DRB and Garry Papers. Lighting design also provides a safe and inviting environment for pedestrians at pedestrian access points to the project, and at pathways throughout the open spaces.

The site includes five access points (including the alley) to the project at grade with wide apertures to encourage and invite pedestrians to enter the site. The non-vacated existing alley and required hammerhead for vehicle turn around will be constructed of upgraded materials, but at SDOT's request, it will use materials different from the other pedestrian zones in the adjacent plaza to ensure pedestrians and the general public understand this space remains a functioning alley. The materials used within the alley and turnaround are an SDOT-approved alley cobble to signify to the public that they are in an alley.

Seattle City Light (SCL): City Light has existing underground electric facilities within the proposed vacate area. These facilities will be relocated by the petitioner, working with City Light, in conjunction with the development of their project. City Light will have no future need for the proposed vacate area. For that reason, City Light has no objection to the vacation of the alley.

2+U Response: *The 2+U team has been meeting with SCL regularly for more than a year. The current SCL utility reroute, new vaults and duct work have been designed in close collaboration with SCL. Construction is complete, and the new infrastructure provided by 2+U to Seattle City Light has been delivered to SCL for final reconnection expected by September 2016.*

Seattle Parks and Recreation: reviewed the vacation petition for Seattle Parks and Recreation and does not have any issues with the vacation of the alley in Block 6 given the proposed public benefits.

2+U Response: *None Needed*

Seattle Public Utilities (SPU): Two Comments:

9/23/15 Seattle Public Utilities (SPU) has reviewed the proposed vacation, and has identified the following concerns and has the following comments and recommendations:

SPU Sewer & Drainage: The existing drainage pattern in the alley is currently flowing from the north end to the existing catch basin located at the south end of the alley. Partial vacation of the south half of the alley could potentially create low spots within the alley, resulting in trapped drainage and creating an unsafe environment for pedestrians and existing infrastructures.

SPU recommends the Vacation of a Portion of the alley in Block 6 not be approved until project has addressed the enclosed concern. Project must be able to demonstrate that the proposed vacation will not affect or change the existing drainage pattern of the north half of the alley.

SPU Water:

The subject proposed vacation has no SPU water mains or other facilities in it.

The property is abutted by the following water mains:

20" water main in 1st Ave installed in 1906

8" water main in Seneca St installed in circa 1891

20" water main in 2nd Ave, installation date unknown

6" water main in University St, installation date unknown.

There are multiple water services to the property from water mains all four abutting streets. There is a fire hydrant available at all four corners of the block.

No objections to the alley vacation from a water utility point of view. However, during development of the property, replacement of the 6" W in University and 8" W in Seneca St may be required and the multiple services to the property, both active and inactive may be required to be replaced by a single domestic service and a single fire service.

10/2/15 SPU has reviewed proposed solution to the drainage issue per the 2+U Proposed Alley Vacation, and has determined the vacation request may be approved per the following conditions:

- Per proposed solution, project shall design and construct a privately maintained catch basin at the low point of the remaining alley, with an additional overland overflow routed over the plaza/stairs to the west. The catch basin and conveyance pipe will be located on private property and will privately maintained. All works on private property would be covered DPD permit, however, project must also show the design detail of both systems on Street Improvement Plan (SIP) for SPU review.
- Project owner/property owner must enter an indemnity agreement relieving the City from any damage liability related to the failure of one or both proposed systems. Indemnity agreement shall be recorded with King County and listed on the both SIP and building site plan prior to final plan approval.

2+U Response: *The project team agrees with these conditions and has shown the design condition in its SIP plans. The project will execute the indemnity agreement as required by SPU.*

Seattle Department of Construction and Inspections (SDCI) (formerly Planning and Development): reviewed the proposed vacation of a portion of the alley in Block 6 in the Commercial Core Urban Center Village within the Downtown Urban Center.

The Downtown Urban Center Neighborhood Plan generally discourages street and alley vacations. However, the conditions identified for denying alley vacations are not relevant to this situation. Furthermore, the proposed alley vacation is intended to accommodate a high density commercial development, which is consistent with the zoning and vision for the area in both the Commercial Core Neighborhood Plan and Downtown Urban Center Plan.

The requested alley vacation should be considered in light of achieving the following potential benefits:

- Improved massing of the proposed highrise structure to promote better urban form relative to what otherwise would occur without the alley vacation. Because the zoning of the lot is split along the alley, the design of the project should address the different scales of development promoted in each zone and enhance the physical relationship between the new structure and surrounding development, including the historic (but not designated) Hotel Diller remaining on the block. The presence of the alley does have an impact on the achievable bulk and perceived scale of development, and, by dividing the block and separating structures, introduces light and air to the ground level. Should the alley be vacated, the massing of future development should provide for meaningful articulation of bulk to avoid a monolithic structure. To the extent that the alley vacation provides additional design flexibility, consideration should also be given to how the massing of the structure and the treatment of its base can enhance visual and physical access to the waterfront and express the desired "stepping down" in height.
- Enhanced pedestrian circulation in the area. The downtown code provides incentives for features such as hillclimb assists and hillside terraces that facilitate pedestrian movement in areas with relatively steep topography. Consolidating the development site through the alley vacation provides an opportunity to incorporate similar public benefit features that could enhance pedestrian movement across the block and increase the overall "permeability" of the area for pedestrians, while also ensuring active street frontages on the north-south avenues. Overall, the reduction of public circulation and open space due to the alley vacation should be offset by enhancing the pedestrian environment around the perimeter of the block and through the block to enhance pedestrian circulation and increase open space for public use.
- Minimizing conflicts with vehicles by limiting vehicular and service access to the site to the general area of existing alley access locations, unless other locations are determined to promote better conditions for pedestrians and cyclists, or to provide improved pedestrian access and activation on the remaining un-vacated portion of the alley.

2+U Response: *The 2+U project took these comments into account through its design process and has articulated the bulk of the building to reduce any monolithic elements. Visual access to the waterfront is enhanced by the 65-85' lift of the building that allows pedestrians at 2nd Avenue to see all the way through the project site, and it allows for a publicly accessible view deck accessed from 2nd Avenue to give the public a view of the waterfront and skyline that would not otherwise happen with a "normal" office building. The project also includes a hillclimb assist as a project public benefit, hillside terracing and staircases that facilitate pedestrian movement throughout the space, and increased setbacks at building edges to further erode the building in favor of pedestrian and public access.*

The project has applied for a Type I decision to allow for access from Seneca Street which reduces pedestrian and cyclist conflicts at University Street. The Type I decision will be granted with the MUP decision.

The project is 100% consistent with the Comprehensive Plan and the Downtown Urban Center element of the Comprehensive Plan, which calls for high density office uses that utilize existing mass transit infrastructure in downtown and which provide for high quality public open space for public use.

SDCI Design Review Comments: The proponents have requested vacation of the south 160 ft. of the alley between Seneca Street and University Street. The Petitioner has indicated in application materials that the proposed vacation would allow for a unified project design (MUP # 30199177) for the adjacent ¾ block of parcels they control, the development of through-block pedestrian access, and consolidation of loading and parking access off Seneca Street. Alley access to the existing Diller building would remain from the non- vacated, north portion of alley.

The adjacent development proposal (MUP #3019177) has gone through the EDG phase before the Downtown Design Review Board (DRB), where the preliminary ground floor plans were carefully reviewed. The proposed development accommodates all parking, loading and service access needs via street curb cuts off the adjacent Seneca Street. This frees up the entire alley ground area of the 160 foot portion to become a key part of a unified building and open space design through the block, and a DRB supported extension of the public realm. The existing alley is a fragment, not part of a continuous neighborhood pattern; the public alley does not continue to the north across University Street or to the south across Seneca Street.

At the EDG meeting, the DRB endorsed the proposed parking and loading access location on Seneca Street, with guidance to minimize the lengths and street presence of the parking and loading doors. Each of these two doors appears to be at minimal lengths with a pedestrian 'refuge' space between them.

The alley does not have spatial continuity to the blocks north or south. The proposed development filling in the alley area, does not eliminate access, or network circulation in the vicinity, or obstruct any views from adjacent public streets or places. The proposed development massing east of the alley portion is lower in height than allowed by zoning, and would be consistent with the existing development in the area and provided by the Land Use Code.

The development proposal has been submitted for MUP review, including an Environmental checklist, traffic analysis, and other required information. Preliminary DPD assessment of the traffic analysis indicates the proposed parking and loading movements onto Seneca Street are acceptable, but detailed evaluation is continuing and will be completed before City Council review of the proposed alley vacation.

The site is within the Downtown Urban Center, the Commercial Core Neighborhood, and zoning is split: west of the alley is Downtown Mixed Commercial (DMC 240/290-400); east of the alley is Downtown Office Core 1 (DOC1 U/450/U).

The proposed project is primarily office use, but the consolidated $\frac{3}{4}$ block footprint affords a larger area to incorporate diverse and sizable ground-supporting retail and cultural/entertainment uses that would extend beyond the typical office day. These reinforce the central courtyard and through-block pedestrian paths, which would not be possible with a traditional alley in place.

The proposed mid-block courtyard, through block pathways, and the quantity and variety of retail and entertainment uses fronting those spaces will create a valuable and memorable place within the office core. The large open air courtyard (weather-protected by building forms high above) will contribute valuable open space, which is afforded by the vacated alley and use of that space; typical block depths with the alley would allow only a much smaller courtyard.

Vacating the alley allows for a generous mid-block courtyard and pedestrian paths through the courtyard that are activated by retail uses, landscaping and interesting views into the context. This open space is proposed to be privately owned and maintained, but open to the general public for most hours of every day. While helping negotiate the steep topography, this open space provides places to pause and pleasant activities that exceed a typical sidewalk pedestrian experience or an isolated half-block building plaza.

SDCI Conclusion and Summary:

DPD recommends that the requested alley vacation be granted, assuming the current building, courtyard and streetscape design continues and it is endorsed by the future Design Review process. This may include certain recommended Design Review Board conditions for the proposal relating to the midblock open space design; the façade materials and design treatment along Seneca Street; and the width, materials and welcoming character of the pedestrian apertures on 1st and 2nd Avenues, to ensure they present generous and intuitive porosity to the mid-block paths and courtyard.

2+U Response: No Response Required. *2+U team, through the MUP and design review, has been working with DCI to address comments and recommendations from the design review process into the project design for final approval prior to construction start following City Council approval of the requested alley vacation. No changes related to design review alter public benefit/design commission items.*

Seattle Design Commission (SDC): The SDC reviewed the project at its regular meeting on October 15, 2015, and Administrative review on November 16, 2015, and at a regular meeting on January 21, 2016 and Administrative review on May 10, 2016.

October 15, 2015 (Urban Design Merit): The SDC thanked the project team for the urban design merit presentation. The Commission particularly appreciated the multi-level open space concept, the protected pedestrian passageways through the block, and the building scale as it relates with the Diller Hotel. The SDC approves, 8 to 0, the urban design merit with the following conditions for administrative review prior to the next meeting:

- The proposed pedestrian access points along 1st Ave should be redesigned to reinforce their role as access to and through the site, increasing their visibility and presence along 1st Ave
- Provide a conceptual landscape plan for the site. As part of this plan, please include information on how the ground plane will be treated and how planting will reinforce pedestrian routes in and through the site
- Provide additional details about the hammerhead design. Your designs should show how the hammerhead relates to alley function, how pedestrian movement will be accommodated and how it reinforces the open space network

The SDC also included the following recommendations:

- Incorporate a lighting design to highlight events occurring during the late afternoon and evening within the interior of the site
- Provide and illustrate a stronger sense of permeability through the loading dock as an access corridor into the plaza from Seneca
- The design team emphasize the service vehicle loading area as an active pedestrian space
- Work with SPU to better understand the placement of the utility bulbs so they don't conflict with public accessibility
- Use caution with the notion urban village; don't confuse it with the land use code definition
- Developing the open space under the building to be open and accessible to the general public

November 16, 2015: SDC conducted an administrative review to provide direction on the project.

January 21, 2016 (Public Benefit): the SDC reviewed the proposal and took the following action.

The commission appreciates the detail regarding the design of spaces underneath the lift as well as building setbacks.

The SDC approved, 9 to 0, the public benefit package for 1201 2nd Ave with the following conditions:

1. Prior to the issuance of a Master Use Permit, SDC will review the additional programming related to the family-friendly components of the public open space.

Specific details related to the family friendly components should include lighting, public safety, and hours of operation, as well as long-term management plans for the proposed space.

2. Prior to Council concept approval, SDC will review a detailed list of guidelines and management plan, submitted by the project team, addressing how any subsequent owners will manage and maintain the original concept and idea of open space and continued use of commercial/retail uses to activate the open spaces. Specific detail should be given to the requirement of subsequent owners to observe the guidelines and management plan.

3. Prior to Council concept approval, SDC will review additional detail and guidelines, provided by the project team, regarding long-term commitment to specific programming within the proposed arts and cultural spaces, and the integration of this programming into the overall project, in order for it to be accepted as a public benefit.

4. Prior to the issuance of a Master Use Permit, SDC will review the location of additional wayfinding identifying accessible routes throughout the site, including to onsite elevators that provide accessible routes.

The SDC also provided the following recommendations:

1. Provide additional detail on the expected choice and use of paving materials within the alley, in particular how the materials will be used to delineate the portions of alley to be vacated versus the portion that will remain in public ownership. If the alley is fully vacated then details need to be shown administratively about how the design may change.
2. Provide additional information and detail on how the remaining portions of the alley that will not be vacated will provide access and related services to the Diller Hotel site. If the full alley is vacated show how the public benefit will interact with the Diller in a non-alley function.
3. Provide additional information that illustrates the design details of how the remaining portions of the alley, and the area of the alley to be vacated, will connect to University St and its related urban realm.

May 10, 2016: SDC conducted an administrative review to review responses to SDC conditions.

2+U Response to SDC Conditions as presented to Design Commission on May 10, 2016:

Condition #1 The Lighting Plan and family friendly space details and design were presented to the Design Commission on May 10, 2016. The following items were discussed:

- 1) *Lighting strategy at 2+U focuses on the pedestrian experience, with priority to safety and way finding. Building elements such as the lift, columns and pathways are prioritized for lighting. Public open spaces including stairs, plaza, and ramps are illuminated at a minimum light level of 2-foot candles. The primary pedestrian entries to the site are illuminated at 4-foot candles.*

- 2) *Public open spaces will be managed in accordance with local laws and regulations. The site will be actively managed and monitored by on-site security and building management.*
- 3) *Hours of operation will be the same hours of operation consistent with City parks.*
- 4) *Long-term management framework for the proposed space including the family-friendly play spaces within the Overlook are detailed in the Arts/Open Space Public Engagement Framework. Future owners of the building will be subject to this Framework for the life of the building.*

Condition #2 *The Arts/Open Space Public Engagement Framework was presented to the Design Commission for its review. Programming and partnership with an arts organization such as 4Culture will be required as part of the Framework and will be required for the life of the project as referenced in the PUDA.*

Condition #3 *The project is committed to the provision of these arts and culture spaces rent free for the life of the project. The Arts/Open Space Public Engagement Framework provided to the SDC outlines the management requirements that will be required for the life of the building as noted previously. The Framework will be updated as necessary to reflect changing times and ensure program success.*

Condition#4 *The team presented a wayfinding signage plan. Signs will be placed at each opening stating that this is public open space; the signs will be in different languages for inclusivity. In addition, the Hillclimb assist routes will be specifically and clearly signed as shown in the signage plan.*

2+U Response to SDC Recommendations:

Recommendation #1 *Only 2/3 of the alley is petitioned to be vacated. The alley paving material is an SDOT-approved cobble; this will continue into the SDOT-specified turnaround easement to give visual and tactile cues to people that a partial alley remains in which vehicles can and will access on occasion. The alley and turnaround are physically divided by the public open space areas by a metal band, a change in paving, bollards, trees, and seat walls. These cues tell people where cars may be, and where cars will not be allowed. The paving materials, design cues, and turnaround have been approved by SDOT via 60% SIP; 90% SIP will be submitted on 9/16/16 and is expected to be approved in December 2016.*

Recommendation #2 *The Diller Hotel was the first hotel built after the Great Fire of 1889 and does not have automobile or garage access from the alley. All loading functions to/from the Diller currently happen in a loading zone on University Street which will remain. The current alley is only 16 feet wide. Diller's only use of the alley is for garbage/recycling pickup. The remaining unvacated portion of the alley remains a working alley that serves all current alley functions including garbage, as well as any future loading or garage access that could occur if redevelopment of the Diller Hotel ever happened. The turnaround provided by the*

project is to SDOT minimum standards and can accommodate a garbage truck, a delivery truck, and a car. The turnaround design has been approved by SDOT through the 60% SIP process; the 90% SIP will be submitted 9/16/16 with approval expected 12/16/16. The project is also dedicating the code-required 2 feet to the unvacated alley to widen it to 18 feet, which also facilitates current and future access.

Recommendation #3 *The unvacated alley connects to University Street in the same manner it does today, like any other alley. However, on the project site just east of the alley entrance at University, a pedestrian area, the Bike Dock, and access to the building's bike infrastructure, pedestrian sitting area, and retail space substantially activate this portion of the project's alley-facing area. The alley also serves as a pedestrian access into the publicly accessible open space in the heart of the 2+U project.*

Design Review Board

The DRB recommendation was based on the #3019177 design review booklet dated Tuesday, April 05, 2016, and the materials shown and verbally described by the applicant at the Tuesday, April 05, 2016 Design Recommendation meeting.

After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, three of the four Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions. These conditions should be resolved with Seattle DCI staff prior to MUP issuance as noted in the DCI staff DRB recommendation notes.

1. **Seneca Street:** The Board recommended the following revisions to the Seneca Street elevation, to address the issues related to the requested departures 6 and 10, and improve overall street façade design: a) redesign the louvered section to incorporate artful design elements and/or glass for pedestrian visual interest at all of the louvered portions (the three "#6 terra cotta" portions can remain); b) redesign of the midblock "#5 metal panel" portion to incorporate a deeper recess, and a bench or leaning rail for a pedestrian resting point on the 12% slope; c) revise at least 13% of the translucent parking and loading doors to clear glass in the specified vertical locations, ideally in the 4- 6 ft high eye-level zone, to meet the 25% Code total; d) retain the quality and variety of materials proposed on this street level façade, but add 6-8" of depth to express the frame and infill on the entire Seneca frontage (not only the two garage door recesses); per the plans on pg. 100, this appears possible. [C1, C3, E3]
2. **University Street Pavilion Roof:** The Board recommended the roof of the pavilion remain dramatically cantilevered to the north (to provide street definition), but the support column shown on pg. 19 (if needed) should be reduced in size, and have a simpler shape and color that does not compete with the precast 'V' columns nearby. [B4]
3. **2nd Avenue Façade Revisions:** The Board recommended redesign of the 2nd Avenue elevations as follows: a) increase the height and scale of the lobby, and

provide an identifier for the office entrance that is scaled to the tower in the streetscape; possibly a special canopy or other projecting element; b) retain the two precast or metal panel piers that anchor the tower to the street, but redesign the tower wall in the recess to be consistent with the materials and character of the rest of the tower (and not be idiosyncratic of the service core behind). This also applies to the small vertical bands north and south of the piers; c) shift or re-design the monitor skylights over the lobby to integrate with the larger scale lobby and/or projection noted under a; d) integrate the single column south of the lobby (pg. 21) by wrapping it in glass similar and symmetrical to the north stair, or another technique. [B1, B4,C2,C4]

4. **Soffit Refinement:** The Board recommended adding a subtle element into the extent of the tower soffit, to ensure a measure of brightness or 'sparkle' occurs when up lit or sun angles occur. Narrow strips of reflective metal across the entire soffit were mentioned.[D3]
5. **Continuous Weather Protection:** a) The Board recommended all canopies should be typically and consistently 8ft wide minimum, except where SDOT tree-specific clearance requirements prevail; b) the west and middle portions of the proposed Seneca canopies are supportable, but the east portion is too low to the sidewalk, and so redesign the corner canopy to wrap further west to cover that portion of Seneca frontage, within the 10-15 ft zone; c) the two gaps at the primary 'pilasters' are supportable (pending resolution of all aspects described under condition #2), but the canopies should extend along the full extent of the glass corners on 2nd Avenue, especially since one is a retail entrance. [C5]

***2+U Response:** Following DRB Recommendation Approval on April 5, 2016, the 2+U project team met with SDCI planner Garry Papers on April 19, 2016 and on July 29, 2016 to review design changes to address the DRB conditions. These changes have been incorporated into subsequent versions of the 2+U Master Use Permit (MUP) #3019177 plan set in addition to responses to zoning, land use and transportation correction submittals. All conditions must be addressed prior to MUP issuance as typically required by SDCI. At this point in the process all conditions have been addressed; the addressing of the conditions will be confirmed via SDCI review of the MUP plans have been resubmitted 9/2/16.*

Outside Agencies:

Enwave: Enwave has operated steam lines in downtown Seattle since 1893. The line in this alley is one of only two sections in the entire low pressure system that provides parallel steam flow from the north end of our system to the south, or vice versa depending on load and generation point.

It would be preferred that this line remain, to continue serving 200 customers in downtown Seattle with our renewable energy and support the employment of our represented workforce. Enwave has met with Skanska and informed them that one of our steam lines exists in the alley.

Seeing the public benefit of this project Enwave would support this vacation with the developer's cooperation. Enwave is happy to work with Skanska on alternative arrangements for the piece of pipe that would need to be removed for this project if they bear the cost of any improvements and we can ensure any changes will not affect the operation of our system. Until the aforementioned concerns are formally agreed upon, Enwave opposes this vacation.

2+U Response: *2+U has accepted Enwave's preferred alternative, which includes:*

- *2+U paying Enwave \$250,000 for the installation of four (4) Pressure Release Valves in two identified locations (the IBM building and the Enwave South Distribution Plan)*
- *Enwave prefers to conduct the work with its own contractors*
- *The Pressure Release Valves will enhance the Enwave system, improving reliability and flexibility needed to maintain current system redundancy and reliability.*
- *An agreement between Skanska and Enwave has been drafted, is under review by both parties, and the team expects execution in a short period of time.*

King County Wastewater Treatment Division: King County WTD does NOT anticipate any facility or property right that may be impacted by this alley vacation request.

King County Metro: Regarding the petition from SCD 2U LLC (Skanska) for the vacation of a portion of the alley in Block 6, A.A. Denny's Second Addition which is the block between University Street, 1st Avenue, Seneca Street and 2nd Avenue in the Downtown Urban Center area (Clerk File 314320), King County Metro has the following comment:

There may be a potential conflict with some of our underground electrical feeder network for our Trolley overhead system in the propose vacation area. The underground feeder is located one the west and east side of 1st Avenue between University Street and Seneca Street. If there will be any conflict arising from this facility and for information concerning notification requirements, contact Metro Construction Information Center (CIC) at 206-477-1140. Thank you.

2+U Response: *The team's civil engineer, CPL, has confirmed no conflict with the underground utility feeder network for the trolley overhead system. The Metro underground feeder network is located within the 1st Avenue City right of way. All utility relocation work does not touch any Metro electrical network infrastructure in the right-of-way, it will remain in place, and it will not be impacted.*

CenturyLink: 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 means of explicit language granting to "Qwest Corporation d/b/a CenturyLink QC and its successors" rights that will cover our existing & future facilities.

2+U Response: *Building services are fed from existing vault in alley curb on University Street to the south of the alley. The Diller Hotel fed from this vault. Service to Diller will remain active and operational throughout all phase of construction. Century Link does not require new civil infrastructure as part of alley vacation. The 2+U design will allow for Century Link permanent service to the new building when complete.*

Puget Sound Energy: PSE has a gas main located within the Alley which is the subject of the proposed vacation. This gas main enters the alley from the north and extends approximately 190 feet to the south. The alley gas main is tied to the main running SW/NE within University Street – north of the alley. It appears from reading the description of the project, that a large portion of where this main is located is to be redeveloped in a manner which will result in the removal of much if not all of the southern portion of the main. The north portion of the main serves the Diller Hotel.

PSE desires to obtain a gas easement for the proposed vacation area prior to the vacation occurring in order to protect PSE's operating rights until such time the main is removed from the development of the site. As is standard practice, PSE will release the gas easement once it is verified that the facilities within the easement area have been decommissioned.

2+U Response: *The 2+U team and its consultants have been in conversation with PSE. PSE cut, capped and decommissioned the line in the vacated portion of the alley. This work was completed in July. The north portion of the line in the non-vacated alley will continue to serve the Diller Hotel.*

Community:

Irene Wall: I was returning from a meeting in West Seattle yesterday and took that opportunity to detour and observe the site of this alley petition, having looked at the accompanying documents. I do NOT favor this vacation for the following reasons:

1. We have had longstanding policies about maintaining alleys as important passageways for the public and this is becoming even more important as sidewalks and streets downtown are overcrowded. Instead of selling off these assets, or closing them off, we should be improving them to increase the pedestrian/bike level of service downtown. I don't mind sharing the alleys with necessities like solid waste collection either.

2. The public benefits are not adequate. The plaza will be primarily for building tenants not the general public. If they floated the entire building to create an open view from 2nd Avenue westward, that would be a public benefit! Failing that, an elevator or escalator from 1st Avenue to 2nd Avenue would be a real public benefit, but having it go only to the plaza level is not sufficient.

3. Why do we need more megatowers? The ambience of the street in that location adjacent to the Pike Place Market Historic District is better served by two smaller buildings. Without this vacation, the developer would produce a shorter "tower" on the western parcel in order

to protect views in the other building. While the design does give the appearance of a shorter building on the 1st avenue side, that effect could be achieved without a vacation by setting back the tower above the base on that parcel. Thanks for asking.

2+U Response: *It is our understanding that Ms. Wall's comment was received well prior to when the final public benefit package was unanimously recommended for approval by the Design Commission. We respond to each of her points in order.*

1. The proposed alley to be vacated does not connect to either block. 2+U design greatly improves pedestrian and bike service to and through the site by creating four access points for pedestrians through the site from the SW, NW, SE and mid-block. Given the project's proximity to the 2nd Ave cycle-track, and 2+U desire to improve the cycling commuting experience, substantial public bike infrastructure (i.e., racks, tools, air, e-bike charging) is provided at the Bike Dock in the public area under the lift and adjacent to the building bike stop and showers, storage, saunas and locker rooms.

2. The building actually does lift enough to create light and air and view from sidewalk level on 2nd Avenue. The public benefits provided also provide a public view deck toward Puget Sound where no view is currently enjoyed by the public. In addition the Hillclimb Assist elevators do assist pedestrians from 1st Avenue all the way to 2nd Avenue (the elevator from 1st Avenue is a two-stop elevator).

3. The buildings cannot be described as "megatowers" as they do not even come close to maximizing their height envelopes; the east half of the site, regardless of alley vacation, could be built to an unlimited height. The west half of the site, regardless of alley vacation, could be built to a 400 foot height. Instead, the building rises to only 500 feet at its maximum height, which is about 2/3 the height of 1201 3rd Avenue ("old WaMu tower") and not quite as tall as the new WaMu Tower/Russell Building to the north of the subject site.

~End of Comment and Response Section~

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 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, 1993 in Resolution 28605 and 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: The primary purpose of alleys is to provide for access to individual adjacent properties, to provide for service functions such as loading bays and access to parking and to provide space for utility infrastructure both for services to adjacent properties and as utility corridors for serving numerous blocks. In reviewing

alley vacations the critical transportation question is whether the vacation pushes traditional alley functions out onto the street or otherwise impairs the function of the adjacent streets.

The alleys to the north and south of Block 6 have been previously vacated so the alley only provides for access and utilities to this specific block.

This project is being designed so that typical transportation functions of the alley will continue to be provided internal to the site and not on the adjacent public streets. The project will have an internal loading dock to facilitate site deliveries and a separate access point for general vehicular traffic for parking. The access to the site is proposed to include two driveways on Seneca Street with separate entry points for general vehicles and service and delivery trucks.

The project is required to develop a Transportation Management Plan (TMP) as part of the MUP review. The TMP and its strategies and goals will be developed through the review by SDCI and published with the MUP following approval of the alley vacation. Downtown buildings generally have a Single Occupancy Vehicle (SOV) rate of about 25%. The 2+U project has established an SOV goal of less than 20% of all commute trips and has a number of strategies to achieve that goal. SDCI has defined the goal of 20% for this project as aggressive but attainable. Key strategies include that the project will require that all tenants participate in the TMP and will work with Commute Seattle to help administer the TMP. The project is served by a below grade parking structure with 466 parking stalls which is anticipated to be below market demand. This zone does not have a parking minimum but has a parking maximum of 1 stall per 1,000 square feet, the 466 stalls is well below the maximum and is about 2/3 of the maximum permitted stalls.

The project will also provide 186 bicycle parking spaces in the garage and an additional 40 spaces that are publicly accessible on the outside in public space. The code required bicycle spaces would be 98 spaces. In addition to the number of bicycle spaces provided 2+U is working to encourage bicycle commuting by providing additional showers, saunas, lockers and laydown areas. While six showers would be required by code, 16 showers and lockers will be provided and located off of the central plaza. The plans also include a drying room for wet winter clothing, space for repairs and maintenance, and a designated area for bike trailers and long haul bikes.

In addition to the garage entries planned for the new 2+U development, the northern portion of the alley will remain as public right-of-way. The northern portion of the alley will terminate at a turnaround designed in a hammerhead configuration. This allows anyone entering the alley from University Street to drive south on the alley to the turnaround, make a turn at the end of the alley and return north to exit at University Street. The design for the alley turnaround has been reviewed by SDOT as a part of the Street Improvement Permit (SIP) process and the design as proposed meets City standards. The turnaround will provide adequate space for all types of vehicles

including garbage trucks, service vehicles, and automobiles. The northern portion of the alley will remain as public right-of-way and the turnaround will be provided with an easement agreement. This easement should be required as a condition of the vacation and the final design should be reviewed and approved by SDOT.

Currently the Diller Hotel does not have access to its building from the alley but it does rely on the alley for garbage pick-up. The alley can continue to provide the same service to the Diller. In addition, the alley could accommodate changes in the future should the Diller be changed or have additional need to access the alley.

The surface materials for the public alley and the turnaround should be sufficiently different from the materials used in the central plaza that drivers as well as pedestrians and bicyclists can identify the public space from the private space. Signage and material changes should make this clear and should be conditions of the vacation.

Through the SIP review, SDOT will work to minimize the size of the vehicle openings and provide for clear sight lines for vehicles and pedestrians and clear delineation between the public and private spaces on the site.

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; 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 alley does contain some utility infrastructure but it appears that most of the utilities serve the adjacent property owners on the block. The alley currently provides space for Enwave (formerly Seattle Steam), Qwest (d/b/a Century Link), Puget Sound Energy (PSE), King County Metro, Seattle City Light (SCL), and Seattle Public Utilities (SPU).

Enwave has a low pressure steam line in the portion of the alley proposed for vacation. Enwave and 2+U have reached an agreement in principle that includes:

- 2+U pays Enwave \$250,000 for the installation of four pressure release valves in two locations (the IBM building and the Enwave South Distribution Plan),
- Enwave will conduct the work with its own contractors,
- The pressure release valves will enhance the Enwave system, improving reliability and flexibility to maintain the current system redundancy and reliability, and
- The agreement is drafted and will be executed prior to the final vacation ordinance.

Qwest has facilities in the area that only serve the buildings being demolished. This line will be replaced as new service is provided for the development.

PSE has a gas line in the alley and PSE has indicated that the gas line may be cut and capped and abandoned in place.

King County Metro had indicated that the underground feeder that serves the trolley system might be impacted by the project. 2+U's technical team have reviewed the system maps and found that the King County system is outside of the area impacted by the project development.

SCL has facilities in the alley that are being relocated. A new system rerouting the lines into the areaways under the street includes new vaults and duct work. The new facilities were designed in close collaboration with SCL and constructed by 2+U. The new infrastructure, which replaces the existing infrastructure in the alley, was completed, turned over and accepted by to SCL on 7/28/16.

SPU noted a concern about the creation of a closed contour alley that creates a low point for the collection of water. To resolve the concern the project will design and construct a privately maintained catch basin at the low point of the alley. The catch basin and conveyance pipe will be located on private property and will be privately maintained. In addition, SPU will require an indemnity agreement.

SDOT does not identify any utility impacts that cannot be resolved. The utilities have identified methods of resolution and these should be included as conditions of the vacation approval. In addition the alley vacation should be conditioned to ensure that the utility services are not disrupted to the Diller Hotel as demolition and construction work occurs on the block.

Light, air, open space and views: 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. The alley proposed for vacation includes a portion of right-of-way that is 16 feet by 160 feet for a total of 2,560 square feet. The remaining public alley is 16 feet by 80 feet for a total of 1,280 square feet of right-of-way.

This alley runs north-south and the alleys in the blocks to both the north and the south were previously vacated so there is no visual connection to the north or south. The alley is open and accessible for vehicular and pedestrian use however the vehicular access and standard alley uses prevent the alley from being utilized as open space available for street furniture or other amenities. The alley does not provide for important public views or open space on the block.

Following the vacation, the block will include setbacks and plaza spaces that would not be provided with a no vacation alternative. The proposed open space includes a central plaza of 6,560 square feet, an overlook of 5,930 square feet, a building set back of 20 feet along 1st Avenue, as well as bicycle amenities, additional landscaping, art space, and elevators for a hillclimb assist. The open space amenities include approximately 20,000 square feet of public space and the alley being vacated is 2,560 square feet. The block will have more public open space after the vacation than if the block was developed around the existing alley.

SDOT does not identify adverse light, air, open space and view impacts.

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 primarily with ensuring that post-vacation development is consistent with the land use pattern in the area and with City policies and codes. The Policies specifically state that proposed vacations may be approved only when the development potential that is attributable to the vacation would be consistent with the land use policies adopted by the City Council. The vacation decision will be based on the policies applicable for the type of area where the development is proposed.

This project site is located in the heart of downtown in an area anticipated for dense commercial uses. The Comprehensive Plan has a number of goals that identify downtown as an important economic center. Land Use Goal 30 supports the promotion of downtown as the home to the broadest mix of activities and the greatest intensity of development in the region. Land Use Goal 65 is to increase the efficiency of frequent and reliable transit service by locating concentrations of jobs and residents nearby, in transit communities, in order to implement the urban village strategy.

Downtown Goal 1 is to maintain downtown Seattle as the most important of the region's urban centers, a compactly developed area supporting a diversity of uses meeting the employment, residential, shopping, culture, and service and entertainment needs of the broadest range of the region's population.

The Comprehensive Plan not only anticipates development of this density downtown but encourages and supports it as being the appropriate location for dense development. The zoning designation of the site further supports this scale of project.

The Downtown Office Core 1 (DOC-1) zoning designation is intended for areas that provide high density office and commercial activities with related support services and retail shopping and specifies that the density of office activity shall be greater in this area than any other part of downtown. The Downtown Mixed Commercial (DMC) zoning designation is intended for areas that are characterized by lower scale office, retail and commercial uses related to activity in the office core, retail core or other moderate-scale commercial cores in the Downtown Urban Center.

The alley vacation proposed for this project does add to the development potential of the site and adds to the total square footage of the project. The total project is 961,000 square feet (including the subterranean garage) and the vacation adds 34,560 square feet to the development. Even with the additional density from the alley vacation the project seems clearly consistent with the Comprehensive Plan goals for concentrating density downtown and is consistent with the zoning for the site.

The vacation also allows for a more creative use of the site and accommodates more space for public plazas and open space around the site. The vacation also allows for a wider variety of retail spaces and provides an opportunity for adding space to foster the arts with a performance area and a studio area.

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

Provision of Public Benefit: The Street Vacation Policies require 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 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	DOC 1 U/450/U and DMC 240 290/400
Street classification	Alley
Assessed value of adjacent property	\$30,376,200 (existing parcels/buildings)
Lease rates in the vicinity for similar projects	\$35 per square foot
Size of project, in square feet	961,000 Gross square feet (including garage)
Size of area to be vacated, in square feet	2,560 square feet
Contribution of vacated area to development potential	8,960 square feet in DMC 240 zone and 25,600 square feet in the DOC 1 zone or 34,560 total

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. By eliminating the alley, the Petitioner can develop the entire project site in a way that best suits its programmatic needs and can consolidate functions such as parking and loading. The Petitioner will add to the development footprint and project density, can co-locate service functions, and can achieve design goals with the alley vacation. Since the vacation makes an important contribution to the project that is significant in scale, the Policies require that a significant public benefit be provided.

In addition to addressing the scale or amount of public benefit that must be provided, the Policies are also clear that the public benefit elements proposed must clearly benefit the general public and not merely the tenants of the project. The Policies are also clear that the public benefit proposed for a vacation must be separate and above amenities provided to meet code or other requirements. The amenities listed on the public benefit chart below are not required for any other purpose.

The chart below outlines the public benefit package.

PUBLIC BENEFIT CHART

OPEN SPACE (Including Programming Commitment)						
Public Benefit	Zone	Location/Description	Code Req.	Public Benefit	Total	Value
A Central Plaza	1,2	Central covered plaza with seating, bike infrastructure, upgraded materials and adjacent retail, open during park hours	650 SF	5910 SF	6560 SF	\$3,368,700
B Bike Dock	2	Bicycle infrastructure and laydown area	None	2520 SF	2520 SF	\$1,436,400
C Pedestrian Amenities	1,2,3	Individual seats, benches, and seat steps	(MU P)	82 Seats	82 Seats	\$350,000
		Drinking fountain	None	1 Unit	1 Unit	\$5,000
D Event Infrastructure	2	Infrastructure to support events within the central plaza (electricity, water)	None			\$275,000
E Overlook	1	Playful seating, site furnishings designed with children + families in mind	None	5930 SF	5930 SF	\$3,380,100

F	On-Site Trees	1,2	On-site trees	None	15 Trees	15 Trees	\$58,800
TOTAL:							\$8,874,000
SETBACKS							
	Public Benefit	Zone	Location/Description	Code Req.	Public Benefit	Total	Value
G	1st Avenue Setback	3	Generous streetscape with seating, bike parking and covered walkway	None	124'x 20'	2480 SF	\$1,413,600
H	Northeast Corner Plaza Setback	1	Corner plaza between north end of lobby and small retail on University St.	700 SF	35' x 17'	1320 SF	\$353,400
I	Southeast Stoop Setback	1	Large covered seating and gathering setback from 2nd Ave.	None	46' x 15'	690 SF	\$441,600
TOTAL:							\$2,208,600
RIGHT OF WAY IMPROVEMENTS							
	Public Benefit	Zone	Location/Description	Code Req.	Public Benefit	Total	Value
J	ROW Planting	1,3	High quality trees, soil and irrigation within ROW	640 SF	1245 SF	1885 SF	\$55,000
K	ROW Seating	1,3	Seating and benches	None	12 Seats	12 Seats	\$28,000
L	ROW Bike Parking	1,3	Elegant, secure and durable bike racks within the ROW	None	15 Racks	30 Bike Stalls	\$5,250
TOTAL:							\$88,250
ARTS AND CULTURE SPACES (Including Programming Commitment)							
	Public Benefit	Zone	Location/Description	Code Req.	Public Benefit	Total	Value
M	Performance Triangle	1	Flexible gallery/production/performance space provided rent free to emerging artists	None	835 SF	835 SF	\$613,725

N	The Studio	1	Small, visible studio for artists or musicians to perform, record and display rent free	None	290 SF	290 SF	\$213,150
TOTAL:						1125 SF	\$826,875
HILL CLIMB ASSIST							
	Public Benefit	Zone	Location/Description	Code Req.	Public Benefit	Total	Value
O	1st Avenue Elevator	2,3	Hill climb assist connects 1st and 2nd Avenues and is accessible to all, open during park hours	None	Elevators	1	\$25,000
P	2nd Avenue Elevator	1,2	See above	None		1	\$25,000
TOTAL:							\$50,000
BICYCLE INFRASTRUCTURE							
	Public Benefit	Zone	Location/Description	Code Req.	Public Benefit	Total	Value
Q	Bike Racks	2	Bike Racks (2 bikes per unit), 5 (exterior) units on site	None	5 Racks	10 Bike Stalls	\$1,750
R	Electric Bike Charging Station	2	Incorporated into the Plaza bike infrastructure for public access	None	1 Unit	1 Unit	\$4,000
S	Electric Bike Charging Station Fix It Repair Stand	2	Repair + air-pump station in Plaza, visible + accessible from ROW	None	1 Unit	1 Unit	\$1,500
TOTAL:							\$7,250
PUBLIC BENEFIT TOTAL:							\$12,054,975

Evaluating the public benefit for this particular vacation has been challenging. The unusual design of the building was strongly supported by the Design Review Board and the Design Commission. From a design perspective the building was found to be a welcome addition to the building diversity of downtown and a project that will add a lot of visual interest in an area known by its cultural institutions. It is clear that the material quality and design are high caliber. What has proven to be more challenging is to evaluate whether the amenities proposed as public benefits will be perceived as public and embraced and utilized by the general public and not merely sophisticated tenants of the building. A lingering concern has been that the spaces will be perceived to belong to the building and are only accessible for use by building tenants or customers.

In preparing for revisions to the Street Vacation Policies the City Council has looked back at prior vacations with a critical eye and assessed public benefit features that have been successful and those that may not have worked as well as anticipated. Some of the design features that help to make a space feel public include: the entry to the space is at grade, no stairs or elevator are required for access; the space is not under the building but is open to the air; the entry to the public space is wide and inviting; the space has clear signage indicating it is public; the public can see into the space to determine who is there and how to exit the space; and there is furniture, art, or landscaping to draw the public into the space and invite them to linger.

Some of the key public benefit elements proposed with this project may conflict with the above criteria. The spaces proposed for public benefit include:

- The central plaza which is interior to the site and under the lift,
- The plaza amenities such as seating, landscaping are interior to the site are visible as peek-a-boo views from the street.
- The overlook which is above grade and not fully visible from the street, but is open to the air,
- Some of the bike amenities are interior to the site and not fully visible from the street,
- One of the elevators that provides a hillclimb assist (2nd Avenue elevator) is within a building lobby (2nd Avenue lobby). One of the elevators is stand-alone,
- The performance triangle for art performances is above grade and is partially visible from the street and is indoor space,
- The art studio is at grade and visible from the street and is indoor space.

As SDOT identified concerns about the public benefit proposal, 2+U has worked to respond.

A number of design changes have been made to respond to concerns. Some of the design changes include:

- The previously enclosed main stairwell was replaced with a wide open stair to the central plaza and overlook (1st and Seneca),

- Pedestrian access points were widened, creating more open and inviting entry spaces (NE, SE, SW, and midblock stairs next to Diller Hotel),
- Added ramp for better pedestrian access to the overlook and play space (SW corner),
- Added two public elevators for hillclimb assists on 1st and 2nd,
- Redesigned overlook plaza to include play space for families,
- Added infrastructure to support events in the plaza,
- Added a bike dock to plaza to assist commuters,
- Revised lighting plan to prioritize public pathways and wayfinding,
- Added specific signage to guide pedestrians through the site to hillclimb assist and arts and culture spaces; signage will include multiple languages for inclusivity,
- Building setbacks added on 1st Avenue and the NE and SE corners to create public space for seating and gathering adjacent to the right-of-way, and
- At alley turnaround added furniture, bollards and landscaping to delineate alley/turnaround easement.

In addition to the design changes to lighten and open up access to the public spaces, 2+U is proposing to include art spaces in the project. With its adjacency to the Art Museum and Benaroya Hall, 2+U would like to expand the opportunities for public art engagement on its site. Two art spaces are planned. The first space is located on University Street close to 2nd Avenue. This 290 square foot interior space is named "The Studio" and it is intended to provide just that function. It is envisioned that this space could be used as rehearsal or studio space for musicians or artists, live radio shows or other purposes. The second space is on Seneca Street and is above grade space adjacent to the overlook. This 835 square foot interior space is known as "The Performance Triangle" and it is anticipated that this space will be used for larger performance art or music and will focus on performances or art creation and display, perhaps in conjunction with events at the overlook or the central plaza.

In order to activate and welcome the public to the public spaces and to engage with artists who could use the art spaces, 2+U has committed to developing an Art/Open Space Public Engagement Plan. A draft proposal is included as an attachment to this recommendation. It is anticipated that the plans to activate the plazas and the art space would be refined and would then be recorded with the Property Use and Development Agreement (PUDA) or some other binding mechanism and completed prior to the final vacation ordinance. The use of the public and art spaces should focus on inviting and including the general public and in particular the art space should provide access for emerging artists from disadvantaged communities. The commitment to develop a plan for programming and activation of the public spaces and the art spaces as an enhancement to the proposed public benefit package shall be a condition of the vacation and included with the public benefit obligations.

The Design Commission was very supportive of programming for the plaza spaces and in particular of the art programming for the art spaces. Some on the Commission expressed

an interest in defining the proposal for programming as a distinct and separate public benefit. The Street Vacation Policies do not currently identify programming as stand-alone public benefit and this seems appropriate as programming is a less certain activity and it could be difficult for the City to monitor and evaluate in a qualitative way the success of a programming plan. It seems appropriate to consider programming for public space or art space as a way to enliven and activate space that already meets the definition of public benefit. The programming plan should be an enhancement and not a necessary element to the creation of public benefit.

As with this proposal, it is appropriate for a programming plan to augment a physical public benefit proposal. The art and programming commitment on this project should act to welcome and invite the public to the public spaces. The lift of the building, the design changes, and the programming commitment should work together to make the public benefit proposal viable.

The public will have several options for moving around and through the site, including the public alley which will be open 24 hours every day. In addition, the stairs and pathways will never be gated or closed. The project includes two hillclimb assist elevators. The first elevator, accessed from 1st Avenue, is not associated with a building lobby and provides access to the Central Plaza, 2nd Avenue level, and the Overlook Plaza. The second elevator is accessed from the Central Plaza and through the 2nd Avenue building lobby. The elevators will be available during park hours. 2+U is proposing that the public plaza spaces, the central plaza, the hillclimb assist, and the overlook be available during hours consistent with City parks. Establishing the hours of availability of the various spaces could be accomplished through the PUDA. At that time the adjacent retail and other uses will be determined and may have an impact on the hours of use. It is important that the public be able to freely move through the site at all times but limiting late night access to the central plaza and overlook is consistent with other downtown spaces.

Despite the design changes and the commitment to art and programming, the physical location of the public space hasn't changed. As the questions about the hours of public access highlight, the space can still challenge the definition of public. It may still prove difficult to attract the general public to interior and elevated spaces.

Balancing the public benefit proposal includes weighing the questions about visibility and accessibility of the spaces with the downtown location, the height of the lift, and the steep grade around the site. The downtown location and the density of the zoning support the proposal. The density of development downtown means there is a high number of people downtown looking for places to lunch, meet friends, and spend time outdoors. Downtown workers, residents, and visitors are skilled at finding spaces to meet and locating stairs and elevators to assist with the steep downtown hills.

One of the strongest factors offsetting the public benefit concerns is the height of the lift. This building will be elevated some 65 to 85 feet above the grade. A recent project in South Lake Union that provided public space under the building provided only about 35

feet between the public space and the building lid; the public space also doubled as an entry plaza to the building's lobbies on each side. That smaller amount of space has felt dark and private, and the adjacent lobbies also make it feel even more privatized. With the 2+U building lift at double that height the interior space will provide natural light and a much more open feeling. The building's office lobby opens to 2nd Avenue facing away from the public open space to further emphasize and delineate private from public.

The steeply sloped site is an immutable factor that complicates access to the site and the design on the site. It needs to be recognized that any project on the site would need stairs and elevators to move people through the site. Given the slope, visibility around the site is also impacted. As SDOT identified concern about the public benefit proposal 2+U has worked to respond with both design changes and programming commitments.

While this has been a challenging review the design changes and commitment to programming and art make for a much stronger public benefit proposal. SDOT can support the plan with the commitment to continue to develop a strong art programming and community engagement plan and continued oversight through the development process considering materials, lighting, wayfinding, and location of street furniture, bike amenities, and other elements. Additional review by the Design Commission may be helpful as the project moves forward.

RECOMMENDATION

It is recommended that the vacation be 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 fully satisfied: all utility work relating to the vacation including relocation of utilities, easements or other agreements is completed; all public benefit elements have been provided; any other agreements or easements have been completed and recorded as necessary; and all fees paid, prior to the passage of the street vacation ordinance.

1. The vacation is granted to allow the Petitioner to build a project substantially in conformity with the project presented to the City Council and for no other purpose. The project must be substantially in conformity with the proposal reviewed by the Sustainability & Transportation Committee in September of 2016.
2. All street improvements shall be designed to City standards, as modified by these conditions to implement the Public Benefit requirements, and be reviewed and approved by the Seattle Department of Transportation; elements of the street improvement plan and required street improvements to be reviewed include:

Street improvement plan showing sidewalks, street trees, bike racks, street

furniture, lighting, art or artist-made elements, and landscaping around the site and the off-site public benefit features, including but not limited to, these specific elements;

- Alley design and turnaround, including materials and signage;
 - Setbacks and landscaping on 1st Avenue, Seneca Street, 2nd Avenue, and University; and
 - Plantings, street furniture, seating or wayfinding in the right-of-way.
3. The utility issues shall be resolved to the full satisfaction of the affected utility prior to the approval of the final vacation ordinance. The Petitioner shall ensure there is no disruption in utility services for the adjacent Diller Hotel. Prior to the commencement of any development activity on the site, the Petitioner shall work with the affected utilities and provide for the protection of the utility facilities. This may include easements, restrictive covenants, relocation agreements, or acquisition of the utilities, which shall be at the sole expense of the Petitioner. Utilities impacted may include:
- Seattle City Light;
 - Seattle Public Utilities;
 - Enwave;
 - King County Metro;
 - Puget Sound Energy; and
 - CenturyLink Communications.
4. It is expected that development activity will commence within approximately 2 years of this approval and that development activity will be completed within 5 years. In order to insure timely compliance with the conditions imposed by the City Council, the Petitioner shall provide the Seattle Department of Transportation with Quarterly Reports, following Council approval of the vacation, providing an update on the development activity, schedule, and progress on meeting the conditions. The Petitioner shall not request or be issued a Final Certificate of Occupancy (C of O) until SDOT has determined that all conditions have been satisfied and all fees have been paid as applicable.
5. Access to the buildings shall be provided for as follows, changes to this proposal shall require the review of SDOT: two driveways on Seneca Street are allowed with one providing an in/out driveway to the parking garage and one providing in/out access to the truck loading dock. In addition, the remaining public alley and turnaround provide access to the Diller building.
6. 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.

7. Free speech activities such as hand billing, signature gathering, and holding signs, all without obstructing access to the space, the building, or other adjacent amenity features, and without unreasonably interfering with the enjoyment of the space by others, shall be allowed within these vacation public benefit features. While engaged in allowed activities, members of the public may not be asked to leave for any reason other than conduct that unreasonably interferes with the enjoyment of the space by others. Signage clearly identifying public access and allowed free speech activities is required at the public open space elements and shall require the review and approval of SDOT Street Vacations. Signage shall be consistent with signage provided for public amenity space, if any, on the site. Any violation of these conditions will be enforced through Chapter 15.90 of the Seattle Municipal Code.
8. The Petitioner shall develop and maintain the public benefit elements as defined by the City Council. A Property Use and Development Agreement (PUDA) or other binding mechanism shall be required to ensure that the public benefit elements remain open and accessible to the public and shall establish the hours of public access for the various public benefit spaces, with temporary closures permitted for reasons such as maintenance, safety, or private functions and to outline future maintenance obligations of the improvements. A plan for programming and use of the art spaces shall be completed and included with the PUDA or by separate agreement. Such plan shall address program commitments and costs, outreach and engagement for disadvantaged communities, management, reporting obligations and oversight. Signage shall be provided as described in Condition 7. The final design of the public benefit elements shall require the review and approval of SDOT Street Vacations. SDOT may request additional review by the Design Commission or Administrative Review of the implementation of the public benefit elements or the pedestrian enhancements, as necessary. Public benefit elements in the right-of-way require additional SIP review, street use permits and indemnification; public and private areas must be clearly distinguished and markers in the sidewalk shall be required. The public benefit requirements include the following features as well as corresponding development standards, including approximate square footage dimensions, which shall be outlined in the PUDA:

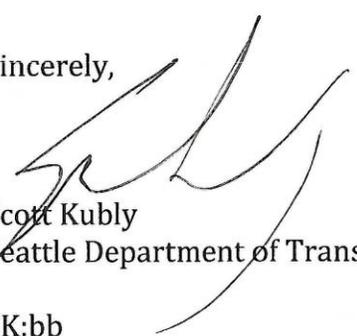
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					TOTAL:	\$8,874,000
SETBACKS						
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TOTAL:							1125 SF \$826,875
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P	2nd Avenue Elevator	1,2	See above	None	1		\$25,000
TOTAL:							\$50,000
BICYCLE INFRASTRUCTURE							
	Public Benefit	Zone	Location/Description	Code Req.	Public Benefit	Total	Value
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S	Electric Bike Charging Station Fix It Repair Stand	2	Repair + air-pump station in Plaza, visible + accessible from ROW	None	1 Unit	1 Unit	\$1,500
TOTAL:							\$7,250
PUBLIC BENEFIT TOTAL:							\$12,054,975

Sincerely,



Scott Kubly
Seattle Department of Transportation

SK:bb

Enclosures