



April 3, 2018

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

**Subject: Petition of Washington State Convention Center for the vacation of the alley in Block 33, Heirs of Sarah A. Bell's 2nd Addition; the alley in Block 43, Heirs of Sarah A. Bell's 2nd Addition; the alley in Block 44, Heirs of Sarah A. Bell's 2nd Addition; the subterranean portion of Terry Avenue between Howell Street and Olive Way; and the subterranean portion of Olive Way between 9th Avenue and Boren Avenue all in the Denny Triangle Neighborhood of the Downtown Urban Center area of Seattle
Clerk File 314338**

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

We have completed our review and are returning the petition from the Washington State Convention Center ("WSCC" or "Petitioner"). The proposed WSCC Addition project site includes three adjacent sites. Site A is bounded by Boren Avenue, Ninth Avenue, Olive Way, and Pine Street. Site B is bounded by Terry Avenue, Ninth Avenue, Howell Street, and Olive Way. Site C is bounded by Boren Avenue, Terry Avenue, Howell Street, and Olive Way. The WSCC petition includes the vacation of three alleys and two subterranean street segments.

This recommendation includes the following sections:

- Legal description of proposed vacations, page 2;
- I: City Council District, page 4;
- II: Background and history on the WSCC, page 4;
- III: Reasons for the vacation, contribution of the vacation to the project, page 6;
- IV: Project description, page 7;
- V: Description of no-vacation alternatives, page 11;
- VI: Details of review process, outreach, and meetings, page 13;
- VII: Summary of comments received and WSCC changes or responses, page 17;
- VIII: Summary of how key issues were responded to or resolved, page 21;
- IX: Vacation policy background, page 26;
- X: SDOT analysis of project compliance with vacation policies, page 26;
 - Transportation, page 27;
 - Utilities, page 33;
 - Light, air, open space and views, page 35;

- Land Use, page 37;
 - Public benefit, page 41; and
- Recommendation and Conditions, page 52

The WSCC petition includes vacations of the following alleys:

- **Block 33 (Site B):** the alley bounded by Howell Street to the north, Terry Avenue to the east, Olive Way to the south and Ninth Avenue to the west.

ALL OF THAT PORTION OF A 16 FOOT WIDE ALLEY LYING SOUTH OF THE SOUTH MARGIN OF HOWELL STREET AND NORTH OF THE NORTH MARGIN OF OLIVE WAY (FORMERLY KNOWN AS OLIVE STREET), AS SHOWN IN BLOCK 33, SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL (DECEASED), COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON.

- **Block 43 (Site C):** the alley bounded by Howell Street to the north, Boren Avenue to the east, Olive Way to the south, and Terry Avenue to the west.

ALL OF THAT PORTION OF A 16 FOOT WIDE ALLEY LYING SOUTH OF THE SOUTH MARGIN OF HOWELL STREET AND NORTH OF THE NORTH MARGIN OF OLIVE WAY (FORMERLY KNOWN AS OLIVE STREET), AS SHOWN IN BLOCK 43, SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL (DECEASED), COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON.

- **Block 44 (Site A):** the alley bounded by Olive Way to the north, Boren Avenue to the east, Pine Street to the south and Ninth Avenue to the west.

ALL OF THAT PORTION OF A 16 FOOT WIDE ALLEY LYING SOUTH OF THE SOUTH MARGIN OF HOWELL STREET AND NORTH OF THE NORTH MARGIN OF OLIVE WAY (FORMERLY KNOWN AS OLIVE STREET), AS SHOWN IN BLOCK 43, SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL (DECEASED), COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON.

The WSCC petition also includes vacations of the subterranean portions of Olive Way and Terry Avenue described below:

- **Subterranean Olive Way:** the portion of which that is bounded by Ninth Avenue to the west and Boren Avenue to the east.

A SUBSURFACE DEDICATION BEING ALL OF THAT PORTION OF OLIVE WAY (FORMERLY KNOWN AS OLIVE STREET), BEING A 66 FOOT WIDE DEDICATED PUBLIC RIGHT OF WAYS LYING EAST OF THE WEST MARGIN OF 9TH AVENUE (FORMERLY KNOWN AS 9TH STREET) AND WEST OF THE EAST MARGIN OF BOREN AVENUE (FORMERLY KNOWN AS 11TH STREET), AS SHOWN ON THE PLAT OF THE SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL (DECEASED), COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON;

THE VERTICAL LIMITS OF THE ABOVE DESCRIBED LYING BELOW AN INCLINED PLANE LOCATED EIGHT (8) FEET BELOW THE ESTABLISHED STREET GRADE MORE PARTICULARLY DESCRIBED AS HAVING AN ELEVATION OF 144.14 FEET AT THE EASTERLY END OF THIS SEGMENT OF OLIVE WAY AND AN ELEVATION OF 132.15 FEET AT THE WESTERLY END OF THIS SEGMENT OF OLIVE WAY; TOGETHER WITH THAT PORTION OF TERRY AVENUE LYING WITHIN THE ABOVE DESCRIBED AREA AND SOUTH OF THE NORTH MARGIN OF OLIVE WAY AND NORTH OF THE SOUTH MARGIN OF OLIVE WAY.

SAID ELEVATIONS DESCRIBED HEREIN ARE EXPRESSED IN TERMS OF NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AS OF THE DATE OF THIS INSTRUMENT AND ARE BASED UPON CITY OF SEATTLE BENCHMARK 3832-2205, BEING A 2 INCH DIAMETER BRASS-CAP STAMPED PLS #17676, SET AT THE NORTH CORNER OF BOREN AVENUE AND OLIVE WAY, 0.4 FEET NORTHWEST OF TOP OF WHEEL CHAIR RAMP AND 2.4 FEET SOUTH OF THE POINT OF CURVATURE AT BACK OF SIDEWALK, HAVING AN ELEVATION OF 150.13 FEET;

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.

- **Subterranean Terry Avenue: the portion which that is bounded by Howell Street to the north and Olive Way to the south.**

A SUBSURFACE DEDICATION BEING ALL OF THAT PORTION OF TERRY AVENUE (FORMERLY KNOWN AS 10TH STREET), BEING A 66 FOOT WIDE DEDICATED PUBLIC RIGHT OF WAY LYING SOUTH OF THE SOUTH MARGIN OF HOWELL STREET AND NORTH OF THE NORTH MARGIN OF OLIVE WAY, AS SHOWN ON THE PLAT OF THE SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL (DECEASED), COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON;

THE VERTICAL LIMITS OF THE ABOVE DESCRIBED LYING BELOW AN INCLINED PLANE LOCATED EIGHT (8) FEET BELOW THE ESTABLISHED STREET GRADE, MORE PARTICULARLY DESCRIBED AS HAVING A LOWER LIMIT ELEVATION OF 136.69 FEET AT THE SOUTHERLY END OF THIS SEGMENT OF TERRY AVENUE AND AN ELEVATION OF 130.92 FEET AT THE NORTHERLY END OF THIS SEGMENT OF TERRY AVENUE; SAID ELEVATIONS DESCRIBED HEREIN ARE EXPRESSED

IN TERMS OF NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AS OF THE DATE OF THIS INSTRUMENT AND ARE BASED UPON CITY OF SEATTLE BENCHMARK 3832-2205, BEING A 2 INCH DIAMETER BRASS-CAP STAMPED PLS #17676, SET AT THE NORTH CORNER OF BOREN AVENUE AND OLIVE WAY, 0.4 FEET NORTHWEST OF TOP OF WHEEL CHAIR RAMP AND 2.4 FEET SOUTH OF THE POINT OF CURVATURE AT BACK OF SIDEWALK, HAVING AN ELEVATION OF 150.13 FEET;

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.

The vacation petition includes, in approximate numbers, the alley in Block 33 of 1,600 sf; the alley in Block 43 of 3,200 sf; the alley in Block 44 of 2,880 sf; the below-grade area of Olive Way of 38,148 sf; and the below-grade area of Terry Avenue of 9,900 sf. This is 7,680 sf of vacation area and 48,048 sf of below-grade vacation area for a total of approximately 55,728 sf of right-of-way.

I. CITY COUNCIL DISTRICT

The proposed vacations are within City Council District 7.

II. WSCC BACKGROUND

The existing WSCC facility is located at 705 Pike Street and was opened in 1988 and expanded in 1999 and 2010. The current facility includes: an exhibition hall of 205,700 sf; meeting rooms of 57,000 sf; a ballroom of 45,000 sf that can accommodate 10,000 guests; and two parking garages with 1,490 spaces.

Planning for the existing facility began in the early 1970s and in 1982, the state legislature created a public, non-profit corporation to acquire land and to design, construct, promote and operate the WSCC. A site adjacent to Interstate 5 (I-5) was selected and construction began in 1985. The first scheduled event took place in June, 1988.

In the 1990s, based on increased demand, plans were made to effectively double the available space by building an adjoining and connected facility to the north across Pike Street. This expansion opened in 2001. The expansion included the request for alley and aerial vacations to support the development, contained in Clerk File 301557, and following a public hearing on February 17, 1999, the petition was granted by the City Council and the expansion project proceeded. Vacation Ordinance 121113 was passed in 2003.

The WSCC expanded again in 2010 with the opening of The Conference Center (TCC) at the northeast corner of 8th Avenue and Pike Street. This space was planned to be used by the Museum of History & Industry following the 2001 expansion, but the space was acquired by the WSCC and now is a part of the WSCC facility. The addition of this space brings the WSCC to a total of 414,722 sf of meeting and exhibit space.

In 2010 the state legislature authorized the creation of a Public Facility District (PFD) and King County subsequently created the WSCC PFD in 2011. The PFD is responsible for the management, operations, capital improvements, and financial success of the WSCC.

The vacations contained in this petition are requested to accommodate the proposed WSCC Addition. WSCC has acquired property on three blocks located northeast of the existing convention center. The new property is bound by Howell Street to the north, Boren Avenue to the east, Pine Street to the south, and 9th Avenue to the west. The WSCC addition will be developed on one block (Site A) with co-development partners developing residential (Site B) and office uses (Site C) on the northernmost two blocks. The three blocks are connected below-grade to provide for services and loading to support the exhibition hall space.

The \$1.7 billion addition project includes 1.2M sf of convention center space on Site A; a 29-story residential building with approximately 400 units on Site B; and a 16-story office building on Site C.

While Seattle's convention center bookings are strong, the WSCC has identified that the current capacity at the existing Convention Center is insufficient. The WSCC estimates that the addition could potentially add an estimated additional \$260 million per year in visitor spending for the region. This could result in an estimated 2,300 new permanent jobs created at the facility and in hospitality-related businesses and an additional 1,600 additional jobs supported across the region by increased convention business. The WSCC estimates that the Addition will also generate \$18 million in annual tax revenue from delegate spending, as many as 6,000 jobs during construction, and other benefits.

In the past five years, the existing Convention Center identified that it could not accommodate approximately 350 event proposals due to lack of available dates or space, which equates to \$2.13 billion in lost economic benefit for the region. The WSCC Addition will enable the Convention Center to meet more of this demand, and has specific program requirements for larger event spaces, and more effective loading and service areas to do so. While the WSCC Addition will enable WSCC to attract a handful of larger conventions annually, the main goal is that it will enable both facilities to operate simultaneously and often slightly out of synch, so that when one large conference is active in one facility, a second conference might be moving in or out of the other facility.

The proposal includes two co-development sites (Sites B and C) located north of the WSCC Addition (Site A). The below-grade portions of these co-development sites are necessary for the WSCC Addition's below-grade exhibition hall and loading dock. The footprint for this below-grade component includes the two blocks across Olive Way to the north of the WSCC Addition. Since only the below-grade portions of these blocks are needed for the WSCC Addition, the above-grade portions are available for future development with a residential tower and an office building.

In its vacation petition, the WSCC has identified the key goals of building a neighborhood and creating pedestrian links between surrounding communities. To address those goals the WSCC proposes that the WSCC Addition and the blocks north of Olive Way have complementary facades, street fronts, and pedestrian uses. WSCC plans to sell the rights to develop the co-development sites and stated in the vacation petition that it is not in WSCC's mission to pursue residential and office projects.

III. REASONS FOR THE VACATION

A vacation, sometimes noted as a full vacation, refers to the acquisition of the surface, aerial, and below-grade portions of the right-of-way. A subterranean vacation refers to the acquisition of only a below-grade portion of the right-of-way with the surface and aerial portion remaining as public right-of-way.

Sites A, B, and C all contain alleys. The existing conditions are described in more detail below. The alley on Site A (Addition site) is a dead-end alley that terminates in the middle of the Convention Place Station site and has no functional connection beyond the site. While the alleys on Sites B (residential co-development site) and C (office co-development site) are full block alleys, they are located where the street grids shift, and the alleys do not support significant vehicular or pedestrian volumes.

The vacations of these three alleys, along with the subterranean vacation of Olive Way and Terry Avenue, contribute to the project in the following ways.

A. Overall Contribution of the Vacations to the Proposed Project

The primary benefit of the requested street vacations is to place the large exhibition hall, loading docks, and other back-of-house functions below grade. This configuration creates a large contiguous space to serve the programming needs of the Convention Center. It also frees up the street-level and upper-level floor plates to accommodate a mixed-use pedestrian-focused program, allows flexibility in the massing and setbacks of the building.

B. Contribution of the Subterranean Street Vacations of Olive Way and Terry Avenue

The subterranean vacations of Olive Way and Terry Avenue, and the alley vacations, allow the loading docks and associated service areas to be located below grade. This also permits the direct connection between loading areas and the 150,000-sf exhibition hall at the same level, eliminating the need to provide this function through a bridge or other above-grade means. These vacations provide the option for locating the largest program area below grade without sacrificing size or functionality of adjacent service areas and minimizing the impact of these functions on the neighborhood. The Petitioner is proposing to vacate the space starting at a depth of 8-feet below grade for the subterranean vacations under Olive Way and Terry Avenue.

C. Contribution of the Alley in Block 33 (Site B, residential site)

The vacation of the alley on Block 33 allows a single tower to be designed with its structure and services congruent with the WSCC loading dock configuration below. While the location of the tower is limited by its connections below grade, the vacation allows more flexibility in the massing of the podium to respond to site context and provide voluntary setbacks. The vacation also converts two small sites into a single development site that allows for a more efficient production of housing units and provide more housing in proximity to the Westlake Transit Hub and downtown jobs. The residential tower would be constructed by the co-development partner who acquires the site.

D. Contribution of the Alley in Block 43 (Site C, office site)

The vacation of the alley on Block 43 allows an interior ramp to access the WSCC Addition loading dock below grade, and the vacation also allows a single tower to be designed with its structure and services congruent with the WSCC Addition loading dock configuration below. While the location of the tower is limited by its connections below grade, the vacation allows more flexibility in the massing of the podium to respond to site context and provide voluntary setbacks. Additionally, the vacation allows for more efficient office floor plates. The planned commercial office use can take advantage of proximity to the Westlake Transit Hub. The office tower would be constructed by the co-development partner who acquires the site.

E. Contribution of the alley in Block 44 (Site A, Addition site)

The vacation of the alley on Block 44 provides the WSCC more flexibility for the massing and pedestrian-focused program spaces at grade. The existing alley on Site A is a dead-end alley, and retention of the alley reduces flexibility in access and use of the site. The addition site and the below grade connections will be constructed by the WSCC.

IV. PROJECT DESCRIPTION

A. Site Description

The overall site associated with the proposed project encompasses all the property on the blocks designated as Sites A (Addition site), B (residential site), and C (office site), the rights-of-way within these sites, and the subterranean portion of intervening rights-of-way between these sites.

The project site is located in Downtown Seattle's Denny Triangle Urban Center Village. The site is located at a point in the City's Downtown street grid where direction of the street grid changes. Streets in the Denny Triangle and Belltown neighborhoods are aligned perpendicular to the North Central Waterfront. Streets south in the City's commercial core (Olive Way to Yesler Way) are oriented perpendicular to the Central Waterfront. Ninth Avenue and Boren

Avenue are aligned in a northwest-southeast direction and Stewart and Howell Streets are aligned in a northeast-southwest direction.

Existing north-south alleys bisect Sites B and C and a partial north-south alley is located in the east portion of Site A. The segment of Terry Avenue between Olive Way and Pine Street, two alleys, and one partial alley segment in Site A were previously vacated for King County Metro's Convention Place Station.

Streets that border the three-parcel site slope downward from east to west and from south to north. Overall, the topographic change across Sites A, B, and C approximates 54 feet from the southeast corner at Pine Street and Boren Avenue to the northwest corner at Olive Way and Ninth Avenue.

Existing uses on the site include King County Metro's Convention Place Station (which is scheduled to close with light rail expansion to the north), vacant commercial buildings, temporary modular office space, and surface parking.

The WSCC owns, or is under contract to acquire, all the property within Sites A, B, and C. The contract to purchase is with King County, the owner of Site A, the current location of the Convention Place Station. The King County Council approved the sale of the Convention Place Station to the WSCC on June 28, 2017, under Ordinance No. 18546. Among other stipulations, the Ordinance and related documents required:

- \$5 million contribution to a King County affordable housing program;
- Deaccessioning of the art on Convention Place Station;
- \$4.6 million art budget;
- Use of a Project Labor Agreement and apprentices for the construction; and
- Assistance identifying temporary bus layover space (to be provided in Convention Place).

With the expansion of light rail service, it has been planned that Metro buses would leave the Downtown Tunnel. The Environmental Impact Statement (EIS) for Sound Transit 2 projected that in 2021 the Downtown Tunnel would be closed to buses to accommodate expansion of the light rail system. The closure of the tunnel to buses was timed to coincide with the opening of the North Link to Northgate. WSCC's agreement with King County authorizes removal of the buses from the Downtown Tunnel earlier than anticipated to accommodate WSCC related construction. This can occur as early as March 2019 should WSCC secure necessary approvals and permits from the City by July 1, 2018. The next possible date for removal of buses from the tunnel would be September 2019. The March and September dates coincide with the process Metro uses to notify bus riders about changes to the bus schedule.

B. Project Goals

The Petitioner's stated its paramount goal is to create an efficient design which effectively meets the functional needs of the Convention Center's clients and is competitive in the marketplace. Once this functional need is met, the Petitioner's additional economic and design goals are as follows:

1. Economic Goals

- Enable the facility to book additional international, national, regional, and local events it may currently turn away due to lack of date availability or adequate space;
- Support regional economic health by year-round demand for Seattle's hotels, restaurants, stores, entertainment venues, and other businesses;
- Generate an estimated \$260 million in visitor spending, create an estimated 3,900 direct and indirect hospitality and related jobs, create an additional estimated 6,000 construction jobs, and generate sales and car rental taxes to support local and regional jurisdictions.

2. Design Goals

The following project design goals pertain to the WSCC Addition site and the co-development sites:

- Create a highly efficient design which effectively supports the functional needs of the convention center's clients and is competitive in the marketplace;
- Create an experience that embodies the qualities of Seattle, Washington State, and the Pacific Northwest;
- Engage the urban framework of Downtown Seattle to capitalize on the project's key location at the intersection of several major neighborhoods and corridors of the City;
- Provide an opportunity to enhance the urban environment northeast of the existing convention center and strengthen the downtown-to-Capitol Hill and other neighborhood connections;
- Create a welcoming street presence that connects the activities of the Convention Center with the pedestrian experience of the adjacent streets;
- Integrate street-level mixed uses such as retail and service businesses, where appropriate, to enrich the urban diversity of the site.

C. Detailed Project Overview

Located at the crossroads of the Seattle neighborhoods of Capitol Hill, First Hill, South Lake Union, the Denny Triangle, and Downtown Seattle. and touching four of its most prominent streets, the project can function as a gateway connection. The connections will include improvements to the pedestrian environment with open spaces, landscaping, lighting, public art, and other amenities.

The proposed project consists of approximately 2.4 million sf of total development on three sites, with the WSCC Addition located at the current Convention Place Station. The WSCC Addition program incorporates convention space, parking, and retail in a vertical configuration, including stacked exhibit halls above and below grade, two stacked meeting room levels, and a 60,000-square-foot ballroom. The WSCC Addition is an 8-level building with a height that varies from 171 ft at Olive Way and Ninth Avenue to 216 ft at Olive Way and Boren Avenue, reaching a maximum height mid-block on Olive Way of 234 ft. The total gross floor area of the proposed WSCC Addition is approximately 1,485,000 sf, including approximately 26,000 sf of street-level uses on Site A, including but not limited to retail, restaurants, and service businesses.

Three levels of parking are proposed within the WSCC Addition to accommodate 710 vehicles, which will serve the co-development on Sites B and C in addition to the Convention Center on Site A. Ingress to the proposed parking area on Site A would be from Olive Way and Boren Avenue. Egress would be to Olive Way and to Boren Avenue; both exits would be right-turn only. Loading is accomplished below grade (one level of truck loading with 19 freight bays and 3 trash bays), adjacent to the primary exhibit hall. Trucks would enter the facility from Boren Avenue on Site C and would exit the facility from Site C onto Terry Avenue, between Howell Street and Olive Way.

The building is designed to relate to the street level by providing a significant amount of transparency, creating visual interaction between passersby and the activity within the Convention Center. The major program spaces are connected vertically using two large interior atriums. A glass-enclosed stair along Pine Street will have dramatic west-facing views to the Pike Place Market and Puget Sound. A plaza at the corner of Pine Street and Ninth Avenue is being designed to attract local residents and visitors. Open-air terraces on all levels will support a variety of WSCC events.

The project also includes two adjacent blocks of mixed-use co-development towers to the north, including a 16-story office tower (524,000 sf office tower with 12,000 sf of street-level uses) and a 29-story residential tower (404-unit residential tower with 7,500 sf of street-level uses). Both rise over street-level podiums with retail/restaurants that sit above the Convention Center's below-grade loading docks.

D. Overview of Public Benefits

As discussed in more detail in the Analysis section below, the proposed project includes the following public benefits:

- Public open spaces and voluntary setbacks around the project blocks
- Improvements beyond code-requirements for seating, planting, and weather protection
- Right-of-way improvements offsite
- Public art
- Landmark lighting
- Funding contributions to improve community connections and enhance the pedestrian experience (Pike Pine Renaissance Act 1 funding, Bicycle Master Plan funding, Lid I-5 study funding, and Freeway Park funding)
- Affordable housing funding

V. DESCRIPTION OF THE NO-VACATIONS ALTERNATIVE

A. No Vacations Alternative for Site A

Total development associated with the No Vacations Alternative (described as *Alternative 5* in the State Environmental Policy Act Environmental Impact Statement (SEPA EIS) for the WSCC Addition would be approximately 1,611,700 sf of gross floor area.

The above-grade building configuration of the No Vacations Alternative for Site A would result in smaller floor areas both above- and below-grade, and the depth of excavation would be greater under the No Vacations Alternative. The smaller site area associated with the No Vacations Alternative would result in a reduction in the total size of the exhibition halls (240,000 sf vs. 255,000 sf) and meeting space (110,000 sf vs. 120,000 sf). The ballroom would be the same size as that of the proposed project. Because of the reduced footprint, back-of-house functions (e.g., freight unloading/loading) and exhibit hall design would be constrained. Rather than a height of 195 ft above Pine Street (as with the Vacation Alternative), development associated with the No Vacations Alternative would have a height of approximately 272 ft above Pine Street. The overall design would also be bulkier under the No Vacations Alternative. Pedestrian access to the Convention Center would be the same as that of the Vacation Alternative.

The amount of street-level uses that are proposed under the No Vacations Alternative would approximate 14,900 sf, which is about 35 percent less than the Vacation Alternative. The location of street-level uses would be comparable to the proposed location, but the constraints on the site would result in a less active pedestrian environment.

It is estimated that the No Vacations Alternative could provide approximately 600-700 parking spaces. Vehicles would enter and exit the parking garage via Olive Way at Site A.

As with the proposed project, one level of truck loading would be provided below grade, however four fewer bays would be provided as compared to the proposed project, which would compromise the functionality of the Convention Center. Trucks would enter and exit from a dedicated truck ramp at Olive Way.

B. No Vacation Alternatives for Sites B and C

No co-development on Sites B and C is proposed as part of the No Vacations Alternative studied in the SEPA Environmental Impact Statement, but future development on those sites could result in two buildings on Site B and two buildings on Site C. The buildings would create a "canyon" or "toaster" design configuration around the alleys, and the flexibility for providing onsite open space and efficient floor plates would be significantly compromised.

Site B

Without vacations, two residential towers could be proposed on Site B, one on each side of the alley. The western tower could be 140 feet tall with an overall gross floor area of 84,840 sf. The eastern tower could be 400 feet tall with an overall gross floor area of 394,933 sf. The total development on Site B could then total 479,773 sf.

On Site B, a proposal that maximizes the development capacity without vacations could contain 117,500 sf more floor area in two towers than the proposed configuration with vacations, with substantially more bulk and less open space.

Site C

Without vacations, two office towers could be proposed on Site C, one on each side of the alley. Both towers could be 225 feet tall. The western tower could be configured with 13,000 sf floor plates and an overall gross floor area of 213,870 sf. The eastern tower could be configured with 19,000 sf floor plates and an overall gross floor area of 264,060 sf. The total development on Site C could total 477,930 sf.

On Site C, the proposal with and without vacations would be very similar in floor area, with the no-vacation option containing 64,000 sf less floor area than the proposed option with the vacation. The primary difference between the options would be that the vacation allows the footprint to be consolidated in a single tower in the center of the site, offering more opportunity for modulating the bulk of the project at the perimeter and offering greater opportunities for creating open space. The two towers in the no-vacation option push the

bulk of the towers to the perimeter, reducing the opportunities to manipulate the massing and reducing the potential for open space.

The No Vacations Alternative does not fulfill the programmatic needs of the WSCC Addition. Additionally, the vacations provide flexibility in how the site is developed.

The No Vacations Alternative would not require any public benefits.

VI. CIRCULATION AND OUTREACH

The proposed vacation petition 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:

- 5/19/2015 – Early Design Guidance (“EDG”) #1
- 7/21/2015 – EDG #2
- 10/6/2015 – EDG #3
- 5/3/2016 – Design Recommendation (“DR”) #1 (WSCC Addition)
- 7/19/2016 – DR #2 (WSCC Addition)
- 7/19/2016 – DR #1 (Co-Development)
- 1/16/2018 – DR #2 (Co-Development), DR#3 (WSCC Addition)

Seattle Design Commission:

- 2/4/2016 – Seattle Design Commission (“SDC”) #1 Project Briefing
- 4/21/2016 – SDC #2 Draft EIS Briefing
- 9/15/2016 – SDC #3 Urban Design Merit – Pedestrian Experience
- 12/1/2016 – SDC #4 Urban Design Merit – Circulation & Access
- 1/19/2017 – SDC #5 Urban Design Merit – Circulation & Access

2/16/2017 – SDC #6 Public Benefits Briefing
3/16/2017 – SDC #7 Urban Design Merit – Vote
5/18/2017 – SDC #8 Public Benefits
7/6/2017 – SDC #9 Public Benefits
7/11/2017 – Art Workshop
10/23/2017 – Art Workshop
11/2/2017 – SDC #10 Public Benefits
11/16/2017 – SDC #11 Public Benefits – Vote

Master Use Permits (#3020176, 3018096, and 3020177):

Master Use Permit Applications submitted on 12/18/2015
Four rounds of corrections
Plans resubmitted on 11/17/2017

Type I Site Access:

Initial submission in May 2015
Extensive review and meetings (Type I to be issued with the MUP decision)

State Environmental Policy Act:

Scoping Meeting held on March 3, 2015
DEIS published on February 26, 2016
FEIS published on February 17, 2017
Notice of Action process completed on February 28, 2017

SIP/Utility Permits:

- WSCC Addition SIP (#265846)
 - 30% SIP submittal – 4/8/2016 (multiple resubmittals)
 - 60% Lite SIP submittal – 11/17/2017

- 60% SIP submittal – 1/5/2018
- WSCA Early Olive Reconstruction SIP (#340308)
 - 30% SIP submittal – 3/22/2017
 - 60% SIP submittal – 2/5/2018 (estimate)
- Howell Street Utility Major Permit (UMP) plans (#266234)
 - 30% UMP submittal – 4/6/2015 (multiple resubmittals)
 - 60% UMP submittal – 9/23/2016
 - 90% UMP submittal – 12/9/2016
 - Final UMP submittal – 5/23/2017 (approved 6/26/2017)

Landmarks Preservation Board:

Architectural Review Committee (ARC) #1 – 4/28/2017

ARC #2 – 7/28/2017

Full Landmarks Preservation Board Vote – 8/2/2017

Certificate of Approval Issued – 8/18/2017

Community Outreach:

The WSCC Addition project team has performed outreach activities ranging from small-scale project briefings to publicly noticed in-person meetings, open houses, and digital surveys. The design, structure, and delivery of these outreach activities were done in concert with City staff.

A number of the community groups that engaged with the WSCC early in the process came together to form a group of nonprofits called the Community Package Coalition (“CPC”). Throughout 2017, there were multiple meetings with CPC as a group and with their leadership. The result was an agreement between the CPC and the WSCC for a package of community benefits to address the CPC priorities and requests. The CPC agreement provided support for the WSCC proposed vacation public benefits and went beyond the vacation public benefit to include other elements important to the CPC. This is a private agreement between the CPC and the WSCC and is distinct and separate from vacation public benefit or regulatory obligations. Here is a breakdown of the elements covered in the CPC agreement.

Vacation Public Benefit Elements Recommended in the CPC Agreement

(see the Analysis section below for the full list of public benefits; this list of vacation public benefits was supported by the CPC)

Improvement/Project	Funding Recipient	Funding Amount
Freeway Park Improvements	Seattle Parks and Recreation	\$10,000,000
Pike/Pine Bicycle Improvements	Seattle Department of Transportation	\$10,000,000
Lid I-5 Study	Office of Planning and Community Development	\$1,500,000
Affordable Housing	Seattle Office of Housing	\$15,000,000

Other Elements in the CPC Agreement (Not Vacation Public Benefits)

(these elements have not been included in the Street Vacation Public Benefits proposal; this list includes items beyond the vacation public benefits that are a part of the private agreement between the WSCC and CPC)

Improvement/Project	Funding Recipient	Total Amount
8th Avenue Bicycle Improvements	Seattle Department of Transportation	\$6,000,000
Terry Avenue festival street/woonerf	Seattle Department of Transportation	\$4,000,000
Olive Way Pedestrian Safety	Seattle Department of Transportation	\$500,000

Affordable Housing	Seattle Office of Housing	\$14,000,000 (in addition to the \$15 million noted above)
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As depicted on this chart, many of the contributions requested by the CPC are included in the Petitioner's public benefit package, including funding contributions for affordable housing (\$15 million), bicycle improvements along Pike/Pine (\$10 million), improvements to Freeway Park (\$10 million), and a study about the feasibility of lidding I-5 (\$1.5 million).

There were also contributions requested by the CPC that the WSCC has committed to provide, which are not included in the Petitioner's public benefit package, including funding contributions to a future Terry Avenue festival street/woonerf (\$4 million), 8th Avenue bicycle improvements (\$6 million), pedestrian safety improvements to Olive Way (\$500,000), and additional affordable housing money (\$14 million). These elements are not included in the public benefit package because the timeline and funding sources for these elements are different than the proposed public benefit elements. These obligations are a part of the private agreement between WSCC and CPC and the timing and accountability will be addressed in that agreement.

As discussed in more detail below, as part of the public benefits analysis, all these funding contributions, both vacation public benefit and CPC agreement, will be made directly to the City of Seattle.

VII. COMMENTS AND RESPONSES

A. Public Comments Submitted to SDOT

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 are a part of record forwarded with the vacation file. 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 part of the record and are not revised or amended by the Seattle Department of Transportation (SDOT).

As discussed in more detail below, a majority of the comments focused on the public benefits package and included suggestions for public benefit elements.

B. Seattle Design Commission

The review by the Seattle Design Commission ("SDC") was extensive and included in-depth discussions of issues involving differing viewpoints. The SDC is providing a supplemental memo to provide more background on some of the discussions.

In addition to public comments, the SDC also reviewed the project and provided extensive feedback. Eleven SDC meetings were held on the dates noted above. The SDC voted to approve the urban design merit ("UDM") on March 16, 2017 and voted to approve the public benefits on November 16, 2017. The SDC conditions and recommendations from the UDM vote and the public benefits vote, along with the Petitioner's update and responses, are included below.

Urban Design Merit -- March 16, 2017

At the UDM meeting, Commissioners voted seven to one, approving the UDM with the following conditions and recommendations.

Conditions:

1. Prior to Council approval of the street and alley vacations, the applicant shall execute contracts on the co-development sites that specify time and completion requirements for development on parcels B and C. If the construction of the co-development projects has not commenced prior to issuance of a certificate of occupancy for the WSCC facility, the applicant will return to the SDC with proposals for interim uses and designs for any structures at parcels B and C consistent with designs presented to the SDC at their approval of urban design merit.
 - a. Response: *This condition was changed as part of the SDC public benefit vote, as reflected below.*
2. The art program, including two existing artwork pieces located on the site, shall be reviewed prior to the approval of the public benefits package.
 - a. Response: *The art program was reviewed in detail in art-specific workshops on July 11, 2017 and October 23, 2017 with a subset of commissioners and with the full commission at SDC meeting #11 (public benefit vote).*

Recommendations:

1. Consider pedestrian and bicycle safety along Terry Ave in the further development of use, materials, art, landscape, and development of the street.
 - a. Response: *The design of Terry Avenue was refined with feedback from SDC and SDOT to clarify vehicle and pedestrian circulation patterns with safety in mind,*

enhance paving materials, create better pedestrian crossings, and increase planting and pedestrian lighting.

2. Preserve current level of art and glazed storefront openings for retail and storefront spaces along Howell Street.
 - a. Response: *This was preserved.*
3. Continue to look at art as a way to enhance the pedestrian experience between the exhibit window and bakery on Olive Way.
 - a. Response: *A Public Benefits artwork was developed to encompass five glass vitrines that will project from the building façade on Olive Way immediately west of the bakery. Each vitrine will be aligned with an interior elevator shaft. The motion of the elevators will be visible running behind these vitrines, and in windows high above, throughout the day and night. Special lighting will be integrated with each elevator cab to express its position and vertical movement in the building. An artist/artist team will be selected to integrate art with the building function and architecture in this location, using the vitrines and potentially modifications to the canopy in this area. This will activate the area horizontally and vertically, enhancing the experience of passersby.*
4. Reduce the width of the curb cut for the truck access point along Boren Avenue.
 - a. Response: *The curb cut at Boren Avenue was reduced from 60' to 58'-10".*
5. Study space within the truck loading bay along Boren Ave in terms of art, lighting, and aesthetic treatment as part of the completion of the art package.
 - a. Response: *The south wall in the loading dock is one of the locations for Urban Design Merit artwork. An artist/artist team will be engaged to create an artwork on this interior wall on Boren between Howell and Olive. The interior wall graphic and the graphic on the three-panel garage door will be developed in tandem by a single artist/artist team to ensure complementary design.*
6. Include the use of art at multiple scales and ensure art is expressive of the identity and culture of the surrounding area rather than the identity of the institution.
 - a. Response: *A robust art program encompassing three public artworks as well as additional artworks located throughout all building levels and exterior of the Addition is under way. It is anticipated that these artworks will include two- and three-dimensional artworks, both permanent and rotating in nature. This will include artworks selected through public and invitational calls, as well as gifted and loaned artworks. The vision is to draw inspiration from the Pacific Northwest's diverse cultures and communities, developing an art program that will play a crucial role in creating a connective core in Seattle's downtown landscape.*

7. Integrate the two artworks to be retained on site into the public realm in a way that honors the original intent of the artists.
 - a. Response: *WSCC has coordinated with 4Culture on the retention and placement of the Traveling Stories profiles and the Tree Museum grates and plaques. The profiles will be relocated to the Ninth Avenue entrance to the Convention Place Station (CPS) exhibit space within the Addition, a highly appropriate juxtaposition of the profiles to the historical interpretation of the groundbreaking CPS art program. The Tree Museum will be located along the Ninth Avenue frontage and will include tree species appropriate to those featured in the artworks.*

Public Benefits -- November 16, 2017

At the Public Benefits meeting, Commissioners voted four to three, approving the public benefits package with the following conditions.

1. Stronger managerial support of the art program must be provided throughout the process from artist selection through implementation. The Design Commission strongly recommends that this be provided by an organization that specializes in managing public art.
 - a. Response: *The services of 4Culture are being engaged to manage the process for the three public benefit artworks from the public calls through installation.*
2. The artist selection panels should be changed to include fewer WSCC project representatives in favor of more independent art professionals.
 - a. Response: *At the suggestion of 4Culture, members of the WSCC design team will participate as non-voting members of the selection panels, in favor of additional independent art professionals.*
3. Provide the Pike/Pine Renaissance Project Public Benefit funds to the City of Seattle whether or not the Waterfront Local Improvement (LID) or other funding sources are secured by the City for the project. If the Pike Pine Renaissance project does not secure full funding, dedicate the public benefit funds to improvements from Ninth Avenue to Melrose Avenue along Pine and Pike Streets.
 - a. Response: *WSCC understands and concurs with this condition.*
4. The WSCC and Seattle Parks and Recreation shall enter into an agreement that clearly states the responsibilities of each entity for maintaining the improvements funded by the Freeway Park Public Benefit funds. While the Design Commission agrees there should be seamless integration of the physical improvements, the agreement shall lay out responsibilities of each party for maintenance of the park space on WSCC land and City of Seattle land separately. The agreement shall also list the approximate amount of

the public benefit funds to be expended for improvements on WSCC land and the approximate amount to be expended on Seattle Parks and Recreation land.

- a. Response. *WSCC is working with the Parks Department on this agreement.*

SDC also approved the updated UDM condition on the timing of the co-development sites:

1. If Council approves the vacation requests, then WSCC should execute binding contracts with the new owners that specify time and completions requirements on Sites B and C by December 31, 2018. If construction of the co-development sites has not commenced prior to the issuance of the Certificate of Occupancy for the WSCC, the applicant will return to the SDC with proposals for interim uses and designs on Site C.
 - a. Response: *WSCC understands this condition.*
2. The Commission strongly encourages publicly accessible open space as an interim use if construction on Site B is delayed.
 - a. Response: *WSCC understands this condition.*

SDC Participation in WSCC Art Program

SDC Commissioners will have continued involvement with reviewing the UDM art and the public benefit art as set out below.

1. *Art Advisors.* An SDC Commissioner is invited to join the WSCC Art Advisors for the Addition project.
2. *UDM.* WSCC will have two check-in points with SDC on the UDM process: at artist selection and when concept designs are ready.
3. *Public Benefit Artworks.*
 - a. An SDC Commissioner is invited to participate in the art selection panels.
 - b. WSCC will have two check-in points with SDC on the Public Benefits Artworks: at artist selection and at concept design.

VIII. ISSUE RESOLUTION

Based on the public comments received, the input from the Seattle Design Commission, and ongoing review with the City of Seattle, issues related to utilities, access, transportation, design, public benefits, and the position of the Community Package Coalition, the City and WSCC worked to resolve issues as much as possible or outline mitigation measures. The following section summarizes the feedback and the response in each of these areas.

A. Utilities: Extensive in-depth planning and coordination occurred with Seattle City Light (SCL), SDOT, Seattle Public Utilities, King County Metro, Puget Sound Energy, and CenturyLink regarding utility requirements related to the vacated rights-of-way and an 8-foot deep street

section above the vacated rights-of-way. The departments and service providers needed confirmation that deep infrastructure would not be needed within the vacated rights-of-way. In response to this requirement, infrastructure will be reconstructed and/or replaced in a manner to eliminate the need for deep infrastructure. With these relocations and measures, it is understood that the departments and service providers take no exception with the 8-foot section and proposed vacations for this project.

- SCL network is being reconstructed around the north perimeter of the site so that transformer vaults will not be needed within the vacated rights-of-way.
- A sanitary sewer main will not be needed or required within the vacated rights-of-way.
- Excess stormwater detention will be provided onsite so stormwater detention within the rights-of-way will not be required.
- Strain pole foundations have been designed with spread footings to fit within the 8-foot deep street section.
- In addition to the utility coordination and relocations noted above, water proofing and indicator measures to protect the street section and building have been included in the design. This includes a below grade overflow drain at the west end of Olive Way at Ninth Avenue, which will inform WSCC if a catastrophic water main breach occurs within the roadway above.

B. Transportation/Access: There has been significant discussion about the ways freight, vehicles, pedestrians, bicycles, ride shares, and coaches will access the WSCC Addition. The Petitioner has spent significant time working through these issues. The Analysis section includes a detailed transportation analysis, but the following list summarizes the way different modes will operate and access the WSCC Addition.

- Freight – Inbound access will be via the driveway on Boren Avenue on Site C, accessed from I-5, via Mercer and Fairview. Outbound access will be via the driveway on Terry Avenue on Site C, east on Howell, then to I-5 or Mercer and Fairview.
- General Purpose – Garage access will be provided via driveways on Olive Way and Boren Avenue. Vehicles accessing the site would utilize existing arterials surrounding the site such as Boren Avenue, Howell Street, Olive Way, Ninth Avenue, Eighth Avenue and others within the City grid system.
- Pedestrian – Sidewalks are provided along arterials surrounding the site, including routes to/from major transit centers. These facilities would be utilized for pedestrians accessing the site from area parking garages, hotels, and/or transit centers such as

Westlake. SDCI and SDOT required detailed sidewalk capacity analysis to demonstrate there would be adequate sidewalk width to serve pedestrians and event attendees.

- Bicycles – Bicycle commuters accessing the site would utilize either the protected facilities or the shared facilities located within the City grid. Substantial bicycle parking will be provided, and there has been substantial analysis to confirm the adequacy of the bicycle parking.
- Ride Share – Multiple drop-off areas are located in and around the WSCC Addition, including a new proposed loading zone on Ninth Avenue between Olive Way and Pine Street.
- Shuttle/coaches – Event-related shuttles are expected to be staged along Ninth Avenue adjacent to the site. Alternatively, WSCC operates staging areas on Convention Place, between Pike Street and Union Street. This is an alternative or expanded location depending on the anticipated demand.

C. Design: The primary design feedback centered on ways to achieve the goal of creating an active and comfortable pedestrian environment, extending the sense of a neighborhood where there is currently a void in the urban fabric, and creating a civic presence that felt welcoming to all members of the public. The response of the design strategy was to break down the scale of the program based on historic building patterns, minimize service areas, and create a variety of unique experiences throughout the multi-block site. Specific design updates and strategies to address comments are described in more detail below.

- The project was organized to incorporate a range of mixed uses, retail, and active program spaces throughout to contribute to a lively urban neighborhood. Buildings were designed with activity at all edges, not just at primary entries, with significant transparency into the building lobby, circulation, and program and event spaces.
- A pedestrian shortcut was established to create a connection within the building footprint aligning with a full block marketplace and public lobby for the public and visitors to mix. A diversity of retail types and sizes provide opportunities to celebrate local experiences. The project includes an art program, incorporating several existing Convention Place Station artworks into the project, as well as artworks provided within the public benefits package. The existing Convention Place Station artworks will be displayed in the marketplace.
- The location of the loading dock and truck ramp below grade was based on early feedback to minimize loading impacts above grade. The vacations allow for the consolidation of loading functions to minimize the overall impact. The locations of the parking garage and loading access points were revised to reduce impacts to pedestrians

and Terry Avenue. Service areas were concentrated to the building interior at street levels.

- Building setbacks and modulation were used to help to break down the scale and provide wider sidewalks for pedestrians and planting to soften the urban environment. The building forms and exterior were designed to respond to the Ninth Avenue and Terry Avenue Green Streets through building setbacks with landscape areas at grade and incorporated on the upper levels of the buildings. Intersections and sidewalks are designed to support direct pedestrian movements with plazas and pocket parks distributed throughout the sites. Fixed and flexible public seating was provided throughout for public to pause, gather, and rest, in addition to any seating associated with retail/restaurant spaces. Space for an integrated metro bus stop and additional bike parking is provided within and around the three sites.

D. WSCC Response to Public Benefits comments: Many public comments requested the inclusion of specific projects in the public benefits package. The most comments submitted were supporting the following public benefits.

- *Freeway Park* – Numerous organizations, businesses, and individuals supported improvements to Freeway Park. The Freeway Park Association was active in recruiting support for this proposal. The original public benefits package included \$1 million for improvements in Freeway Park. After reviewing the comments and after multiple meetings with the Freeway Park Association, the proposed public benefit contribution was increased to \$10 million. This funding will go to Seattle Parks and Recreation (SPR), and SPR supports the proposed funding.
- *Lid I-5* – Similarly, numerous comments were submitted in support of lidding I-5 and a study on the potential to lid I-5. The project design closes the gap at the intersection of Boren Avenue and Pine Street. Further implementation of lidding was deemed infeasible. The original public benefits package included \$250,000 for a Lid I-5 Study. Based on community input, this funding proposal was increased to \$1.5 million for a Lid I-5 Study. This funding will go to Office of Planning and Community Development (OPCD), and OPCD supports the proposed funding.
- *Affordable Housing* – Addressing the City's affordable housing crisis is a priority for organizations, businesses, and individuals. The original public benefit package included \$5 million for affordable housing. Based on community input, this funding proposal was increased to \$15 million. This funding will go to Seattle Office of Housing (OH), and OH supports the proposed funding.
- *Additional Affordable Housing*, as discussed above, separate from the public benefits package, the WSCC has agreed to contribute an additional \$14 million to affordable

housing as part of the private agreement with CPC. This \$29 million is in addition to the \$5 million required by the King County Purchase and Sale Agreement for the Convention Place Station property and the approximately \$4.3 million required under incentive zoning on Site C.

- *Bicycle Improvements* – A significant number of e-mails were submitted supporting bicycle improvements as part of the public benefits package. The original public benefit package included \$250,000 for bicycle improvements in Downtown Seattle. Based on community input, this funding proposal was increased to \$10 million for bicycle improvements in the Pike/Pine corridor, consistent with the Seattle Bicycle Master Plan. This funding will go to SDOT, and SDOT supports the proposed funding. Additionally, as discussed above, separate from the public benefits package, the WSCC has agreed to contribute \$6 million to bicycle improvements on Eighth Avenue, consistent with the Seattle Bicycle Master Plan.
- *Pedestrian Realm* – A number of comments were submitted requesting improvements to the pedestrian realm in light of the site's important hub location. Due to the comments about the importance of the pedestrian realm, the entire exterior of the project was designed to create an engaging pedestrian experience with retail, landscaping, lighting, street furniture, and high-quality materials. The public benefits package was updated to include improvements offsite on Olive Way and Ninth Avenue.
- *Art* – A few individuals submitted numerous comments about art, with a focus on the art existing on the Convention Place Station site. After reaching an agreement with 4Culture, there will be a display about the existing art in the new WSCC Addition. Also, the existing Tree Museum grates and plaques and the Traveling Stories profiles will be retained, restored, and integrated into the streetscape on Ninth Avenue. Based on the public comments about art, the public benefit package was also updated to include an additional public art piece, bringing the total to three art pieces.
- *Offsite Olive Way and Terry Ave Improvements* – A number of comments were submitted requesting improvements to pedestrian safety on Olive Way and improvements to Terry Avenue on First Hill. The proponents of these improvements were part of the CPC. The WSCC has agreed to make improvements in these two areas as part of the CPC agreement, but these improvements are not included in the public benefit package.

E. Community Package Coalition: A significant number of the public comments and community engagement requested the WSCC to adopt the public benefits package proposed by the CPC. As discussed above, the Petitioner reached an agreement with the CPC. A significant number of the public benefit items are requested by the CPC, and the Petitioner's engagement with the

CPC had a direct impact on the eventual package. The agreement with the CPC is an obligation between the WSCC and the CPC.

IX. POLICY FRAMEWORK

By State Statute, street vacation decisions are City Council decisions 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 rights-of-way. Vacation of public rights-of-way requires discretionary legislative approval that must be obtained from the City Council, and the Council may not vacate the public right-of-way unless it determines that to do so 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 Street Vacation Policies are currently contained in Clerk File 310078.

X. 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 to determine if the vacation is in the public interest.

The Policies define the components of public interest as:

- A. Protecting the public interest;
- B. Protecting against adverse land use impacts; and
- C. Providing 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.

A. Protection of the 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 the 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.

1. 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, to provide space for utility infrastructure, 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.

Site A Alley: The existing alley on Site A is a dead-end alley that does not provide any through-connection. The alley currently does not provide service functions, access to parking, or utility infrastructure.

Site B Alley: This alley extends between Howell St. and Olive Way, midblock between Terry Avenue and Ninth Avenue. It aligns with an alley on the north side of Howell Street. The street grid shifts at Howell Street. No alley exists on the south side of Olive Way. Since both Howell Street and Olive Way are one-way (eastbound), use of this alley for general circulation is limited and does not provide an alternative to either primary eastbound route. The alley is currently used to access a parking lot that is located on the east half of Site B, as well as to service garbage and recycling for the existing retail uses.

Site C Alley: This alley extends between Howell St. and Olive Way, midblock between Terry Avenue and Boren Avenue. It aligns with an alley on the north side of Howell Street and an alley to the south of Olive Way, which is also part of the alley vacation request. As is the case with the Site B alley, the use of this alley for general circulation is limited. With the elimination of the Olive Way contra-flow lane in 2016, the use of the alley to access alternative routes, or travel in the opposite direction of either Howell Street or Olive Way was eliminated. Similar to the Site B alley, this connection provides access to the surface parking lots located on the east and west halves of the site.

Subterranean Olive Way: The subterranean vacation of Olive Way would not impact vehicle circulation or access in the area. With the completion of construction activities on the site, the existing surface configuration, functionality and capacity of Olive Way would continue.

Subterranean Terry Avenue: The subterranean vacation of Terry Avenue, between Howell Street and Olive Way, is proposed and will not change the existing functionality of this section of roadway. With the completion of construction activities on the site, the existing functionality, and capacity of Terry Avenue would continue.

The WSCC Addition and the Sites B and C co-developments have been designed so that typical transportation functions of the alleys will continue to be provided internal to the site and not on the adjacent public streets. Site B has an internal loading dock serving the residential co-development. Site C has an internal loading dock serving the commercial co-development. Access through Site C is provided at surface level to a below-grade loading dock that serves the WSCC Addition. Access to the below-grade WSCC Addition loading dock is provided via the same access point as that for Site C loading. There is enough capacity to accommodate up to two large tractor trailers waiting to access the WSCC Addition loading dock and maintain access to the at-grade office co-development loading bays. A Dock Management Plan which specifies hours of operation, staffing, and other areas of operation will be prepared for the project. The Dock Management Plan prepared for the WSCC Addition requires that access to the office co-development loading bays not be impeded by WSCC trucks waiting at the surface level.

Entry to the loading dock area will be provided via Boren Avenue, with exiting via Terry Avenue. Through the process established in Seattle Municipal Code (SMC) Ch. 23.49 to determine the driveway locations and the SIP review, SDCl and SDOT have worked with the Petitioner to relocate two of five driveway locations, minimize the size of vehicle openings, provide clear sight lines for vehicles and pedestrians, and delineate between the public and private spaces on the site. This process is designated as a Type 1 decision in project documents.

While the service and loading functions will all occur interior to Site C, the vacation of the alley in Site C raised some challenging questions about access to the parcel and the impact on Terry Avenue, a designated Green Street. The alley vacation would require the use of Terry Avenue for additional freight and service activity.

The SMC in Ch. 23.49.019 prioritizes access points to property. The SMC provides that where there is an alley, the alley should be used for access. An alley is designated in the code as being the highest priority for access with a Green Street being the lowest priority. The SMC specifies that generally access from a Green Street is not allowed if access from any other right-of-way is possible. Without a vacation the SMC would anticipate use of the alley for access. If the alley in Site C is vacated another point of entry must be provided, which will be Terry Avenue.

The SMC sets out a process for determining access and provides that the Director of SDCI, in consultation with SDOT, may allow alternative access. Every potential access point on Site C had a challenge. Site C is located at Howell Street and Olive Way, arterials that carry a large volume of traffic and transit and provide access to I-5; Boren Avenue which has a significant grade change; and Terry Avenue which is a Green Street. Each of the streets abutting the property pose challenges for accessing the site. After careful review SDOT and SDCI supported the use of Terry Avenue for access. Use of Terry Avenue will likely prove less impactful for transit and other vehicles, but it may be more impactful for pedestrians and the Green Street character.

When WSCC began the process for the vacations, a full vacation of Terry Avenue was included not just the subterranean portion. In part this was due to the difficulty in providing access to Site C to accommodate the service and loading needs of a special event facility. The full vacation of Terry Avenue would have allowed the project to include Terry Avenue as private access street serving the needs of the project while still providing public vehicle and pedestrian access through the site. In January of 2017, WSCC revised its vacation petition and changed the vacation request from a full vacation to a subterranean vacation.

WSCC determined that since the street would remain open and available at all times for public use, a full vacation was not necessary to support the project. It is a goal in the Vacation Policies to retain Green Streets however the question is whether the proposed use of Terry Avenue define the street as serving the WSCC more than the public.

The Design Commission discussed whether the vacation of Terry Avenue should be a full vacation or a below-grade vacation but did not ultimately recommend a full vacation. It is a fact that loading activity will occur on the Green Street over 240 days per year and concerns about potential impacts on a downtown Green Street remain. The WSCC has worked with the City and the Design Commission to develop a pedestrian focused street environment with amenities consistent with Green Street goals.

The City has anticipated that monitoring through the Dock Management Plan and Transportation Management Plan (TMP) can serve to minimize impacts to the Green Street. It is important that these plans acknowledge the goals of the Green Street designation and work to identify and address any impacts to the pedestrian environment and experience.

The project is also adjacent to another Green Street, 9th Avenue. WSCC proposes to use 9th Avenue as a location for shuttle and event coaches to stage for drop off and pick up during events. The TMP should also include provisions to protect the pedestrian character of the street with the addition of this WCSS activity.

The WSCC is unique in the diversity of events hosted at the facility. Some events such as a professional conference may include steady pedestrian access throughout a day or several

days. A speaking event may have a large crowd arriving and exiting at the same time. An event such as the flower show has large weekend crowds. Local or regional events tend to have more vehicle and bicycle use. National events tend to have more use of cabs and other for-hire services. The type of events varies in the amount of freight activity and the set-up and take-down time needed. This makes managing the impacts of the facility a more challenging task. There will inevitably be certain events that will have an impact on pedestrian and vehicle mobility downtown. Planning and management will be key to minimizing the amount and duration of impacts from WSCC events.

The TMP and its strategies and goals are being developed through review by SDCI and will be a part of the Master Use Permit (MUP) decision. The TMP process requires reporting to the City and monitoring of the success of elements within the TMP meeting the established goals. It is anticipated that the provisions in a TMP would change and evolve over time. As a part of the vacation process the City Council has sometimes reviewed draft TMPs and may provide direction on priorities, goals or accountability provisions.

The TMP includes a comprehensive parking management plan that considers the combined activity in both WSCC facilities and all three WSCC managed parking garages. The office co-development site will be subject to a separate TMP. The parking management plan identifies strategies that include proactive management of the shared co-development parking, and management of the event related demand and pricing. Integration with the City's e-Park system will provide increased opportunity to monitor the utilization and adjust parking pricing as necessary to influence customer behavior.

The TMP also requires additional information to be provided onsite for communicating alternative transportation modes as well as prior to events via the WSCC website and event information.

Bicycle parking will be provided via fixed parking racks in areas surrounding the WSCC Addition as well as expanded capacity internal to the garage to be used by employees and attendees as needed. Additional areas have been identified surrounding the WSCC Addition to be used as designated bike share parking areas to accommodate the bike share users for larger events.

The TMP establishes performance goals for the WSCC employees and event attendees. These performance goals address mode-split choices and overall parking demand within the WSCC-managed garages. Data related to these performance goals will be tracked through state Commute Trip Reduction surveys, and review of parking data collected through the e-park system. The TMP performance goals apply to employees of all WSCC facilities.

The TMP for the WSCC should, at a minimum, include the following:

Goals:

- Minimize parking and traffic-related impacts associated with WSCC events (north and south site).

- WSCC Employees – 15 percent Single Occupancy Vehicle (SOV) Rate
- Event Attendees – 35 percent SOV Rate (with a goal of reducing to 15 percent SOV Rate by 2035)
- A single TMP that pertains to both the new and existing convention center facilities
- Office co-development subject to a separate TMP with a goal of 15 percent SOV for office workers

Employee/Tenant Strategies to Meet Goals:

- Participate in transportation promotion and encouragement programs.
- Employ commuter information centers covering all transportation modes, locations, schedules and pricing.
- Provide bicycle storage, shower and locker facilities.
- Implement tiered daily parking pricing to discourage SOV commuting within the WSCC garage facilities, including discounted carpool parking. Provide alternatives to monthly parking.
- WSCC and other tenants are required to provide their employees a transit pass subsidy.
- Provide information about ride-match opportunities.
- Offer a guaranteed ride home program.
- Promote bicycle and walking programs.

Event Attendee/Event Sponsor Strategies to Meet Goals:

- Implement event parking management measures based on the cumulative attendance at all WSCC facilities. Measures include parking fee tiers, dynamic parking pricing, black-out days for daily parkers, management of long-term vendor parking, media alerts, carpool discount parking, valet parking, etc.
- WSCC must develop and provide a mobility information toolkit for event sponsors. Event sponsors will be required to implement the toolkit to create a communications and event management program to encourage attendees to use non-SOV options via information, education, and incentives.
- Update and augment website to include travel options, travel routes, parking rates, garage availability, etc.
- Support promotion of alternative transportation modes and customized communication for both national and regional conferences. Coordinate communications and promotions through conference-specific "Visit Seattle" sites.

Transit Strategies:

- Work with regional transit agencies on to provide convenient and attractive transit fare products to attendees such as a multi-day regional pass, transit passes bundled with event tickets, and mobile ticket app promotions.
- Provide information on-site in the visitor information centers regarding transit routes and stops in the vicinity of the WSCC.

Bicycle Strategies:

- Provide permanent bicycle parking throughout the WSCC frontages proximate to the building entry points.
- Provide a minimum of 110 permanent bicycle parking spaces in the Addition garage plus (accessed from Olive Way) additional storage areas via temporary bike corrals located in the garage when the proposed supply is expected to be exceeded.
- Identify Designated Bike Share Parking area locations adjacent to the Addition to help manage the demand from bike share programs when warranted by the event demands.
- Implement signage to direct bicyclists to internal garage bicycle parking.
- Bike valet strategies will be implemented, as needed

Pedestrian Strategies:

- Expand on the City's existing wayfinding program on facility corners to identify key nearby locations.
- Expand on internal visitor center resources to include walking routes to key transit hubs and areas of interest in the City.

Parking Guidance and Implementation:

- Implement e-Park in all garages.
- Promote non-SOV travel using real time pricing and notification via e-Park signs and website.
- Work with interested event sponsors to facilitate carpool parking.

Curb Use Strategies

- Marshal buses off-site.
- Allow short-term staging of buses via the City's curb-use permitting process.
- Partner with the City to develop a TNC management plan to manage congestion created by attendees using these services while addressing passenger safety and ensuring that pedestrians, bicycles, and transit are not negatively impacted. Strategies may include specific pick-up/drop-off locations; geo-fencing; first-in, first-out garage use during major events, wayfinding, and other patron messaging tools.
- Provide curbside staffing to ensure efficient vehicular and pedestrian mobility.

Annual Monitoring and Reporting

- Monitor parking, traffic/loading operations, success in promoting transportation alternatives, etc., so that the TMP can be adjusted over time.
- Prepare bi-annual Commute Trip Reduction reports and surveys that detail employee trip reduction programs and employee mode of travel.
- Produce an annual TMP compliance report for events which will include frequency and utilization of bicycle parking, event attendee mode split/origin surveys, and forecasts for large events the following year.
- Annual TNC management reporting to include video of TNC and general load/unload activity along the WSCC frontages for SDOT assessment of curb management strategies.
- Conduct an annual meeting with key stakeholders such as SDCI, SDOT, King County Metro, ST, and others to review the results of the employee and attendee intercept surveys and performance goal compliance.

Additional Potential Strategies if Goals are not Met

- Provide discounted transit fares/passes for event attendees.
- Develop additional rideshare options for event attendees.

Moving forward it is critical that WSCC engage with the City in a meaningful way to complete design and develop management strategies that serve the WSCC operational needs and minimize impacts to city streets and the community. Ongoing management of access and transportation impacts will be important for the life of the project. This ongoing commitment from WSCC is required for SDOT to indicate that the issues identified can be mitigated. With a commitment from WSCC to continue to engage with the City in a robust way to monitor and

manage transportation impacts, SDOT does not identify any transportation impacts that cannot be limited and managed.

2. Utility Impacts

Street and alley rights-of-way also provide space for utility lines and facilities. The vacation review must consider the impact on any public utilities and current and future impacts must be assessed. If any utilities are 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.

All mains and services within Olive Way, Terry Avenue, and the three alleys proposed to be vacated will be disconnected and demolished. Specifically:

- Seattle City Light (SCL) owns and operates electrical service duct banks and vaults in Olive Way and the alleys. These facilities will be removed and replaced with a new network and services in Ninth Avenue, Howell Street, and Boren Avenue in accordance with Utility Major Permit #266234. The new network includes five new SCL transformer vaults, approximately 1,300 linear feet of new SCL duct banks, and six new SCL network duct bank connections to existing SCL vaults.
- SDOT owns and operates traffic signal and street lighting conduit, hand holes, cabinets, poles, and light fixtures along Olive Way. These lights will be removed and reconstructed.
- Seattle Public Utilities (SPU) owns and operates combined sanitary sewer mains along portions of Olive Way and Terry Avenue. The combined sewer main and connected side sewers will be capped as they do not serve parcels outside of the project limits. Mains and services upstream of the capped mains will be removed. A new dedicated storm drain and inlets will be reconstructed in Olive Way. New inlets will also be reinstalled in Terry Avenue.
- SPU owns and operates water mains and service laterals in Terry Avenue and Olive Way. These water mains and services will be disconnected, removed, and replaced with a new water main in Olive Way between Ninth Avenue and Boren Avenue. Water services will be provided from the new main in Olive Way.
- Puget Sound Energy (PSE) owns and operates gas mains and services in Olive Way and Terry Avenue. The gas main in Terry Avenue will be removed. The gas main in Olive

Way will be removed and reconstructed from Ninth Avenue to Boren Avenue. Gas service will be provided from the new main in Olive Way.

- CenturyLink owns and operates building telecom mains and services in Olive Way and the alleys. These services will be disconnected and removed. A new CenturyLink duct bank will be constructed in Boren Avenue in accordance with Utility Major Permit #266234. New vaults will be installed around the project perimeter.
- Utilities serving the proposed development will generally be located around the project perimeter except for the services noted above.

Extensive in-depth planning and coordination have occurred with SCL, SDOT, SPU, King County Metro, PSE, and CenturyLink regarding utility requirements related to the vacated rights-of-way.

The proposal by the WSCC to provide an 8-foot deep street section above the vacated rights-of-way required careful review. Subterranean vacation requests are unusual. SDOT has identified three for comparison purposes and only one was a vacation below an arterial.

A vacation under 5th Avenue, an arterial, was granted in 2008 in Clerk File 309447. This vacation was 20 feet below grade and did not extend the width of the street. The vacation was seven feet in width and was intended to provide for better function of the proposed parking garage. Because the vacation was below the location of public utilities and did not include the entire width of the street, no significant utility impacts were identified. Vehicles and transit will not be traveling over the vacated portion of the right-of-way which is located under the sidewalk area.

In 2014 in Clerk File 313430, the City Council granted the vacation of a subterranean portion of E. Howe Street six feet below grade in the Eastlake neighborhood. This portion of E. Howe Street did not accommodate vehicular traffic because of a significant change in grade at the site. The E. Howe Street below-grade vacation allowed for the connection of a parking garage and services for the residential project being built on both sides of the street. The public benefit for the vacation included improving the surface of E. Howe Street as a public plaza consistent with a long-standing community goal. No vehicle use of the surface of E. Howe Street is permitted.

The most recent subterranean vacation was in the South Lake Union area for an office development. The vacation was approved in 2015 in Clerk File 313894, the vacation was six feet below grade under an alley. The vacation below the alley allows for connection of services and parking to connect the buildings on the site. No vehicular use of the alley is anticipated.

There are no examples of a vacation under an arterial as extensive as that proposed by the WSCC. There are no examples of a subterranean vacation where the surface street must still accommodate not just vehicles but also significant amounts of freight activity and transit use. The scale of the proposed below grade vacation and the depth proposed at only 8 feet required careful review. At the beginning, the City considered that a better proposal for the depth would be between 10 and 12 feet and perhaps as great as 17 feet.

The WSCC has worked to address the concerns and has identified strategies to relocate and provide for the utility infrastructure. WSCC has worked hard on these issues and has been successful in finding a means to address utility concerns. However, it is important to note that the accommodation for the project do limit potential future utility expansions in the street. The proposed solutions work for this project but other below grade vacations of this scale and at this shallow depth could have a negative impact on the delivery of future utility services. Support for this proposal should not be viewed as a precedent for other projects considering a similar subterranean vacation request.

The vacation should be conditioned to require an indemnification agreement between the City and WSCC to address liability issues and protect the interests of the City. The City and WSCC have begun work on an agreement and this work should be completed before the vacation ordinance is forwarded to the City Council.

WSCC has provided a summary, included in the record, dated December 13, 2017, that summarizes the coordination that has occurred and demonstrates that the reconstructed utilities and improvements will adequately fit within the 8-foot deep street section.

All utilities and planned easements for future utilities located above vacated rights-of-way would be adequately protected by easements, relocation, or agreement(s) satisfactory to the utility owner. Each utility provider of the utilities to be disconnected has confirmed that adequate capacity will be maintained to serve the proposed project and adjacent sites with the improvements noted above.

SDOT does not identify any utility impacts that cannot be resolved for this specific project. The utilities have identified methods of resolution and these should be included as conditions of the vacation approval with the requirement of an indemnification agreement.

3. Light, Air, Open Space, and View Impacts

Because street rights-of-way are 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. Here are the dimensions of the alleys:

- Block 33 (Site B): 16'-0" wide by 97'-7" long (west edge) and 102'-6" long (east edge) for a total area of 1,601 sf.

- Block 43 (Site C): 16'-0" wide by 196'-8" long (west edge) and 201'-7" long (east edge) for a total area of 3,186 sf.
- Block 44 (Site A): 16'-0" wide by 179'-11" long for a total area of 2,879 sf.

The alley on Site A is a dead-end alley that does not connect to the south. The alleys on Sites B and C are located where there is a shift in the street grid to the north. There are no connecting alleys south of Sites B and C. Thus, there is no extended visual connection to the north or to the south.

The alleys are open and accessible for vehicular and pedestrian use and so provide a visual break and some access to light and air. However, the vehicular access and standard alley uses prevent the alleys from being used readily by pedestrians. The functions of the alleys preclude use of the area as open space available for street furniture or other amenities. The alleys do not provide for important public views or open space on Sites A, B, or C.

In addition to these three full alley vacations, the Petitioner is also seeking subterranean vacations of the following segments beneath Olive Way and Terry Avenue:

- Olive Way: Starting at a depth of 8 feet below grade, 66'-0" wide by 578'-0" long for a total area of 38,147 sf.
- Terry Avenue: Starting at a depth of 8 feet below grade, 66'-0" wide by 139'-6" long (west edge) and 159'-9" wide (east edge) for a total area of 9,862 sf.

After construction, Olive Way and Terry Avenue will be rebuilt as streets. These rights-of-way will continue to provide light, air, open space, and view functions. The public walking or biking the area will not be impacted by the below-grade use and will likely be unaware of the activity below the street.

Once built, the project will include setbacks and open spaces around Sites A, B, and C. There will be 7,862 sf of open space on Site C, 6,209 sf of open space on Site B, and 27,137 sf of open space on Site A. (The public benefits package for the vacation includes 9,503 sf of this open space across the three sites.) The open space amenities also include additional landscaping, space for art, and furnishings. The project includes approximately 41,208 sf of public space, and the alleys being vacated are 7,666 sf (plus the 48,009 sf of subterranean vacation that will have no light, air, open space, and view impacts). The sites will have more public open space after the vacations and the open space will be more available for use by the public than if the sites were developed around the existing alley.

SDOT does not identify adverse light, air, open space, and view impacts from the loss of the alleys or the subterranean vacations.

B. 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 the 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 is 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.

1. Proposal Consistent with the Seattle Comprehensive Plan

This project site is located in the Downtown Urban Center, an area anticipated for dense residential and commercial uses. The proposed WSCC Addition would promote increased mixed-use density by providing additional convention/conference/meeting space, lecture/meeting hall space, retail/restaurants, residential, and office space, which is consistent with the intent of the City's Comprehensive Plan and the Denny Triangle Neighborhood Plan.

The Comprehensive Plan has a number of goals that identify downtown as an important economic center. Land Use Goal 11 supports the promotion of downtown as an urban center with the densest mix of residential and commercial development in the region with a vital and attractive environment that supports employment and residential activities and is inviting to visitors.

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, 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.

Additionally, the Denny Triangle Neighborhood Plan includes the following relevant goals and policies:

- Denny Triangle Land Use Goal 2: A mixed-use neighborhood that combines commercial office space, retail sales and services, social and public services, and a residential population.
- Denny Triangle Urban Form Goal 3: A diverse, mixed-use character that provides a transit and pedestrian-friendly atmosphere.

- Denny Triangle Urban Form Policy 9: Encourage the creation of new open spaces, including at the Olive/Howell wedge.
- Denny Triangle Urban Form Policy 9: Encourage the creation of open spaces as part of new public projects.

2. Proposal Consistent with the Zoning Designation

The zoning designation of the site further supports the scale of the project. 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, and with use patterns that may include housing.

The sites to the north, south, and east of the project site are also zoned DMC. The blocks to the west are zoned Downtown Office Core 2.

The project is located between the commercial core of downtown, Denny Triangle, and Interstate 5. The WSCC Addition would become a key link between the mixed-use Denny Triangle Neighborhood and adjacent South Lake Union, the downtown retail district to the west, and the Capitol Hill/Pike-Pine and First Hill neighborhoods to the east. The project would increase employment and residential density within the Downtown Urban Center. As such, the proposed project could help further development of an urban mixed-use area in proximity to services, residences, employment, and transit facilities.

3. Proposal Received a Recommendation for approval from the Design Review Board

The project was designed to respond to its site context and is of an appropriate scale for this location. The following section includes an overview of the project features that were supported by the Design Review Board ("DRB") and a summary of the conditions imposed by the DRB. The project provided a response to the DRB conditions on 1/16/2018 along with updates to departure requests and design refinements.

Site A – DRB supported features:

- Retail pavilions, shared deck on Pine Street
- 9th Avenue ground level facade and expression as a distinct pavilion, modulation, seating
- Southwest Plaza materials, benches, lighting
- Olive Way projecting frame, landscape trays
- Overall building modulation and materiality
- Boren Avenue landscape design, seating
- Lighting concept, distribution and fixtures
- Signage and graphics concept

- Roof PV array and color
- Requested Departures

Site A – DRB recommended conditions:

The Site A conditions included the further development of materials and details at specific building locations (top and bottom of the projecting stair on Pine Street, the top of the Ballroom at Boren Avenue, and the retail roofs along Pine Street) along with the further development of specific ground floor conditions to enhance pedestrian experiences (Boren Avenue garden and concrete wall beyond, along with exit stairs at Olive Way and Ninth Avenue).

Site B – DRB supported features:

- Interior design approach which blends commercial and amenity uses
- Amenity frontage along Howell Street
- Specimen curbside tree adjacent to southeast plaza
- Tower form and materiality tracking through the darker podium
- Balcony cuts in the brick podium
- 9th Ave building overhang
- Activation of plaza edges
- Requested Departures

Sites B – DRB recommended conditions:

The Site B conditions include further development of interior ground floor conditions and exterior plazas to enhance the street level experience. Cladding material colors and canopies were further developed as well as specific areas of the building (lobby entrance, Howell façade and Ninth Avenue façade). The loading door will be enhanced with a design by a local artist.

Site C – DRB supported features:

- Two north corner plazas and associated building recesses
- Extent of retail and transparency
- The contrast of the light metal of the Howell Street volume and the black stone piers of the other three frontages
- Location, transparency and vertical proportions of the lobby
- Two truck portal door integration
- Two-part massing of the tower
- Vertical reveals between tower massing
- Lighting and signage
- Requested Departures

Sites C – DRB recommended conditions:

The Site C conditions included updates to the exterior plazas to enhance street level experience. Cladding material colors and canopies were further developed as well as specific areas of the building (lobby entrance and tower modulation and reveals). Loading doors will be enhanced with a design by a local artist.

4. Summary of Design Characteristics and Land Use Considerations

While the zoning designation supports dense development at the site it still must be noted that a Convention Center is bulkier in scale and requires larger floor plates than office use or residential development. As a multi-block project that will fill a void in the center of the City, the streets and buildings need to relate to the scale and context of the surrounding neighborhoods. One of the concerns identified during the review was whether the Addition building would be viewed as a barrier between downtown and the residential communities on Capitol Hill and First Hill. The length of the building façade on Olive Way was specifically noted. Olive Way has perhaps received less attention than other areas of the project and it is important that the amenities proposed along Olive Way facilitate the movement of pedestrians between jobs and activities downtown and residential communities. Considering the bulk of the project it is important that the amenities around all of the three-block site emphasize the human scale.

The lighting, street amenities, setbacks, art, and transparency are important in making the project more pedestrian friendly and accessible to the public. The character of the public spaces were considered by the Design Review Board, the Seattle Design Commission and city staff and attention was paid to the way the community might move through the site and engage with the project. Much of the streetscape features support the public moving around the site and the proposed public benefit features work to engage the public to linger on the site or access amenities at the site. An additional recommendation from SDOT would be that during the ongoing review of the permits pedestrian-scale lighting on Olive Way be considered as an addition to the proposed streetscape.

While the Addition is larger than some existing and landmark structures in the area it is similar in scale to the existing Convention Center facility. This area of downtown includes a number of new developments planned or under development that are more consistent to the scale of the proposal. The hotel under construction across Howell Street from Site B is reported to be the largest hotel in the City. There are seven high-rise residential projects planned or in development on Capitol Hill and First Hill as well as other large-scale projects under review.

The overall project is consistent with the vision for the neighborhood that is articulated in the Denny Triangle Neighborhood Plan and is reflective of ongoing development trends that have been occurring in the vicinity of the project site. The vacations that are proposed as part of the WSCC Addition are integral to the overall development concept in that they enable the project

to achieve its objectives and capture for the region the economic benefits currently going elsewhere. They also allow more flexibility in building orientation, spacing and design, improved loading, access and circulation, and support more retail and activation at the street level.

The proposed vacations add to the development potential of Site C only. The Site C alley is 3,186 sf, and with a maximum FAR of 10, the vacation adds 31,860 sf of development capacity to the site. The total Site C development is 542,000 sf. This additional development capacity is still less than the increase in development capacity through the City's Mandatory Housing Affordability program that went into effect after this project vested, so it is consistent with development in this area. Site B is a residential development that is exempt from floor area ratio, and Site A does not exceed the base floor area ratio.

SDOT does not find adverse land use impacts associated with the proposed vacation that cannot be mitigated with the conditions from the DRB that will be associated with the MUP and the vacation conditions, including the conditions recommended by the SDC with the additional recommendation that pedestrian-level lighting on Olive Way be considered.

C. Provision of Public Benefits

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 Street Vacation Policies state that off-site public benefits can be provided when it is not practicable to provide more than a portion of the public benefit on-site.

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 determine if there is an appropriate balance between what the developer achieves from the vacation and what is provided to the public.

Public Benefit Matrix

Zoning Designation	DMC 340/290-400
Street Classification	Alleys and subterranean street right-of-way
Assessed value of adjacent land	\$868/sf

Lease rates in the vicinity for commercial uses	\$43/sf to \$52/sf, full service
Size of project, in square feet	2,389,000 sf
Size of area to be vacated, in square feet	55,675 sf
Contribution of vacated area to development potential (area that couldn't otherwise be built without the vacation)	31,860 from Site C

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 alleys, the Petitioner can develop the entire site in a way that best suits its programmatic needs and can consolidate functions such as loading. The Petitioner will add 31,860 sf from Site C to the project density, can co-locate service functions, and achieve programmatic and design goals with the vacations. Since the vacations make an important contribution to the project that is significant in scale, the Policies require that significant public benefit be provided. The public benefit package described below is valued at \$58,250,000, which is a significant contribution commensurate in scale to the significant size of the project.

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 public and not merely the tenants of the project or someone attending an event at the facility. 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 below in the Public Benefit Chart are not required for any other purpose.

Overall Public Benefit Package and Value

PUBLIC BENEFIT	DESCRIPTION	PROPOSED BENEFIT	CODE / OTHER	EIS MITIGATION	PB VALUE
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PHYSICAL PUBLIC BENEFITS	Public Spaces and Plazas	9,502 SF Above Code			\$8,100,000	
	Pine Street / 9th Avenue Plaza	3,637 SF Above Code	Designed To Downtown Amenity Standards; Setback in excess of code required setback	None		
	Flatiron Plaza	1,789 SF Above Code	Setback in excess of code required setback			
	Terry Avenue Green Street Plaza	831 SF Above Code	Setback in excess of code required setback			
	Denny Triangle Corner Plaza	396 SF Above Code	Setback in excess of code required setback			
	Boren Avenue Garden	1,708 SF Above Code	Setback in excess of code required setback			
	Pine Street Sun Garden	1,154 SF Above Code	Setback in excess of code required setback			
	Additional Improvements Beyond Code					

	Overhead Weather Protection	747 LF Above Code	2,056 LF Required; 2,803 LF Provided	None	
	Seating in the R.O.W.	243 LF Above Code	None		
	Planting (On Howell St, Olive Way, Pine St, & Boren Ave)	6,661 SF Above Code	4,217 SF Required; 10,878 SF Provided		
	Off-site R.O.W. Improvements (9th Avenue)	Curb bulbs, enhanced planting, upgraded paving, overhead weather protection, decorative vehicle door	None	None	\$600,000
	Off-site R.O.W. Improvements (Olive Way)	Upgraded paving, enhanced planting	None	None	\$200,000
	Historic Building Lighting	Lighting of historic features to enhance the pedestrian experience	None	None	\$1,000,000
					\$9,900,000
PUBLIC BENEFIT ART	Boren Avenue Sculptures	Artworks with integrated seating, lighting, landscaping	None	None	\$600,000
	9th Avenue + Pike Street Artwork	Large-scale artwork on a wall of the existing WSCC building	None	None	\$1,000,000

	Olive Way Artworks	Artworks at the (5) glass vitrines, potential extension to adjacent canopy	None	None	\$250,000
					\$1,850,000
FUNDING NEIGHBORHOOD IMPROVEMENTS	Pike Pine Renaissance Act: 1 Funding	Funding to the Office of the Waterfront for Pike Pine Renaissance: Act 1	None	None	\$10,000,000
	Bicycle Master Plan Funding	Funding to SDOT for implementation of the Bicycle Master Plan	None	None	\$10,000,000
	Lid I-5 Study Funding	Funding to Seattle Office of Planning and Community Development for I-5 Lid Study	None	None	\$1,500,000
	Freeway Park Association / Seattle Parks and Recreation Funding	Funding to Seattle Parks Department to support efforts to repair, restore, and possibly enhance Freeway Park	None	None	\$10,000,000
					\$31,500,000
AFFORDABLE HOUSING FUNDING	Funding to Seattle Office of Housing	The Office of Housing will allocate funds for optimum benefit within the city proximate to jobs, transit, amenities and services for specific populations	\$5MM Funding for KC Land Sale; \$4.3MM Funding for Incentive Zoning; \$14MM additional funding from CPC Agreement	None	\$15,000,000

					\$15,000,000
TOTAL PUBLIC BENEFITS VALUE: \$58,250,000					

The following schedule outlines the proposed timeline for the payment of funds when the public benefit element is a monetary contribution and includes timing obligations associated with the public benefit features on Site B and Site C, the co-development sites.

Vacation Public Benefit Timing

Public Benefit	Anticipated Timeframe
Implemented onsite improvements (onsite open spaces and elements above code) – Site A	Onsite on Site A done at Certificate of Occupancy (C of O) for WSCC
Implemented onsite improvements (onsite open spaces and elements above code) – Site B	<p>Any future Purchase and Sale Agreement (PSA) for Site B shall include the vacation conditions that require performance on Site B.</p> <p>Onsite improvements on Site B will be done at C of O for Site B, which is anticipated to occur around the same time as C of O for the WSCC.</p> <p>If there is a delay on Site B, and the building is not complete or construction is not substantially underway at the time of C of O for the WSCC, then Site B will return to the Seattle Design Commission to share the interim condition.</p> <p>The requested interim condition shall be implemented.</p> <p>When Site B is built, then it will be required to include the onsite public benefit elements. This requirement will be documented in PSA (as noted above) and the Property Use and Development Agreement, which gets recorded against the property.</p>
Implemented onsite improvements (onsite open spaces and elements above code) – Site C	<p>Onsite on Site C done at C of O for WSCC.</p> <p>Even if the full tower will be built later on Site C, the ground-level uses and loading dock will be operational at the same time as the WSCC. The MUP for Site A will include a link/condition to the first level/phase of Site C.</p>

Public Benefit	Anticipated Timeframe
Implemented offsite improvements (ROW improvements)	<p>Completed at C of O for WSCC for ROW improvements adjacent to Site A, 9th Avenue (offsite), and Olive Way (offsite). For ROW improvements adjacent to Site C, the improvements will be complete at C of O for the WSCC (see note above).</p> <p>For ROW improvements adjacent to Site B, done at C of O for Site B. If there is a delay on Site B, and the building is not complete or construction is not substantially underway, then the project will return to the Seattle Design Commission to share the interim condition.</p> <p>The requested interim condition shall be implemented. When Site B gets built, then the offsite ROW improvements adjacent to Site B will be required. This requirement will be documented in PSA (as noted above) and the Property Use and Development Agreement, which gets recorded against the property.</p>
Art	Completed at C of O for WSCC
Landmarks lighting	Completed at C of O for WSCC
Housing funding (Office of Housing)	First structural building permit for WSCC
Lid I-5 study funding (Office of Planning and Community Development)	First structural building permit for WSCC
Freeway Park funding (Seattle Parks and Recreation)	<p>First Payment: \$750,000 (for planning and activation); first structural building permit for WSCC</p> <p>Second Payment: \$1 million (for design); six months after the First Payment</p> <p>Third Payment: \$200,000 (for activation); six months after the Second Payment</p> <p>Fourth Payment: \$7,800,000 (for construction); six months after the Third Payment</p> <p>Fifth Payment: \$250,000 (for activation); three months after the Fourth Payment</p>
Pike/Pine Renaissance Act 1 funding (Office of the Waterfront)	<p>First Payment: \$3 million; at WSCC shoring and excavation building permit</p> <p>Second Payment: \$7 million; by June 2019</p>

Public Benefit	Anticipated Timeframe
Pike/Pine bike funding (SDOT)	First Payment: \$1 million; at WSCC shoring and excavation building permit Second Payment: \$9 million; by June 2019

Evaluating the public benefits for these vacations has been a challenge. Given the size and scale of the project numerous city staff and members of the Design Commission expressed concern that there was not adequate public open space on the project site. There was an interest in creating a significant space on site to benefit the public and soften the building scale. WSCC has indicated that its programmatic needs could not accommodate major changes in the use of the site and this meant there was limited space for onsite public benefits. The Design Commission noted that had the WSCC engaged with the City earlier to discuss the provision of public space it might have been possible for the design to accommodate more public space as well as meeting the programmatic needs of the facility.

SDOT and SDC encouraged the applicant to continue its outreach with the community. During the early phase of the review a wide variety of community organizations and individuals commented on the proposal. One of the strongest outcomes from the public benefit review and discussions was the formation and participation of the Community Package Coalition (CPC). Interested community members organized themselves into the Community Package Coalition and became a very powerful voice in the review of the project and a very powerful voice presenting their priorities to the WSCC. The CPC was organized and commented at nearly every SDC meeting. The WSCC should be commended for listening and responding to this new and articulate organization. The result is a package of public benefit elements that includes the priorities of a variety of community voices and is responsive to a number of City priorities as well.

As discussed above in the section about public comments, the following concerns were identified during the public benefits process:

- Inclusion of requested items from the public and outreach (specifically, comments supporting the public benefits identified by the Community Package Coalition)
- Onsite public open space quantity, location, and character
- Art vision, project integration, and process
- Overall vision and connectivity of proposed public benefits
- Timing and logistics for offsite public benefits, including funding of neighborhood improvements and affordable housing contribution

As SDOT and the SDC identified concerns about the public benefit proposal, the WSCC worked to respond. A number of changes were made in response to comments, including the following:

- Increased and targeted public outreach around proposed public benefits
- Agreement with the Community Package Coalition (including vacation public benefits and additional elements)
- Exploration of additional onsite public open space (including an elevated public garden that was ultimately not supported by the community), inclusion of public open spaces throughout the site on all three blocks as supported by the SDC, design refinements to make the spaces feel more welcoming to the public
- Refinement to the art vision, increased project integration, and clarified processes through workshops with the SDC and input from the public, 4Culture, the WSCC Art Advisors and others.
- Worked with neighborhood partners to clarify overall vision and connectivity of proposed public benefits both on- and off-site
- Worked with city and neighborhood partners to clarify timing and logistics of neighborhood improvements and affordable housing contribution.

While the Petitioner is providing some onsite public benefits, the WSCC has consistently identified it is not practical to provide the full measure of significant public benefits onsite for the following reasons related to the unique nature of a convention center site and program: large floor plates are required for a convention center, unlike traditional commercial development; the WSCC requires a 150,000 sf exhibit hall and a 100,000 sf flex hall; a large interior mixing zone that will be available to the public is created onsite; Site B has an unusual size and configuration; and Site C has unique challenges because of its function of allowing the truck ramps below grade and still creating interesting pedestrian experiences that come from holding the building edge. A different design approach early on might have reached a different conclusion but it is clear it is not feasible to alter the program at this stage of review. Certainly, some in the Community Package Coalition have voiced that the offsite benefits proposed offer more benefit than additional onsite benefits.

Each onsite public open space is distinct with the goal of relating to different parts of the site and connecting to neighborhoods beyond. Different combinations of features are planned for the onsite public spaces changing elements such as the hardscape and plantings, fixed and moveable seating, lighting, art, and wayfinding. The goal is that the spaces welcome the public and create a comfortable space to pause and take in the surrounding urban environment. Spaces are designed to welcome all people regardless of their participation in an event at the WSCC. Art is incorporated at several public areas in and around the site and the ongoing work on the art plan envisions the art to be integrated with the architecture and landscape.

The proposal to provide funds for affordable housing should be addressed in more detail as there are several different housing commitments and obligations. During the review of the proposed vacations some housing advocates indicated that the need for affordable housing generated by the WSCC Addition would be in the range of \$57M.

Questions have been raised about what the WSCC is obligated to provide as a part of the vacations. The WSCC offered a \$15M contribution as a part of the public benefit proposal and it will be a mandatory obligation to the City should the vacations be approved. The vacation conditions include \$15M for affordable housing; this \$15M is the total housing obligation required by the street vacation conditions.

As a part of its work with the Community Package Coalition, the WSCC has committed to provide an additional \$14M for affordable housing as part of the agreement between the WSCC and CPC. This \$14M is related to the CPC support for the WSCC proposed vacations but is part of the agreement between the WSCC and the CPC and it not a vacation condition.

In addition, the project is subject to incentive zoning code requirements. Early calculations estimated this value at around \$4.3M. The WSCC is also obligated by King County to provide \$5M in funds for affordable housing as a provision of the Purchase & Sale Agreement with King County.

The various housing proposals and obligations include:

- **Vacation Public Benefit:** \$15M as a voluntary public benefit contribution; mandatory if included as a vacation condition (obligation to the City; City would monitor);
- **Incentive Zoning Requirement:** \$4.3M obligation under incentive zoning code (obligation to the City; City would monitor);
- **King County Obligation:** \$5M obligation to King County in the Purchase & Sale Agreement (obligation to King County; County would monitor); and
- **Community Package Coalition (CPC) obligation:** \$14M commitment from WSCC to CPC (obligation to CPC; CPC would monitor; payment to City).

These various obligations and commitments total \$38.3M.

During the review of the WSCC proposal questions were raised about the projects obligations under the Housing Affordability and Livability Agenda. As a part of the Housing Affordability and Livability Agenda the City has enacted regulations that require a contribution to fund affordable housing. A rezone applying Mandatory Housing Affordability (MHA) requirements in Downtown Seattle went into effect around May of 2017. The WSCC began its permit review in October of 2015 so the project is vested to earlier regulations and not subject to the provisions of MHA. The WSCC does not have any funding obligations under MHA. SDCI has estimated that, based on plans available on March 1, 2018, if the project were subject to MHA regulations it would result in a roughly \$22M obligation to fund affordable housing.

The amount of housing funding voluntarily proposed at \$15M (vacation condition) plus \$14M (CPC agreement) is greater than the amount of \$22M that would have been the MHA obligation if the WSCC was subject to MHA or had voluntarily opted into the program. However, had those housing dollars been an obligation rather than a public benefit it is possible that additional open space, art, pedestrian and bicycle amenities or even more housing could have been included in the public benefit proposal.

The Vacation Policies prioritize public benefits on-site and note that on-site benefits can help to offset the scale of new development. New spaces created as a part of a vacation project offer the public accessible space where density is increasing. In recent years, the City Council has discussed the relative merits of on-site and off-site public benefits and has noted the value of off-site spaces as well as public benefit elements that support City or community-led initiatives.

It has been difficult to assess whether the public benefit proposal had the right balance between on-site and off-site amenities and reflected community and City priorities. While assessing the balance has been difficult the off-site elements of the proposal include some of the strongest parts of the public benefit package.

There are two elements of the public benefit package that may not have significant value for the public. First, is the corner plaza proposed at the corner of Boren Avenue and Howell Street. The plaza and open space are modest in scale and in a very busy location, it is unlikely that the public will choose to linger here or will value this breathing space. The inclusion of this space in a larger package of public benefit elements does work to add pedestrian amenities around the site and for this reason it can be left in the public benefit proposal. However, the spaces at entry points do not always add to a public benefit proposal and this should not be a precedent for other projects.

The second element is the proposal to add lighting to the historic Camlin Hotel and Paramount Theater. It is unclear that this proposal had broad support and it has a high cost at \$1M. It's possible that this money could have a bigger impact on the public spaces proposed by adding art or other elements. As the proposal was supported by the Landmark Review Board it is appropriate to continue to include this in the package of public benefit elements.

It took many meetings and significant public outreach for a majority of the Design Commission members to feel comfortable with the public benefits.

Despite the challenges of the public benefit review, the final proposal is consistent with the WSCC's public benefits vision: to improve the pedestrian experience and create community connections to and from this hub for the people who live and work here, as well as visitors who come to experience Seattle. The Petitioner worked to respond to the City regarding the onsite spaces but was not able to add additional amounts of onsite public space. WSCC worked

effectively with community groups to determine appropriate offsite elements with proximity to the project that will create community connections.

SDOT can support the public benefit proposal with the commitment to continue to develop a strong art program and continued oversight through the development process considering materials, lighting, wayfinding, and location of street furniture and other amenities. Additional review by the SDC is anticipated during the public benefit and Urban Design Merit artworks selection processes. The final public design of the public benefit features will require the review of SDOT and SDOT may request additional review from the Design Commission or support from other City departments as needed.

RECOMMENDATION + CONDITIONS

As noted in the report, there is a degree of challenge in the timing of the construction and ongoing operational challenges. SDOT recommends in favor of the vacations but subject to the provision of the public benefit elements as outlined and ongoing work on transportation, utility, and other issues. Should the City Council grant the vacation petition, it is recommended that the petition be subject to the following conditions. The Petitioner shall demonstrate to the satisfaction of the City that all conditions imposed by City Council have been fully satisfied; all utility work relating to the vacation, including the relocation of utilities, easements, or other agreements are completed; all public benefit elements have been provided pursuant to the timeline outlined above; 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 and Transportation Committee beginning in April of 2018.
2. All street improvements shall be designed to City standards, as modified by these condition, 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, and landscaping around the site.
 - Offsite benefits including: right-of-way improvements in the Howell/Olive wedge and Ninth Avenue.
3. The utility issues shall be resolved to the full satisfaction of the affected utility providers prior to approval of the final vacation ordinance. The Petitioner shall work with the affected utilizes 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. An Indemnification Agreement shall be required to be completed prior to the final vacation ordinance.

4. Vehicular access to the buildings shall be provided for as follows, changes to this proposal shall require the review by SDOT:
 - A loading dock driveway on Howell Street on Site B;
 - Two loading dock driveways on Site C (serving both Site C and Site A) on Boren Avenue and Terry Avenue;
 - A driveway on Olive Way on Site A; and
 - A driveway on Boren Avenue on Site A.
5. A Transportation Management Plan (TMP) shall be required for the combined activities of the Addition and the existing Convention Center. The TMP shall require the approval of SDOT and SDCI and shall include review of any impacts of the WSCC activities on the character of the Green Streets, including loading/unloading activities on 9th Avenue. At a minimum the plan will address:

The TMP for the WSCC should, at a minimum, include the following:

Goals:

- Minimize parking and traffic-related impacts associated with WSCC events (north and south site).
- WSCC Employees – 15 percent Single Occupancy Vehicle (SOV) Rate
- Event Attendees – 35 percent SOV Rate (with a goal of reducing to 15 percent SOV Rate by 2035)
- A single TMP that pertains to both the new and existing convention center facilities
- Office co-development subject to a separate TMP with a goal of 15 percent SOV for office workers

Employee/Tenant Strategies to Meet Goals:

- Participate in transportation promotion and encouragement programs.
- Employ commuter information centers covering all transportation modes, locations, schedules and pricing.
- Provide bicycle storage, shower and locker facilities.
- Implement tiered daily parking pricing to discourage SOV commuting within the WSCC garage facilities, including discounted carpool parking. Provide alternatives to monthly parking.
- WSCC and other tenants are required to provide their employees a transit pass subsidy.
- Provide information about ride-match opportunities.
- Offer a guaranteed ride home program.
- Promote bicycle and walking programs.

Event Attendee/Event Sponsor Strategies to Meet Goals:

- Implement event parking management measures based on the cumulative attendance at all WSCC facilities. Measures include parking fee tiers, dynamic parking pricing, black-out days for daily parkers, management of long-term vendor parking, media alerts, carpool discount parking, valet parking, etc.
- WSCC must develop and provide a mobility information toolkit for event sponsors. Event sponsors will be required to implement the toolkit to create a communications and event management program to encourage attendees to use non-SOV options via information, education, and incentives.
- Update and augment website to include travel options, travel routes, parking rates, garage availability, etc.
- Support promotion of alternative transportation modes and customized communication for both national and regional conferences. Coordinate communications and promotions through conference-specific "Visit Seattle" sites.

Transit Strategies:

- Work with regional transit agencies on to provide convenient and attractive transit fare products to attendees such as a multi-day regional pass, transit passes bundled with event tickets, and mobile ticket app promotions.
- Provide information on-site in the visitor information centers regarding transit routes and stops in the vicinity of the WSCC.

Bicycle Strategies:

- Provide permanent bicycle parking throughout the WSCC frontages proximate to the building entry points.
- Provide a minimum of 110 permanent bicycle parking spaces in the Addition garage plus (accessed from Olive Way) additional storage areas via temporary bike corrals located in the garage when the proposed supply is expected to be exceeded.
- Identify Designated Bike Share Parking area locations adjacent to the Addition to help manage the demand from bike share programs when warranted by the event demands.
- Implement signage to direct bicyclists to internal garage bicycle parking.
- Bike valet strategies will be implemented, as needed

Pedestrian Strategies:

- Expand on the City's existing wayfinding program on facility corners to identify key nearby locations.
- Expand on internal visitor center resources to include walking routes to key transit hubs and areas of interest in the City.

Parking Guidance and Implementation:

- Implement e-Park in all garages.
- Promote non-SOV travel using real time pricing and notification via e-Park signs and website.

- Work with interested event sponsors to facilitate carpool parking.

Curb Use Strategies

- Marshall buses off-site.
- Allow short-term staging of buses via the City's curb-use permitting process.
- Partner with the City to develop a TNC management plan to manage congestion created by attendees using these services while addressing passenger safety and ensuring that pedestrians, bicycles, and transit are not negatively impacted. Strategies may include specific pick-up/drop-off locations; geo-fencing; first-in, first-out garage use during major events, wayfinding, and other patron messaging tools.
- Provide curbside staffing to ensure efficient vehicular and pedestrian mobility.

Annual Monitoring and Reporting

- Monitor parking, traffic/loading operations, success in promoting transportation alternatives, etc., so that the TMP can be adjusted over time.
- Prepare bi-annual Commute Trip Reduction reports and surveys that detail employee trip reduction programs and employee mode of travel.
- Produce an annual TMP compliance report for events which will include frequency and utilization of bicycle parking, event attendee mode split/origin surveys, and forecasts for large events the following year.
- Annual TNC management reporting to include video of TNC and general load/unload activity along the WSSC frontages for SDOT assessment of curb management strategies.
- Conduct an annual meeting with key stakeholders such as SDCI, SDOT, King County Metro, ST, and others to review the results of the employee and attendee intercept surveys and performance goal compliance.

Additional Potential Strategies if Goals are not Met

- Provide discounted transit fares/passes for event attendees.
 - Develop additional rideshare options for event attendees.
6. A Dock Management Plan shall be required that will address freight loading and access for the Addition. The Dock Management Plan shall require the approval of SDOT and SDCI and shall require review of any impacts of the service activities on the character of the Green Street, including blockage of the sidewalk. At a minimum the plan will address:
- Freight routing, including route restrictions such as the restriction on use of Terry Avenue north of Howell Street;
 - Communication plan for freight routing;
 - Staffing plans for the loading dock;
 - Use of an off-site marshalling yard;
 - Management of vehicle doors on Boren Avenue and Terry Avenue;
 - Hours of operation for freight loading; and

- Outlining a reporting process with the City and an enforcement process.
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 the onsite 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 spaces. Any violation of these condition 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. Signage shall be provided as described in Condition 7. The final design of the public benefit elements shall require the review and approval by SDOT and the Design Commission as outlined. 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. The public benefit requirements include the following features, as well as corresponding development standards, including approximate square footage dimensions, which are anticipated to be outlined in the PUDA:

Overall Public Benefit Package and Value

PUBLIC BENEFIT	DESCRIPTION	PROPOSED BENEFIT	CODE / OTHER	EIS MITIGATION	PB VALUE
PHYSICAL PUBLIC BENEFITS	Public Spaces And Plazas	9,502 SF Above Code			\$8,100,000

	Pine Street / 9th Avenue Plaza	3,637 SF Above Code	Designed To Downtown Amenity Standards; Setback in excess of code required setback	None	
	Flatiron Plaza	1,789 SF Above Code	Setback in excess of code required setback		
	Terry Avenue Green Street Plaza	831 SF Above Code	Setback in excess of code required setback		
	Denny Triangle Corner Plaza	396 SF Above Code	Setback in excess of code required setback		
	Boren Avenue Garden	1,708 SF Above Code	Setback in excess of code required setback		
	Pine Street Sun Garden	1,154 SF Above Code	Setback in excess of code required setback		
	Additional Improvements Beyond Code				
	Overhead Weather Protection	747 LF Above Code	2,056 LF Required; 2,803 LF Provided	None	
	Seating in the R.O.W.	243 LF Above Code	None		
	Planting (On Howell St, Olive Way, Pine St, & Boren Ave)	6,661 SF Above Code	4,217 SF Required; 10,878 SF Provided		
	Off-site R.O.W. Improvements (9th Avenue)	Curb bulbs, enhanced planting, upgraded paving, overhead weather protection,	None	None	\$600,000

		decorative vehicle door			
	Off-site R.O.W. Improvements (Olive Way)	Upgraded paving, enhanced planting	None	None	\$200,000
	Historic Building Lighting	Lighting of historic features to enhance the pedestrian experience	None	None	\$1,000,000
					\$9,900,000
PUBLIC BENEFIT ART	Boren Avenue Sculptures	Artworks with integrated seating, lighting, landscaping	NONE	NON E	\$600,000
	9th Avenue + Pike Street Artwork	Large-scale artwork on a wall of the existing WSCC building	NONE	NON E	\$1,000,000
	Olive Way Artworks	Artworks at the (5) glass vitrines, potential extension to adjacent canopy	NONE	NON E	\$250,000
					\$1,850,000
FUNDING NEIGHBORHOOD IMPROVEMENTS	Pike Pine Renaissance Act: 1 Funding	Funding to the Office of the Waterfront for Pike Pine Renaissance: Act 1	None	None	\$10,000,000
	Bicycle Master Plan Funding	Funding to SDOT for implementation of the Bicycle Master Plan	None	None	\$10,000,000

	Lid I-5 Study Funding	Funding to Seattle Office of Planning and Community Development for I-5 Lid Study	None	None	\$1,500,000
	Freeway Park Association / Seattle Parks and Recreation Funding	Funding to Seattle Parks Department to support efforts to repair, restore, and possibly enhance Freeway Park	None	None	\$10,000,000
					\$31,500,000
AFFORDABLE HOUSING FUNDING	Funding to Seattle Office of Housing	The Office of Housing will allocate funds for optimum benefit within the city proximate to jobs, transit, amenities and services for specific populations	\$5MM Funding for KC Land Sale; \$4.3MM Funding for Incentive Zoning; \$14MM additional funding from CPC Agreement	None	\$15,000,000
					\$15,000,000
TOTAL PUBLIC BENEFITS VALUE: \$58,250,000					

9. In addition to the conditions imposed through the vacation process, the project, as it proceeds through the permitting process, is subject to SEPA conditioning pursuant to various City codes and through regulatory review processes.
10. The payment of funds to meet public benefit obligation will be made on the following schedule.

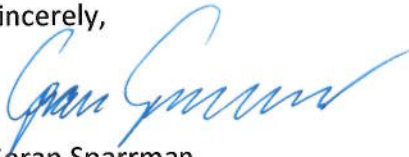
Public Benefit Timing

Public Benefit	Anticipated Timeframe
Implemented onsite improvements (onsite open spaces and elements above code) – Site A	Onsite on Site A done at Certificate of Occupancy (C of O) for WSCC
Implemented onsite improvements (onsite open spaces and elements above code) – Site B	<p>Any future Purchase and Sale Agreement (PSA) for Site B shall include the vacation conditions that require performance on Site B.</p> <p>Onsite improvements on Site B will be done at C of O for Site B, which is anticipated to occur around the same time as C of O for the WSCC.</p> <p>If there is a delay on Site B, and the building is not complete or construction is not substantially underway at the time of C of O for the WSCC, then Site B will return to the Seattle Design Commission to share the interim condition.</p> <p>The requested interim condition shall be implemented.</p> <p>When Site B is built, then it will be required to include the onsite public benefit elements. This requirement will be documented in PSA (as noted above) and the Property Use and Development Agreement, which gets recorded against the property.</p>
Implemented onsite improvements (onsite open spaces and elements above code) – Site C	<p>Onsite on Site C done at C of O for WSCC.</p> <p>Even if the full tower will be built later on Site C, the ground-level uses and loading dock will be operational at the same time as the WSCC. The MUP for Site A will include a link/condition to the first level/phase of Site C.</p>
Implemented offsite improvements (ROW improvements)	<p>Completed at C of O for WSCC for ROW improvements adjacent to Site A, 9th Avenue (offsite), and Olive Way (offsite). For ROW improvements adjacent to Site C, the improvements will be complete at C of O for the WSCC (see note above).</p> <p>For ROW improvements adjacent to Site B, done at C of O for Site B. If there is a delay on Site B, and the building is not complete or construction is not substantially underway, then the project will return to the Seattle Design Commission to share the interim condition.</p> <p>The requested interim condition shall be implemented. When Site B gets built, then the offsite ROW improvements adjacent to Site B will be required. This requirement will be documented in PSA (as</p>

	noted above) and the Property Use and Development Agreement, which gets recorded against the property.
Art	Completed at C of O for WSCC
Landmarks lighting	Completed at C of O for WSCC
Housing funding (Office of Housing)	First structural building permit for WSCC
Lid I-5 study funding (Office of Planning and Community Development)	First structural building permit for WSCC
Freeway Park funding (Seattle Parks and Recreation)	<p>First Payment: \$750,000 (for planning and activation); first structural building permit for WSCC</p> <p>Second Payment: \$1 million (for design); six months after the First Payment</p> <p>Third Payment: \$200,000 (for activation); six months after the Second Payment</p> <p>Fourth Payment: \$7,800,000 (for construction); six months after the Third Payment</p> <p>Fifth Payment: \$250,000 (for activation); three months after the Fourth Payment</p>
Pike/Pine Renaissance Act 1 funding (Office of the Waterfront)	<p>First Payment: \$3 million; at WSCC shoring and excavation building permit</p> <p>Second Payment: \$7 million; by June 2019</p>
Pike/Pine bike funding (SDOT)	<p>First Payment: \$1 million; at WSCC shoring and excavation building permit</p> <p>Second Payment: \$9 million; by June 2019</p>

11. It is expected that development activity will commence within approximately 5 years of this approval and that development activity will be completed within approximately 10 years. In order to ensure timely compliance with the conditions imposed by City Council, the Petitioner shall provide SDOT with Quarterly Reports, following Council approval of the vacations, providing an update on the development activity, schedule, and progress on meeting 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.

Sincerely,



Goran Sparrman

Acting Director
Seattle Department of Transportation