



December 4, 2018

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

**Subject: Petition of Seattle City Light to vacate a portion of Broad Street between Harrison Street and Taylor Avenue North adjacent to the block bound by Harrison Street, 6<sup>th</sup> Avenue North, Thomas Street, and Taylor Avenue North, in City Council District 7 and the Uptown Urban Center  
Clerk File 314387**

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

We are returning the petition from Seattle City Light ("Petitioner" or "SCL") for the vacation of the street generally described as:

A 4,300-sf triangular portion of Broad Street at the northwest corner of the block bounded by Harrison Street, 6<sup>th</sup> Avenue North, Thomas Street, and Taylor Avenue North

The legal description is contained in the petition. The street triangle proposed for vacation includes approximately 4,300 square feet of right-of-way ("ROW").

#### **CITY COUNCIL DISTRICT**

The proposed street vacation is in City Council District 7.

#### **BACKGROUND AND PROJECT DESCRIPTION**

The petition from SCL has been reviewed for its consistency with the vacation policies in Clerk File 310078 and in effect when the petition was submitted.

The petition includes a portion of Broad Street at the intersection of Broad Street, Harrison Street, and Taylor Avenue North. This triangular portion of Broad Street is approximately 100 feet by 86 feet by 132 feet for a total of approximately 4,300 square feet.

Broad Street was platted in 1926 at a diagonal against the traditional street grid. The diagonal nature of the street created parcels that were not full rectangular blocks. At this block, the corner piece is street ROW rather than property. In 1955, the City constructed improvements that separated the grade of Broad Street from Mercer Street, Dexter Avenue North, and Aurora Avenue North by lowering Broad Street where it crossed under these streets.

SDOT closed Broad Street, including the portion proposed to be vacated, between 5<sup>th</sup> Avenue North and 9<sup>th</sup> Avenue North in 2014 to implement the City's plan to build the Mercer Corridor Project and connect the street grid between the South Lake Union and Uptown urban centers. Mercer Street has been widened to convert it from a four-lane, one-way street to a seven-lane, two-way street. The SR 99 Tunnel Project will connect three streets: John, Thomas, and Harrison across Aurora Avenue North in this area. The plan included the closure of Broad Street between 5<sup>th</sup> Avenue North and 9<sup>th</sup> Avenue North because Broad Street disrupted the new street grid and was functionally redundant with the Mercer Corridor and surface street improvements.

Both Taylor Avenue North and Harrison Street improvements were completed as part of this project and included curb, gutter, and sidewalks. This left a remnant parcel of land, a triangle of approximately 4,300 square feet, which is currently unused.

## **PROJECT BACKGROUND**

The Broad Street Substation was built in 1951 and is an established and operating substation to the east of Seattle Center in the Uptown neighborhood of lower Queen Anne. The substation has been modified over the years to respond to increased service demands. The site is located in the Uptown Urban Center and was zoned as Seattle Mixed/85 at the time of the vacation petition. The current zoning is Seattle Mixed-Uptown with a 160-foot height limit (SM-UP/160). The Broad Street Substation serves the surrounding businesses, residences, and Seattle Center. The substation is on the block bounded by Taylor Avenue North, 6<sup>th</sup> Avenue North, Thomas Street, and Harrison Street. The block includes approximately 78,000 square feet of space.

SCL is seeking a street vacation of a portion of the closed Broad Street ROW to install new electrical equipment to provide stable, reliable power to the City and regional transmission grid. The inductors to be installed help regulate the flow of electricity on the transmission line. This improves reliability by balancing the electrical load that travels through the regional power grid. The installation will reduce the risk of SCL equipment overloads that could result in power interruptions ("Outages" or "Blackouts") in Seattle and potentially for the broader Northern Region and West Coast. The concern for potential outages is related to the growth in the City and the regionally transferred power through the SCL transmission grid system for public use. The new equipment additionally works to support the future growth of electrical needs and future planned substation improvements.

SCL actively participates in regional transmission planning. In 2012, the City signed a Memorandum of Agreement (MOA) with the Bonneville Power Administration and Puget Sound Energy, to plan, share costs, and execute multiple transmission system improvement and reinforcement projects with the goal of improving the reliability of the regional transmission grid in the Puget Sound Area and Northern Intertie (PSANI).

In 2015, in Clerk File 313195 the City Council approved SCL's proposed vacation of Pontius Avenue North to support developing a new electrical substation on Denny Way and to better integrate the development and the distribution lines associated with the substation into the surrounding neighborhood. The Denny Substation included transformers, a control building, gas-insulated switchgear, capacitor banks, and inductors, as well as a portable propane powered generator to provide back-up power for the control building. The vacation was sought to provide additional flexibility in the

design of public amenities and the amount of open space that could be provided on site. The City Council supported the vacation petition and the Denny Substation is under construction and nearing completion.

The inductor installed at the Denny Substation is directly related to the PSANI agreement. There are two parallel transmission lines that come into the Broad Street Substation from the South. One of these parallel lines passes through the Denny Substation and the first inductor. The second parallel transmission line passes through the Broad Street Substation project and requires an inductor (along with a capacitor and gas-insulated switchgear). The Broad Street Substation equipment works in concert with the Denny Street equipment to improve city and regional grid stability. By installing the first inductor and associated equipment at Denny Substation, the amount of space needed at Broad Street has been greatly minimized.

### **REASON FOR VACATION**

SCL has stated that the proposed street vacation is a critical step to support the ability of the substation to respond to current and future power needs in the City and in the larger Puget Sound Region. SCL identified that the Broad Street Substation will work in conjunction with the Denny Substation to more reliably deliver power to customers and increase the reliability of the City and region's power distribution grid.

The Broad Street Substation and the new substation on Denny are within SCL's existing service area and will provide for high density electrical load growth in the South Lake Union Urban Center and the North Downtown area, estimated to reach 150-200 MW per square mile during a 20-year planning period. Broad Street and Denny substations work in conjunction to provide for reliability and capacity for growth. The Environmental Impact Statement (EIS) for Denny Substation included a review of the proposed work at the Broad Street Substation.

### **PROJECT DESCRIPTION**

The Broad Street Substation occupies the entire block and the facility currently includes yard space that provides access to: the underground distribution network and control area, the existing equipment including transformers, distribution lines, and structures including the Control Building, the Crane Building, and the Dead-End Tower. The two buildings and the tower have been landmarked. No demolition of the landmarked structures is proposed and none of the buildings are being altered or renovated as a part of the substation work.

The existing Broad Street Substation and associated Annex across Taylor Avenue have limited space even for the existing operating equipment. Should the vacation be granted it would enable the installation of new equipment on grade at the same level as the existing equipment. The work at the Broad Street Substation is budgeted at \$7.3 million.

The primary focus of the Broad Street Substation Project includes installing three major pieces of equipment:

- Inductor: a 6 Ohm oil-insulated series inductor on the existing transmission line between Massachusetts, Union and Broad substations;

- Capacitor: a 21.3 MVAR 115kV capacitor bank; and
- Gas Insulated Switchgear (GIS): a 115kV 2000A breaker, gas-insulated switchgear system

Each piece of equipment is very large and must meet local and federal codes related to equipment operation, access, and public safety. As part of the preliminary design tasks, an equipment fit analysis was performed to ensure the installation would meet all applicable electrical, safety, working standards, and clearances, and that the equipment could be easily accessed in the proposed configuration for maintenance. The street vacation allows the necessary space for SCL to locate, safely access, service, and maintain this equipment efficiently from the ground level. The proposed location also provides direct access from the street to repair, remove, and replace equipment in the future for planned or unplanned reasons.

The equipment will be protected by extending the existing enclosure along Taylor Avenue North and Harrison Street. The enclosure includes a combination of concrete block walls, concrete columns, and transparent small mesh chain link fence framed by a custom metal railing. The enclosure follows the original design intent of allowing the public to safely view the substation yard while simultaneously protecting the equipment from the public. A large radius at the corner of Taylor and Harrison create a seating opportunity, like other corners for the substation. Access gates are required from Harrison Street and near the Crane Building for maintenance and operations. The existing internal access route will not reach the new equipment and is not possible due to the location of existing and new equipment. Solid full height walls (approximately 13.5 feet) for a limited portion along Harrison are required by code due to the proximity of the newly-located equipment.

The original proposal to wall and fence the yard included a 17- to 22-foot-high solid wall that extended to the Taylor Avenue N and Harrison Street corner. The revised proposal includes a fence that varies in height and averages 13.5 feet in height, offers more transparency, and is stepped back from the corner.

Work is also required below grade and will largely be unseen from the street. The underground work includes footings for equipment, connections between equipment and distribution lines that connect the Substation, the adjacent Annex, and the external SCL distribution network.

The vacation alternative includes public benefits that improve will two adjacent streets, Taylor Avenue and Thomas Street. The proposed public benefits include:

- Moving existing curb lines to increase sidewalk widths;
- Providing additional plantings and street trees; and
- Adding new amenities such as seating, pedestrian scale lighting, and protected bike lanes.

#### **NO-VACATION ALTERNATIVE**

The existing Broad Street substation is severely space constrained. Without the additional space acquired through the vacation, the substation would likely require a two-level configuration. That design would be challenging to develop and would add operational and maintenance complexities.

Without any other space available at the ground level to expand, the no-vacation alternative would require placing equipment (capacitor) on the roof of the 65-foot-tall Crane Building in addition to placing some of the equipment (inductor and GIS) at the ground level and within the northwest corner of the

existing substation. This would require significant structural improvements to the Crane Building to support the new equipment and extend the height of the building to 85 feet. The Crane Building would also require other improvements to enable service and maintenance for safe crew access. The Crane building is a landmark structure and this proposal would require review and approval through the Landmark Board review process.

At the ground level, associated equipment would need to be located closer to the public sidewalk and require firewalls of ranging from 17 feet to 22 feet in height to protect the public from accessing the equipment and as fire safety precautions. Access to equipment would also be required from the ROW and would necessitate a driveway from adjacent Harrison Street leading to an access gate. Internal access to the equipment is not possible due to the location of existing equipment.

No public benefits would be required for the no-vacation alternative.

### **SCL PUBLIC INVOLVEMENT PLAN**

SCL established a Public Involvement Plan (PIP) for the Broad Street Substation project to guide public outreach efforts for the project's design phase. The PIP was intended to inform the public about the project and to engage the public by creating opportunities for feedback and input. SCL conducted outreach to inform and involve area stakeholders (property owners, businesses and organizations) about the project, the street vacation process, and the proposed public benefits. SCL also contacted several stakeholders to offer project briefings. SCL devised several strategies to engage with the public including:

- Open Houses;
- Project Website;
- Project email listserv and phone line;
- Stakeholder briefings and community meetings;
- Social media;
- Media outreach;
- Door to door outreach; and
- Project postcards.

Community meetings and briefings included:

- Richard Adler Street Vacation Briefing (9/6/2016);
- The Gates Foundation Briefing (11/2/2017);
- SCL Open House (November 8, 2017);
- South Lake Union Community Council Policy & Planning Committee Briefing Summary (11/21/2017);
- Uptown Alliance Briefing (11/21/2017);
- South Lake Union Community Council Policy & Planning Committee Briefing (4/17/2018);
- Uptown Alliance Briefing (4/17/2018);
- Adler Giersch Briefing (4/23/2018); and
- Gates Foundation Briefing incl. Adler Giersch (5/30/2018).

## LANDMARK PROCESS

7-24-18 Broad Street Designation ordinance submitted to the Mayor's office by Landmarks Board staff.

11-1-17 Broad Street Substation is designated a Seattle Landmark by Landmarks Preservation Board

## CIRCULATION/ISSUE IDENTIFICATION (NOT ISSUE RESOLUTION)

The proposed vacation was circulated to various City departments, outside agencies, and community groups for comment. The review process for the vacation includes Seattle Design Commission (SDC) review. In addition to the vacation review the project is subject to:

- Landmarks Board Review of the existing buildings on site;
- Master Use Permit (MUP) review;
- Environmental review as part of the Denny Substation analysis;
- SIP review, the SDOT process to review street design and utility issues; and
- Utility Major Permit, the process to review major utility changes.

*~Start of Comment Section~*

The purpose of the broad review of the vacation petition is to identify issues related to the loss of the ROW. The issues may be addressed during the vacation review process by changes to the design of the project or changes to access to the site or by conditions that are imposed on the vacation approval. The comments, reproduced or summarized below, reflect the statements made by the reviewers and any issues identified during the initial portion of the review process. The comments reflect a "snapshot in time" when the comments were received and do not reflect any project revisions, updates or responses to comments. All the comments received are a part of the record and are not revised or amended by Seattle Department of Transportation.

The public comments reflect the views and analysis of the group, organization, or individual for consideration by the City and do not reflect the analysis and conclusions of the City.

The comment section does not reflect the resolution of the issue, subsequent design changes, or mitigation. The analysis section will focus on the resolution of any issues, recommended project changes, or conditions to address any issues or concerns. The Petitioner has responded to some of the comments received and the Petitioner's responses are included in italics following each comment.

The following comments were received:

### City Departments:

**Department of Construction and Inspections (SDCI):** These comments are in response to 2009 Vacation Policies 3 (Light, Air, Open Space, and View) and 4 (Land Use).

### **Policy 3 – Light, Air, Open Space, and View**

The proposed street vacation will not result in significant adverse impacts on light, air, open space, and view opportunities. The (this) portion of Broad Street east of 5<sup>th</sup> Avenue North is abandoned and no longer used for vehicular, bicycle, or pedestrian traffic primarily as a result of the Alaskan Way Viaduct (SR99) Replacement Project, whose north portal will be located adjacent and north of the SCL substation site; Broad Street currently ends at 5<sup>th</sup> Avenue North and Thomas Street one block west and one block south near the Space Needle and the Museum of Pop Culture (MoPOP) at Seattle Center. The proposed vacation area is currently vacant and directly adjacent to the Broad Street Substation, which occupies the remainder of the block bounded by Harrison Street to the north, 6<sup>th</sup> Avenue North to the east, Thomas Street to the south, and Taylor Avenue North to the west; granting the requested vacation would restore the subject block to a formal rectangular shape.

Broad Street is not a designated boulevard and therefore street vacations are not restricted to public purposes such as parks or open space preservation. The recently constructed sidewalks along both Harrison Street and Taylor Avenue North align with these rights-of-way and will not be affected by the expansion of the Broad Street Substation into the vacated area. In addition, and as a public benefit, SCL is proposing streetscape improvements along Thomas Street and the substation's southern boundary; preliminary plans include a protected bike lane, landscaping, green stormwater infrastructure, pedestrian lighting, wayfinding signage, and street furnishings.

Proposed improvements within the proposed Broad Street vacation area—currently bounded by sidewalks along the Harrison Street and Taylor Avenue North ROW and the substation property—include new electrical equipment, 13- to 22-foot-tall firewalls (per code compliance) along Harrison Street and Taylor Avenue North, and an approximately 3,900-square-foot expansion of the substation security enclosure. While the proposed expansion will result in physical and vertical built structures in this small portion of the Broad Street ROW, the substation is surrounded by security walls of similar height and that additional development in the subject area will not result in shadows on nearby parks or open spaces, noting that the nearest such resources are located more than 250 feet to the west at the Seattle Center.

This portion of Broad Street is not a recognized scenic view corridor and proposed development within the vacated street area will not block views to any scenic resources. The proposed vacation will serve to reestablish traditional north-south and east-west view corridors in the immediate area north of Denny Way and east of 5<sup>th</sup> Avenue North.

As the proposed street vacation area is not located in a slide-prone area, wetland, flood plain, or other environmentally critical area, it need not be retained to reduce development intensity in such areas or to protect public health, safety, and welfare.

### **Policy 4 – Land Use**

#### **Conclusion**

SDCI recommends that the requested street vacation be granted and is not recommending any land use conditions be placed on this street vacation. This small portion of Broad Street is not currently in use for transportation purposes—nor are there future plans for reconstructing this roadway—and the proposed vacation would not result in significant adverse impacts to light, air, open space, and view opportunities.

Importantly, this proposal will provide additional infrastructure capacity to serve one of the City's most rapidly developing Urban Centers.

**Petitioner's Response:**

*Noted. The proposed project improvements extend the language of the existing enclosure to provide a smooth transition to complete this newly formed city block with the closure of this section of Broad Street. Light, air, open space and views are minimally impacted by the proposed improvements. The proposed public benefits focus on longstanding neighborhood goals of improving city right-of-way for pedestrians and cyclists to enhance connectivity, provide additional landscape opportunities and seating areas.*

**Department of Neighborhoods:** The only comment is that if the proposed fire wall is directly attached to the designate building, it would require Department of Neighborhood's review. Any attachment should be done in a way that minimizes impacts to historic fabric and can be reversed/removed in the future with no impact.

**Petitioner's Response:**

*Noted. There is no impact or attachment to any landmarked feature in the project design. The proposed fire wall has been removed from the project. A small segment of solid wall is currently proposed and is required to protect the equipment from being accessed from the sidewalk due to its close proximity to the substation perimeter. The proposed walls will not touch the landmarked structures.*

**Office of Planning and Community Development (OPCD):** Comments by OPCD are based on relevant Comprehensive Plan Policies and the outcomes of a recently completed multi-year planning process in the Uptown neighborhood.

**Comprehensive Plan Goals and Policies**

Relevant goals policies are from the Utilities element and the Neighborhood Planning element.

**U G1** Provide safe, reliable, and affordable utility services that are consistent with the City's aims of environmental stewardship, race and social equity, economic opportunity, and the protection of public health.

This vacation is consistent with this Goal in that it allows for onsite expansion of substation activities to more efficiently provide electrical service where substantial utility investments currently exist.

**U 1.3** Strive to develop a resilient utility system where planning and investment decisions account for changing conditions, such as climate change, fluctuations in demand, technological changes, increased solar energy generation, and natural disasters. SCL proposes to make system improvements at the Broad St Substation to balance the electrical load travelling through regional and local transmission grids, reduce chances of outages and meet future energy needs.

**U 3.5** Consider opportunities for collocating facilities, allowing mixed-use development, or creating accessible open space when siting and designing utility facilities, provided doing so would still allow for safe and secure utility operations.

The proposal does not result in a colocation or provide usable open space but does improve the pedestrian right of way in the vicinity of the substation. Public benefits of



the project include enhanced sidewalks, benches, bike lanes and landscaping. This location is in an area that is expected to see increased

**QA-P40**

**Strive to provide urban character-enhancing improvements to Queen Anne's streets such as sidewalk improvements, transit facilities, landscaping, and appropriate lighting.**

Public benefits of the project include enhanced sidewalks, benches, bike lanes and landscaping. This location is in an area that is expected to see increased pedestrian and bike traffic as the grid across Aurora Avenue is rebuilt connecting South Lake Union and the Uptown Urban Centers.

### **Planning Context**

Over the last several years the Office of Planning and Community development has been engaged with community stakeholders to develop a vision for the future development of the neighborhood. The outcomes of this effort include the Uptown Urban Design Framework, the Uptown rezone adopted by the City Council in October of 2017, and the preparation of new neighborhood design guidelines currently underway. These efforts emphasized sustaining a strong jobs/housing balance in the neighborhood, building stronger connection between Seattle Center and the Uptown neighborhood, and design standards intended to enhance walkability and visual interest at the pedestrian-level. The proposed project contributes to walkability by enhancing the sidewalks, providing a bike lane, and enhancing landscaping near the project. The blank wall that will enclose the vacated area of Broad Street (some parts are porous), however, is inconsistent with the goals and objectives of the Urban Design Framework and recently adopted zone changes.

### **Recommendation**

OPCD recommends approving the Broad Street vacation provided that among the public benefits is an enhanced treatment of the wall that City Light is proposing. Treatments could include artwork, vegetation, porosity, or other architectural treatment that maintains visual interest at the pedestrian level.

### ***Petitioner's Response:***

*A majority of the blank wall has been removed from the project in response to OPCD, community and SDC comments. The proposed enclosure has been modified to extend the existing enclosure language that is comprised of a combination of a modulated block wall and small mesh chain-link fence with custom railings and decorative concrete columns. Where possible the enclosure is fully transparent to enable views into and through the substation. City light has collaborated with the Seattle Design Commission to address these concerns.*

### **Seattle Public Utilities (SPU):** SPU has the following comments:

SPU Sewer & Drainage: Vacating this portion of the ROW will not affect existing drainage or wastewater facilities; DWW LOB does not have any recommended conditions or comments related to this ROW vacation.

SPU Water: Elimination of this portion of the ROW does not affect existing SPU Water facilities. Nor does it substantially limit the Water LOB's ability to extend or grid water facilities in the future. From WLOB's perspective, the petition can be granted without water-related conditions.

SPU recommends the Vacation of a portion of Broad St located at Harrison St and Taylor Ave be approved.

**Petitioner's Response:**

*Noted. The proposed improvements will not affect existing SPU infrastructure. All improvements will be coordinated with SPU through construction permits and Street Improvement Plans.*

**Seattle Center:** Seattle Center is generally supportive of the proposal for the vacation and the associated public benefits. Because this proposal adds a segment of protected bike lane on Thomas St., we want to point out that as bike infrastructure continues to fill in throughout Uptown, Seattle Center's position is that Republican Street/August Wilson Way is the preferred designated route for bikes across the campus.

**Petitioner's Response:**

*Noted. The proposed protected bike lanes are being designed to copy the existing facilities between 5<sup>th</sup> Ave and Taylor Ave to connect into the 5<sup>th</sup> Ave bike lanes as directed by SDOT. 5<sup>th</sup> Ave bike lanes connect to Republican Street and will allow for connections to SC's preferred route along Republican.*

**SDOT Transportation Operations (TOP): (1st Comment)**

- 1) In terms of public benefit, this proposal will eventually have to match the curb line established in the Thomas Green Street Concept Plan and modify the channelization to include 5' bike lanes, 2' buffer and 9' travel lanes (matching the block of Thomas between Taylor and 5th).
- 2) For additional public benefit, we would like to see the curb line on Taylor moved out to a distance 18' from the centerline (future roadway width will be 36') and converting the angled parking to parallel parking to create a wider sidewalk/planting strip on Taylor. They can continue the street scape plan that they propose on Thomas with streetscape furnishings, landscaping and pedestrian lights on Taylor adjacent to the substation.

**2<sup>nd</sup> Comment:**

1) Thomas Street Comments:

- Thomas Street should be centered in the ROW, leaving the same opportunities for greenery and parking on the opposite side of the street.
- Can they have trees in the standard planting strip as shown on Thomas St (or are there duct banks in the way – I don't want some nice drawings and then when time comes to build it out, they can't put the trees in)?
- Also, in the cross sections for Thomas, they don't show trees on the south side of the street across from the substation, is there a reason for that?

2) Taylor Ave comments:

- We would want parking on both sides of the street, so they can narrow things up so that we have a 36' wide curb-to-curb width (7' parking lanes on both sides of the street with two 11' travel lanes in the middle - which would match the development on the block to the south). The roadway should be centered in the ROW and give the other parcel across the street a chance to have the same amenities on their side of the street. Having a 12'6" sidewalk on the substation side of the street makes a lot of sense, so we can go back to a

more realistic sidewalk width as more people would probably rather walk on the other side of the street than walking next to a substation with a 20'-22' high wall.

- They have the existing listed as 6' travel lanes ... which isn't correct, and in the proposed they show 25' travel lanes, please split that up to reflect two 11' lanes – this is related to the section view slide.
- They show trees on the substation side of Taylor, but not on the other. When that other property develops on the other side of Taylor, they will be required to install street trees (perhaps these guys want to do it as part of their public benefit ... would that count?).

3) Harrison Street comments:

- Center the roadway in the ROW (it's off by 1')
- Can they get trees in on their side of Harrison? Also, we wouldn't need 10'6" parking lanes, we'd only require 8' max (with two 11' lanes), so that will give them 5' extra to play with.

4) Can the walls have glass panels so people can see in? I'm assuming the walls have to be there by some electrical code.

**Petitioner's Response:**

**First Comment:**

- 1) *The proposed improvements along Thomas Street follow the guidance described in the approved Thomas Green Street Concept Plan. Additionally, City Light has further coordinated improvements with SDOT through SIP review and will match the existing Mercer corridor improvements between 5<sup>th</sup> Ave and also accepted all input from both SDOT and Taylor Ave. Improvements will align with the future improvements to the east being completed as part of the North Portal project. The improvements are being centered in the ROW and include partial improvement on the south side of the street (striping for protected bike lanes only).*
- 2) *The improvements for Thomas Street will be on the North Side of the street adjacent to the City Light facility, as established and agreed upon through rigorous SDC and community engagement. Improvements to the south of the south curb line (new street trees, sidewalks and other amenities) are assumed to be the responsibility of the adjacent property owner as it redevelops in the future.*
- 3) *City Light added Taylor Avenue to the initial proposed Public Benefit based upon the SDOT initial comment.*

**Second Comment:**

- 1) *City Light has collaborated with and agreed upon the street definition provided by SDOT to define the Taylor Avenue street improvements, based upon the initial comments. SDOT and the SDC have reviewed and endorsed the improvements.*
- 2) *The improvements for Taylor Avenue are adjacent to the City Light Substation facility, as defined and noted in the initial comment. Taylor Ave improvements are being coordinated directly with SDOT through SIP review process and are following SDOT guidance. Improvement will be based on the ROW centerline. A minimum of 11' travel lanes will be allowed for and will likely be wider. Trees are being coordinated with the underground distribution lines and have been accurately reflected on the 60% SIP plans.*
- 3) *Harrison Street improvements are not planned. These improvements were completed by SDOT as part of the North Portal project. Street trees are not possible due to underground SCL distribution lines and other utility constraints.*

- 4) *Glass panels are possible in the enclosure as long as they are code compliant. The new enclosure design however, dramatically reduces the footprint of solid walls and increases transparency similar to the existing enclosure. We do not believe glass panels are a necessary consideration any longer. Seattle Design Commission has endorsed the facility boundary and wall design.*

**SDOT Roadway Structures:** I reviewed the above proposed St vacation. I do not see any concern from our section point of view. Thanks for checking with our section.

***Petitioner's Response:***

*Noted. No comments*

**Seattle Design Commission (SDC):** SDC reviewed the project on March 15, 2018 and took the following action: The SDC thanked the project team for their presentation on urban design merit for the Seattle City Light Broad Street Substation Vacation project. Overall, the Commission appreciated the proposed ROW and landscape improvements along Thomas St. and Taylor Ave N. The SDC did not take an action during today's meeting. The Commission will review the project at the subcommittee level prior to reviewing the project again at a commission meeting to address the following concerns:

1. Underdeveloped scenario for how SCL could meet the purpose of the project in the absence of a vacation
2. Providing flexibility in the placement of the proposed equipment at the northwest corner of the site
3. The quality of the public realm that will result from the design, in particular placement, height, and materiality of the wall at the northwestern corner of the site in relation to its context

***Petitioner's Response:***

*SCL responded to the SDC comments in a follow up SDC subcommittee review with a revised proposal that extends the language of the existing substation enclosure including the concrete block wall, large radius corners, custom pipe rail frame and small mesh chain link fence. The public realm experience was enhanced by providing a consistent enclosure language, additional landscape and seating opportunities. The SDC commissioners responded favorably, but further challenged SCL to look for opportunities for more transparency by reducing or eliminating solid portions of the enclosure where possible and with the understanding the public safety is a priority. City Light engaged and collaborated with the SDC to provide alternative design options based upon the feedback. Two iterations of design were completed to arrive at the approved design.*

SDC reviewed the project on August 2, 2018 for both urban design merit and public benefit. The SDC took the following action:

**Urban Design Merit**

The SDC thanked the project team for their presentation of the updated urban design merit proposal for the SCL Broad Street Substation Vacation project. Overall, the Commission appreciated the progress made in advancing the design to complement the surrounding neighborhood as well as team's willingness to improve options for the design of the wall. The SDC voted, 6-0, to approve the urban design merit proposal for the SCL Broad Street Substation Vacation with the following recommendation:

1. Use sustainable materials in the design and construction of the project

**Public Benefit**

The SDC thanked the project team for their presentation of the public benefit package for the SCL Broad Street Substation Vacation project. Overall, the Commission appreciated the careful attention taken to design a better pedestrian environment as well as the project team's willingness to collaborate with other city departments. The SDC voted, 6-0, to approve the public benefit package for the SCL Broad Street Substation Vacation with the following condition:

1. Prior to SDOT's completion of their report on the vacation to City Council the project should return for a subcommittee meeting to review the planting plan and proposed street furniture for Taylor Ave and Thomas St.

***Petitioner's Response:***

*The SCL design team responded with a revised proposal that included a new fire suppression system for the inductor equipment that satisfied safety recommendations. This in turn enabled the team to reduce the amount of solid enclosure to produce a better pedestrian experience consistent with the existing enclosure. The new enclosure leverages the existing language of a modulated solid block wall, concrete pillars and a custom pipe rail with small mesh chain link. The revised enclosure is more transparent and allows a pedestrian to view into and thru the substation enclosure.*

*A follow up meeting with the SDC sub-committee included the review of detailed plans for furnishings, surfacing finishes and plant materials. The commissioners gave a unanimous approval of the proposed design.*

**Outside Agencies:**

**Enwave:** Enwave has no comments regarding this vacation.

***Petitioner's Response:***

*Noted. No comments*

**King County Metro Transit:** King County Metro Transit does not have any objections to the vacation.

***Petitioner's Response:***

*Noted. No comments*

**CenturyLink:** CenturyLink has reviewed the vacate/abandonment request and stated that CenturyLink has no Facilities in the requested area. Therefore, CenturyLink has no Reservations to the Vacate/Abandonment request.

***Petitioner's Response:***

*Noted. No comments*

**Community:**

**Uptown Alliance:** Members of the Uptown Alliance's Land Use Review Committee met with project team members for a second review of the enclosure design options and public benefit package for the **Broad Street Substation Inductor Project** on April 17, 2018. The team communicated that they will meet with the Design Commission on May 3.

Specific feedback on the concept designs included:

1. *Enclosure options.* The UP-LURC agreed that of the design options shown, extending the existing enclosure is a better approach than mimicking the historic building. Option 2 was strongly preferred to Option 1. The UP-LURC liked the visibility of the interior equipment as a potential activator.
2. *Public benefits package.* The UP-LURC appreciated the public benefits package, particularly the narrower streets and the continuity and connectivity of the streetscapes within and beyond the project area.
3. *Public art.* The UP-LURC felt that a public art expression was still missing from the project and would like to see some project component that speaks to Uptown's Arts and Cultural District status. One suggestion was that the interior wall wrapping the reactor could be made more interesting through the use of color or artwork. Another suggestion was the inclusion of creative interpretive signage. The project design should draw people to walk on the substation side of the street; the current design does not provide that level of interest or activation. In general, the project should have a "warm," inviting feeling.
4. *Streetscape design.* The UP-LURC liked the extension of streetscape on Taylor. A suggestion was made to consider alternate or varied bench orientations, or the use of a bench design that can face in multiple directions (as at U Village).
5. *Graffiti.* The UP-LURC was concerned about graffiti and strongly encouraged the use of anti-graffiti materials and/or coatings.

The UP-LURC looks forward to future engagement regarding the project's development.

***Petitioner's Response:***

*The interior inductor wall was removed from the project and no longer presents itself as an art opportunity. Regarding art, the Annex portion of the substation includes art from Carolyn Law from an art piece completed in 1984. Carolyn is pursuing maintenance money from Arts & Culture to refresh her artwork that is integrated into the chain link enclosure.*

*Seating opportunities have been increased and bench orientation is being revised in response to the UP\_LURC comments.*

*Anti-graffiti coating will be a consideration for solid surfaces that provide potential graffiti opportunities.*

*End of Comment Section*

**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 ROW. Vacating public ROW requires discretionary legislative approval from the City Council, and the

Council may not vacate public ROW unless it determines that potential development and use of the vacated ROW 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.

ROWs 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 public rights to circulation, access, utilities, light, air, open space, and views. City government acts as the public's trustee in administering streets and streets.

The Street Vacation Policies that apply to this petition are in Clerk File 310078.

## **ANALYSIS**

The Street Vacation Policies provide that vacation requests may be approved only when they significantly serve the public interest. The policies in effect at the time of this vacation petition provided 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:

1. Protecting the public trust;
2. Protecting against adverse land use impacts; and
3. Providing public benefit.

The policies provide that during the petition review, 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 if 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 ROWs.

**Protecting the Public Trust:** The policies define the public trust functions of ROWs as circulation, access, utilities, light, air, open space, and views. Policy 1 of the policies addresses the basic purpose of streets. Streets are created to provide for the 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 street grid pattern in the area, the impact on providing utility services, how the circulation pattern is altered and how that affects pedestrians, bicyclists, vehicular movements, emergency services, and commercial activity.

**Transportation Impacts:** This street vacation is unusual because the City has closed the street to vehicular use. In 2014 as the City moved forward to implement the Mercer Corridor Project, it defined the street as surplus to transportation needs and as no longer providing function or value as a part of a larger vehicular circulation pattern. While the closure has defined the street as unnecessary for use by vehicles, streets also provide for all modes of travel, including bicycles and pedestrians, and provide for

open space and views and as corridors for utilities. The review of the vacation must consider all of the other services provided by public ROWs.

As the street has been closed to traffic for several years, it does not function as a part of the circulation system and does not provide for necessary access. The SCL property is adjacent to fully improved public streets on each of the four sides of the facility and has two existing driveways, one new access point to reach the new equipment is planned on Harrison Street.

The diagonal nature of the former Broad Street created several irregular intersections within the adjacent street network. The closure of Broad Street and the changes in the street grid support a clearer north/south and east/west orientation of the streets in the area without the diagonal intrusion of Broad Street. A more rationalized street grid with more standard rectangular blocks can support pedestrian and bicycle mobility. The vacation of the triangular portion of Broad Street further standardizes and simplifies the rectangular street grid pattern in area.

The street proposed for vacation is a small triangle of ROW, if the triangle were open for pedestrians and bicycles it would undoubtedly be used as shortcut of sorts when walking or riding on Terry Avenue North, but this small triangle is not necessary for pedestrian and bicycle use. A more standard corner on a rectangular block extends the walk or ride down Terry Avenue North a mere 100 feet. The streetscape enhancements proposed as a part of the public benefit package will help to activate the street and make the walk or ride more enjoyable.

Vehicular access to the site is provided by existing driveways on Harrison Street and 6<sup>th</sup> Avenue North. The existing driveways remain to provide access for service vehicles to the substation. Access to the new equipment will be from a new access point on Harrison Street in the area proposed for vacation.

No adverse impacts to traffic, circulation, or access were identified.

Utility Impacts: Street ROWs also provide spaces 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 ROW, 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 Petitioner's obligation.

The review process did not identify any utilities in the ROW proposed for vacation that will require relocation of easements. The ROW contains some overhead and underground power lines that will be left in place and are addressed in the SCL plans for the site. There are no utilities in the vacation area that serve properties other than the SCL substation so there are no facilities that require relocation or easements.

As work progresses, if any utilities issues are identified SCL will work to find a resolution satisfactory to the impacted utility.

SDOT does not find any adverse impacts to utilities.



**Light, air, open space and views:** Because street ROW is open and not developed with structures, streets can have value as open space and view corridors. Streets can also provide important breathing space in dense urban areas. The Broad Street ROW is open to provide for air and views; however, the ROW does not have pedestrian or bicycle amenities that support community use or engagement. The ROW is open and undeveloped but, without amenities, it provides little useable space for the public. Similar views to the east and west will still be available to the public at the corner of Harrison Street and John Street.

The proposal to fence and wall the ROW to safeguard the equipment will preclude public access to the site and the fence does limit visibility into the site and through the corner. However, SCL has worked on the materials and design of the fence to provide as much transparency as possible.

The project will provide streetscape enhancements around the site to support the pedestrian experience for the community and these enhancements are greater than what would be required if the project were developed without a vacation.

The impacts to light, air, open space, or views are minor and can be mitigated through the design changes to the proposed fence. The revised fence design should be required as a condition of the vacation.

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

It is also important to assess whether the loss of the streets creates building sites that allow for projects that are out of scale with the area. The approximately 4,300-square-foot vacated area would only result in a small increase in the overall area of the Broad Street Substation, which is currently approximately 79,600 square feet in size. SDCl calculated this as an approximately 5.4 percent increase in development potential. The vacation is to be used to provide space for electrical equipment and not for an increase in the size of the existing substation facilities. The addition of the equipment will be noticeable, but it is similar to what already exists on the site. The scale of the existing substation is dominated by the Crane Building and the high-tension powerlines feeding the station. The additional equipment, fencing and wall will fit into the existing pattern of scale set by the substation.

The area around the Seattle Center and in the Uptown Urban Center is likely to experience new growth and additional height and density with newer developments planned in the area. The area has had a commercial past and many parcels are in use as surface parking lots. As the City undertook a review of the area for zoning changes, the environmental documents for the rezone noted that nearly every parcel in the blocks surrounding this site were possible development sites.

The Broad Street Substation will remain as presently configured with the new equipment of a similar scale to the existing equipment. The industrial character of the site is quite different from anticipated

residential growth supported by recent zoning changes but as the SCL facility has been operating at the site since 1951, the unusual industrial character is a long-standing element of this eclectic area. SCL owns the entire block, so the only use for the vacated area is its consolidation into the larger SCL property.

The landmark buildings on the Broad Street Substation site have been a part of this neighborhood since 1951 and the proposed street vacation would not affect the buildings. SCL does not propose any alteration to the existing landmark structures. The Landmarks Board reviewed the vacation proposal and noted that if, as the design proceeds, any portion of the new equipment or fencing needs to physically connect to a building that further Landmarks Board review would be required.

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

**Providing Public Benefit:** The Street Vacation Policies note that vacations must provide a long-term public benefit. Vacations will not be approved to achieve short-term public benefits or for the sole benefit of individuals. The current policies prioritize specific and tangible physical elements. The policies also provide that facilitating economic development, meeting code requirements for development, or mitigating defined impacts is not a sufficient public benefit and are clear that public benefit features must be additive and not meeting any other obligations. The policies recognize the value of the services provided by public agencies and utilities but note that the provision of that service does not fully satisfy the obligation to provide a public benefit.

The policies provide that there should be a balance between what the public gives up and what the Petitioner acquires through the vacation process. The review should consider the scale of the vacation, the scale of the project, and the identified impacts. If a project is significant in scale, if the vacation is large, or if the project has significant impacts, then the Policies anticipate the public benefit proposal must also be significant. The ROW proposed for vacation is small in scale and does not provide for any increase in the development on the site. No new buildings or additions to existing buildings are planned. The project includes building a wall at the corner to provide security for installing new electrical equipment. The space provided by the vacation supports equipment and space needs at an existing public facility that has been in operation on the site since 1951. The project has few impacts. While the vacations make an important contribution to the SCL proposal, the project impacts are small and the policies require proportionally modest but still impactful public benefit.

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

The chart below outlines the public benefit package.

Public Benefit Features for SCL Broad Street				
Public Benefit location	Description	Quantity	Code Requirement	Estimated Cost
Thomas Street	Sidewalk & planting area	1,960 SF	No	\$195,000
	Street trees	7	No	
	Pedestrian light fixtures	3	No	
	Benches	4	No	
	Protected bike lanes	460 SF	No	
	Wayfinding signs	2	No	
Taylor Avenue	Sidewalk & planting area	2,060 SF	No	\$290,000
	Street trees	6	No	
	Pedestrian light fixtures	4	No	
	Benches	8	No	
	Bike Racks	1	No	
	Wayfinding signs	1	No	
			<b>Total</b>	<b>\$485,000</b>

The public benefit proposal includes improvements to two street adjacent to the substation: Thomas Street, between Taylor Avenue and 6<sup>th</sup> Avenue; and Taylor Avenue between Thomas Street and Harrison Street. These public benefit features were supported by the surrounding community and support neighborhood goals of improving streets to enhance the pedestrian realm. Thomas Street is also an adopted SDOT Street Concept plan and provides an important pedestrian and bike connections to South Lake Union to the east.

The proposed improvements along Thomas Street provide an important missing link between the South Lake Union and Uptown neighborhoods. The block between 6<sup>th</sup> Avenue North and Taylor Avenue were not included in the North Portal and Mercer Corridor projects being completed by SDOT and WSDOT. The plan follows the adopted Thomas Street Green Street plan and matches recently completed improvements between Taylor Avenue and 5<sup>th</sup> Avenue North. Improvements were closely coordinated with SDOT staff to ensure smooth transitions to the east and west. Thomas Street is a 66-foot ROW.

Improvements include:

- Moving and realigning the north curb line to provide wider sidewalks, new plantings and street trees;
- Providing protected bike lanes on both sides of the street by eliminating on-street parking; and
- Providing pedestrian-scale lighting, benches, and wayfinding signs.

The proposed improvements along Taylor Avenue are enabled by realigning the curb line and changing the on-street parking configuration from back-in angled parking to parallel parking. These improvements are in alignment with future improvements envisioned by SDOT staff to the south between Thomas Street and Denny Way. Thomas Street is a 90-foot ROW. Improvements include:

- Moving and realigning the east curb line to provide wider sidewalks, new plantings and street trees;
- Preserving existing street trees where possible, and

- Providing pedestrian-scale lighting, benches, and wayfinding signs.

The public benefit proposal from SCL is focused on the street environment around the site. The proximity of the substation to the Seattle Center means that there will be always be community members walking and biking to the activities and amenities at the Seattle Center and in the neighborhood. The Seattle Center is already an active and well-loved public space that is preparing for renovation of the Key Arena and a growth in sports and other activities. The zoning changes in the area are intended to encourage residential development and its resulting increase in new neighbors walking and biking to the numerous restaurants and community and cultural facilities in the area. The addition of pedestrian and bicycle amenities is an appropriate focus that supports other City plans in the neighborhood.

### **RECOMMENDATION**

It is recommended that the vacation be granted upon the Petitioner meeting the following conditions. The Petitioner shall demonstrate that all conditions imposed by the City Council have been satisfied and all fees paid before passage of the street vacation ordinance.

1. The vacation is granted to allow the Petitioner to build a project substantially in conformance with the project presented to the City Council and for no other purpose.
2. All street improvements shall be designed to City standards, as modified by these conditions to implement the Public Benefit requirements and be reviewed and approved by SDOT through a Street Improvement Permit.
3. No utility issues were identified. As the development move forward, if any unanticipated utility concerns are identified, SCL will work to resolve any issue to the full satisfaction of the affected utility before the final vacation ordinance is approved.
4. Development activity shall be completed within five years. If development activity has not started within five years of approval of the petition, the vacation shall no longer be valid, and the Petitioner must petition the City Council for a new vacation. If development activity has not been completed within five years, the Petitioner shall petition the Council to extend the term of the street vacation. In order to insure timely compliance with the conditions imposed by the City Council, the Petitioner shall provide the SDOT with Semi-Annual Reports, following Council approval of the vacation. The reports will provide an update on the development activity, schedule, and progress on meeting the conditions. The Petitioner shall not request or be issued a Final Certificate of Occupancy until SDOT has determined that all conditions have been satisfied and all fees have been paid as applicable.
5. It is expected that development activity will commence within approximately 18 months of this approval and the development activity will be completed within 5 years. To insure timely compliance with the conditions imposed by the City Council, the Petitioner shall provide SDOT with semi-annual reports, following Council approval of the vacation. The reports will provide an update on the development activity, schedule, and progress on meeting the vacation conditions. The Petitioner shall not request or be issued a Final Certificate of Occupancy for the

improvements until SDOT has determined that all conditions have been satisfied and all fees have been paid as applicable.

6. In addition to the conditions imposed through the vacation process, the project as it proceeds through the permitting process is subject to SEPA review and to conditioning pursuant to various City codes including SEPA.
7. The Petitioner shall develop and maintain the public benefit elements as defined by the City Council. A PUDA or other binding mechanism shall be required to ensure that the public benefit elements remain open and accessible to the public and to outline future maintenance obligations of the improvements. The final design of the public benefit elements shall require the review and approval of SDOT Street Vacations. The public benefit requirements include the following features and corresponding development standards, including approximate square footage dimensions, which shall be outlined in the PUDA as follows:

Public Benefit Features for SCL Broad Street Vacation				
Public Benefit location	Description	Quantity	Code Requirement	Estimated Cost
Thomas Street	Sidewalk & planting area	1,960 SF	No	\$195,000
	Street trees	7	No	
	Pedestrian light fixtures	3	No	
	Benches	4	No	
	Protected bike lanes	460 SF	No	
	Wayfinding signs	2	No	
Taylor Avenue	Sidewalk & planting area	2,060 SF	No	\$290,000
	Street trees	6	No	
	Pedestrian light fixtures	4	No	
	Benches	8	No	
	Bike Racks	1	No	
	Wayfinding signs	1	No	
			<b>Total</b>	<b>\$485,000</b>

Sincerely,

Linea Laird  
 Interim Director  
 Seattle Department of Transportation

LL:bb

Enclosures