



City of Seattle
Edward B. Murray, Mayor

Department of Transportation
Scott Kubly, Director

June 23, 2015

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

**Subject: Joint Petition of GID Development Group and the Seattle Department of Parks and Recreation for the vacation of the alley bounded by Westlake Avenue, 9th Avenue, and Lenora Street in Block 24, Heirs of Sarah A. Bell's Second Addition in the Denny Triangle neighborhood of Seattle
Clerk File 313843**

Dear Councilmember Rasmussen and Honorable Members of the Transportation Committee:

We are returning the joint petition of GID Development Group (GID), now Ninth and Lenora LLC, and the Seattle Department of Parks and Recreation (Parks) for the vacation of the alley described as:

The alley bounded by Westlake Avenue, 9th Avenue, and Lenora Street in Block 24, Heirs of Sarah A. Bell's Second Addition in the Denny Triangle neighborhood of the Downtown Urban Center

Ninth and Lenora LLC has recently acquired GID's interest in the property and will be the developer of the project. However, because GID signed the petition and is the name used throughout the review and public process and the name GID appears on maps and exhibits for the project, the name GID will continue to be referenced as the Petitioner in this recommendation. This is intended to avoid confusion and provide for ease of review.

The alley proposed for vacation includes approximately 2,400 square feet of right-of-way.

BACKGROUND

This vacation petition is unusual as it is a joint petition from the property owners on each side of the alley, each is petitioning to vacate the alley and acquire the alley for separate development proposals. GID, the property owner to the north, proposes to develop a residential tower. GID does not need the vacation in order to develop its residential tower and will not be building on the vacated right-of-way. Parks, the property owner to the south, proposes to develop a public

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park. While the two projects are separate, GID and Parks have worked closely together to coordinate the proposals and enhance the public park.

The alley is located in a triangular shaped block that is bounded by Lenora Street, Westlake Avenue, and 9th Avenue. The 16-foot wide, 150-foot long alley lies between the properties owned by GID and by Parks and runs east/west between Westlake Avenue and Lenora Street. The property is zoned Downtown Mixed Commercial (DMC) 240/290-400, this zone allows 240 feet in height for office uses, 290 feet in height for residential uses, and up to 400 feet in height with the use of bonus provisions in the Land Use Code. The project site is within the Denny Triangle Urban Center Village which is roughly bordered by Denny Way on the north, I-5 on the east, and 6th Avenue on the south.

The GID property is bordered by two designated Green Streets; 9th Avenue and Lenora Street. The Park property borders on one Green Street, Lenora Street.

REASON FOR VACATION

The alley vacation is a key element that will both expand the future park and enable a GID project design that compliments the park. Vacation of the intervening alley right-of-way allows a seamless connection between the public park and the residential tower without typical alley uses such as services and garage access dividing the two uses. The GID project proposes that its building lobby glass and some retail uses will be oriented towards the park for activation, engagement, and “eyes on the park”. With the vacation, GID will provide pedestrian oriented uses and improvements along the façade facing the park. The driveways, trash, loading, and transformers will be located away from the park.

Parks will gain additional square footage for the new park with the alley vacation as well as the ability to design and develop the park up to the edge of the GID property without accommodation for the standard alley functions.

Without the alley vacation the opportunity for cooperation and complimentary designs between GID and Parks would be lost. The alley would continue to be used for vehicular traffic and services and would act as a barrier between the GID residential tower and the new park rather than an opportunity for pedestrian amenities and increased public space and park uses.

PROJECT DESCRIPTION

Park parcel: Parks acquired the parcel addressed as 2100 Westlake Avenue in 2008 for the development of a new neighborhood park. The parcel was the site of Enterprise car rental and is sometimes referred to as the Enterprise site. The parcel is approximately 8,722 square feet in size and is triangular in shape within a triangular shaped block. The Parks triangle borders the alley proposed for vacation and the GID parcel to the north, Lenora Street to the east, and Westlake Avenue to the west. The site is currently vacant but includes a one-story underground garage accessed through the alley. The park site has a grade change of approximately 10 feet across the site from east to west.

Parks received a \$150,000 contribution from a public benefit requirement related to the Amazon alley vacations at Blocks 14, 19 and 20. This money was dedicated for the design process for the proposed park and in 2014 Parks began the public process to develop the design plan for the park. Parks held community meetings and stakeholder sessions to establish priorities for the park and consider design options. Parks also began working with GID to develop a collaborative vision for the development of the park and the vacation of the alley. The park is currently at the conceptual design level.

Parks has estimated that the total probable cost for the park is approximately \$3,963,531. The scope of work for the park includes: demolition of the parking garage, filling the site to design grade, completing street improvements, and building the park. The park potentially includes the following main features: grand staircase, play features, hillside slide, water play, open lawn space, gathering areas, artistic feature, plantings, lighting, and utilities.

The probable costs include total project costs from planning through final construction inclusive of outreach, consultant fees, permitting, project management, construction contracts, etc. The costs also include escalation for 2.5 years, design and construction contingency, and sales tax.

It is anticipated that the GID portion will be developed first and GID will use the Park property for staging for its construction work. GID will demolish the existing parking garage building and grade the park property to Park's specifications in connection with its use of the park property for staging. The lease agreement with GID is one source of funds for the development of the Park. All of the funding is not currently identified and Parks has indicated there is a \$2M shortfall on the project.

Parks has identified the following funding to date:

\$750,000	Park District Funding
\$150,000	Public Benefit from Amazon alley vacations
\$25,000	GID public benefit for this proposed alley vacation (enhance the edge)
<u>\$996,030</u>	<u>Lease agreement for GID use of park property during tower construction</u>
\$1,921,030	Total

With projected project costs of approximately \$3,963,531, Parks has a deficit of \$2,042,501 for the development of the project. Parks has indicated it plans to request that the City Council dedicate the vacation fee from the GID alley vacation to the development of the park.

The design proposal for the park is to create flexible space that can be shared by various user groups and accommodate special events. In particular Parks has indicated that the community has prioritized the goals of: seating and places to eat; art; events; landscape, and safety/security and accessibility.

The park may include the following design elements:

- Elevated Lawn: an elevated, high performance lawn is planned facing Westlake Avenue. It is bordered by seat walls on three sides and allows for multiple activities and events.

- Hillclimb: a terraced hillside with a meandering access stair makes up the 10-foot grade change between Lenora and Westlake. The hillclimb allows for a variety of seating/gathering opportunities, play elements such as a slide and interactive water element and plantings.
- Retail Plaza: a level area adjacent to the GID development has been planned to allow for an outdoor retail area to strengthen the connection and further activate the park.
- Upper Plaza: a level area between the GID residential lobby and the Hillclimb offers an elevated view of the park and Westlake Avenue and includes seating and gathering space.
- Art: the corner of Westlake and Lenora has been identified as a location for significant public art. Historically this has been the location for vertical signage related to the car dealership.
- Right-of-way improvements: Subject to SDOT approval, explore the feasibility of increasing pedestrian space and limiting on-street parking.

GID parcel: GID proposes to develop a residential tower on its parcel which is a more standard rectangle within the triangular shaped block. The GID rectangle borders on 9th Avenue to the north, Lenora Street to the east, the alley and the Parks parcel to the south. In addition, the GID parcel borders a private parcel to the west. This private parcel does not abut the alley and is outside of the proposed project boundaries. This private parcel is also a triangle and borders on 9th Avenue to the north, the GID parcel to the east and Westlake to the west.

The GID parcel has about a 13-foot grade change from the northwest corner to the southeast corner. The proposed building will be 44 floors of concrete construction from grade to top of mechanical penthouse. This includes 42 above-grade residential and amenity floors. One ground level with retail, lobby and back of house spaces, one leasing office level, one amenity/residential terrace at level 6, 38 floors of residential apartments and one rooftop amenity. The project is proposed to contain 396 residential units. The parking will be provided in a below-grade garage with seven levels and a total of 234 stalls. All service functions are provided within the parking garage. Access to the service area and the parking will be provided from 9th Avenue. The project will include approximately 610,000 square feet of developed area including 7,800 square feet of retail.

The main entry to the building will be on Lenora Street adjacent to the proposed Hillclimb. The residential tower has been designed to have apartment balconies and building amenity space that look out over the proposed park. A combination of retail and public space is proposed in the vacated alley right-of-way.

Parks and GID are proposing that the vacated right-of-way be divided in a non-standard way. Following a vacation the right-of-way is normally divided at the center line of the right-of-way and ½ half of the right-of-way is vacated to the abutting property owners. Parks and GID would like to divide the right-of-way differently and propose that Parks acquire the eastern portion of the vacated area to accommodate the Hillclimb and stairs and GID acquire the western portion of the right-of-way to provide more space for activation adjacent to the development. While it may be possible to address this in the final vacation ordinance, this property distribution may require a separate subsequent real estate transaction between the two property owners.

This non-standard property distribution is reflected in the proposed use of the right-of-way and shown on the site plans and exhibits.

CIRCULATION/ISSUE IDENTIFICATION (NOT ISSUE RESOLUTION)

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

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

The following comments were received:

City Departments

Seattle Fire Department (SFD): SFD has no objection.

SDOT Street Use –Public Space Management: There is an existing tunnel in this alley authorized under Ordinance 123795. The term permit annual fee will continue to bill until the street vacation is finalized or the tunnel is removed, whichever comes first. After which time, the ordinance will be closed and the bond released.

GID/Parks response: we are aware of the tunnel and will decommission prior to the finalization of the vacation.

SDOT Policy and Planning: Thank you for the opportunity to comment on the petition to vacate the alley in the block bounded by Westlake Avenue, and 9th Avenue in the Denny Triangle area. We have a few questions and comments regarding the proposed alley vacation:

- We would like to see more complete design details for the proposed pedestrian way connecting Lenora Street and Westlake Avenue, including dimensions, materials, lighting, potential stairs/landings, landscaping, and any other pedestrian amenities and/or street furnishings. We do not feel that we have enough information regarding the design of this space to fully comment or accept that this is part of the public benefit package at this time.
- Will the materials/furnishings within the proposed pedestrian way be consistent with those used within the open space within the GID property such that both areas “read” as a unified, publically accessible space?

- We would like more information regarding how the proposed GID project and park will interface with the pedestrian way (the drawings provided by GID and those provided by Parks do not appear to be entirely consistent each other regarding the treatment of these edge conditions). We would like the design of both the park edge and the edge of the GID project to maximize permeability to and from the pedestrian way, and limit the use of long, non-permeable retaining walls to the greatest extent possible.
- We would like more information regarding how the proposed pedestrian way and the open space shown generally north of the pedestrian way within the GID property will be managed (e.g., will full public use be granted?).
- How will the open space shown generally north of the pedestrian way within the GID property be activated? While the lobby entrance will front this open space, the adjacent retail uses are currently shown as accessed off of Lenora Street. We suggest providing additional retail access directly off of the open space to activate the space and the adjacent park.
- Please verify that proposed sidewalk/pedestrian improvements reflect the Westlake & 7th Avenue Design Concept Plan. Right-of-way improvements outlined in that plan but not currently illustrated in the applicant's site plan include:
 - Curb bulbouts at Westlake & Lenora, both along Lenora and Westlake, to shorten pedestrian crossings to the proposed park.
 - New pedestrian crosswalks at Westlake/ Lenora (crossing Westlake and crossing Lenora) to safely access the new public park.
 - Special paving on Lenora Street to extend the open space experience and create a pedestrian-oriented street.
- Bicycle Parking: How will bicycle parking be accommodated for both the proposed GID project and for the proposed park? Are any Bike Share kiosks proposed for the area?
- Has the applicant considered ADA accessibility in the design of the new pedestrian way, particularly given the slope?
- Has the applicant reviewed the feasibility of freight/delivery access from 9th Ave.? (e.g., do existing/proposed curb radii allow for turn movements onto 9th from Westlake or Lenora?)

GID/Parks response: this letter made comments regarding early details on the project. In meetings between SDOT and DPD and presentations to the Design Commission, these topics were discussed and evolved. Ultimately, after nine months of additional meetings, discussions, and Design Commission meetings, the Design Commission took these and other comments into account in recommending approval of the proposed alley vacation, including the public benefit package.

SDOT Roadway Structures: No concerning issues to the vacation of the alley. The areaway that appears to encroach into the building is considered private and I believe the designer will consider assessment of its condition.

Department of Planning and Development (DPD): This memo is in response to a request for comments dated June 13, 2014, regarding the alley vacation proposed by GID Development Group and Seattle Department of Parks and Recreation (Parks). The proponents have requested vacation of the alley between a private development site (GID) and a proposed triangular park

parcel. The Petitioner has indicated in application materials that the proposed vacation would eliminate a dead end alley adjacent to the private parcel, face and abut the future park with supporting uses in the development, and provide half the vacated alley area to the park and half to the GID project.

DPD-Applicable Street Vacation Policies and DPD Responses

Policy 1: Circulation and Access;

Guideline 1.1 - Protection of Circulation and Access According to Street Classification.

F. Alleys. [DPD regulates the location of street curb cuts via the land use code]

1. The primary purpose of alleys is to provide access to individual properties for loading functions and to provide utility corridors and access to off-street public services such as water, sewer, solid waste and electricity. In addition, alleys may provide other public purposes and benefits including pedestrian and bicycle connections, and commercial and public uses. Alleys should be retained for their primary purposes and other public purposes and benefits. Alley vacations may be approved only when they would not interrupt an established pattern in a vicinity, such as continuity of an alley through a number of blocks or a grid, which is a consistent feature of neighborhood scale.

DPD Comments: The adjacent development proposal by GID (MUP #3016305) has gone through the EDG phase before the Downtown Design Review Board (DRB), where the preliminary ground floor plans were carefully reviewed. The proposed development accommodates all parking, loading and service access needs via a street curb cut off the adjacent 9th Avenue. This frees up the entire alley facing façade for uses and a design treatment that supports the future abutting park. The existing alley is a fragment, not part of a continuous neighborhood pattern; the public alley does not continue to the north across diagonal Westlake Avenue or to the south across Lenora Street.

4. Downtown. The following criteria will be considered for specific downtown alley vacation petitions: a) may be vacated only when their loading, service and access functions can be continued within the development site, and curb cuts are provided in conformance with the Comprehensive Plan and the Land Use Code.

DPD Comments: At the EDG meeting, the DRB endorsed the proposed parking and loading access location on 9th Avenue, with guidance to reduce the curb cut width and street presence, and to ensure the landscape continuity of the adjacent 9th Avenue Green Street treatment. The access curb cut has been reduced and the streetscape design has been revised and both appear to be code compliant and consistent with applicable land use code provisions.

Policy 4: Land Use;

Guideline 4.1 - Land Use Considerations

To determine whether the land use effects of vacation are in the public interest, the following factors will be considered:

A. The long-term and short-term effects of the changes in development potential directly attributable to the vacation on the circulation, access, utility, light, air, open space and view functions of nearby streets and nearby public places;

C. In commercial and residential zones, the compatibility of the size, scale and character of potential development with the size, scale and character of both existing development in the area and development provided for by the zoning code, given typical lot sizes and configurations;

DPD Comments: The GID Development proposal is limited to the exact property lines of the existing private parcel, and with the vacated alley, would not encroach on the alley right of way or gain any additional density, or decrease light, air, or open space. The proposed development potential is not increased in size or scale by the vacation, but the ground floor design treatment is revised to optimize the frontage facing the future park. The proposed development would be consistent with the existing development in the area and provided by the zoning code.

Guideline 4.2 - Land Use Information

D. If an EIS is not required, the Petitioner shall provide a traffic analysis, a completed Environmental check list and any other information as requested by the City. The project will not be forwarded for City Council review until all requested information has been provided and reviewed by City staff.

DPD Comments: The GID Development proposal has been submitted for MUP review, including an Environmental checklist, traffic analysis, and other required information. Preliminary DPD assessment of the traffic analysis indicates the proposed parking and loading movements onto 9th Avenue are acceptable, but detailed evaluation is continuing.

Guideline 4.6 - Zone Specific Review

A. Downtown: Petitions for vacations of right-of-way in the downtown area shall be reviewed according to the Comprehensive Plan, particularly its land use, urban village, transportation and neighborhood elements of the plan and other relevant adopted plans or goals.

DPD Comment: The site is within the Downtown Urban Center, zoning is Downtown Mixed Commercial (DMC 340/290-400) and the Denny Triangle Neighborhood Plan. Denny Triangle Neighborhood Plan policies in the Comprehensive Plan that relate to this proposal include:

Land Use - Policy P3: Support creation of 'residential enclaves' of predominantly residential development along key green street couplets...identifiable as residential neighborhoods by small parks, improved streetscapes, retail functions and transportation improvements that support neighborhood residents and employees alike.

DPD Comments: The proposed residential project, and another under construction on Lenora Street, would frame the triangular park and become a model 'residential enclave' centered on the new park. Both Lenora Street and 9th Avenue are being improved as lush green streets, further reinforcing this policy.

Urban Form – Policy P2: Encourage redevelopment of small triangular parcels as neighborhood gateways, and P3: Encourage the creation of new open spaces...

DPD Comment: Removing traditional alley functions (such as loading, trash pick-up, parking movements) from one side of the future park, ensures a more pleasant and peaceful environment for park users. The proposed uses and architectural treatment along that park frontage are transparent and active, and would activate the park with human activity and informal 'eyes on the park' security.

Urban Form – Policy P5: Support redevelopment of Westlake Boulevard as a boulevard.

DPD Comment: Removing alley vehicle movements and the associated curb cut onto Westlake Blvd, ensures better landscape continuity of that boulevard segment, and improves pedestrian safety. Because of the diagonal alignment, any curb cut would be a wider interruption than typical. The proposed building design has a tall, transparent storefront facing the approximate 20 foot portion of Westlake, which wraps into and along the alley, creating an activating and well lit building edge that supports Westlake and the park. These attributes would be significantly compromised if the alley was not vacated, and typical loading, service, parking functions were to be operating onto Westlake and visible to the park.

Conclusion and Summary

DPD recommends that the requested alley vacation be granted, assuming the current building and streetscape design continues and it is endorsed by the future Design Review process. This may include certain DRB design review conditions on the GID proposal relating to the Green Street landscape continuity on 9th Avenue, façade materials and design treatment along 9th Avenue, and façade materials, activating uses and design treatment of the south façade abutting the future park frontage.

GID/Parks response: the memo from DPD was drafted after Early Design Guidance (EDG) and before the recommendation meeting. The memo concludes support for the vacation with the caveat that the project proceeds through Design Review. The Design Review process has now been completed and the Master Use Permit (MUP) has been issued consistent with conditions from Design Review.

Seattle City Light (SCL): SCL has only one underground service line within the proposed vacate area. As the entire block will be rebuilt, this service line will be relocated or removed at the time of the project's construction. We do not need rights reserved in the proposed vacate area and have no objection to the proposed vacation of the alley. Thank you for the opportunity to review this project.

GID/Parks response: no further response required.

Seattle Public Utilities (SPU): Seattle Public Utilities (SPU) has reviewed the proposed vacation, and has the following comment:

SPU Sewer & Drainage: The existing alley slopes down from Westlake Ave to several feet below the current street grade of Lenora St. It is O.K. to vacate the alley. SPU has no existing or future plans for sewer and drainage infrastructure in the alley. It is not clear in the vacation request whether or not Parks Department is taking their half of the alley. If yes, the Parks Department need to know that filling in the closed contour alley at the time the property is being developed is highly recommended for proper drainage.

SPU Water: Seattle Public Utilities, Utility System Management, drinking water division has no water facilities and no future extensions that appear to be affected by this street vacation.

Recommendations: Seattle Public Utilities has no conditions for this street vacation, and no objections to the request for the vacation of the Alley between Westlake Avenue, 9th Avenue, Lenora Street in Block 24, Heirs of S. A. Bell's Second Addition; Clerk File 313843.

GID/Parks response: no further response required.

Seattle Design Commission: 9/18/14 The Design Commission thanked the project team for the presentation of urban design merit for the joint petition from GID and Seattle Parks and Recreation to vacate the alley between Westlake Ave and Lenora St in the Denny Triangle. The Commission appreciated the clarity with which the team explained the context of and rationale for the proposed vacation. The level of coordination between the co-applicants and its potential to yield a vibrant new urban park was particularly encouraging.

The Commission agreed that the fundamental function of the alley is limited and recognized that the vacation will be an improvement over existing conditions. The Commission believed the proposals from GID and Parks warrant vacating the alley and, above all, saw merit in developing a stronger pedestrian connection between Lenora St and Westlake Ave.

With a vote of 7 to 0, the Design Commission approved the urban design merit for the alley vacation at 9th Ave and Lenora St with the following comments and recommendations:

- The Westlake & Lenora Park will create a valuable neighborhood open space and play an important role in the larger context of new development in South Lake Union and Denny Triangle.
- Maintain a high level of coordination between Parks and the private development to activate the park and strengthen its design. We commend the project teams on their collaboration and recognize its value in details like the proposed Parks storage space in the GID development.
- Continue to activate all three edges of the site. The attention given to Lenora St in the proposed design is encouraging.
- Ensure that visitors will understand the public nature of the park through its design

relative to the adjacent residential tower. Westlake & Lenora Park should not set a precedent of public parks serving primarily as a foyer for private development.

- The retail is well placed given the grade change between Lenora St and Westlake Ave.

Urban design merit is the first of two phases that the Design Commission considers in its evaluation of a proposed alley vacation. The second is public benefit, which the Commission anticipates reviewing in the near future. Approval of both urban design merit and public benefit constitutes a recommendation from the Design Commission to the Seattle Department of Transportation to approve the vacation petition. The ultimate decision to vacate the alley lies with the City Council. The Commission will also review Westlake & Lenora Park separately as a Capital Improvement Program (CIP) project.

3/19/15 The Design Commission thanked the project teams for the public benefit presentation for the petition to vacate the alley in the block bounded by Westlake Ave, 9th Ave, and Lenora St in the Denny Triangle. The Commission appreciated the collaborative approach this project demonstrates and the potential for a new approach to activating City parks where there is adjacent private development.

With a vote of 7 to 0, the Commission approved the public benefit package for the alley vacation petition consisting of the following items:

SEATTLE PARKS AND RECREATION

Public benefit item	Description	SDC comments
Expand and construct Westlake & Lenora Park	Parks will construct Westlake & Lenora Park.	The alley vacation allows for an additional 1,200 square feet of parkland; the proposed alternative approach to the future property line (discussed below and shown in Figure 1) adds an additional 175 square feet of parkland. This is a roughly 15% increase to the adjacent 8,722-square-foot Parks parcel.
Expand events and programming	Inclusion in the weekday Buskers Program Monitoring by Parks' downtown concierge circuit Inclusion in Imagination Playground and other children's activities on select weekends Purchase of additional equipment	The aforementioned additional parkland allows the park to accommodate more people and Parks to program the site at a higher level. The storage area provided by GID (discussed below) further increases opportunities for programming.

GID		
Public benefit item	Description	SDC comments
Storage area for Parks	GID shall provide an approximately 240-square-foot storage space adjacent to Westlake & Lenora Park.	This space is for Parks' use to store equipment and furniture for events, programming, and maintenance and shall be designed in coordination with Parks in order to meet its needs and will be available for Parks' use for the life of the project.
\$25,000 contribution to Parks	This contribution shall fund enhancements to the park edge.	These improvements go beyond the Design Review Board-approved design for the treatment of the wall on this edge. GID shall use this contribution to ensure the park edge reads as a public zone and not as a space associated with the adjacent residential tower.
Allocation to Parks of additional 175 square feet of vacated alley area	As a result of the proposed alternative approach to the future property line, Parks will acquire 175 square feet of additional property than if the new property line followed the currently alley center.	

<p>Commitment to a street-activating use in the ground-level space adjacent to the park</p>	<p>GID commits to utilizing the space adjacent to the park as a street-activating use.</p>	<p>While the Commission generally does not recognize a use as a valid public benefit item, in this case the Commission believes that a street-activating use increases interactivity between park and space. This commitment should encompass the full range of street-activating uses.</p> <p>A condition of this public benefit item is a provision recorded in the property use and development agreement (PUDA) for ongoing and regular meetings and coordination among the tenant, the owner or property manager, and Parks to ensure the relationship between the commercial space and the park is successful. If SDOT cannot recommend that item this be included, the Commission recognizes the street-activating use as fundamental to the success of the park.</p>
<p>Green Street improvements on 9th Avenue</p>	<p>1,620 square feet of additional planting and 650 square feet of additional paving beyond code requirements.</p>	<p>Though not included in the originally proposed public benefit package, the Commission recognizes the additional streetscape improvements along 9th Ave as enhancements to the public realm.</p>

The Commission also recognized the merit of the proposed alternative approach to dividing the vacated alley area among the co-petitioners and supported this legal demarcation. The Commission found this approach a better response to the circumstances than adhering to the centerline division of the alley.

This is the last time the Commission expects to review the alley vacation petition. Approval of both the urban design merit and public benefit phases constitutes the Commission's recommendation to SDOT that the vacation petition be granted. The City Council makes the final decision whether to vacate the right-of-way.

The public benefit items listed above reflect the presentation materials from March 19, 2015. If any of the items change or are found infeasible for any reason, the Commission requests that SDOT re-refer the petition to the Commission for additional review.

Outside Agencies:

CenturyLink (formerly Qwest Communications): 6/17/14 Jeff Lawry: This letter is in response to the notice for the above referenced vacation. Please be advised that Qwest Corporation (d/b/a CenturyLink) currently has facilities in the area addressed by this action and wishes to retain any and all rights to remain in said area and to add facilities in the future as needed.

At this time, Qwest (d/b/a CenturyLink) has no issues with the proposed vacation so long as provisions are made to retain our rights by means of explicit language granting to "Qwest Corporation d/b/a CenturyLink QC and its successors" rights that will cover our existing & future facilities.

6/18/14 Jack Oakley: CenturyLink has facilities in the alley proposed for vacation for the project at 2101 9th Ave. Those facilities serve 2101 9th Ave (slated for demolition and redevelopment) and 2120 Westlake Ave (the northern tip of the triangle and to remain). It is our understanding from working with GID Development Group that they will be placing a 264TA vault in the sidewalk on the east side of Westlake Ave to intercept those facilities and sweep them north away from the alley. If that goes as expected we would not have any opposition to the vacation of the alley.

GID/Parks: *GID has already installed the referenced transformer in the sidewalk on the east side of Westlake Avenue to intercept the CenturyLink services.*

King County Transit: Comment for this alley vacation (Alley Vacation Petition Westlake, 9th and Lenora CF 313843): Metro Transit operates on one side of this proposed development: route 98 (South Lake Union Streetcar) both directions on Westlake Ave. Routes 40 & 62 northbound turns from Blanchard St onto Westlake Ave, at the intersection of Blanchard, Westlake Ave and 9th St. For information concerning notification requirements should construction impact transit, Contact Metro Construction Information Center (CIC) at 206-477-1140.

King County Wastewater Treatment: We have no existing WTD facilities within the vicinity, thus, no property interest at this site at this time.

Puget Sound Energy (PSE): There are no PSE facilities located in that alley vacation area.

Community Comments:

South Lake Union Community Council President Mike McQuaid: I am writing on behalf of the South Lake Union Community Council (SLU Community Council). The proposed vacation is located just to the south of the SLU neighborhood. The applicants presented this vacation to the SLU Community Council at its meetings in April and July 2014. The SLU Community Council supports the proposed vacation.

The vacation will contribute to the development of the new park at Westlake and Lenora. With the alley vacation, the Parks Department has started design of the park. The developer of the adjacent residential project will demolish the existing parking garage and grade the property. The park itself will be expanded with the addition of a portion of the former alley. This new park will provide high quality usable public open space in this area.

The vacation will also create a new "pedestrian promenade" in the location of the former alley, which is currently a dead-end alley that is not pedestrian friendly.

Finally, the vacation will enable the proposed residential project and park to be designed in a cooperative fashion. The project will provide retail uses on the park frontage, an architectural or lighting treatment on the building wall facing the park, and both the project developer and Parks Department will pay close attention to the design of the area between the two uses.

Accordingly, the City should approve this vacation.

GID/Parks response: no additional response required.

Denny Triangle Neighborhood Association: On behalf of the Denny Triangle Neighborhood Association, I am writing in support of this alley vacation. The applicants presented this vacation to the DTNA at its meetings in April and again to our executive committee in August 2014. The vacation provides several significant benefits to the neighborhood, AND is consistent with goals and objectives in the Denny Triangle Neighborhood Plan including:

- **New Park.** The vacation will facilitate development of the new park at the corner of Westlake and Lenora. As a neighborhood association we are excited to see this former car rental business converted to a park, which will provide an attractive usable public space for community members to gather, socialize, have lunch, and enjoy the outdoors.
- **New Pedestrian Connection.** The alley is currently closed at one end and not pedestrian friendly. The vacation will open up the alley and connect it to the new park, creating a new through-block pedestrian connection.
- **Park Friendly Design.** With the elimination of the alley, the residential building proposed adjacent to the new park will be designed to complement the park. This will include retail uses along the park frontage, architectural or lighting treatment on the wall of the building facing the park, and attention to the transition between the building and park.

For these reasons, we encourage the City to approve this vacation.

GID/Parks response: no additional response required.

POLICY FRAMEWORK

Street vacation decisions are City Council decisions as provided by State statute and have not been delegated to any City department. There is no right under the zoning code or elsewhere to

vacate or to develop public right-of-way. Vacation of public right-of-way requires discretionary legislative approval that must be obtained from the City Council, and the Council may not vacate public right-of-way unless it determines that to do so is in the public interest. The decisions must assure that potential development and use of the vacated right-of-way is in the public interest. The Council may be guided by adopted land use policies, but the Council is not limited by land use policies and codes in making street vacation decisions and may condition or deny vacation as necessary to protect the public interest.

Rights-of-way are dedicated in perpetuity for use by the residents of Seattle for purposes of public travel and transportation of goods. The dedication carries with it certain public rights to circulation, access, utilities, light, air, open space, and views. City government acts as the public's trustee in administering streets and alleys. The City Council first adopted Street Vacation Policies in 1986 in Resolution 27527. A few sections of the policies were revised in 1991 in Resolution 28387, 1993 in Resolution 28605 and in again in 2001 in Resolution 30297. Significant revisions were made to the Vacation Policies in 2004 in Resolution 30702. The Policies were again amended in 2009 in Resolution 31142 and the Policies are currently contained in Clerk File 310078.

ANALYSIS

The City's Street Vacation Policies provide that vacation requests may be approved only when they significantly serve the public interest. The Street Vacation Policies provide for a three-step review of any vacation petition in order to determine if the vacation is in the public interest.

The Policies define the components of public interest as:

1. Protection of the public trust;
2. Protection from adverse land use impacts; and
3. Provision of public benefit.

The Street Vacation Policies provide that during the review of the petition, the public trust and land use effects of a vacation should be weighed against the mitigating measures and the public benefits provided by the vacation to determine whether the vacation is in the public interest. In balancing these elements of the public interest, primary importance should be placed upon protecting the public trust in rights-of-way.

Protection of Public Trust: The Policies define the public trust functions of rights-of-way as being circulation, access, utilities, light, air, open space, and views. Policy 1 of the Street Vacation Policies addresses the basic purpose of streets. Streets are created to provide for the free movement of people and goods throughout the City, to provide access to individual properties, and to provide space for utility services.

Through the vacation process, an adjacent property owner acquires public street right-of-way for private use or development purposes. Since the vacation is generally about the loss of some portion of a street, the review process must evaluate the loss of that street segment. The review normally looks at the impact on the grid pattern in the area, the impact on the provision of utility

services, how the circulation pattern is altered and how that affects pedestrians, bicyclists, vehicular movements, emergency services, and commercial activity.

Transportation Impacts: Alleys are intended to provide for access to adjacent properties, to provide for service functions such as loading bays and access to parking and to provide space for utility infrastructure. In reviewing alley vacations the critical question is whether the vacation pushes traditional alley functions out onto the street or otherwise impairs the function of the adjacent streets. This alley is not part of a longer network of alleys and there is no public alley to the east or west of the site. There is a grade change in the alley that makes alley improvements to connect the alley at Lenora Street very difficult. Currently the alley is only accessible from Westlake Avenue. While the alley could continue to provide access to the adjacent properties it is not possible for the alley to provide a greater connection to an alley grid.

Parks will need access to the park site to set up for programs and activities and for routine maintenance work. Parks anticipates using the surrounding street grid for its occasional access needs.

The GID project is being designed so that the typical transportation functions of the alley will continue to be provided internal to the site and not on the public street. Loading bays for service functions and parking will be provided in a below grade parking garage accessed from 9th Avenue. The garage also provides dedicated bicycle storage rooms and private bicycle lockers in the below-grade garage. Bicycle parking for short-term visitors and retail customers and employees is provided by on-street bicycle racks. DPD and SDOT have reviewed and approved the proposed vehicle access on 9th Avenue as a Type 1 land use action.

A Transportation Analysis prepared by GID in May of 2014 provided the following findings:

- The proposed project would develop up to 405 residential units and 6,600 square feet of ground floor retail.
- The development is anticipated to generate 1,100 net new vehicle weekday daily trips, with 103 occurring during the weekday PM peak hour.
- Project traffic would represent approximately three percent or less of the 2017 weekday PM peak hour traffic volumes at all off-site study intersections. At the access driveway serving the project, traffic generated by the development is anticipated to account for approximately 23 percent of the total traffic.
- All off-site study intersections would operate at LOS D or better during the weekday PM peak hour with minimal increases in average vehicle delay caused by adding project related trips to the roadway network. No off-site intersection improvements are required based on the project's impact to operations.
- Access to the proposed parking garage would be provided on 9th Avenue ..., during the weekday PM peak hour, the access driveway intersection on 9th Avenue would operate acceptably at LOS C.

- The transportation concurrency analysis indicates that with traffic generated by the project, the screen lines would have vehicle clearance ratios that are less than the City level of service threshold and concurrency requirements would be met.
- The proposed parking garage with up to 268 parking stalls would fully accommodate the anticipated residential and retail peak parking demand of 238 vehicles.

The traffic analysis did not recommend additional mitigation measures. SDOT does not find adverse transportation impacts from the proposed vacation.

Utility Impacts: In addition to the transportation purposes, street rights-of-way provide space for utility lines and facilities. The vacation review must consider the impact on any public utilities; both current and future impacts must be assessed. If any utilities are located in the right-of-way, it must be possible for the utility to relocate or terminate those facilities or the vacation is not feasible. The utility should not be negatively impacted in its ability to deliver services, now or in the future, to access its facilities for repair or maintenance, or to update or expand services. Any proposal to relocate or alter utility services must be satisfactory to the utility provider and the costs to accommodate the utility needs are the obligation of the Petitioner.

Utility relocations in the downtown area are becoming more challenging as the City grows. Relocating utilities to the street edge means that the utilities compete with other public elements that are located at the street edge such as planting strips, street trees, parking or loading areas, bus stops or the cycletrack.

Most of the alleys in the downtown core run north/south and provide space for public utilities that is hard to replace. This particular alley runs east/west and is not part of a connected grid of alleys. In addition, the grade change limits the use of alley and the existing utilities in the alley only serve the adjacent buildings that will be demolished. Only two utilities have facilities that need to be accommodated and GID has provided for the relocation of the utility facilities.

CenturyLink has identified that it has facilities in the alley and has commented that the proposed 264TA vault to be located on the east side of Westlake Avenue can intercept its facilities and provide for its needs.

Seattle City Light (SCL) has also identified that it has one vault in the alley that will be relocated with the new development. SCL does not object to the vacation and will not require an easement for the alley.

The vacation should be conditioned to require that utilities located within the alley are relocated or abandoned to the satisfaction of the impacted utilities prior to the completion of the final vacation ordinance.

Light, air, open space and views: Because street right-of-way is open and undeveloped, streets and alleys can have value as open space and can be important view corridors. Streets can provide important breathing space in dense urban areas. This alley runs east-west in orientation and 16 feet in width and approximately 150 feet in length. The alley is not part of a larger grid of

continuous alleys. While the alley is open and the public could access the space, the alley does not provide for public views and does not provide for important open space on the block.

Following the vacation, a public park will be developed that will provide important public space in an area that is rapidly developing. Parks plan for the space includes a variety of design elements to appeal to a range of users and provide programming associated with an urban plaza. GID proposes to develop retail and other elements to complement and enhance the use and activity level of the park. The block will have significantly more open space after the vacation than if the block was developed around the existing alley.

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

It is also important to assess whether the loss of the alleys creates building sites that allow for projects that are out of scale with the area. This area is zoned as Downtown Mixed Commercial (DMC) and the Seattle Municipal Code (SMC) provides in Chapter 23.34.108 that the designation of the DMC zone is appropriate in 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 SMC also notes that this zoning designation is appropriate to provide a physical transition between more intensive commercial areas and surrounding lower scale uses.

This neighborhood is experiencing rapid growth with a number of residential and office towers under construction or in the planning stage. The height and scale of this project is similar to other new proposals in this zone and slightly smaller than the 500 foot towers under development in the DOC 2 zone Westlake Avenue. The GID proposes to develop a residential tower that will provide 430 residential units in a 44-story tower. This is consistent with the zoning designation and with other development in the area.

Most vacations are sought to increase the size and development potential of a piece of property. Sometimes the vacation is sought for flexibility in how the site is developed. The GID petition is unusual if not unique in that the developer did not need to increase the size of the site or how the site was to be developed. GID is seeking the vacation mainly to support the development of the adjacent park. While GID does benefit from a residential tower that fronts on a park rather than an alley, the residential tower is not increased or altered in anyway by the vacation. As DPD noted in its comments:

The GID Development proposal is limited to the exact property lines of the existing private parcel, and with the vacated alley, would not encroach on the alley right of way or gain any additional density, or decrease light, air, or open space. The proposed

development potential is not increased in size or scale by the vacation, but the ground floor design treatment is revised to optimize the frontage facing the future park.

The residential tower does not include any of the right-of-way and the tower proposal is so separate from the vacation that GID can secure a MUP to proceed with the tower development. The residential tower will proceed with or without the alley vacation. What would be lost without the alley vacation is the seamless connection between the public park and the tower entries and retail and public amenities.

The development of the new public park is a significant addition to the neighborhood. The growth in the area has been rapid and public amenities such as this park are critical elements to the success of the neighborhood. Parks has worked with the community to identify priorities for the park that will be incorporated into the development. In addition, Parks is working actively to program and manage this as an urban plaza to ensure that the park welcomes users of all types.

Parks and GID have been unusually collaborative and the result is a private residential tower that is designed to engage with and watch over a public park and a park that will be an active urban space for many who live and work in the area.

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

Provision of Public Benefit: The Street Vacation Policies note that vacations must provide a long-term public benefit. Vacations will not be approved to achieve short-term public benefits or for the sole benefit of individuals. It is anticipated that the public benefit will include specific and tangible physical elements as the Policies provide that facilitating economic development, meeting code requirements for development or mitigating defined impacts is not a sufficient public benefit.

The Policies provide that there should be a balance between what the public gives up and what the Petitioner acquires through the vacation process. The review should consider the scale of the vacation, the scale of the project, and the identified impacts. If a project is significant in scale, if the vacation is large in size or if the project has significant impacts, then the Policies anticipate that the public benefit proposal must also be significant.

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

The proposal from Parks to develop a public park is a clear public benefit. Open and useable public space in this fast growing area is a great contribution to the public realm. Adding the additional square footage of the vacated alley into the park enhances the space and contributes to the public space.

Evaluating the level of public benefit that should be provided by GID is less clear. GID does not need the vacation. No additional FAR or development rights are being sought. GID is not using any of the alley for its building footprint. While GID has indicated that its motivation for the vacation has been to support the creation of the park, it is clear that the residential tower will benefit from its location adjacent to the park. The vacation of the intervening alley serves both Parks and GID as it creates a place for pedestrian amenities rather than loading bays. The residential tower has been designed to complement the park and there will be balconies and amenity space that looks out over the park. This benefits both sides by creating a great view for the tenants and providing eyes on the park for Parks.

The Policies require that the Petitioner provide some factual information about the project site to assist in the review of the public benefit proposal. The goal of including this information is to help in determining if there is an appropriate balance between what the developer achieves from the vacation and what is provided to the general public.

Public Benefit Matrix

Zoning designation	DMC 240/290-400 in the Denny Triangle Urban Center Village
Street classification	Alley
Assessed value of adjacent property	The land is assessed at approximately \$500.00 per square foot
Lease rates in the vicinity for similar projects	Retail rates vary but range from approximately \$22-\$26 per square foot, NNN. Residential lease rates vary from approximately \$2.70-\$2.90 per square foot per month.
Size of project, in square feet	GID project includes approximately 381,000 sf of residential, 17,300sf of amenity and roof deck, 18,800 sf feet of ground floor retail, lobby and back of house, and 9,700 sf of below grade parking.
Size of area to be vacated, in square feet	Approximately 2,400 square feet
Contribution of vacated area to development potential	GID does not gain any additional floor area or development size from the vacation, the development is within the GID parcel and does not include the ROW.

The public benefit proposal includes the following elements:

SEATTLE PARKS AND RECREATION		
Public benefit item	Description	
Expand and construct Westlake & Lenora Park	Parks will construct Westlake & Lenora Park.	The alley vacation allows for an additional 1,200 square feet of parkland; the proposed alternative approach to the future property line (discussed below and shown in Figure 1) adds an additional 175 square feet of parkland. This is a roughly 15% increase to the adjacent 8,722-square-foot Parks parcel.
Expand events and programming	Inclusion in the weekday Buskers Program Monitoring by Parks' downtown concierge circuit Inclusion in Imagination Playground and other children's activities on select weekends Purchase of additional equipment	The aforementioned additional parkland allows the park to accommodate more people and Parks to program the site at a higher level. The storage area provided by GID (discussed below) further increases opportunities for programming.
GID		
Public benefit item	Description	
Storage area for Parks	GID shall provide an approximately 240-square-foot storage space adjacent to Westlake & Lenora Park.	This space is for Parks' use to store equipment and furniture for events, programming, and maintenance and shall be designed in coordination with Parks in order to meet its needs and will be available for Parks' use for the life of the project.
\$25,000 contribution to Parks	This contribution shall fund enhancements to the park edge.	These improvements go beyond the Design Review Board-approved design for the treatment of the wall on this edge. GID shall use this contribution to ensure the park edge reads as a public zone and not as a space associated with the adjacent residential tower.
Allocation to Parks of additional 175 square feet of vacated alley	Parks will acquire 175 square feet of additional property than if the new property line followed the currently alley center.	

area		
Commitment to a street-activating use in the ground-level space adjacent to the park	GID commits to utilizing the space adjacent to the park as a street-activating use.	A condition of this public benefit item is a provision recorded in the property use and development agreement (PUDA) for ongoing and regular meetings and coordination among the tenant, the owner or property manager, and Parks to ensure the relationship between the commercial space and the park is successful. If SDOT cannot recommend that item this be included, the Commission recognizes the street-activating use as fundamental to the success of the park.
Green Street improvements on 9th Avenue	1,620 square feet of additional planting and 650 square feet of additional paving beyond code requirements.	

The public benefit package contains elements that are clear public benefits and elements that have been accepted by the City Council as public benefits in previous vacations. This includes the development of the park itself, Green Street improvements beyond code requirements, and the payment of \$25,000 from GID to Parks. However, one proposed element of the public benefit plan requires some caution.

GID has proposed that along the edge between the residential tower and the park, it will develop space designed to activate the edge and provide eyes on the park. This street-level use could be anything from gallery space to a variety of retail but it seems clear that the most likely use of the space would be restaurant space with outdoor seating adjacent to the park. This space is ideal for such a use and would be great space for diners to enjoy dinner and the new park. While an active retail edge is important to the enjoyment and the perception of safety in urban spaces, the Street Vacation Policies do not define retail as a public benefit. The City Council has historically been very clear that public space is space where the public is welcome to be without a business purpose or the need to spend any money.

Parks and the Design Commission have both made a strong case that retail, even a restaurant, is a necessary element to the success of the park. The Design Commission in its discussion has stated they believe it is necessary to the success of the park. Parks has also made a very strong case that it needs to program and manage these urban spaces in a different way. They have argued that a more blurred edge between private uses, such as a restaurant or other street-level use, and the public park are necessary to keep the park in active use.

SDOT finds that for these specific facts, the inclusion of retail space as a public benefit is appropriate but this unique fact pattern should not set a precedent for future vacations.

The Street Vacation Policies only require that the public benefit proposal meet the criteria established in the Policies in order to be supported. However, this project should be recognized as a unique collaboration that benefitted GID but greatly benefitted Parks in the creation of a new urban park.

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, 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 Transportation Committee in June of 2015.
2. All street improvements shall be designed to City standards, as modified by these conditions to implement the Public Benefit requirements, and be reviewed and approved by the Seattle Department of Transportation; nonstandard elements will require a Street Use Permit and indemnification agreement; elements of the street improvement plan and required street improvements to be reviewed include:
 - Street improvement plan showing sidewalks, street trees, bike racks, street furniture, lighting, art or artist-made elements, and landscaping around the site.
3. The utility issues shall be resolved to the full satisfaction of the affected utility prior to the approval of the final vacation ordinance. Prior to the commencement of any development activity on the site, the Petitioner shall work with the affected utilities and provide for the protection of the utility facilities. This may include easements, restrictive covenants, relocation agreements, or acquisition of the utilities, which shall be at the sole expense of the Petitioner. Utilities impacted include:
 - Seattle City Light; and
 - CenturyLink Communications.
4. It is expected that development activity will commence within 18 months of this approval and that development activity on all three phases will be completed within five years. In order to insure timely compliance with the conditions imposed by the City Council, the Petitioner shall provide the Seattle Department of Transportation with Quarterly Reports, following Council approval of the vacation, providing an update on the development activity, schedule, and progress on meeting the conditions. The Petitioner shall not request or be issued a Final Certificate of Occupancy (C of O) for the project until SDOT

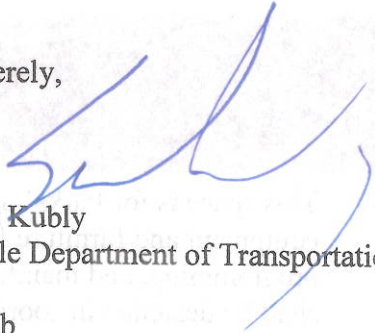
Street Vacations has determined that all conditions have been satisfied and all fees have been paid.

5. In addition to the conditions imposed through the vacation process, the project, as it proceeds through the permitting process, is subject to SEPA review and to conditioning pursuant to various City codes and through regulatory review processes including SEPA.
6. The Petitioner shall develop and maintain 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 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 and SDOT may request additional review by the Design Commission, as necessary. The public benefit requirement includes the following features as well as corresponding development standards, including specific dimensions, which shall be outlined in the PUDA:

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\$25,000 contribution to Parks	This contribution shall fund enhancements to the park edge.	These improvements go beyond the Design Review Board-approved design for the treatment of the wall on this edge. GID shall use this contribution to ensure the park edge reads as a public zone and not as a space associated with the adjacent residential tower.
Allocation to Parks of additional 175 square feet of vacated alley area	As a result of the proposed alternative approach to the future property line, Parks will acquire 175 square feet of additional property than if the new property line followed the currently alley center.	
Commitment to a street-activating use in the ground-level space adjacent to the park	GID commits to utilizing the space adjacent to the park as a street-activating use.	A condition of this public benefit item is a provision recorded in the property use and development agreement (PUDA) for ongoing and regular meetings and coordination among the tenant, the owner or property manager, and Parks to ensure the relationship between the commercial space and the park is successful. If SDOT cannot recommend that item this be included, the Commission recognizes the street-activating use as fundamental to the success of the park.
Green Street improvements on 9th Avenue	1,620 square feet of additional planting and 650 square feet of additional paving beyond code requirements.	

Sincerely,



Scott Kubly
Seattle Department of Transportation

SK:bb

Enclosures