

November 24, 2025

MEMORANDUM

To: Transportation Committee
From: Lish Whitson, Analyst
Subject: Council Bill 121117: GID/Parks Alley Vacation

On December 2, the Transportation Committee (Committee) will receive a briefing on Council Bill (CB) [121117](#), a bill to grant final approval of the vacation of the alley on the block bounded by Westlake Avenue, 9th Avenue and Lenora street in the Denny Triangle (Council District 7). Council conditional approval of the vacation was granted on June 29th, 2015, through Clerk File (CF) [313843](#). Approval of the vacation facilitated the development of a new City park – the Urban Triangle Park – which opened in 2019, and a mixed-use apartment tower, containing a total of 396 residential units.

The Council’s decision at this point is to determine whether the project has satisfied the conditions of CF 313843. If those conditions have been met, the Council should approve the bill and grant final approval of the vacation. This memorandum discusses the project and the conditions placed on the alley vacation. Attachment 1 provides background on the City’s street vacation policies.

GID/Parks alley vacation

The GID/Parks alley vacation application was filed in 2014 and was considered under the vacation policies in effect at the time of filing.¹ It facilitated the redevelopment of a triangular city block, with a new city park located on the west side of the block, and a residential tower located on the east side of the block. Space within the former alley right-of-way allowed for a larger park, 8,722 square feet in size.

Review of Vacation Conditions

The Council’s conditional approval of the vacation included eight conditions. These conditions required that:

1. The projects be built as shown to the Council;
2. Street improvements be designed to City standards;
3. Any utility issues be resolved;
4. Development should begin within 18 months of approval;
5. The projects may be subject to additional review under City codes and the State Environmental Policy Act (SEPA);

¹ See [CF 313843](#). A comparison between those policies and the City’s current street vacation policies can be found attached to [Resolution 31809](#).

6. The Council supported the division of the alley right-of-way between the two properties as proposed;
7. The Council supported transferring vacation fees to support the development of the Urban Triangle Park;
8. The projects shall provide the following public benefits:

Public Benefit Item	Description	Notes
Seattle Parks and Recreation		
Expand and construct Westlake and Lenora Park	Parks will construct a park at Westlake & Lenora	
Expand events and programming	<p>Inclusion in the weekday Buskers Program</p> <p>Monitoring by Parks' downtown concierge circuit</p> <p>Inclusion in Imagination Playground and other children's activities on select weekends</p> <p>Purchase of additional equipment</p>	
GID		
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.

Public Benefit Item	Description	Notes
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	GLD 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 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.	

SDOT has confirmed that the petitioner has met all of the conditions included in CF 314364 and provided the public benefits described above. CB 121117 would (1) accept a PUDA that reflects the conditions included in CF 314364, ensuring the long-term maintenance of the public benefit improvements, and (2) vacates the City's interest in the alley right-of-way.

Next Steps

The Committee will receive a briefing on the bill at its December 1 meeting and may vote at that meeting or a future meeting. Council approval of the bill would allow for the recording of the PUDA and final vacation of the alley right-of-way.

Attachments

1. Summary of Seattle's Street Vacation Policies

cc: Ben Noble, Director

Attachment 1 - Street Vacation Policies

From time to time, property owners seek to permanently acquire the street or alley next to their property from the City, typically to facilitate a proposed development. The process to do so is laid out in the Revised Code of Washington (RCW) [Chapter 35.79](#), Seattle Municipal Code (SMC) [Chapter 15.62](#), and the City Council's [Street Vacation Policies](#). In 2018, the City Council updated its street vacation policies to provide greater clarity for petitioners, members of the public and decision-makers in proposing and reviewing street vacation petitions. The policies identify two related but independent questions that the Council must consider in reviewing a street vacation petition:

- are the “public trust functions” of the right-of-way maintained? and
- will the public receive a benefit from the vacation?

Public trust functions are the uses of right-of-way. The policies describe the public trust functions as follows:

Streets are dedicated in perpetuity for use by the public for travel, transportation of goods, and locating utilities. The dedication carries with it public rights to circulation, access, utilities, light, air, open space, views, free speech, and assembly, and contributes significantly to the form and function of the city. The primary concern of the City in vacation decisions is to safeguard the public's present and future needs and to act in the public's best interest. (p. 7)

Public benefits are a required component of street vacations to offset loss of public space. The policies describe public benefits as follows:

The City acts as a trustee for the public in its administration of rights-of-way. Courts have required that in each vacation there shall be an element of public use or benefit, and a vacation cannot be granted solely for a private use or benefit. Therefore, before this public asset can be vacated to a private party, there shall be a permanent or long-term benefit to the public.

The fact that these benefits are provided equally to all members of the public may be most important to those who have the least. To best address the needs of the community, a strong focus on race and social equity is important in assessing the public benefits included as part of a street vacation petition.

Proposed vacations may be approved only when they provide a permanent or long-term public benefit. Because the public permanently loses the street, short-term public benefits or public benefits that solely benefit individuals will not be considered. The following are not considered public benefits:

- Mitigating the vacation's adverse effects;
- Meeting code requirements for development;
- Paying the required vacation fee;
- Facilitating economic activity; or
- Providing a public, governmental, or educational service.

While the nature of the project is a factor in deciding the adequacy of a public benefit proposal, it is not itself a public benefit. (p. 22)

After a petitioner files a complete vacation petition with the City Council, it is sent to the Seattle Department of Transportation (SDOT), the Seattle Design Commission per SMC Chapter [3.58](#), and other agencies for review. SDOT collects comments from City departments, private utilities, transit agencies, and others with an interest in the City's rights-of-way. After review and recommendation by these parties, SDOT returns the petition, and the City Council considers the petition. The Council is required to hold a public hearing on the petition, and then must act on the petition. State law states that approval of vacations is solely a legislative act.

If the Council decides it is appropriate to vacate the right-of-way, it will typically grant conditional approval. That approval is placed in the Clerk File alongside the vacation petition. That conditional approval allows the petitioner to begin developing in the right-of-way.

After the petitioner meets all the conditions and pays all fees, SDOT drafts an ordinance for Council consideration that transfers ownership of the right-of-way to the petitioner. Council's review of that final ordinance is generally limited to confirmation that the conditions set in the Street Vacation conditional approval have been met. If all conditions have been met, the Council should pass the ordinance granting the vacation.