

**IN THE MATTER OF THE PETITION OF SEATTLE DEPARTMENT OF
TRANSPORTATION FOR THE VACATION OF A PORTION OF BROAD
STREET, AND 8TH AVENUE NORTH IN THE BLOCK BOUNDED BY
ROY STREET, 9TH AVENUE NORTH, MERCER STREET, AND
DEXTER AVENUE NORTH IN THE SOUTH UNION URBAN CENTER,
IN CITY COUNCIL DISTRICT 7**

CLERK FILE 314309

The City Council hereby grants approval of the petition from Seattle Department of Transportation, (“SDOT” or “Petitioner”) for the vacation of:

- **Broad Street:** between Dexter Avenue North and 9th Avenue North; and
- **8th Avenue North:** any remaining portion of 8th Avenue North between Mercer Street and Dexter Avenue North as described in Attachment A.

The street proposed for vacation includes approximately 61,811 square feet of right-of-way.

The Petitioner shall demonstrate to the satisfaction of the City that all conditions imposed by the City Council have been fully satisfied or satisfaction has been assured including: all utility work relating to the vacation including utility relocations; easements or other agreements are completed; all public benefit elements have been provided or are otherwise assured; any other agreements or easements have been completed and recorded as necessary; and any fees paid before the street vacation ordinance is approved.

1. The vacation is granted to allow the Petitioner to proceed with the RFP process to market the consolidated site consistent with the conditions imposed by the Sustainability and Transportation Committee in December 2017. The RFP shall, as appropriate, include the vacation conditions and public benefit obligations relating to the development of the site.
2. All street improvements associated with the subsequent development shall be designed to City standards, as modified by these conditions to implement the public benefit requirements, and be reviewed and approved by SDOT.
3. All utility issues shall be resolved to the full satisfaction of the affected utility before the final vacation ordinance is approved. Before any development activity on the site starts, the Petitioner shall work with the affected utilities and provide for the utility facilities to be protected. 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 Public Utilities has water and sewer lines that will need to be relocated or removed; and
 - King County has wastewater tunnel that will be subject to a permanent easement.
4. In addition to the conditions imposed through the vacation process, the development project is subject to SEPA review and to conditioning through the application of various City codes including SEPA.
 5. A through-block corridor shall be provided from Roy Street to Mercer Street through the project site. The 60-foot corridor shall be provided by easement or dedication as determined by SDOT. The connection shall allow for pedestrian and bicycle use and shall not allow for vehicular access through the corridor or to the adjacent parcels. Vehicles may be permitted to support festival or programming uses in the corridor. The corridor shall remain continuously open and accessible to the public with temporary closures permitted for maintenance or safety reasons as determined by the City. Free speech activities shall be permitted in the corridor provided the activities do not unreasonably obstruct access through the corridor, to the buildings, or to other adjacent amenity features accessed by the corridor. Signage identifying the corridor as public access and allowing free speech activities shall be required. Sign content and locations shall be approved by SDOT before signs are installed.
 6. SDOT shall commit to completing a Mobility Plan for South Lake Union and other Center City Neighborhoods (One Center City) and develop recommendations and implementation plans for improvements to support a Transit Hub on Aurora Avenue North between Thomas and Harrison Streets. SDOT will coordinate this work with Sound Transit as a part of ST 3 planning. SDOT shall present the One Center City plan to the City Council. It is anticipated the Plan will be forwarded for review in late 2018. The SDOT public benefit obligations shall be completed through this planning process and separately from the development-related obligations as described below.
 7. The Petitioner shall ensure that the public benefits that are the responsibility of the owner/developer are assigned to the purchaser of the property and the public benefit obligations should be in addition to regulatory requirements. A Property Use and Development Agreement (PUDA) shall be required to ensure that the public benefit elements remain open and accessible to the public and in good repair. The final design of the public benefit elements shall be approved by SDOT. Public benefit elements in the right-of-way are, as applicable, subject to SIP review, street use permits, and indemnification.

Before a MUP is issued for either development site created as a result of this vacation, the Seattle Design Commission will review and approve the 8th Avenue right-of-way improvements through the project site, the through-block connection, using the 8th Avenue design guidelines developed for this vacation. The review and approval shall occur before a MUP decision for any portion of this site is published. The public benefit requirements include the following, which shall be incorporated into the PUDA:

PUBLIC BENEFIT

Broad Street Public Benefit Proposal

1.	Eighth Avenue North - New Surface Public Access Easement of Right-of-Way Through Site (Mercer-Roy): Developer Obligation
<p>Description:</p> <ul style="list-style-type: none"> • New 60-foot-wide pedestrian street to further establish the neighborhood street grid and connect the neighborhood north of the site to Mercer Street • Improvements will implement the South Lake Union Urban Design Framework and will be consistent with the Eighth Avenue North Design Guidelines • Provides 11,000 square feet of public open space <p>Implementation:</p> <ul style="list-style-type: none"> • By site purchaser/developer • Requirements included in the RFP and Purchase and Sale agreement • Design Commission review required • Maintenance and activation by adjacent property owner/purchaser <p>Estimated Cost: \$400,000 - \$700,000</p>	
2. Street Concept Plan for Eighth Avenue N and Aloha Street: SDOT Obligation	
<p>Description:</p> <ul style="list-style-type: none"> • Streetscape Concept Plan for improvements to extend the Eighth Avenue North streetscape improvements north of the site and connect to Lake Union Park • The Streetscape Concept Plan is a tool to promote improvements by private development along Eighth Avenue North • Further implements the SLU Urban Design Framework • Up to 12,000 square feet of pedestrian/landscape area <p>Implementation:</p> <ul style="list-style-type: none"> • SDOT will complete development of the Street Concept Plan in 2018 and use the plan to incentivize improvements on Eighth Avenue North between Roy Street and Aloha and on Aloha between Eighth Avenue North and Westlake Avenue North 	

<p>Estimated Cost:</p> <ul style="list-style-type: none">• \$15,000 (SDOT to develop street concept plan)• \$650,000 – \$880,000 (Potential to encourage streetscape capital improvements adjacent to future private developments)
<p>3. Mercer Protected Bike Lanes: Developer Obligation</p> <p>Description:</p> <ul style="list-style-type: none">• Extend two-way bike lanes on north side of Mercer from Dexter to Ninth to provide a key link in the bicycle network <p>Implementation:</p> <ul style="list-style-type: none">• By site purchaser/developer• Requirements included in the RFP and Purchase and Sale agreement <p>Estimated Cost: \$200,000</p>
<p>4. Ninth Ave N (Mercer - Westlake): Completed SDOT Obligation</p> <p>Description:</p> <ul style="list-style-type: none">• Protected bike lanes to advance implementing the City and neighborhood bicycle network and connect the Westlake Cycle Track to South Lake Union, Downtown and Uptown (the latter via Mercer) <p>Implementation:</p> <ul style="list-style-type: none">• SDOT – Completed in 2017 <p>Estimated Cost: \$235,000</p>
<p>5. Seventh Ave N Transit Hub (Harrison-Thomas): SDOT Obligation</p> <p>Description:</p> <ul style="list-style-type: none">• Implementation Plan for bus zone, sidewalks, and streetscape on Aurora Avenue North to enhance connections between regional transit routes and the surrounding neighborhood• Identified as a priority by the South Lake Union Community Council• Implements the South Lake Union Mobility Plan <p>Implementation:</p> <ul style="list-style-type: none">• SDOT to lead design through the One Center City Plan (2017-2018)• SDOT will coordinate with Sound Transit as a part of ST3 planning• Improvements to be coordinated with rebuild of Aurora Avenue North• Implementation coordinated with rebuild of Aurora (Seventh) by Alaskan Way Viaduct Replacement (2019-2020)• Could include interim use of a portion of WSDOT's property until it is sold and redeveloped <p>Estimated Cost:</p> <ul style="list-style-type: none">• \$20,000 for plan development• \$30,000 for bike storage• other costs to be determined

Signed by me in open session this ____day of December, 2017.

President _____of the City Council

ATTACHMENT A

PORTIONS OF BROAD STREET, CONDEMNATION ORDINANCE NOS. 50890 AND 84452, 8TH AVENUE NORTH AND MERCER STREET MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE MONUMENTED INTERSECTION OF ROY ST. AND DEXTER AVE. NORTH;
THENCE SOUTH 01°28'04" WEST ALONG THE CENTERLINE OF SAID DEXTER AVE. NORTH, A DISTANCE OF 153.09 FEET;
THENCE, AT A RIGHT ANGLE, SOUTH 88°31'56" EAST, A DISTANCE OF 53.00 FEET TO A POINT ON THE EAST MARGIN OF SAID DEXTER AVE. NORTH AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 88°32'51" EAST, A DISTANCE OF 13.01 FEET;
THENCE NORTH 52°53'29" EAST, A DISTANCE OF 179.96 FEET;
THENCE NORTH 88°20'14" EAST, A DISTANCE OF 35.72 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTH, WITH A RADIUS OF 35.00 FEET, WHICH CENTER BEARS NORTH 01°41'43" WEST;
THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°52'16", A DISTANCE OF 19.47 FEET TO THE SOUTH MARGIN OF SAID ROY ST;
THENCE ALONG SAID MARGIN SOUTH 88°32'41" EAST, A DISTANCE OF 62.10 FEET;
THENCE CONTINUING ALONG SAID SOUTH MARGIN SOUTH 88°33'04" EAST, A DISTANCE OF 67.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTH, WITH A RADIUS OF 100.00 FEET, WHICH CENTER BEARS NORTH 23°15'55" EAST;
THENCE ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 19°00'48", A DISTANCE OF 33.18 FEET;
THENCE SOUTH 85°44'53" EAST, A DISTANCE OF 55.09 FEET;
THENCE SOUTH 88°35'57" EAST, A DISTANCE OF 123.52 FEET;
THENCE SOUTH 01°43'01" WEST, A DISTANCE OF 160.63 FEET;
THENCE NORTH 88°48'50" WEST, A DISTANCE OF 9.19 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE WEST, WITH A RADIUS OF 65.00 FEET, WHICH CENTER BEARS NORTH 79°15'44" WEST;
THENCE ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 60°05'28", A DISTANCE OF 68.17 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 140.00 FEET, WHICH CENTER BEARS SOUTH 40°38'47" WEST;
THENCE ALONG SAID COMPOUND CURVE THROUGH A CENTRAL ANGLE OF 36°51'30", A DISTANCE OF 90.06 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTH, WITH A RADIUS OF 379.17 FEET, WHICH CENTER BEARS SOUTH 00°06'44" EAST;
THENCE ALONG SAID COMPOUND CURVE THROUGH A CENTRAL ANGLE OF 8°39'25", A DISTANCE OF 57.29 FEET;

THENCE SOUTH $80^{\circ}53'45''$ WEST, A DISTANCE OF 15.88 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTH, WITH A RADIUS OF 501.24 FEET, WHICH CENTER BEARS SOUTH $10^{\circ}13'58''$ EAST;
THENCE ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF $3^{\circ}07'36''$, A DISTANCE OF 27.35 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 956.22 FEET, WHICH CENTER BEARS SOUTH $14^{\circ}25'20''$ EAST;
THENCE ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF $6^{\circ}10'27''$, A DISTANCE OF 103.04 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 1338.00 FEET, WHICH CENTER BEARS SOUTH $20^{\circ}01'33''$ EAST;
THENCE ALONG SAID COMPOUND CURVE THROUGH A CENTRAL ANGLE OF $7^{\circ}05'26''$, A DISTANCE OF 165.58 FEET;
THENCE SOUTH $29^{\circ}32'43''$ EAST, A DISTANCE OF 7.51 FEET;
THENCE SOUTH $58^{\circ}57'10''$ WEST, A DISTANCE OF 9.05 FEET;
THENCE SOUTH $35^{\circ}16'26''$ WEST, A DISTANCE OF 34.03 FEET;
THENCE SOUTH $84^{\circ}21'54''$ WEST, A DISTANCE OF 32.96 FEET TO THE NORTH MARGIN OF MERCER ST.;
THENCE CONTINUING SOUTH $84^{\circ}21'54''$ WEST, A DISTANCE OF 12.52 FEET;
THENCE NORTH $57^{\circ}22'25''$ WEST, A DISTANCE OF 2.98 FEET TO SAID NORTH MARGIN;
THENCE CONTINUING NORTH $57^{\circ}22'25''$ WEST, A DISTANCE OF 17.16 FEET TO THE EAST MARGIN ON DEXTER;
THENCE NORTH $01^{\circ}28'04''$ EAST ALONG SAID EAST MARGIN, A DISTANCE OF 111.22 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING AN AREA OF 61,811 SQUARE FEET OR 1.4190 ACRES, MORE OR LESS.

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