



April 30, 2026

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

Subject: Petition of the Yew LLC, for the vacation of the alley located at 8641 Palatine Avenue North, lying within lot 2 of city of Seattle lot boundary adjustment number 3009165, recorded in volume 267, page 29 through 32, under recording number 20091103900009.

Clerk File 314530

Dear Councilmember Saka and Honorable Members of the Transportation, Waterfront, & Seattle Center Committee:

We are returning the petition from The Yew LLC ("Petitioner") for the vacation of the alley described as:

THAT PORTION OF AN ALLEY 16.00 FEET IN WIDTH LYING WITHIN BLOCK 2,
WEGENER'S ADDITION, RECORDED IN VOLUME 19, PAGE 1, RECORDS OF KING
COUNTY, WASHINGTON;

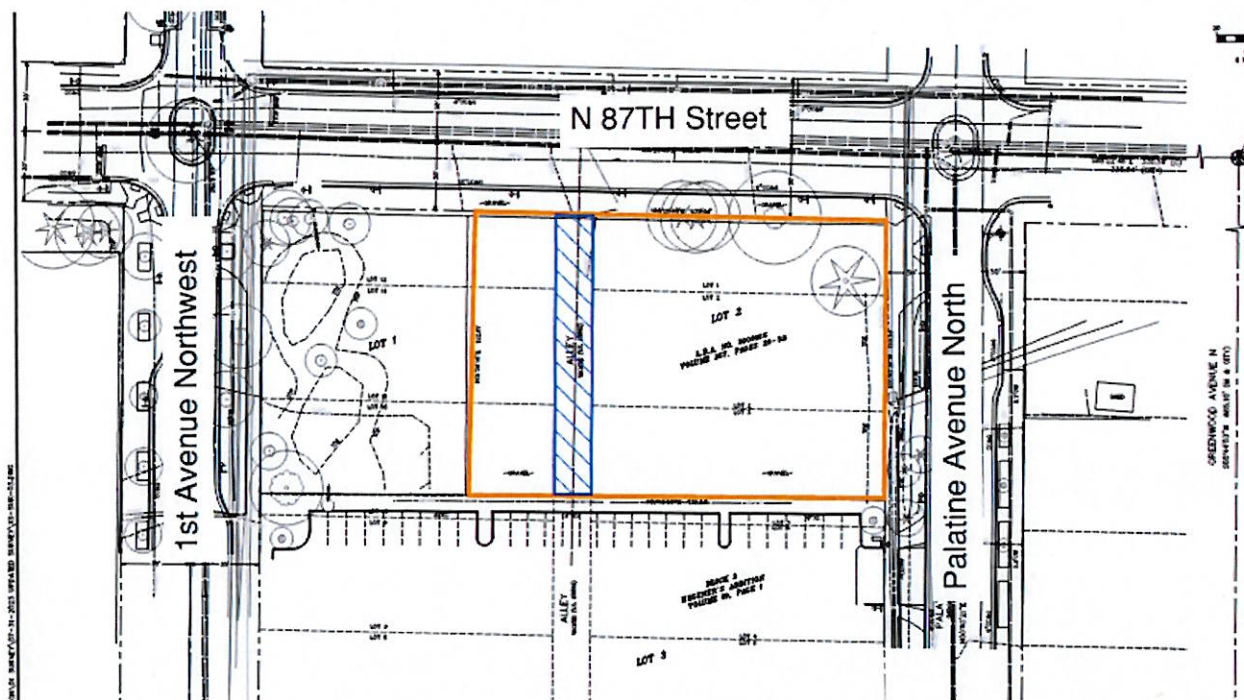
SAID PORTION OF ALLEY LIES WITHIN LOT 2 OF CITY OF SEATTLE LOT BOUNDARY
ADJUSTMENT NUMBER 3009165, RECORDED IN VOLUME 267, PAGE 29 THROUGH
32, UNDER RECORDING NUMBER 20091103900009.

CONTAINING AN AREA OF 1,951 SQUARE FEET OR 0.0448 ACRES, MORE OR LESS.

Seattle Department of Transportation ("SDOT") recommends the vacation be granted subject to the conditions and obligations included in this recommendation.

The recommendation from SDOT provides a summary of the project information provided in the vacation petition and of the vacation review process. The recommendation addresses key areas outlined in the Street Vacation Policies that guide the review and analysis of the proposal, and includes the following sections:

- I. City Council District
- II. Background
- III. Project Description
- IV. Reason for Vacation
- V. No-Vacation Alternative
- VI. Activities Prior to Formal Vacation Application
- VII. Community Engagement
- VIII. Early City Council Review
- IX. Regulatory Review & Issue Identification
- X. Design Commission Review
- XI. Policy Framework
- XII. Public Trust Analysis
- XIII. Public Benefit Analysis, and
- XIV. Recommendation and Conditions.



Map of Project area. Orange line indicates Project boundaries and blue dashed portion is the 1,951 square-foot proposed alley vacation.

I. CITY COUNCIL DISTRICT

The proposed street vacation is in City Council District 6.

II. BACKGROUND

The Project site is a 0.49-acre site (including the area of the alley proposed to be vacated) located at 8641 Palatine Ave N in the Greenwood-Phinney Ridge Neighborhood. The Project site is in City Council District No. 6.

The Project site is located on the northern edge of the Greenwood-Phinney Ridge Urban Village, at the southwest corner of the intersection of N 87th Street and Palatine Ave N. Zoning designations for the surrounding properties include Neighborhood Residential 3 ("NR3") for the northern parcels located across N 87th Street and Neighborhood Commercial 2 ("NC2-75") for all other parcels to the east, south, and west of the Project. The Project site is 21,659 square feet (0.5 acres) in size and is designated NC2-75(M) by the Seattle Municipal Code. The Seattle Comprehensive Plan designates the site as Residential Urban Village.

The Project is located within a category I peat settlement area (referred to as "the bog" by local residents), which prevents below-grade construction due to poor underlying soil conditions. The site is predominantly flat and possesses gentle slopes of approximately 4 feet from east to west. The site has been previously disturbed and is currently vacant. The Conservation Parcel is adjacent to the Project. The NC2-75(M) zone allows for multi-family development to occur at heights of up to 75-feet; no retail uses or resident parking are required by the Code. The Project is Phase IV of the Greenwood Piper Village Development.

The area proposed to be vacated is an alley approximately 121.9 feet in length and 16 feet in width for a total area of 1,951 square feet and is proposed to be vacated to facilitate site development. Petitioner owns the eastern adjacent parcel (no. 9231900145) which is subject to a Property Use and Development Agreement ("Conservation Parcel") and the Sedges Apartments to the South (parcel no. 9231900105). No other owner abuts the alley to be vacated.

III. PROJECT DESCRIPTION

The Project consists of approximately 101 units that are proposed to be constructed in a 70-foot high seven-story building, with five stories of market rate apartments located over two stories of resident parking. Ground-floor townhome-style rental units with private exterior

entrances are proposed along Palatine Ave N and N 87th St, with the residential lobby entry at the intersection of Palatine Ave N and N 87th St. Interior spaces for leasing offices and resident amenities are accessed through the residential lobby. The Project presumes the vacation of an unimproved alley that runs north-south across the property. Historically, the alley continued south to N 86th St, but was vacated to the parcel line in 1972, Ordinance 100842. The Project includes 20,824 square feet of parking garage area with 55 parking spaces, 75,356 square feet of residential uses over the 101 units, with 2,390 square feet of private open space available to residents throughout the development.

The proposed alley vacation increases design flexibility, allowing the preferred alternative to step back the massing of the upper five-floors back from N 87th Street, maximizing access to light and air for those passing by on the street and for the single-family dwellings located across N 87th St. The design allows for ground-floor townhomes located along Palatine Ave N and N 87th St to effectuate the land use transition from southerly areas of more-intense development to the single-family edge of the Greenwood-Phinney Ridge Urban Village.

The Project delivers a comprehensive suite of public benefits designed to enhance pedestrian experience, ecological value, and neighborhood character in the Greenwood community. Along Palatine Ave N, the development will provide a two-foot sidewalk expansion in addition to the existing six-foot sidewalk, resulting in a wider, more accessible pedestrian corridor that exceeds city standards and fosters an inviting streetscape. On N 87th St, a new six-foot sidewalk with six-foot landscape planter will be constructed along the Conservation Parcel frontage, closing an existing gap in the local pedestrian network and responding directly to community priorities for improved connectivity and walkability. The Project also proposes a two-foot shoulder expansion along 1st Ave NW, supplementing the existing sidewalk to create a pedestrian buffer that enhances the public realm, supports sustainable drainage, and visually transitions to the adjacent Conservation Parcel.

The Project proposes to restore the ecological function of the Conservation Parcel by removing existing debris, planting native trees and understory, and preserving these efforts through ongoing quarterly maintenance. These efforts will preserve the drainage functions of the Conservation Parcel and restore natural habitat all while providing visual access of this green space to the public. Enhancements within the parcel will also include three decorative birdhouses and the installation of colorful metal fence panels designed by a local artist (Sarah Robbins) that enrich the streetscape while maintaining visual permeability. Additional public realm improvements include an artist-designed wayfinding sign and two seating blocks installed at the intersection of N 87th St and Palatine Ave N. These seating elements, made of stone or concrete, offer rest areas that encourage walking and provide opportunities for social interaction and observation of the restored green space. Together, these improvements

respond to community feedback, reinforce Greenwood's identity as a livable, nature-connected neighborhood, and provide a meaningful public benefit that extends beyond standard frontage improvements.

The Project utilizes a large massing setback of the upper stories that provides for the development of a resident courtyard and landscape area on the roof of the second story. This massing design is informed by community outreach efforts during which residents expressed concern for access to light and air along the street. Additionally, a green-roof and rooftop courtyard are proposed for the roof of the seventh story that will provide residents with access to views, light, and air. Green-building methods will conserve energy and ensure resource-efficient development during both construction and operational phases of the building's life.

IV. REASON FOR VACATION

The 1,951 square feet of alley area proposed to be vacated is the only remaining portion of alley within the subject block. The majority of the alley was previously vacated (1972, Ordinance 100842), leaving the unimproved 1,951 square feet of alley. The City's recent upzoning of this property to NC2-75(M) in 2019 and its location within the Greenwood-Phinney Ridge Urban Village reflect the suitability of moderate-intensity residential development for this area. The presence of the unimproved alley on the property restricts not only the ability to design a financially feasible project, but also the applicant's ability to propose a project at a scale and aesthetic quality consistent with the intent of the Greenwood-Phinney Ridge Neighborhood Plan and community preferences. Instead of two smaller buildings that are less likely to achieve a design that is consistent with neighborhood and community feedback, vacating the alley allows a building design that responds better to neighborhood preferences and provides greater opportunities for public spaces and resident amenities.

The proposed alley vacation would allow the Project site to be developed in a way that achieves the goals of the Greenwood-Phinney Neighborhood Plan, is consistent with the scale of development envisioned by the Seattle Zoning Code, provides the community with public benefits, and creates a development that respects the surrounding neighborhood while contributing to its overall character.

V. NO-VACATION ALTERNATIVE

The Project site is zoned NC2-75(M), allowing for mixed-use residential and commercial development to occur in buildings up to 75-feet in height. The unimproved alley bisects the parcel into two buildable areas approximately 0.1 and 0.35 acres in size. Pursuing separate development on these divided sites is financially impractical and would not fulfill the objectives

of the Greenwood-Phinney Neighborhood Plan or achieve the development densities envisioned by the NC2-75(M) zone. The no-vacation alternative would provide only code-required public realm enhancements and would result in a bulkier overall massing of the upper stories developed up to the property line, inconsistent with public feedback that indicated a preference for massing setbacks. The no-vacation alternative would be a relatively more-constrained development that is less capable of responding to community concerns regarding massing, scale, and high-quality architecture. This concept would provide comparably less open space opportunities and public space enhancements, and would not result in any improvements or ongoing maintenance to the Conservation Parcel. Street improvements would be limited to the code-compliant minimums and would not result in any public benefits. The no-vacation alternative would not be required to provide a public benefit.

ACTIVITIES PRIOR TO FORMAL VACATION APPLICATION

The Street Vacation Policies adopted in Resolution 31809 outline procedural obligations established by the City Council that a developer must address. These steps must be completed before SDOT may accept a vacation petition and before the formal review of a proposed vacation. Through the Vacation Policies, the Council imposed a more rigorous and consistent plan to engage the community before the vacation review begins. This early work is intended to move beyond notification about a proposed vacation and create an opportunity for early input on a proposal and public benefit plan.

The pre-petition activities outlined in the Vacation Policies include:

- Early assessment: SDOT requires a developer to provide conceptual information about the proposal and how the vacation contributes to the development. SDOT staff can provide information about the time frame, costs, and obligations of a vacation, including the public benefit obligations, and the appraisal process to determine the vacation fee. SDOT may include other city staff such as Seattle Department of Construction & Inspections (“SDCI”), Department of Neighborhoods (“DON”), utility representatives, and the Seattle Design Commission (“SDC”).
- Community Engagement Plan: The developer is required to consult with DON staff and develop a Community Engagement Plan that must be included in the vacation application.
- Conduct early community engagement: Consistent with the plan, the developer must proceed with early community engagement.
- SDC early review: Every vacation proposal must be presented to the SDC. The SDC will also provide comments at any Early Design Guidance (“EDG”) meeting if the Project is required to go through the Design Review Board (“DRB”).

- Early Design Guidance: If the Project is subject to design review the EDG process must be completed before the vacation can be accepted by SDOT.

This work creates opportunities for early input from the community and various City staff and can assist a developer in determining whether to proceed with a vacation and in the development of a public benefit proposal.

VI. COMMUNITY ENGAGEMENT PLAN

Before a Petitioner can begin the formal vacation review, the Petitioner must work with DON on developing a Community Engagement Plan. The City first expanded the obligation to develop Community Engagement Plans in Ordinance 125429. This legislation added requirements to Seattle Municipal Code (“SMC”) Chapter 23.41 that all projects going through Streamlined, Administrative, or the Full Design Review program administered by SDCI must prepare a community outreach plan before scheduling the EDG meeting. SDCI Director’s Rule 4-2018 and DON Director’s Rule 1-2018 provide more guidance about the components of the plan. The vacation review follows the guidance provided by the SMC and the Director’s Rule. The developer can then work with DON on a plan that will be accepted by SDCI and SDOT.

The Community Engagement Plan for the Project was approved by DON on April 27, 2023, and used multiple strategies to reach individuals and organizations in the neighborhood where the alley vacation is proposed, as follows:

- Website. A website was created that provided Project information, information about the alley vacation, a survey, and instructions on how to provide Project comments.
- Online Survey. The Project website included an online survey to provide the community with the opportunity to provide specific feedback about community preferences, neighborhood needs, and the proposal itself.
- Neighborhood Project Posters. The Project team posted ten full-color project posters within one half-mile of the project site within local businesses and in public places within view of the sidewalk. The poster contained information about the Project, a link to the Project website, and the date and location of the in-person neighborhood meeting.
- Advertising in Online Periodicals. The Project team advertised the date and location of the in-person community meeting and included a link to the Project website and survey on Phineywood.com, an online periodical taking special interest in news and events in the Greenwood and Phinney Ridge area.

- Two In-Person Neighborhood Meeting. The Project team hosted two community meetings at the Greenwood Library Branch where the Project team presented Project details and attendees provided feedback and asked questions regarding the Project. The Project team held the first meeting on March 29, 2023, at 6:00 PM with the goal of presenting the Project to the neighborhood and gathering early feedback on the Project's design and components. The Project team held the second meeting on January 21, 2025, with the goal of providing updates on the Project to the neighborhood and gathering feedback on the proposed benefits package.
- Additional Community Conversations. The Project team directly reached out to local organizations, including the Greenwood Community Council, the Greenwood Senior Center, the Licton Springs Community Council, Phinneywood, the Phinney Ridge Community Council, and the Seattle Greenways Association.

Based on this outreach, feedback from these groups confirmed support for the Project and its proposed public realm and conservation parcel improvements.

VII. EARLY CITY COUNCIL REVIEW

The Vacation Policies provide that the City Council may host a briefing on a new vacation petition. The briefing provides an opportunity for the City Council to hear about the vacation, and to provide any early feedback. The briefing also provides an opportunity for the public to provide early comments on the proposal.

The briefings are held after a petition has been accepted and introduced at the City Council and early in the review process. The goal is for the Petitioner to present the vacation to the City Council and the community before the elements of the formal review process, such as the SDC, DRB meetings, Street Improvement Permit ("SIP") review, or other city procedures have begun to identify issues and work to refine the proposal.

The Council Transportation and Public Utilities Committee held an early briefing on February 20, 2024. During that briefing, the Committee asked clarifying questions regarding access to the site and about the public benefit proposal.

VIII. REGULATORY REVIEW & ISSUE IDENTIFICATION

The vacation proposal was circulated to various City departments, outside agencies, and community groups to identify any issues specific to the alley vacation. The vacation review process also includes review by the SDC.

Development projects proposing a vacation are also obligated to comply with any applicable regulatory and environmental regulations. In addition to the vacation review, this Project is subject to:

- **Street Improvement Plan (SIP) review:** 60% waiver granted on February 2, 2025.
Relevant meetings with SDOT and other agency stakeholders
 - July 10, 2023 – 30% SIP drawings submitted
 - March 30, 2023 – SIP Waiver Request submitted to SDOT (Jackson Keenan-Koch)
- **Preparation of a traffic study:** completed August 11, 2023
- **Early Design Guidance (EDG):** Completed August 21, 2023
- **Preparation of a SEPA Checklist:** completed October 11, 2023
- **Master Use Permit (MUP):** complete application submitted to SDCI on March 5, 2024
- **Seattle Design Commission:**
 - Early Design Guidance: May 18, 2023
 - Public Trust Meeting: April 4, 2024
 - Subcommittee: July 30, 2024
 - Public Benefit Meeting: March 20, 2025
 - Subcommittee on Public Benefits: June 5, 2025
- **Design Review Board Recommendation:** June 9, 2025
- **Land Use and Zoning review:** correction cycle completed awaiting vacation approval
- **SPU Solid Waste Approval:** Issued via email July 31, 2024

The purpose of the broad review of the vacation petition is to identify issues that need to be addressed through the vacation process by changes to the Project or by adding vacation conditions. The various regulatory reviews would address code-related issues for the Project and overall development, and the regulatory approvals and permits would outline the conditions of the permit approval.

IX. DESIGN COMMISSION REVIEW

The SDC reviews all vacation proposals and provides advice to the City Council and City departments on specific elements of the proposal. The SDC focuses their review on three areas established by the City Council in Resolution 31809: how the loss of the right-of-way impacts the functions of the remaining rights-of-way near the Project; the public trust functions and how improvements to the public realm offset the loss of the right-of-way; and the public benefit obligation. To evaluate the implications of the loss of the right-of-way, the SDC considers elements such as the community context, how Project features such as building

orientation and scale are affected, how utilities are modified as a result of the loss of the right-of-way, and how the Project engages with the public realm around the development site. The SDC is particularly interested in the community engagement plan and how the goals of the community are reflected in the development and the public benefit features.

Following the review of how the elements of the right-of-way are modified as a result of the vacation, the SDC then considers the proposed public benefit package. This includes a review of whether the proposed public benefit features are of value to the public and rise to the level of public benefit. The review considers whether the public benefit features are public in nature and how the features exceed any required Project related improvements. Finally, the SDC review considers whether the public benefit proposal is adequate considering the scale of the Project, the loss of the public right-of-way, and the impacts of the vacation.

The SDC reviewed the Project at the following meetings:

- May 18, 2023 – SDC Early Design Guidance Commission meeting Pre-petition review with SDC subcommittee
- April 4, 2024 – SDC Public Trust Review and Approval
- July 30, 2024 – SDC Subcommittee meeting to confirm conditions from the Public Trust review
- March 20, 2025 – SDC Public Benefits Review and Approval
- June 5, 2025 – SDC Subcommittee meeting to review art proposal

The meeting minutes and presentations to the Design Commission are a part of the Clerk File and can also be found at: <https://www.seattle.gov/designcommission/meetings-and-projects/current-projects/yew-alley-vacation#whatshappening>

May 18, 2023 – At the pre-petition review, the SDC provided the following comments:

1. **Emphasis on Public Benefit:** The commissioners highlighted the need to ensure that the plaza and other public spaces within the project are not just superficial additions but offer substantial benefits to the community. They urged the project team to delineate clearly how these spaces go beyond baseline requirements to enhance public value.
2. **Importance of Community Engagement:** The importance of detailing the community engagement process was underscored, with a focus on showing how public feedback has influenced the project's development. This includes considering wider environmental and community impacts in the project's scope.

3. **Environmental and Sustainability Focus:** The idea of incorporating environmental elements, such as pollinator pathways or ecological enhancements, was suggested. This approach aligns with the broader aim of ensuring that the project's public spaces contribute meaningfully to the local environment and community.
4. **Potential Utilization of Adjacent Areas:** There was interest in exploring the adjacent stormwater detention site's potential. The commissioners suggested investigating if this area could be integrated into the project to increase its public and environmental value. There was some interest in its potential for public benefit.
5. **Sidewalk Improvements:** There was support for the proposal to extend and widen the sidewalk on N 87th St, viewing it as a potential public benefit. However, it was advised to consult with the Seattle Department of Transportation and the local community for their input on these improvements.
6. **Perspective on Alley Vacation:** The vacation of the alley was not seen as a major issue, given its current status as a dead-end. The focus was instead directed towards maximizing the public benefits of the project.

April 4, 2024 – The SDC voted 8 to 1 to support the Public Trust portion of the vacation request and provided the following comments:

1. Provide additional site analysis that better illustrates the context of your site with the entire block and adjacent neighborhoods, including the relationship between your site and nearby public assets include Sandel Park at NW 90th St, and the 1st Ave Healthy Street.
2. The scope of your public benefit proposal needs to be expanded to better reflect the gains that the project receives due to the alley vacation. You should expand your public benefit proposal to include additional on and off-site public benefits that are commensurate with the gains that the project receives because of the vacation.
3. Consider offsite improvements that better connect the site to the surrounding neighborhood.
4. The area at the Yew Tree should be further refined as part of your public realm and public benefit strategy. The goal should be to maximize opportunities for the public to use this feature, through site improvements, increasing planting areas, use of materials, sidewalk edge treatments, refinements to seating areas that encourage use, etc.
5. Provide an update on how your public engagement work has shaped your proposals for public realm enhancements for both the project and your public benefit strategy. This

work should account for the nearby residential neighborhoods to the north, due to its designation by the city as a high priority equity area.

6. Work with SPU to develop solutions that enhance the drainage conservation area as an amenity to both your development and the immediate neighborhood. Potential solutions here include:
 - a. Upgrading the fence with artistic solutions from local artists, in conjunction the Office of Arts and Culture.
 - b. Advance proposals for interpretive signage.
 - c. Updating and enhancing vegetation to enhance views into the site from the right of way and from nearby and abutting properties.
 - d. Upgrades or changes to the site and its plantings to improve the function of the stormwater facility.
7. Develop a curbside management plan along N 87th St that shows access, circulation, and parking and loading facilities that include places for solid waste pickup.
8. Develop strategies that better activate the blank facades along N 87th St, to include introduction of residential uses, use of building materials, changing or reconfiguring uses within the building, redesigning the garage entry, etc.

The SDC requested the project team return to a subcommittee meeting to present the right-of-way requirements in the Street Improvement Permit, and to describe how they meet those requirements and provide public benefits proposal of the project.

March 6, 2025 – A subcommittee of the Commission met to evaluate how the project addressed the conditions and recommendations adopted by the Commission at their April 4, 2024, meeting on public trust.

March 20, 2025 – The SDC voted 9-0 to support the public benefits package. The approval was conditioned on a subcommittee review of the proposed fencing system in front of the conservation parcel, with a focus on integrating artistic elements into its design. That condition was satisfied.

X. 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 a public right-of-way. Vacating a public right-of-way requires discretionary legislative approval that must be obtained from the City Council, and the Council may not vacate a public right-of-way unless it determines that to do so is in the public interest. The City uses a two-part test to determine whether a vacation is in the public interest. First, the City undertakes a “Public Trust Analysis,” a determination of whether the street is needed and whether the public interest can be protected if the street is vacated. Second, the City undertakes a “Public Benefit Analysis,” assessing the Petitioner’s proposal to provide benefits to the public.

Established plans, policies, and standards guide this review as called for by the Vacation Policies. The City will not support vacations that conflict with city planning goals, particularly if the vacation would be inconsistent with the desired intensity of development and preferred uses, or if clear harm would result. But land use policies and codes do not bind the Council’s decision to grant or deny a street vacation petition. The Council may condition or deny vacations as necessary to protect the public interest.

The Street Vacation Policies provide that during its review of the petition, the Council will weigh the public trust and land use effects of a vacation, 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, the City Council places primary importance upon protecting the public trust it holds in rights-of-way.

This petition has been reviewed for its consistency with the Vacation Policies in Resolution 31809, which were in effect when the petition was submitted. SDOT has determined that the Project is consistent with these Policies.

XI. PUBLIC TRUST ANALYSIS

City streets are held in trust for the public and the City acts as a guardian for the public in reviewing vacations. The City Council may approve vacations only when they are in the public interest. Streets will be retained unless it can be shown that they are not needed for a current or foreseeable public use and the City Council is convinced the vacation is in the public interest. The policies define the public trust functions of rights-of-way as being circulation, access, utilities, free speech, public assembly, open space, light and air, and views.

Vacations affect the land use and development patterns in an area by adding to the developable land base, altering the local land division pattern, changing vehicular and pedestrian movement patterns, and increasing the development potential on the vacated and abutting streets. A vacation petition may be approved only when the increase in development potential that is attributable to the vacation would be consistent with the Comprehensive Plan.

The following information addresses each element as required in the Street Vacation Policies.

Circulation: Streets provide for the movement of people, goods, and vehicles through the city as part of a network. If a part of the network is removed, there may be impacts to the transportation network. The City will only vacate a right-of-way if it will not disrupt the movement of people, goods, and vehicles through the city, and only if it is consistent with the City's transportation plans.

The main purpose of alleys is to provide access to the individual parcels on a block and to provide for services and utilities. Alleys generally are not considered part of the larger circulation system and do not provide for the circulation of vehicles around a site or a community.

The alley right-of-way proposed for vacation is a small remnant of what had been originally platted as an alley that was never improved between N 87th St and N 86th St. The majority of this alley was vacated in 1972, leaving just the remainder 1,952 square feet that are the subject of the current Petition. All of the land abutting this alley is owned by the applicant or LLCs controlled by the applicant. As built, the alley provides no additional circulation benefits to the neighborhood. The alley provides no opportunity for increasing future access within the neighborhood as the parcel it bisects is the last remaining undeveloped parcel in the block and no other parcels can use it for access. The existing site has an existing curb cut at the site of the unimproved alley right-of-way. The Project proposes to reconstruct this curb cut in approximately the same location and utilize it as the primary vehicular site access for the proposed Project.

The work on the development plans through the SDCI Master Use Permit and SDOT Street Improvement Permit ("SIP") review and approval processes address specific regulatory, utility, and design standards requirements. Through the SIP review, SDOT approves the street alignment and street design. The vacation conditions include obligations for enhancements related to the public benefits package proposed by the development team and reviewed and approved by SDCI. Close coordination between the various review procedures will continue as the Project moves forward through this City Council review and the final project approvals by SDCI and SDOT.

Access: Streets and alleys provide access to individual parcels and access around and through the surrounding and larger community. Streets are designed to provide for the range of transportation modes, including walking, bicycling, transit, and driving. The City will only approve a vacation if it does not result in negative effects on the current or future needs of the City's vehicular, bicycle, or pedestrian circulation systems or on access to private property. If the negative impacts can be appropriately mitigated, the City may choose to vacate the street.

The main function of alleys is to provide access to individual parcels, space to access service, loading areas and parking, and to provide for utility vehicles and services such as solid waste pickup. When the vacation of an alley is proposed, the review looks at the impact to the surrounding parcels and whether the service and access uses that should be contained within the alley parcel are pushed out to the surrounding streets. If the property was developed without the alley vacation, the existing alley could continue to provide access only to the Project site as no other parcels currently utilize the alley for access. The use of the alley could keep the Project-related services and access away from N 87th St.

With the proposed vacation, parking and loading access is consolidated into the single Project driveway located in approximately the same location as the existing curb cut. The Project provides multiple pedestrian access points along both the N 87th St and Palatine Ave N frontages.

SPU approved the proposed loading access plan on July 31, 2024. Per the approved SPU Solid Waste Plan, drivers will park on N 87th St and enter the storage room within the garage entry off N 87th St to bring dumpsters to the truck. As the permitting review moves forward the specific design and dimensions of the garage entry and dimensions and street design for N 87th St and Palatine Ave N will be finalized.

Utilities: Public and private utilities often use public rights-of-way to serve their customers. The City will only vacate a street when all utilities using or potentially using the right-of-way can be adequately protected with an easement, relocation, fee ownership, or similar agreement satisfactory to the utility owner.

No utilities are currently located within the unimproved alley proposed for vacation. Given that the majority of the alley within this block was previously vacated, there is little to no opportunity to use the right-of-way as a utility corridor. There are more efficient routes for future utility pathways in the adjacent rights-of-way, and future development will be of a scale that utility access may occur directly from the street without negative impacts.

As the Project moves forward the developer will need to continue to work with SPU and SCL to coordinate the development activity. The SIP and MUP processes identified the utility needs for the proposed development and the service needs for the new Project which will be included in the development and construction permits.

Free Speech: The public has traditionally used Seattle's streets to exercise constitutional rights under the First Amendment ranging from large-scale protests to newspaper vendors. Alleys will only be vacated if publicly accessible spaces on the site are kept open for the same speech-related purposes.

While the alley proposed for vacation is open and available for public use, it is unimproved and there are no active adjacent uses that draw the public. While it is possible for the public to use the alley and to exercise free speech rights in the alley, it does not appear to have much existing value for those purposes. To the knowledge of the Project proponents, the alley has not been the site of previous free-speech activities. The proposed improvements along N 87th St and Palatine Ave N will be in a public right-of-way and will be accessible to the public. This improved right-of-way space will provide more meaningful opportunities for free speech activities than the subject alley.

Public Assembly: Streets also act as places for people to gather, to meet others in the community, space for children to play, and for all segments of society to interact. The role of the right-of-way can be particularly important for people who have the fewest resources. The City Council considers the importance of each street or alley as a place for community activity in considering any vacation. As noted, alleys typically function as the back door of a block and can provide important space for services and access to property but generally do not provide space for the public to gather.

The unimproved alley proposed for vacation does not currently serve as a place of public assembly nor is it adjacent to a public use. Even if the right-of-way was retained and improved as part of a different project, it is unlikely that it would have much value as a space for the public to gather. The alley's current unimproved state makes it an unlikely space for public assembly. The public benefit improvements within the adjacent rights-of-way include expanded sidewalks and seating areas where public assembly will be possible.

Open Space: Streets provide spaces for people to gather, interact, and travel, and offer open space benefits. The open space opportunities provided by streets are important resources that contribute to quality of life and become more valuable as the City becomes more densely developed. The contribution of this important street function to the public's existing and future quality of life is an important consideration when reviewing each proposed vacation. The open

space functions provided by the right-of-way are identified and the effects of their loss analyzed.

The alley proposed for vacation consists of about 1,951 square feet. The alley is currently unimproved and does not provide useable amenities or outdoor space. The Project includes sidewalks that are deeper than the standard code requirements. Along 1st Avenue Northwest, 2 feet of pervious pavers will widen the existing 6-foot sidewalk. Additionally, along Palatine Ave N, a 2-foot sidewalk easement will widen the existing 6-foot sidewalk. The adjacent conservation parcel will also be improved with enhanced landscaping, birdhouses, wayfinding, and public art elements. These expanded sidewalk areas, in conjunction with the improvements proposed at the conservation parcel, provide pedestrians with increased access to open space, air and light.

Light and Air: Streets and alleys maintain access to light and air for their users and for surrounding property. The Council considers the loss of light and air, and shadow impacts in considering whether to approve a street vacation. Shadow impacts on public spaces are given importance. The street grid provides consistency in the development pattern. Streets provide for open, undeveloped space, and breathing room and access to sunlight between buildings. Streets provide for light and air onto buildings and public spaces.

The scale of the proposed Project is consistent with the zoning and anticipated new development in the area. The proposed alley vacation allows the building to draw the massing towards the interior of the site, reducing light impacts on neighboring properties and right-of-way. The proposed vacation will not increase shadows on public parks and public open spaces as a result of the vacation,

The vacation will support development that is consistent with the anticipated development pattern and will not have significant impacts on light and air, or shadow impacts on any public spaces.

Views: Street and alleys provide views to the mountains, bodies of water, and the city itself. The City will protect designated view corridors along specifically-identified streets. The City will consider the impacts of a street vacation on views of designated public places and designated landmarks.

The alley proposed for vacation is not identified or designated as a view corridor. Should the vacation be approved, there is not a loss or diminution of any protected public views. With or without the vacation, at-grade level, the only views are of the buildings and streets around the site.

Land Use and Urban Form: Streets and alleys also play a significant role in the shape of the city. The City considers the relationship between the intended character of the area as described in Seattle's Comprehensive Plan and other adopted neighborhood, subarea, or community plans. The width and spacing of streets, the presence and absence of alleys, and the location and path of boulevards and other linear open spaces have significant impacts on neighborhoods and how they function. The Council will pay attention to vacations that disrupt an existing pattern of development in the neighborhood. The Council may place conditions on a vacation to mitigate negative land use effects.

This Project is consistent with zoning and would be consistent with the scale of any future developments. This neighborhood has seen several new residential developments that are greater in scale than the Yew proposal and there are also additional residential developments that are in the planning stage and will likely move forward.

Petitioner will use the alley vacation to consolidate Project massing to the center of the site, creating a continuous, active street frontage and an improved street edge. The vacation enables a site design that fosters a cohesive urban form and supports efficient land use by removing a right-of-way feature that fragments the block but does not create a project that is out of scale and character with the surrounding neighborhood.

No adverse land use impacts were identified.

XII. PUBLIC BENEFIT ANALYSIS

The Street Vacation Policies note that a vacation shall include a commitment to provide public benefits. The concept of providing a public benefit is derived from the public nature of streets. Streets, whether improved or unimproved, provide important benefits to the public. Among the various benefits are preserving the street grid that provides for consistency in the development pattern and influences the scale and orientation of buildings. Streets provide for breathing space, open space and views, natural drainage, and urban wildlife corridors. These benefits are in addition to the public functions provided by streets including moving people and goods in vehicles, on foot, or by bicycle; and providing for current and future utility services, for street trees, and for other amenities.

Vacations cannot be granted for a purely private benefit. Before this public asset can be vacated for private purposes, there shall be a permanent or long-term benefit to the public. 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 a part of a vacation petition. The Vacation Policies

stress the importance of the public benefit proposal responding to the needs of those most vulnerable to the negative impacts of development.

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 Vacation Policies specify that the following are not public benefits:

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

The vacation review looks very closely at the proposed public benefit package. SDOT, various City staff, and the SDC considered the amenities proposed for the vacation and whether the package was adequate.

Public benefit elements must also exceed elements required by the Seattle Municipal Code or mitigation required under the State Environmental Policy Act or other regulations and is in addition to vacation fees and other obligations. The public benefit proposal should recognize the loss of the benefits provided by the street to the public and the gains received by the Petitioner. The public benefit proposal should reflect the comments, ideas, and concerns voiced by the public during the early community engagement work. The public benefit must be more than compensatory and should provide something of benefit to the public. 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 general public and not merely the Project's tenants.

The Street Vacation Policies provide clear guidance as to how to define public benefit and what criteria should be used to assess the adequacy of the public benefit proposal. The Vacation Policies even provide for a prioritization of public benefit features. However, the Vacation Policies cannot assign mandatory public benefit features to a particular proposed vacation.

The Vacation Policies anticipate that the initial public benefit proposal will be included in the vacation petition and would be responsive to the Community Engagement Plan, the early work with the Street Vacation office and other City staff and with the early review by the Seattle Design Commission. The review of the public benefit proposal continues throughout the formal review of the vacation.

Overall, the Project focused the proposed public benefits on improvements that enhance pedestrian connectivity, restore ecological function, and enrich the streetscape around the development site. These public benefits are concentrated along the Project's frontages and at the adjacent Conservation Parcel, reinforcing the neighborhood's walkability and environmental identity while offering tangible enhancements to the public realm. The public benefit proposal reflects feedback received during early community engagement and is intended to serve a broad cross-section of the Greenwood neighborhood. The public benefit proposal incorporates ideas and suggestions from the Community Engagement process.

Along Palatine Ave N, the Project will deliver a two-foot sidewalk widening, expanding the existing six-foot sidewalk onto the Project site. This easement-backed improvement creates a more generous pedestrian corridor and enhances comfort and accessibility along a key frontage. On N 87th St, the Project will close a long-missing segment of the sidewalk network by constructing a new six-foot sidewalk with a six-foot landscaped planter strip and curb along the Conservation Parcel frontage. This improvement responds directly to community priorities for enhanced pedestrian circulation and delivers a critical east-west connection between Palatine Ave N and 1st Ave NW.

The Project also includes a two-foot sidewalk shoulder expansion along 1st Ave NW. This expansion enhances the pedestrian realm, provides a visual and functional transition to the Conservation Parcel, and supports stormwater infiltration. Together, these sidewalk improvements exceed minimum code requirements and establish a unified, high-quality streetscape condition across the site's perimeter.

The Vacation Policies emphasize the provision of physical and usable amenities that are accessible to the public upon completion of development. The proposed improvements meet this standard by delivering tangible, visible upgrades to the public realm that are directly adjacent to the site and available for public use. In addition to promoting walkability, the proposed improvements enhance visual character, ecological function, and overall neighborhood livability. These benefits reflect the goals articulated in the Greenwood-Phinney Ridge Neighborhood Plan and align with the City's broader policy emphasis on equity, mobility, and sustainable urban form. By investing in sidewalk connectivity, landscape elements, and ecological restoration, the Project offers a public benefit package that is responsive to community input and proportionate to the scale of the alley vacation.

Each public benefit proposal is outlined in detail below.

Palatine Ave N Sidewalk Improvements

Along Palatine Ave N, the Project will provide a two-foot sidewalk area in addition to the existing six-foot sidewalk, resulting in a wider, more comfortable pedestrian path. This area will be preserved via easement and will support a sidewalk width that exceeds minimum city requirements, promoting a more generous and accessible public realm along this residential street. This sidewalk widening, integrated into the development's frontage improvements and upon the Project site, is designed to foster a safer, more inviting environment and encourage walking as a viable mode of transportation in the neighborhood.

N 87th St Sidewalk Improvements

The Project proposes the construction of a new sidewalk along the N 87th St frontage of the Conservation Parcel, bridging a longstanding gap in the pedestrian network between Palatine Ave N and 1st Ave NW. This segment represents a missing link in the neighborhood sidewalk grid and is proposed in direct response to feedback from both community members and the City Council Subcommittee, who emphasized the need for improved pedestrian connectivity in the Greenwood neighborhood. The sidewalk will be constructed to SDOT standards and will be six feet in width and paralleled by a six-foot landscape planter, increasing safety, accessibility, and the overall walkability of the area. The completion of this sidewalk not only improves pedestrian circulation but also provides direct public benefit by enabling safer routes to nearby destinations, including nearby parks and local retail.

1st Avenue NW Sidewalk Improvements

The Project includes a two-foot concrete shoulder expansion along an existing six-foot sidewalk on the site's frontage. This area will extend the usable pedestrian area and improve walkability.

Conservation Parcel Enhancements and Restoration

As part of its public benefits package, the Project will undertake comprehensive ecological enhancements and restoration of the adjacent Conservation Parcel. Proposed improvements include the introduction of new native tree and understory plantings, and a commitment to ongoing landscape maintenance. These actions are intended to restore and preserve the natural habitat, promote urban biodiversity, and improve ecological function in a historically impacted area. The Conservation Parcel improvements respond to both community priorities for green space and the City Council's emphasis on environmental value. Although the parcel is not dedicated as accessible public open space in order to protect the site, the improvements will create framed, visually accessible views into a healthier green space for the public, reinforcing Greenwood's identity as a livable, nature-connected urban neighborhood. The restored landscaping will be maintained on a quarterly basis according to a seasonal maintenance plan.

Additionally, three decorative birdhouses will be installed within the project area and will provide artistic and ecological functionality. These birdhouses help support local biodiversity and promote seasonal songbird interest for residents and the public. During the offseason, the colorful birdhouses continue to provide visual interest to the public realm from within the Conservation Parcel. The inclusion of birdhouses was highlighted by community members during engagement events as a unique and playful way to celebrate nature within the urban environment. The Project will also install decorative metal fence panels (designed by local artist Sarah Robbins) along portions the street frontages adjacent to the Conservation Parcel. These artistically designed panels will enhance the visual quality of the public realm, provide interest for pedestrians, and reinforce neighborhood identity through their materials and motifs. The decorative fencing adds artistic character while visual permeability into the Conservation Parcel.

Public Realm Enhancements on 1st Ave NW/N 87th St

To support wayfinding and neighborhood identity, the Project will install a custom sign (also designed by local artist Sarah Robbins) at a prominent entry point. The sign will direct pedestrians to local amenities and help define the project's connection to the surrounding community. By integrating public art and functional wayfinding, this element elevates the aesthetic character of the streetscape and offers a clear benefit that exceeds typical signage requirements. The sign's design will reflect neighborhood themes, adding vibrancy and a sense of place for both residents and visitors.

Two seating blocks at the intersection of N 87th St and Palatine Ave N will also be installed upon the Conservation Parcel and will be publicly accessible. These resting blocks will be constructed from a durable high-quality material, such as stone or concrete, and provide informal seating opportunities for pedestrians and contribute to a more welcoming public realm. Their placement encourages walking by offering spaces for respite, social interaction, and observation into the Conservation Parcel. The design and siting of these elements respond directly to community feedback, prioritizing comfort, vandal-resistance, and a thematic material palette.

The elements and valuation of the public benefit proposal are outlined in the matrix below:

Public Benefit Component	Code Req'd	Item	Estimated Value
<u>1: Palatine Ave N, Sidewalk Improvements</u> Provide two feet of expanded sidewalk area upon the Project site along the Project's Palatine Ave frontage to promote walkability	N	245 SF Concrete Sidewalk	\$7,644
<u>2: N 87th St, Sidewalk Improvements</u> Provide new 6-foot sidewalk connection with 6-foot landscape planter and curb to complete pedestrian connection between Project and existing sidewalk at 1 st Ave NW.	N	554 SF Concrete Sidewalk	\$17,285
	N	554 SF Landscape Planter with Street Curb	\$23,268
<u>3: 1st Ave NW, Sidewalk Improvements</u> <u>Two-Foot Sidewalk Expansion</u> Provide two feet of additional concrete along the 1st Ave NW frontage of the Conservation Parcel to expand the pedestrian space and improve walkability	N	245 SF Pervious Pavers, Concrete Sidewalk, or similar solid surface material if approved by SDOT	\$7,644
	N	Conservation Parcel restoration and planting plan implementation	\$145,910
	N	Ongoing quarterly Conservation Parcel maintenance	\$8,850
	N	Three thematic birdhouses, 8-12 ft in height	\$2,250

<u>4: Conservation Parcel Enhancements and Restoration</u> Remove and replace existing invasive vegetation with native and naturalized species. Implement new landscaping with quarterly maintenance plan, decorative fence panels, and thematic birdhouse elements.	N	215 linear feet of corten steel or similar decorative fence panels designed by local artist	\$90,300
	N	Single wayfinding signage element designed by local artist	\$5,000
	N	Two Resting Blocks made of stone, concrete, or similar solid material	\$3,000
TOTAL: \$ 311,151			

** Note: Square footages in the chart above are approximate.*

The Project is a strong development proposal that incorporated community priorities into the required public benefit proposal. The public benefit elements include artist made charming and interesting art elements that make the benefits unique to this community. The other elements of the public benefit package will create a much more walkable and interesting area in the neighborhood.

XIII. RECOMMENDATION & CONDITIONS

It is recommended that the vacation be granted, and the street vacation ordinance be passed, upon the Petitioner demonstrating that all conditions set forth below have been satisfied and all fees associated with the Project paid.

1. The vacation is granted to allow the Petitioners to build a project substantially in conformance with the Project proposal reviewed by the City Council and for no other purpose.

2. All street improvements required as part of the Project shall be designed to City standards, as modified by these conditions to implement the public benefit requirements (as set forth in the table below) and be reviewed and approved by SDOT through a Street Improvement Permit.
3. It is expected that development activity for the Project will commence within approximately 2-3 years after this approval and that development activity will be completed within 5 years thereafter. The Petitioner shall not request or be issued a Final Certificate of Occupancy for the Project until SDOT has determined that all conditions have been satisfied and all applicable fees have been paid. If development activity has not commenced within 10 years after this approval, the Petitioner must seek an extension of the approval from the City Council.
4. The Petitioner shall continue to provide informational updates to SDOT regarding the review and implementation of the proposed and required regulatory elements such as the Street Improvement Permit, the recommendations from the SDC, and the vacation conditions. If Project changes substantially impact any vacation conditions, including the public benefit features required under this approval, SDOT Street Vacations will determine the steps necessary to address the proposed changes. SDOT may require review by the Seattle Design Commission staff to address substantial changes to public benefits or issues and confirm compliance with the conditions in this approval.
5. The Petitioner shall develop and maintain the public benefit elements as defined by the City Council and shown below in Condition 6. Before approval of the final vacation ordinance, the Petitioner shall enter into a Property Use and Development Agreement ("PUDA") or other binding mechanism to ensure that the public benefit elements and conservation site enhancements required under this approval remain open and accessible to the public and outline future maintenance and insurance obligations related to such public benefit and conservation site elements.
6. The final design of the public benefit elements required under this approval shall require the review and approval of SDOT Street Vacations. SDOT may engage with the Seattle Design Commission administration in this review. The chart below outlines the public benefit elements required under this approval and outlines certain features and approximate square footage dimensions, all of which shall be outlined in the PUDA.

Public Benefit Component	Code Req'd	Item	Estimated Value
<u>1: Palatine Ave N, Sidewalk Improvements</u> Provide two feet of expanded sidewalk area upon the Project site along the Project's Palatine Ave N frontage to promote walkability	N	245 SF Concrete Sidewalk	\$7,644
<u>2: N 87th St, Sidewalk Improvements</u> Provide new 6-foot sidewalk connection with 6-foot landscape planter and curb to complete pedestrian connection between Project and existing sidewalk at 1 st Ave NW.	N	554 SF Concrete Sidewalk	\$17,285
	N	554 SF Landscape Planter with Street Curb	\$23,268
<u>3: 1st Ave North, Sidewalk Improvements</u> <u>Two-Foot Sidewalk Expansion</u> Provide two feet of additional concrete along the 1st Ave NW frontage of the Conservation Parcel to expand the pedestrian space and improve walkability	N	245 SF Pervious Pavers, Concrete Sidewalk, or similar solid surface material if approved by SDOT	\$7,644
	N	Conservation Parcel restoration and planting plan implementation	\$145,910
	N	Ongoing quarterly Conservation Parcel maintenance	\$8,850
	N	Three thematic birdhouses, 8-12 ft in height	\$2,250

<u>4: Conservation Parcel Enhancements and Restoration</u> Remove and replace existing invasive vegetation with native and naturalized species. Implement new landscaping with quarterly maintenance plan, decorative fence panels, and thematic birdhouse elements.	N	215 linear feet of corten steel or similar decorative fence panels designed by local artist	\$90,300
<u>5: Sidewalk Enhancements at 1st Ave NW/N 87th St</u> Thematic wayfinding signage provides directional information and is thematically integrated into other site artistic elements. Resting blocks provide opportunities for respite in the public realm.	N	Single wayfinding signage element designed by local artist	\$5,000
	N	Two Resting Blocks made of stone, concrete, or similar solid material	\$3,000
TOTAL: \$ 311,151			

Sincerely,



Angela Brady, PE
Acting Director of Transportation

Enclosures