

April 12, 2022

MEMORANDUM

To: Transportation & Seattle Public Utilities Committee
From: Lish Whitson, Analyst
Subject: Council Bill 120304: Willow Crossing Street Vacation

On April 19, 2022, the Transportation & Seattle Public Utilities Committee (Committee) will receive a briefing on [Council Bill \(CB\) 120304](#), which would grant final approval for the vacation of 39th Avenue South, south of South Willow Street (Council District 2). Council conditional approval of the vacation was granted on November 25, 2019, through [Clerk File \(CF\) 314422](#). Approval of the vacation facilitated the development of [Willow Crossing](#), a seven-story apartment building containing 211 units income- and rent-restricted to be affordable to households earning less than 60 percent of the Area Median Income.¹ The project is located on the southwest corner of South Willow Street and Martin Luther King Jr Way S, one block north of the Othello light rail station.

The Council's decision at this point is to determine whether the project has satisfied the conditions of CF 314422. If those conditions have been met, the Council should approve the bill. This memorandum discusses the street vacation process and the Willow Crossing vacation conditions.

Street Vacation Process

The Street Vacation process, as laid out in the City Council's Street Vacation Policies ([Resolution 31809](#)), includes three Council reviews of a project. Soon after a property owner submits a petition to vacate right-of-way, the Council may choose to hold an early public forum or briefing to learn about the proposal and provide early feedback.² After receiving this early feedback, City departments, the Seattle Design Commission, and other interested parties review the petition and provide recommendations. The Seattle Department of Transportation (SDOT) compiles and transmits their recommendations to the City Council alongside a recommendation from the SDOT Director to the City Council.

Once the Council receives this recommendation, the Council holds a public hearing and reviews the petition. At this point, the Council decides (1) whether to grant the petition, and (2) if the Council determines that the vacation is appropriate, it decides which conditions should be placed on the vacation. This conditional approval allows the petitioner to build in the right-of-way and to complete their project.

¹ Currently units are restricted to single-person households earning up to \$48,600 a year and families of four earning up to \$69,400 a year.

² The [introductory briefing](#) for the Willow Crossing vacation was held on April 16, 2019.

Once the project is complete, SDOT confirms that the conditions have been met and transmits a bill to finalize the vacation to Council. At this phase of Council’s review, the Council’s role is to determine that the conditions have been met. Passage of the bill allows for the official transfer of ownership of the right-of-way to the petitioner.

Review of Vacation Conditions

The vacation conditions included in CF 314422 included nine conditions. These conditions require that:

1. The project be built substantially as presented to the Council;
2. Street improvements must be designed to City standards and reviewed by SDOT;
3. Utilities adjacent to the site and on the site must be protected;
4. Development should begin within 18 months of approval and be completed within five years of approval;
5. Additional review and conditioning would be required under the State Environmental Policy Act (SEPA) and City codes and regulations;
6. The petitioner must work with the Office of Housing to implement the anti-displacement policy to give preference to renters from the neighborhood;
7. Free speech activities must be allowed in public spaces on site and signage must indicate to the public that those activities are allowed; and
8. The project must provide and maintain the following public benefit features for the life of the building:

#	Public Benefit Component	Costs	Timing of Implementation	Total Value
1	MLK Plaza 1,250 SF	<u>Concrete Pavers:</u> 1,110 SF @ \$22/SF = \$24,420 <u>Concrete Planters:</u> 80 LN FT @ \$75/LN FT = \$6,000 <u>Benches:</u> <u>Concrete:</u> 101 LN FT @ \$60/LN FT = \$6,060 <u>Wood:</u> 78 SF @ \$40/SF = \$3,120 <u>Metal Screens:</u> 5 Screens = \$7,500 <u>Landscaping:</u> 53 SF @ \$10/SF = \$530	Provided during construction, prior to Certificate of Occupancy (C of O)	\$47,630
2	Willow Walkway 309 SF	<u>Decorative Paving:</u> 309 SF @ \$15/SF = \$4,635 <u>Concrete Planters:</u> 78 LN FT @ \$75/LN FT = \$5,850 <u>Benches:</u> <u>Concrete:</u> 65 LN FT @ \$60/LN FT = \$3,900 <u>Wood:</u> 49 SF @ \$40/SF = \$1,960 <u>Metal Screens:</u> 5 Screens = \$5,000 <u>Landscaping:</u> 48 SF @ \$10/SF = \$480	Provided during construction, prior to C of O	\$21,825

#	Public Benefit Component	Costs	Timing of Implementation	Total Value
3	Off-site Donation	Right-of-way Improvements at Inflorescence Park or other location in Othello Neighborhood	Funds to HOSTED No Later than 12/31/2020	\$25,000
TOTAL				\$94,455

9. Signage identifying that public use is allowed must be provided at the public open space.

SDOT has reviewed the project as built and the Property Use and Development Agreement (PUDA) that has been recorded to ensure ongoing provision of the public benefit features and has determined that the project substantively meets all vacation conditions and recommends approval of the bill.

Next Steps

The Committee is anticipated to consider and may vote on the proposed bill at its April 19 meeting. The bill could be considered by the City Council as early as April 26.

cc: Aly Pennucci, Deputy Director
Yolanda Ho, Lead Analyst