



May 21, 2019

Honorable Mike O'Brien, Chair
Sustainability & Transportation Committee
Seattle City Council
600 Fourth Avenue
Seattle, Washington 98104

**Subject: Petition of Trinity Trailside, LLC, for the vacation of a portion of Northeast 48th Street
lying between 24th Avenue Northeast and the Burke Gilman Trail
Clerk File 314380**

Dear Councilmember O'Brien and Honorable Members of the Sustainability & Transportation Committee:

We are returning the petition from Trinity Trailside, LLC, *et al.* ("Petitioner") for vacating the street described as:

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERN MOST CORNER OF THAT STRIP OF LAND CONVEYED TO THE CITY OF SEATTLE BY DOCUMENT RECORDED UNDER KING COUNTY RECORDING NUMBER 4967657, SAID CORNER BEING ON THE WEST MARGIN OF THE 25TH AVENUE RIGHT OF WAY AND ALSO ON THE SOUTH MARGIN OF THE NE 47TH STREET RIGHT OF WAY, THENCE NORTH 88 DEGREES 47'27" WEST ALONG SAID SOUTH MARGIN, 188.05 FEET TO THE WEST MARGIN OF THE 24TH AVENUE NE RIGHT OF WAY;

THENCE NORTH 00 DEGREES 59'01" EAST ALONG LAST SAID WESTERN MARGIN, 327.72 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING ALSO LYING ON THE SOUTH MARGIN OF THE NE 48TH STREET RIGHT OF WAY;

THENCE NORTH 88 DEGREES 47'06" WEST ALONG THE LAST SAID SOUTH MARGIN, 243.84 FEET TO THE EAST MARGIN OF THE BURKE GILMAN TRAIL (FORMERLY NORTHERN PACIFIC RAILROAD COMPANY'S RIGHT OF WAY);

THENCE NORTHERLY ALONG SAID EAST MARGIN 40 FEET MORE OR LESS TO THE NORTH MARGIN OF SAID NE 48TH STREET RIGHT OF WAY;

THENCE SOUTH 88 DEGREES 47'06" EAST ALONG SAID NORTH MARGIN, 242.89 FEET TO SAID WEST MARGIN OF THE NE 24TH AVENUE NE RIGHT OF WAY;

THENCE SOUTH 00 DEGREES 59'01" WEST 40.00 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

CITY COUNCIL DISTRICT

The proposed street vacation is in City Council District 4.

BACKGROUND AND PROJECT DESCRIPTION

The area of the proposed project is largely defined by the University of Washington (UW) and University Village, a large-scale retail and restaurant shopping area. In addition to these large-scale developments, the area includes smaller scale office, retail, and restaurant uses and a growing number of multi-family developments. The lots to the north and east are developed with single- and multi-story commercial buildings. To the south is UW property with parking and storage uses. To the west across the Burke Gilman Trail are single- and multi-family residential structures. The project site is located at the bottom of a steep slope with about 70 feet of grade change to the Burke Gilman Trail. Outside of the commercial and retail core, the area contains single- and multi-family homes. Just west of the site and the Burke Gilman Trail is the Ravenna neighborhood. The neighborhood planning area is the University Community Urban Center and the zoning overlay is the Ravenna Urban Center Village.

The project site is bounded by a Seattle Children's Hospital facility and Chase Bank to the north and NE 49th Street on the northeast. To the east is 24th Avenue NE and across 24th are a Travelodge and Key Bank although the block is slated for a mixed-use apartment project that will be developed by Greystar. To the south is the UW Motor Pool, Pend Oreille Place NE. NE 47th Street is to the southeast. The site is completely bounded on the west by the Burke Gilman Trail and a small strip of Seattle Public Utilities (SPU) property.

The site abuts 24th Avenue NE, a north/south street immediately to the east of the site. The streets to the north, NE 49th Street and to the south, NE 47th Street terminate at 24th Avenue NE and do not extend into the proposed development site or connect to the Burke Gilman Trail. NE 48th Street does continue west of 24th Avenue NE and bisects the site proposed for redevelopment.

NE 48th Street, the street proposed for vacation, runs east and west and terminates at 24th Avenue NE to the east and the Burke Gilman Trail to the west. NE 48th Street is a one block street in this location. The street is approximately 40 feet in width and 230 feet in length and includes approximately 9,741 square feet. Petitioner owns Parcels 0925049396, 0925049398, and 0925049395 and is the only property owner that abuts NE 48th Street. NE 48th Street does currently provide some pedestrian access to the Burke Gilman Trail.

The property includes three parcels totaling 103,427 s.f., and currently has eight multi-story apartment buildings. One building is leased for use as an annex to the nearby Travelodge hotel. There are 105 apartment units (excluding the hotel annex) and the apartments are a maximum of 3-stories. Phoenix Property Company has a ground lease for the property with Trinity Trailside, LLC and has plans for redevelopment. Petitioner proposes the street vacation to facilitate development of the Trailside Apartments project that will include approximately 460,000 s.f. of student housing development.

REASON FOR VACATION

Currently, NE 48th Street separates the developable parcels into one smaller parcel north of NE 48th, and a larger parcel to the south. The requested street vacation is integral to redeveloping this block to facilitate the construction of a multi-building project targeted as student housing. The development proposal includes demolishing the buildings on the site and constructing new housing units designed for

students. The vacation permits consolidating the lots and allows for parking below grade, which results in more flexibility in massing solutions and allows buildings that are oriented to take advantage of site relationships and adjacencies to the Burke Gilman Trail. Petitioner has cited that the street vacation would: (1) enable efficient parking below grade; (2) create better building massing options to take advantage of adjacencies to the Burke Gilman Trail; (3) enhance pedestrian and bicycle access to the Burke Gilman Trail; (4) create additional open space; (5) create stronger physical and visual connections to the Burke Gilman Trail; and (6) reduce vehicular entries and add site access efficiencies.

Connecting parking below grade allows the two proposed buildings to consolidate parking and services without the intervening dead-end street. This eliminates the need for two separate garages and two separate garage entrances. Consolidating parcels results in more opportunities to provide public connections to the Burke Gilman Trail at the southern edge of the site, where the connection can tie directly into the existing street grids and crossings. Such a connection does not currently exist.

A range of public benefit elements are proposed. They are described in greater detail later in this recommendation. The benefits include the Burke Gilman Trail access and amenities and creating a SDOT-proposed curbless street along 24th Avenue NE.

NO-VACATION ALTERNATIVE

While developing a no-vacation alternative would be similar in scale to the development of a vacation alternative, the use of the available building site would be significantly different. The no-vacation alternative would use the entire project site to develop the three buildings. Parking would be provided below grade in two separate parking garages, separated by the existing street. No public open space would be provided. Access for parking and loading for the buildings would be taken off the street. The smaller lots would require the buildings' bulk to be located along the Burke Gilman Trail to achieve a similar number of units. The no-vacation alternative would have 80% of its façade area against the trail where the vacation alternative only requires 47% of its façade area to be located along the trail. With the vacation, the buildings could be more creatively massed and located to minimize the bulk located along the trail.

The no-vacation alternative would not require any public benefits.

PROJECT DESCRIPTION

Development that would occur should the vacation be granted would include an approximately \$66 million dollar project that consists of approximately 460,000 s.f. of development, including: below-grade parking, retail, residential apartments and associated residential lobbies and amenity areas and approximately 265 residential units. As a student-targeted project, the apartments range from studios to 5-bedroom units dispersed throughout the two-building complex. The southern legs of the second building are connected on the upper levels, creating a breezeway at the ground level and a visual connection from the street to the courtyard. The two buildings range from 6 to 7-stories at a max height of 75 feet to the top of the roof deck. One of the buildings incorporates large roof decks for tenant use. The roof decks are on the southernmost building, taking advantage of views to the north and south.

There is one level of below-grade parking that is accessed at the NE corner of the site from 24th Avenue NE. Within the below-grade parking, there are approximately 217 parking stalls and 150 secured bicycle stalls. There will also be bicycle racks at ground level to accommodate short term and visitor bicycle parking. At level 1, there is a bicycle garage and repair station for the building residents. The project fronts one street and there is no alley access. With the student population, car travel is assumed to be limited and the parking ratio of car/bed is approximately 0.29. It is assumed that student travel will be primarily cycling and walking via the trail and surrounding sidewalks.

The design considers the large site area and is responsive to the adjacent Burke Gilman Trail and neighbors. The buildings have been oriented primarily in the east/west direction to limit frontage along the trail and 24th Avenue NE, which also allows for three large courtyards in between the three structures. The courtyards are intended for use by the residential tenants and visitors but also create porosity through the site and visual connections across the site. As part of the public benefit, one trail connection is being proposed along the southern edge of the site. This is intended to create a much-needed connection from the Burke Gilman Trail to the street grid beyond as there are currently no safe connections from the trail to the U-Village or the commercial core along 25th Avenue NE. The southern connection is intended for cyclists and pedestrians and is being designed for safe delineation between the two. This connection will extend down NE 47th Street and will directly connect with a sidewalk and traffic light that provide safe crossing to the U-Village and their new proposed bicycle entrance. The project team has been coordinating with the adjacent property owners to develop a safe connection and to define responsibility of development once the connection crosses 24th Avenue NE and leaves the Trailside project boundaries.

The project is also proposing a curbless street design along 24th Avenue NE to help soften traffic flow and enhance pedestrian activity, while providing upgraded sidewalks and landscaping. Currently the project is only required to upgrade the existing sidewalks and landscaping but is proposing an upgraded streetscape as part of the public benefit, which will benefit the surrounding developments, adjacent neighbors, and pedestrians/cyclists traveling through this area.

The southern courtyard is approximately 20,000 s.f. and while it is primarily intended for private use, it flanks the southern trail connection, creating additional activation of the trail connection and adding to the visual cues as one travels the trail. This courtyard will also act as a primary front door to the project for students going to and from campus. Cyclists will have direct access from the trail connection into the building via the dedicated bicycle garage, which alleviates the need to continue onto the street grid and allows for safer access. Approximately 2,400 s.f. of retail is also located at the southern courtyard and will spill out into the space, adding additional activation to this end of the site and create added space for public use.

The northern courtyard functions as an arrival court and event/gathering space that sits directly between both main entry lobbies. This will be one of the main arrival points for people entering the project from 24th Avenue NE. The intent of this court is solely for short-term parking for future residents, visiting parents, move in/out, and loading. The space will also act as a shared amenity space for events, group activities, and gathering/respite space. There will be no overnight parking in this space. The arrival court allows for a reduction in traffic congestion along 24th Avenue NE which aligns with the slower, more pedestrian-focused curbless street concept. It will also serve as a safe place for students

being picked up or dropped off after hours. The entire court is not intended for vehicle use and the landscaping and hardscaping will be designed to differentiate the spaces within the court.

The design team is currently studying how to best differentiate between outdoor public and private use but the design intent is as much porosity throughout the site as possible. Any fencing or security gates will be incorporated into the overall design and designed for transparency. Additional signage and wayfinding strategies are also being studied. With the student population, security is paramount and will be a continual design focus.

The public benefit proposal includes:

- Burke Gilman trail connection for cyclists and pedestrians at the southern edge of the property;
- Burke Gilman trailside amenities, including benches, bike racks, wayfinding signs, a water fountain, and a bike fix-it station;
- Landscape restoration adjacent to the Burke Gilman trail, including new native landscape plantings and a maintenance agreement;
- A curbless street meeting SDOT standards along 24th Avenue NE, including street trees and surfacing; and
- Wayfinding.

MEETINGS WITH CITY STAFF AND STAKEHOLDERS

The Petitioner met numerous times with City staff and stakeholders, including but not limited to the following:

Meetings with Stakeholders

- University of Washington (May 16 and 30, 2017, and August 21, 2018)
- Ravenna-Bryant Community Associations (June 6 and 22, 2017)
- Adjacent developers, University Village, Greystar (July 12, 2017)
- Cascade Bicycle Club and Feet First (August 8, 2017)
- Ravenna Springs (February 8, 2018)

Design Review Board meetings

- EDG Meeting: August 7, 2017.
- Recommendation meeting 1: May 21, 2018
- Recommendation meeting 2: July 9, 2018

Design Commission meetings

- November 16, 2017
- January 18, 2018
- March 1, 2018

Meetings with SDOT staff/Street Improvement Permit meetings

- May 5, 2017 (Pre-submittal conference)

- July 26, 2017
- February 15, 2018
- March 6, 2018
- July 25, 2018

Meetings with other City staff

- June 26, 2017 (Seattle Parks)
- January 31, 2018 (Seattle Public Utilities)

CIRCULATION/ISSUE IDENTIFICATION

The proposed vacation was circulated to various City departments, outside agencies, and community groups for comment. The vacation review process includes review by the Seattle Design Commission. In addition to the vacation review, the project is subject to:

- Design Review Board review as required by SDCI;
- Master Use Permit (MUP) review;
- Preparation of a SEPA Checklist;
- Street Improvement Plan (SIP) review, the SDOT process to review street design and utility issues; and
- Utility Major Permit, the process to review major utility changes.

Start of Comment Section

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 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 SDOT.

The public comments reflect the views and analysis of the group, organization, or individual for consideration by the City and do not reflect the analysis and conclusions of the City.

The comment section does not reflect the resolution of the issue, subsequent design changes, or mitigation. The analysis section will focus on the resolution of any issues, recommended project changes, or conditions to address issues or concerns. Petitioner responded to some of the comments received and those comments are in italics following each comment.

City Departments:

Seattle Fire Department: We reviewed the proposal for the vacation of NE 48 Street. There appear to be no access issues which cannot be resolved through the New Construction Plan Review process.

Response: No response required.

SDOT Development Review: SDOT Development Review supports the curbless street concept for 24th Ave NE, additional Burke-Gilman Trail connections, and street vacation for NE 48th St.

Response: No Response Required.

Office of Planning & Community Development (OPCD): From an urban design standpoint, the connections that they suggest providing appear to be more useful and intuitive than the current ROW configuration. So long as you feel the conditions are adequately clear that we'll get usable public access in those two trail connections, this seems like a good idea.

Response: No Response Required.

Seattle City Light (SCL): City Light owns and operates a three-phase overhead electric power line, including poles, transformers and wire within the proposed vacation area. We have no objection to the proposed vacation of that portion of NE 48th Street located in the University Community Urban Center, provided that the following paragraphs containing certain requirements are made part of the petition:

"Prior to the approval of the street vacation of that portion of NE 48th Street located in the University Community Urban Center, Petitioner shall provide for the removal and/or relocation of its electric utility facilities, including electrical services to any other properties affected by such conversion or removal. This work may also include the acquisition of additional easements over the property of others, the creation of restrictive covenants, deed reservations, or the execution of Seattle City Light (SCL) relocation or work order agreements, all of which shall be in forms and with terms and conditions satisfactory to SCL. Petitioner shall be solely responsible for acquiring any such additional easements and the creation of any such restrictive covenants or deed reservations, all at Petitioner's sole expense. Petitioner shall be solely responsible for all costs associated with the removal, underground conversion, and/or relocation of SCL's electric facilities, including all costs related to the restoration of electric service to other properties affected by the vacation. Seattle City Light issues shall be resolved to the full satisfaction of SCL either prior to the approval of the final vacation ordinance by the City Council, or prior to the vacation ordinance becoming effective. Evidence of SCL's satisfaction may be delivered by any method agreeable to SCL and SDOT."

Response: Comments noted.

Seattle Department of Parks and Recreation (DPR): In general, DPR supports the proposed vacation based on the public benefits proposed by the petitioner. The proposed trail connection along NE 47th Street will be a welcome connection between the trail and University Village. SPR does have some concerns about the proposed trail connection along NE 49th Street, because of the poor site lines along that portion of the trail which could lead to unwelcome interactions between pedestrians and bicycles. DPR also has some concerns about the design, location and long-term maintenance plan for the proposed trail amenities associated with the southerly access.

Note that all trail connections (and improvements) to the Burke-Gilman trail need to be permitted and approved by SPR.

***Response:** Based on feedback from the neighborhood groups, Seattle Parks, and the SDC, the team determined it was appropriate to eliminate the north connection due to safety, access and sight line issues. Seattle Parks was also hesitant to allow two (2) connections to their property for similar reasons. All entities felt there would be more value in focusing efforts on a wider and more prominent south connection, with the building massing and setback at the south end responding to this prominent connection. With this change, the garage entry was re-aligned to be parallel with NE 49th street, which was a preferred location by the city for safety and access. The north building remained in the same location to maintain the proposed massing and landscape buffer to the north property line. With a focus on the south connection, the project team coordinated with SDOT and the neighboring properties to extend the south connection across 24th and along NE 47th to create a safer and stronger connection to the new crossing at 25th Avenue.*

Seattle Department of Construction and Inspections (SDCI): The Seattle Department of Construction and Inspections (SDCI) comments follow language from the Land Use Policy section of Seattle's Street Vacation Policies which are in italics.

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- 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;

The proposed street vacation includes one named right-of-way, NE 48th St, which is located between 24th Ave NE to the east and the Burke Gilman Trail to the west. The proposed street vacation would improve the long-term desirability for development of the lots located to the north and south NE 48th St, while allowing nearby 24th Ave NE to continue function as north-south oriented street. The long-term development potential of the area to the east of 24th Ave NE, to the south of NE 47th NE and to the north of NE 49th St may change, but the proposed vacation is unlikely to have a negative impact on the adjacent commercial and residential uses.

The proposed vacation will not cause a reduction in vehicle access to adjacent properties as the use of NE 48th St, which terminates at the Burke Gilman bike trail to the west, serves a single apartment complex. Targeted redevelopment will have direct access off of 24th Ave NE. The street vacation will result in the creation of a centralized open court area with access to light and air as a component of the redevelopment strategy designed as a communal space, pedestrian access point and vehicular drop-off and short-term parking designed to have visual porosity from the bike trail.

The redevelopment proposal with its street vacation component will also provide direct non-motorized access to the Burke-Gilman Trail from NE 47th St which was not available before. The NE 47th St access

provides an opportunity for a direct connection for students traveling to and from the UW campus while providing a connection from the Burke Gillman Trail to the amenities located directly east of the project site. The street vacation will facilitate this connection while allowing for visual porosity at the ground level to the east, through the development project from the bike trail to east through building forms that are broken down in mass and scale.

B. Consistency of land use changes with the City's Comprehensive Plan, particularly in the land use, urban village, transportation and neighborhood elements of the plan;

The proposed project site and vacation are located in a LR-3 zone, and will be going through Council Land Use Action to rezone a portion of land from LR-3 to Neighborhood Commercial 2 -85' to accommodate the two new apartment buildings with 268 units (one 7-story and one 6-story building) and Retail use located at street-level. This area is targeted to be re-zoned from LR-3 to NC2-75 (M1) as part of the City's long-term strategy for increasing overall density through the City's HALA program.

The proposed street vacations is located east of 24th Ave NE between NE 49th ST and NE 47th St. within a LR-3 zone which currently allows for residential uses. The project will go through the City's contract rezone process to up zone to NC 2-75 which allows for commercial uses. The current LR-3 zoning designation and future NC2-75 supports City Land Use goals in the Comprehensive Plan that promotes increased density if urban villages.

The proposed street vacation of NE 48th St would allow for the continued use of 24th Ave NE while a portion of vacated NE 48th would be redeveloped as a centralized open court area designed as a communal space, pedestrian access point and vehicular drop-off and short-term parking area.

C. The post-vacation lot size and configuration compared with surrounding properties and with the local pattern of land division and organization. In areas where street rights-of-way provide a strong edge or boundary between zones or areas of different scale and character, the right-of-way may be vacated only when a suitable alternative can be achieved with the proposed vacation. Vacations which would result in intrusions of residential development into commercial and industrial zones or the converse will be discouraged.

Lots located to the north, south and east of NE 48th Street and east of 24th Ave NE have a range of commercial uses of varying sizes. The development proposal indicates the lots owned by Trinity Trailside, LLC would be combined with a portion of the vacated street to create an open space area of approximately 9,741 square feet that would be used as a communal amenity space compatible with the proposed residential mixed use development and other properties in the area that will either take advantage of or participate in the development of street front, vegetation and road improvements along 24th Ave NE.

The subject street segment does not provide an edge or boundary between zones or areas of differing character. The proposed street vacations and resultant lot is located on the west side of 24th Ave NE and within the same current LR-3 zone. The application materials submitted by the applicant includes both residential and commercial use in a proposed NC2-75 zone.

Guideline 4.4 Timing of Vacations in Conjunction with Master Use Permits (Administrative Land Use Decisions)

Trinity Trailside, LLC applied for a Master Use Permit (MUP #3027312) October 16, 017 for the construction of two, seven-story buildings with a total of 293 apartment units with retail to be located at street level in the south building with parking for 286 vehicles to be located in a below grade garage. The existing structures are to be demolished. The proposal initially applied for a rezone from LR3 to NC2-85 with a self-imposed maximum height of 75 feet, and a street vacation of NE 48th St.

Conclusion and Summary:

SDCI recommends that the requested street vacation be granted. The proposed street vacation a component of a larger redevelopment project would improve the functionality of the project site and the desirability of adjacent lots for development and allow the vacated street to be used for alternative functions benefiting the development site which in turn would provide opportunities for the following improvements;

- Bike and pedestrian improvements connecting to BGT at the south side of the project aligned with NE 47th St: including handrails, lighting, wayfinding, and crosswalk;
- Trail amenities located at the project's south side BGT connection: benches, bikes racks and fix-it station, water fountain, and wayfinding;
- Landscape restoration: approximately 7,590 sf of native planting on SPU's parcel and 5,350 sf on Park's BGT property; and
- 24th Ave NE enhancements: proposed curbless street design including approximately 22,000 sf of new concrete paving, 3,000 sf of landscaping including 19 street trees, raised planters, bollards, benches, and bike racks.
- Wayfinding

Seattle Design Commission (SDC):

The Seattle Design Commission reviewed the Project on the following dates.

- November 16, 2017 (Urban Design Merit)
- January 18, 2018 (Urban Design Merit and Public Benefit)
- March 1, 2018 (Public Benefit)

The meeting minutes and presentations to the Design Commission are a part of the Clerk's File and can also be found at: <https://www.seattle.gov/designcommission/project-reviews/current-project-reviews/trailside-vacation>

The SDC reviewed the project on **November 16, 2017** and had the following comments and took the following action:

This was the SDC's first review of the proposed alley vacation. The purpose of this meeting was to review the Urban Design Merit proposal. The commission did not take an action during today's meeting. The SDC provided the project team with recommendations to address prior to the next meeting.

Summary of Discussion

The commission organized its discussion around the following issues:

- Access and circulation
- Open space
- Utilities
- Air, light, and views
- Neighborhood context

Access and circulation

The SDC identified the no vacation scheme as a worst-case scenario and then reminded the project team that it is important to show a no vacation alternative with a well thought out design. Although the Commission recognized the direct connection to the Burke-Gilman Trail provided in the vacation alternative and agreed it provided a better experience for pedestrians and cyclists than in the no vacation alternative, several commissioners questioned if the vacation alternative provided additional connections that could not otherwise be achieved in a no vacation scenario. The Commission recommended the project team provide more information about the necessity of the vacation request. Several commissioners then encouraged the project team to consider providing a connection between the arrival court and the Burke-Gilman Trail. The project team responded that SPR was against providing a connection to a private use.

The Commission recommended the project team consider consolidating garage access and the arrival court to minimize curb cuts along 24th Ave NE. Commissioners also commented that a garage access point should not serve as a terminus for NE 49th St. The SDC requested more information about circulation near the southeastern corner of the project site and the adjacent development.

Open space

The SDC agreed that including a large amount of open space on site provide a positive addition to the project. The Commission also commended the design team for providing open space adjacent to the Burke-Gilman Trail. Commissioners appreciated that the vacation scenario did not place a long building façade along the trail. The commission then suggested the project team include the street as open space in the no vacation scenario.

Utilities

The SDC had no issues with the proposed utility changes.

Air, light, and views

In recognizing that this segment of the Burke-Gilman Trail is already well shaded, the SDC agreed there was little to no difference in shade created between the vacation and no vacation scenarios. The commission commended the project team for placing open space on the southside of the site. Commissioners then acknowledged the increased visual connection to the Burke Gilman Trail and proposed open space from the intersection of 25th Ave NE and NE 47th St. Although the air, light, and views along this portion of NE 48th St will be lost, commissioners recognized public access to the north and south of the project site adequately replace the space lost due to the vacation. Several commissioners are concerned the north public access point will be located permanently in the shade and will be less appealing to use. The SDC encouraged the project team to design the pathway in a way that will make it more appealing for pedestrians to use.

Neighborhood context

The SDC thought the information was limited to the area surrounding University Village. Commissioners recommended the project team include more information on areas to the west and northwest of the project site to provide a better understanding of who the project is serving.

Action

The SDC thanked the project team for their presentation on the urban design merit phase for the Trailside Vacation project. While the Commission appreciated the proposed public space and additional access to the Burke-Gilman Trail, Commissioners felt that the project had yet to establish a reason to justify vacating NE 48th St. at this location. The SDC did not take an action during today's meeting. The Commission provided the following recommendations that should be addressed prior to its next review:

1. Provide more information about public access between the right-of-way and Burke-Gilman Trail. Specifically, show how the project will provide accessible connections and public spaces that would not occur otherwise without vacating the street.
2. Put more thought into the vacation scenario plans.
3. Study the idea of providing a connection to the Burke-Gilman Trail midway through the site.
4. Provide demographic information on the surrounding area to explain who the project will be serving.

The SDC reviewed the project on **January 18, 2018** and had the following comments and took the following action:

Summary of Discussion

This was SDC's second review of the urban design merit for Trailside Vacation Project. On November 16, 2017, the SDC reviewed the urban design merit proposal for the project but did not take an action. At this meeting, the SDC voted, 8-0, to approve the urban design merit phase of the Trailside Project with several recommendations.

The Commission organized its discussion around the following issues:

- Access and circulation
- Open space and programming
- Neighborhood context and demographics
- Light, air, views, and utilities
- Vacation vs. No-Vacation scenario

Access and circulation

The SDC commended the project team for addressing issues with the previous design proposal, specifically the no-vacation scenario. The Commission thought the revised vehicular access points were appropriate, but encouraged, to the extent possible, locating loading services in the garage below grade. The Commission then agreed the pedestrian and cyclist circulation worked well. Commissioners commended the project team for increasing the mixed-use pathway from 12 feet to 16 feet in width. The SDC is concerned with potential conflicts between cyclists and vehicles near the intersection of NE 47th St and 24th Ave NE. Commissioners recommended the design team include elements such as bollards and paving materials to distinguish vehicular and cyclist pathways near the intersection. The commission also agreed with removing the north pedestrian pathway along NE 49th St from the design proposal.

Open space and programming

The SDC appreciated the idea of identifying the project as a trail oriented development. Commissioners encouraged the project team to provide enough activation in the open space adjacent to the arrival court in order to attract users. The commission also encouraged the project team to understand how pet needs will be addressed on site. The SDC then commended the project team for providing open space near the southwest corner of the project site. Several commissioners are concerned the open space will appear too private and recommended the project team include elements that will create a space that is inviting and will encourage public use. The SDC then discussed potential solutions to create a more inviting space. While they did not propose a specific solution, the commission encouraged the design team to include elements that will attract public users in their public benefit proposal. The commission then recommended the proposed connection include more placemaking opportunities, specifically as the pathway approaches the Burke-Gilman Trail. Commissioners then discussed the necessity of including a fence and gate around the perimeter of the open space. Several commissioners commented that the open space could function well without the fence. The commission then recommended the project team to consider protecting the building entrance with a gate rather than fencing the entire perimeter of the open space.

Neighborhood context and demographics

The SDC appreciated the thoroughness of the community outreach. Commissioners agreed with providing this type of development along the Burke-Gilman Trail and within proximity to the University of Washington and U-Village. The Commission recommended the project team retain as much of the natural environment as possible along the edge of the Burke-Gilman Trail.

Light, air, views, and utilities

The SDC agreed the vacation scenario better addressed light, air, views, and utilities. Specifically, commissioners appreciated that utilities crossing the Burke-Gilman Trail would be relocated underground in the vacation scenario. The SDC again commended the design team for locating open space near the southwest corner of the project site.

Vacation vs. no vacation

The SDC discussed the location of the pathway to the Burke-Gilman Trail in the vacation and no-vacation scenarios. Commissioners agreed the location of the trail at NE 47th St in the vacation scenario increased the visibility and accessibility of the trail from U-Village. Commissioners then continued their discussion on the necessity of including the trail connection as part of the urban design merit proposal. The SDC agreed the proposed connection from NE 47th St. to the Burke-Gilman Trail was essential to the urban design merit proposal. Commissioners then commented that proposed amenities along the connection should be what is considered for public benefit. The SDC thought positively of the urban form created by the proposed building.

Action

The SDC thanked the project team for their presentation on the urban design merit phase for the Trailside Vacation project. Overall, the Commission appreciated the team providing a credible no-vacation alternative, strengthening the connection to the Burke-Gilman Trail, and providing adequate outreach to neighborhood groups and organizations. The SDC voted, 8-0, to approve the urban design merit phase of the Trailside Vacation with the following recommendations:

- Consider using elements such as bollards and paving materials to reduce potential conflicts between cyclists and vehicles near the intersection of NE 47th St and 24 Ave NE
- Consider including placemaking opportunities when designing the mixed-use pathway, specifically in areas near the Burke-Gilman Trail
- Consider eliminating the fence and gate from the perimeter of the open space or other means to indicate that the south courtyard is open to public use
- Retain as much natural environment as possible along the edge of the Burke-Gilman Trail
- Continue to pursue activation of the north court

The SDC reviewed the project on **March 1, 2017** and had the following comments and took the following action:

Summary of Discussion

This was SDC's third review of the Trailside Vacation project. The purpose of this meeting was to review the public benefit proposal. At this meeting, the SDC voted, 7-0, to approve the public benefit proposal for the Trailside Vacation with one condition and several recommendations.

The commission organized its discussion around the following issues:

- Trailside commons open space
- Burke-Gilman Trail connection
- Enhanced ROW improvements
- Burke-Gilman Trail amenities
- Landscape restoration
- Utility upgrades
- Wayfinding

Trailside commons open space

The SDC thought it was appropriate to discuss the relationship between the trail connection and the adjacent open space, which is open to the public but is not under consideration as a public benefit element. Since the last review the project team has removed the perimeter fence and gate, but recognizes that if safety becomes an issue in the future then the project team might consider adding the fence and gate around the perimeter of the open space. The SDC commended the project team for removing the proposed fence, acknowledging that the removal increased connectivity between the trail and open space. The commission then adopted a condition that if the project team felt the need to reintroduce the fence then the SDC would need to review the proposal.

Burke-Gilman Trail connection

Prior to discussing the proposed element, the SDC strongly recommended the project team rename the element as "Enhanced Burke-Gilman Trail connection" so to not mistake it for the basic connection, which is a part of the urban design merit proposal. Commissioners then agreed the proposed element provided significant improvements above what would be required under any improved connection under the no-vacation alternative, and therefore should be considered as a public benefit. The Commission then discussed the width of the proposed connection. Commissioners thought the proposed 16 ft. wide connection was adequate and would provide for a lot of flexibility in the future. The SDC then discussed potential conflicts as cyclists approach the intersection of 24th Ave NE and NE 47th St. Commissioners thought the inclusion of bollards would help in reducing conflicts and recommended the project coordinate with SDOT to understand the appropriate spacing for bollards to reduce cyclist speed. The Commission also recommended providing low ambient levels for pedestrian lighting along the connection to assist in the transition from NE 47th St, which is lighted, to the Burke-Gilman Trail, which is not lighted.

The SDC recommended the project team provide an update about the design and width of the trail connection to SDC staff at 90% design; if there are significant changes the SDC may require the updated design return for a subcommittee review.

Enhanced ROW Improvements

The SDC discussed the enhanced ROW improvements along 24th Ave NE followed by discussing the improvements along NE 47th St. The Commission commended the project team for the proposed ROW

improvements along 24th Ave NE. Commissioners then discussed alternatives to the proposed solid crosswalk striping at the 24th Ave NE and NE 47th St. intersection. The Commission provided examples of alternatives that would provide a visual cue to drivers that they are entering a pedestrian area. The SDC recommended the project team continue to work with SDOT on the design of the intersection, paying close attention to materials and pavement treatments to prioritize pedestrian movement. The SDC then discussed the enhanced ROW improvements along NE 47th St. Commissioners recommended the project team reduce the curb radius at the 25th Ave NE and NE 47th St to reduce vehicular speed. The Commission then had several concerns with the mixed-use pathway along the northside of NE 47th St. Commissioners are concerned the proposed mixed-use pathway is not wide enough to handle two-way traffic for both pedestrians and cyclists. The SDC recognized this street as part of a bicycle corridor between the Burke-Gilman Trail and U-Village and recommended the project team work with SDOT to create an appropriate design to facilitate the safe movement of cyclists and pedestrians along NE 47th St.

Burke Gilman Trail amenities

The SDC appreciated the proposed amenities, specifically the water fountain, along this segment of the Burke- Gilman Trail. Commissioners suggested the project team look at alternative methods for the design of the transition between the trail and the amenity space.

Landscape restoration

The SDC appreciated the project team's proposal to provide support in the restoration of natural areas adjacent to the Burke-Gilman Trail. The commission encouraged the project team continue to work with City departments to understand which areas are appropriate for restoration. The Commission also recommended the project team continue to work with SDOT and Parks to calculate the percentage of proposed landscape area that should be considered as public benefit.

Utility upgrades

The SDC agreed the proposed undergrounding of utilities should not be considered as a public benefit element. The Commission recommended this element be removed from the public benefit package proposal.

Wayfinding

The SDC recommended the project team provide a range for the number of wayfinding signs they are proposing rather than stating a specific number. The Commission then recommended the project team continue to work with SDOT and SPR on the design and information provided on the proposed wayfinding signs and kiosk.

Action

The SDC thanked the project team for its presentation on the public benefit package for the Trailside Vacation project. Overall, the Commission appreciated the project team's responsiveness to commission

comments as well as input provided by organizations and the surrounding community. The Commission also recognized the importance of providing a connection between the Burke-Gilman Trail and 25th Ave NE. With the understanding that the project team would 1) rename the first public benefit element as the "Enhanced Burke-Gilman Trail Connection" and 2) remove the undergrounding of utilities element from the public benefit package, the SDC voted, 7-0, to approve the public benefit package for the Trailside Vacation project with the following condition:

1. Return to the SDC for a review if the project team decides to fence the perimeter of the common area.

The SDC also provided the following recommendations:

1. Rename the first public benefit element as the "Enhanced Burke-Gilman Trail Connection".
2. The undergrounding of utilities element should not be considered as a public benefit.
3. Pay special attention to spacing of bollards at the entrance to the trail connection at NE 47th and 24th Ave NE to reduce cyclist speed.
4. Consider providing low ambient levels for pedestrian lighting to assist in the transition from NE 47th St, which is lighted, to the Burke-Gilman Trail, which is not lighted.
5. Provide an update about the design and width of the trail connection to SDC staff at 90% design; if there are significant changes the SDC may require the updated design return for a subcommittee review.
6. Continue to work with SDOT on the design of the pedestrian crossing at the 25th Ave NE and NE 47th St intersection; pay attention to materials and pavement treatment to prioritize pedestrian movement.
7. If possible, consider reducing the curb radius at the intersection of 25th Ave NE and NE 47th St.
8. Continue to work with SDOT to create an appropriate design to facilitate the safe movement of cyclists and pedestrians along NE 47th St between 24th and 25th Avenues.
9. Continue to work with SDOT to calculate the percentage of proposed landscape area that should be considered as public benefit.
10. Provide a range for the number of wayfinding signs they are proposing rather than stating a specific number.
11. Continue to work with SDOT and SPR on the design and information provided on the proposed wayfinding signs and kiosk.

Response: *The proposal has addressed the SDC's recommendations as follows:*

1. Rename the first public benefit element as the "Enhanced Burke-Gilman Trail Connection". *The project has renamed the first public benefit element as suggested.*
2. The undergrounding of utilities element should not be considered as a public benefit. *The project has removed the utilities element as a public benefit.*
3. Pay special attention to spacing of bollards at the entrance to the trail connection at NE 47th and 24th Ave NE to reduce cyclist speed. *In response to Commission direction, the project has reduced the quantity to one bollard at the east end of the connection at NE 47th Street.*
4. Consider providing low ambient levels for pedestrian lighting to assist in the transition from NE 47th St, which is lighted, to the Burke-Gilman Trail, which is not lighted. *To the extent feasible, the project will provide low ambient levels for pedestrian lighting to assist in the transition from*

NE 47th St to the Burke Gilman Trail. There will be pole lights at approx. 36' intervals along the trail connection. The proposed light fixture is an X3 by A Light and will provide around 1fc of illumination along the connection and before connecting to the street corner.

5. Provide an update about the design and width of the trail connection to SDC staff at 90% design; if there are significant changes the SDC may require the updated design return for a subcommittee review. *The 90% Street Improvement Permit plans have been provided to SDC staff. There have been no significant changes to the design since it was presented to the SDC.*
6. Continue to work with SDOT on the design of the pedestrian crossing at the 25th Ave NE and NE 47th St intersection; pay attention to materials and pavement treatment to prioritize pedestrian movement. *The project team is coordinating with SDOT and neighboring developers on an appropriate design.*
7. If possible, consider reducing the curb radius at the intersection of 25th Ave NE and NE 47th St. *This is largely under SDOT SIP street operations purview and is being coordinated with the neighboring developer, to the extent permitted by SDOT, the project will continue to consider reducing this curb radius.*
8. Continue to work with SDOT to create an appropriate design to facilitate the safe movement of cyclists and pedestrians along NE 47th St between 24th and 25th Avenues. *The project is working with SDOT to create an appropriate design.*
9. Continue to work with SDOT to calculate the percentage of proposed landscape area that should be considered as public benefit. *Landscape (planting) areas have been removed from the public benefit elements related to the enhanced trail connection.*
10. Provide a range for the number of wayfinding signs they are proposing rather than stating a specific number. *The project will provide 4-6 wayfinding signs.*
11. Continue to work with SDOT and SPR on the design and information provided on the proposed wayfinding signs and kiosk. *The project team will continue to work with SDOT and SPR on wayfinding.*

Seattle Public Utilities (SPU):

SPU Sewer and Drainage: The proposed street vacation contains two DWW main sewers, an 8-inch public pipe sanitary sewer (PSS) and a 12-inch public pipe storm drain (PSD). Both are approximately 12-feet deep. There is an 8-inch PSS in 24th Ave NE as well as near side 15-inch PSD. In addition to serving the two parcels to the north and south which are petitioning for the vacation, these sewers also serve two other properties, 2301 NE Blakely St and 2251 NE Blakely St. According to available records on the King County Assessor's website, 2301 NE Blakely St is 21-unit condominium which was constructed in 1997. 2251 NE Blakely St is 17-unit apartment building constructed in 1987. Sewer card 6487-2A also shows a drainage structure collecting runoff from the Burke Gilman Trail (BGT - maintained by Seattle Department of Parks and Recreation) as well as a 36-inch dia. cross-culvert below the BGT. The Street Vacation Petition, dated 9/8/2017, Section 11. Vacation Policies / Utilities Impacts describes how the existing mains will be removed and service provided by a "public utility easement": The service to the drainage structure on Seattle Parks Department property and the services to the adjacent buildings to remain will be re-routed around the north edge of the site in a public utility easement and will connect to existing storm and sewer mains in 24th Avenue NE. Service and sewage capacity to these properties will be maintained.

Recommendation: Disapprove as currently proposed. If DWW were to support the vacation request, the proposal must be modified to provide alternative sewer and storm drain service to both the Parks Department as well as 2301 and 2251 NE Blakely St. This would require the approval, via private utility easements to their benefit, of those property owners across the parcel seeking the ROW vacation and not a public utility easement, presumably to the benefit of SPU, as described. With alternative service provided to those properties, the existing 8-inch PSS and 12-inch PSD in NE 48th St may be abandoned. The consolidated parcels which benefit from the proposed vacation would be able to receive service from the mains in 24th Ave NE.

Response: The proposal was modified to relocate the utilities. SPU's comments to reroute private offsite utilities is resolved as part of the utility reroute as proposed under shoring permit number 6624484-CN and associated separate side sewer permit. This concept has been conceptually approved by SDCI – Eric Dripps and SPU- Lan Chau.

SPU Water: There are no issues that require conditions to be placed on WLOB's assent to the vacation petition. WLOB does have concern regarding the project's potential conflict with our existing transmission pipeline. However, those concerns are not related to the question of vacating NE 48th St.

Response: Comment Noted.

King County Department of Transportation, Metro Transit Division: King County Metro Transit does not have any comments on or objection to the proposed street vacation petition.

Response: Comment Noted.

King County Wastewater Treatment Division: This vacation will not impact WTD. The North Interceptor is in Ravenna Avenue NE ROW at this section, not in the Burke Gilman Trail ROW.

Facilities Inspection doesn't use NE 48th for access.

Response: Comments noted.

COMMUNITY COMMENTS AND PETITIONER RESPONSES TO COMMENTS:

Cascade Bicycle Club (Kelsey Mesher), Feet First (Maggie Darlow): Cascade Bicycle Club and Feet First collectively represent the interests of those who walk and bike, whether for recreation, transportation or health. Our organizations are grateful that the Trailside Apartments project is considering its orientation toward the Burke-Gilman Trail (BGT), and optimistic its development will improve the experience, safety and mobility of people who use this regional amenity.

Though the BGT is the area's most-used non-motorized corridor, safe and direct connections from the trail and into adjacent neighborhoods and retail are inadequate and need review. We are excited by the vision of this project to connect the BGT to University Village (U-Village), as well as the potential for other safety and mobility improvements in exchange for the vacation of NE 48th St.

Top priorities to consider as public benefit, both on-site and within the vicinity of the project, include:

- Ensuring the grade from trail to apartments is adequate for walkers and bikers of all ages and abilities
- Creating an adequate staging area or "runway" on and off the trail to prevent conflicts when people walking and biking enter and exit the trail
- Appropriate signage and ramp surface markings (such as speed bumps) indicating slow transition from the trail to the U-Village connector, to discourage high-speed exits from the BGT and encouraging shared space for both walkers and bikers
- Wayfinding and signage to/from U-Village and the BGT
- Designated space for people biking and walking, including East West connections into U-Village and on the trail itself
- Extending the bicycle/pedestrian designation along the BGT beyond the site
- Traffic calming improvements on 25th Ave. NE
- Completing sidewalks on the southside of NE Blakeley St.
- Ensure that proper lighting is provided for a safe environment for people of all ages and abilities, during our long dark months and also at night

We appreciate the opportunity to comment on this proposed vacation. We look forward to continued collaboration to ensure that the public benefits offered through the project are commensurate with the requested vacation, and that they fit the needs of the community.

***Response:** Cascade Bicycle Club and Feet First attended the second UDM meeting and the Public Benefit meeting and noted support for the proposed vacation, improvements, the trail connection, and the proposed public benefits. The trail connection has been designed to be fully accessible for walkers and cyclists of all ages. Additional benefits for the trail will include a paved, lighted connection for bikes and pedestrians from the trail to NE 47th St to 25th Ave NE; landscape restoration beside the trail; and trail amenities including wayfinding signs, an information kiosk, benches, a water fountain, a bike fix-it station, and trash and recycling receptacles.*

Joe Clancy: If there is room for public comment on this street vacation, I'd like to ensure a covenant or easement is added to the vacated land to ensure public pedestrian travel is permitted at all times through the property and to the Burke Gilman Trail. This is an opportunity to improve the density of the area as well as the connectivity between the neighborhood up the hill and the U Village.

***Response:** The Trail Connection will be written into the future ordinance and will be open to the public, 24 hours a day, in perpetuity. Maintenance of the trail and the associated amenities will also be the sole responsibility of the developer in perpetuity and language regarding this will also be written into the future ordinance.*

Blythe Knechtel: These plans look great! Thank you for including enough parking!!

***Response:** Comment Noted.*

Javier Wasserzug: Please do not close this street that many people use to walk up and down to 25th Avenue NE and to the University Village and QFC grocery store. It would interrupt the main path from the new trail, down to Burke Gilman Trail from Ravenna Avenue NE to the traffic light at 47th and 25th, heavily used to walk down the hill west of the Burke Gilman.

Response: This connection will not be removed with the street vacation. The Project will provide as a public benefit a paved, lighted connection for bikes and pedestrians from the trail to NE 47th St to 25th Ave NE; landscape restoration beside the trail; and trail amenities including wayfinding signs, an information kiosk, benches, a water fountain, a bike fix-it station, and trash and recycling receptacles. This will result in a better connection from the hill to University Village.

End of Comment Section

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. Vacating 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 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 streets.

This petition has been reviewed for its consistency with the vacation policies in Clerk File 310078, which were in effect when the petition was submitted.

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 to determine if the vacation is in the public interest.

The Policies define the components of public interest as:

1. Protecting the public trust;
2. Protecting against adverse land use impacts; and
3. Providing public benefit.

The Street Vacation Policies provide that during the petition review, 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 if 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.

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

Transportation Impacts:

A Transportation Impact Analysis (TIA) was prepared for the project by the Transpo Group. The Transpo Group stated the following conclusions as a summary of the project impacts:

- The proposed project is located in the University District of Seattle, west side of 24th Avenue NE and north and south of NE 48th Street. The proposed project would include a mixed-use development including approximately 2,400 square feet of retail and 268 residential apartment units. Given the proximity to the University of Washington the project is geared toward university students and would also include common and study areas. The existing 120-unit apartment buildings would be removed as part of the project. Parking for the current use is provided via surface lots accessed off 24th Avenue NE and NE 48th Street. The project will provide approximately 277 parking stalls and 170 secured bicycle stalls, with additional bike parking at grade for visitor and short-term parking.
- Preliminary trip generation estimates have been prepared for the project based on methodologies consistent with other studies prepared in the City of Seattle. This methodology factors in adjustments to the standard rates published in the ITE Trip Generation Manual, based on the typical car ownership and mode split data for this area of Seattle. Furthermore, due to the student related focus of this development, additional factors have been considered in the estimates.
- The total existing residential person trips were developed based on the apartment land use (LU #220) trip rates from the Trip Generation Manual, 9th Edition and average vehicle occupancy (AVO) from National Cooperative Highway Research Program (NCHRP) Report 365 Travel Estimating Techniques for Urban Planning. Person trips using each transportation mode were determined by multiplying the total person trips by the estimated mode splits from the census data for the project area. The census data shows a 35 percent auto mode split for census tract 43.02 where the project is located. After applying the auto mode split, person trips using vehicles were then converted to actual vehicle trips by using an AVO of 1.23 based on the

census data.

- Given that the project is geared toward University of Washington Students, the University of Washington 2016 Transportation Survey Final Report, February 2017, Northwest Research Group was reviewed to understand current vehicle use for people traveling to/from the University. The report is based on surveys of employees, students, faculty, and staff and their typical mode of transportation to/from the University. Based on the data approximately 17.3 percent of all respondents currently drive alone to campus and approximately 5.4 percent carpool/vanpool. Additionally, approximately 6.3 percent of students drive alone to campus and 3.4 percent carpool. Conservatively, a vehicle mode split of 25 percent was assumed based on all respondents. The proposed project is anticipated to generate approximately 165 net new daily vehicle trips with approximately 13 during the weekday AM peak hour and 14 trips during the weekday PM peak hour.
- The analysis of the NE 48th Street vacation focuses on a review of the existing and future use of the section of NE 48th Street between 24th Avenue NE and the Burke-Gilman Trail. The analysis considers general street grid continuity, local vehicle access needs, transit impacts, and non-motorized transportation with and without the proposed street vacation. A full street vacation of the NE 48th Street segment between 24th Avenue NE and the Burke-Gilman Trail is proposed as part of mixed-use development. This would vacate the portion of NE 48th Street west of 24th Avenue NE. NE 48th Street is approximately a 230-foot dead-end roadway segment which currently provides access to 39 on-site surface parking stalls associated with the existing apartment buildings which would be removed with completion of the proposed project. There is currently no on street parking along NE 48th Street. Additionally, NE 48th Street has sidewalks on both sides of the street and connects pedestrian facilities to the Burke-Gilman Trail located to the west. Pedestrian facilities are proposed as part of the project and would connect to the Burke-Gilman Trail.
- Weekday PM peak hour field observations were conducted along NE 48th Street to identify the current use of the ROW with respect to vehicle, pedestrian, or bicycle activity. A pedestrian connection currently exists between the Burke-Gilman Trail and NE 48th Street in the form of stairs. No ramp or bicycle facilities currently connect the trail to the ROW. Observations were conducted on a Thursday from 4 to 6 PM in June 2017. Pedestrian and bike activity to/from the Burke-Gilman Trail was observed as well as to/from the existing apartment buildings on-site. During the two hours, 21 vehicle trips (inbound/outbound) were observed utilizing the roadway. Of the 21 trips, 6 trips were associated with vehicles turning around. Additionally, 45 pedestrian trips and 1 bicycle trip were observed along the roadway to/from the existing apartment buildings from east of the site and 12 pedestrian trips were observed to/from the Burke-Gilman Trail to the site. As mentioned previously, pedestrian facilities would be provided including connections to the Burke-Gilman Trail.
- Street Grid Continuity: The section of NE 48th Street proposed to be vacated is located west of 24th Avenue NE and dead-ends before the Burke-Gilman trail. This section currently supports two-way traffic and serves as access to parking for existing land uses with no on street parking. By completing the proposed project, the existing on-site parking would be

removed. Given that the roadway does not connect 24th Avenue NE to any other roadways or driveways and no on street parking is allowed, no street grid continuity issues are anticipated with completing the proposed vacation.

- Local Vehicle Access: With the street vacation, it is anticipated that access to the proposed development would be provided along 24th Avenue NE near NE 48th Street. By removing the existing land use, local vehicle access would not be necessary as the existing on-site parking would be removed and no on street parking is currently available.
- Transit: No transit vehicles currently use the NE 48th Street segment. The closest transit stops are along 25th Avenue NE to the east. No impacts to transit are anticipated to occur vacating NE 48th Street west of 24th Avenue NE.
- Non-Motorized Transportation: Proposed improvements to the pedestrian network would include amenities to attract and serve pedestrians, thereby enhancing the pedestrian environment and connections to the Burke-Gilman Trail compared with existing conditions. These amenities could include design elements to prioritize pedestrians, high-quality paving treatment to prioritize its shared-street character, fixed and flexible seating, curb bulbs, and planting.
- Traffic Operations: NE 48th Street currently serves very low traffic volumes so no existing traffic operation issues are anticipated. Under future build out conditions, project access is proposed near NE 48th Street and would be reviewed as part of a traffic impact analysis for the proposed project. It is anticipated that surrounding streets would not be impacted by vacating NE 48th Street given the low volumes along the roadway and redevelopment of the site.
- TIA Conclusion: NE 48th Street primarily serves as access to on-site parking associated with the existing apartment buildings and no on street parking. By completing the proposed project, the on-site parking would be removed and demand for the roadway segment would be eliminated. Additionally, pedestrian facilities in the form of stairs connect NE 48th Street to the Burke-Gilman Trail. By completing the proposed project and the street vacation, pedestrian facilities would be enhanced, including improvements to connections to the Burke-Gilman Trail. No adverse impacts are anticipated to the transit, pedestrian, or vehicle networks by vacating NE 48th Street.

SDOT finds no adverse traffic impacts from vacating NE 48th Street.

Utility Impacts: Rights-of-way that contain or are needed for future utility lines or facilities may be vacated only when the utility can be adequately protected with an easement, relocation, fee ownership, or similar agreement satisfactory to the utility owner. Public rights-of-way provide utilities with corridors for the efficient transportation and delivery of utility services to the public in the least costly manner possible. Utilities generally assess vacation petitions from an operational perspective to ensure that a vacation will not impair current service reliability and capacity levels nor limit the ability to expand services in the future.

Currently, SCL maintains overhead power lines and Comcast and Century Link maintain overhead communications lines in the NE 48th Street segment to be vacated. The Petitioner has been working with the utilities and the resolution is that all power and communication lines will be undergrounded along 24th Avenue NE and re-routed to the south.

SPU does not maintain water mains or services in NE 48th Street. The proposed development will obtain water service from the existing water main in 24th Avenue NE.

SPU maintains storm and sewer facilities in the portion of NE 48th Street proposed to be vacated. The storm and sewer facilities in NE 48th Street are a dead end and provide services to the existing buildings to be demolished, a drainage structure on Seattle Parks Department property, and two adjacent properties at 2251 and 2301 NE Blakely Street. The service to the drainage structure on Seattle Parks Department property and the services to the adjacent buildings to remain will be re-routed around the north edge of the site in a public utility easement and will connect to existing storm and sewer mains in 24th Avenue NE. Service and sewage capacity to these properties will be maintained. As discussed above, the private utilities would be relocated at SPU's direction under Permit Number 6624484-CN and an associated separate side sewer permit.

The NE 48th Street right-of-way is not needed for utility purposes, and any utilities to the project, surrounding buildings, and the general surroundings can be re-routed through the northernmost portion of the site or within the 24th Avenue NE right-of-way.

The Petitioner worked with SCL and SPU to address the comments of the proposed vacation of NE 48th Street. The Petitioner has reached agreements to address all of the utility issues identified with the vacation of NE 48th Street.

A utility issue was also identified with the enhanced connection between the Burke Gilman Trail and NE 47th Street proposed as a public benefit. SPU owns a strip of property that lies between the Burke Gilman Trail and the project site and the proposed trail connection will need to cross the SPU property to link the trail and the neighborhood. While a bike and pedestrian trail crossing over the SPU Property did not initially seem difficult, it has required some work to address the range of issues. To be considered as a public benefit, the trail connection must be secured through a binding property use agreement between Petitioner and SPU.

The City has been reviewing options to provide certainty of the public benefit obligation and still provide that SPU can access, maintain, protect, and upgrade its facilities within the SPU Property in the future without interference posed by the existence of the trail connector.

After working with the Petitioner to determine the appropriate agreement for maintaining, repairing, and managing the trail connection over the SPU property, SPU has determined that a property use permit best addresses SPU concerns. In order to protect the long-term public access to the connection the permit could not be revoked without SDOT's concurrence. This would provide for the opportunity to relocate or replace the public benefit in the unlikely event that SPU needs full use of its property in the future. This agreement should be a condition of the vacation and accepted in the vacation ordinance or by separate SPU legislation. Connections to the Burke Gilman also require a permit from Parks.

SPU can support use of its property to provide for the trail connection but has not agreed to accommodate other proposed public benefit features such as benches. Any additional use of the SPU property would be subject to the SPU permit process and no additional SPU obligations are required by the vacation process.

The SPU property use permit will be required to include obligations of the Petitioner related to the construction, maintenance, repair, and management of the trail connector over the SPU Property, along with other SPU permit requirements that Petitioner must meet (the "SPU Permit"). The SPU Permit conditions shall also become requirements under the Property Use and Development Agreement (the "PUDA") that shall be executed by the Petitioner as part of the street vacation process or by separate agreement as determined by the City. The SPU permit shall include, but not be limited to:

- A requirement that the SPU Permit be recorded to place future property owners or successors on notice, and bind them to permanent construction, access, maintenance, monitoring and management obligations for the portion of the trail connector on the SPU Property;
- Establish terms for payment of adequate and fair compensation to SPU for the Petitioner's and its successors' use of the SPU Property for the trail connector;
- Require the Petitioner and its successors to indemnify and hold harmless the City for any claim, damages, and attorney's fees arising from any individual's use of the trail connector, and any claim that the trail connector has been improperly constructed or maintained;
- Require that the Petitioner and its successors construct the trail connection to accepted standards and maintain the trail connection in as good as condition as when initially completed;
- Require insurance in a form and amount acceptable to the City's Risk Manager covering the City for any claims or damages arising from any claim that the trail connector has been improperly constructed or maintained;
- Provide that the permit shall not be revoked or terminated without both SPU's and SDOT's consent because the trail connection is a public benefit condition of the street vacation;
- Include provisions for continuous and unrestricted access by SPU for maintenance, repair, protection, and monitoring of its facilities and for future upgrades.

SDOT finds no adverse utility impacts from vacating NE 48th Street provided the Petitioner completes the removal and relocation of the SCL electric utility facilities, provides for sewer and drainage service relocation and related to the use of SPU property for the trail connection, carries out its obligations to be outlined in the SPU Permit and the approved and recorded PUDA.

Light, air, open space and views: The current right-of-way, which serves only a single apartment complex, provides no notable views or public space. Following the vacation, however, the

development will include what SDCI referred to as “a centralized open court area with access to light and air as a component of the redevelopment strategy designed as a communal space, pedestrian access point and vehicular drop-off and short-term parking designed to have visual porosity from the bike trail.” The Design Commission has noted that although “the air, light, and views along this portion of NE 48th St will be lost, commissioners recognized public access to the north and south of the project site adequately replace the space lost due to the vacation” and that “the vacation scenario better addressed light, air, views, and utilities.”

The project will provide useable open space in various forms in an amount that is greater than the amount of right-of-way that is being vacated and greater than what would be required if the project were developed without a vacation.

SDOT finds no adverse light, air, open space, or views impacts from vacating NE 48th Street.

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 determining that post-vacation development is consistent with the land use pattern in the area and with City policies and codes. The Policies 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.

The proposed street vacation will include 9,741 s.f. of property. The chargeable development potential added above grade is approximately 53,576 s.f. However, a large portion of the vacated street will remain as private open space for the residential tenants and the development potential will not be fully used. Indeed, although the project gains developable area as a result of the street vacation, the proposed design uses approximately the same gross square footage as the no-vacation alternative and provides far more public amenity and outdoor space than the alternative and less mass across the site. This is achieved by designing two buildings that are taller in certain areas versus two buildings that would have much larger footprints.

The expected density of the project, with vacation, will be a gross square footage of approximately 460,000 s.f. The chargeable floor area is approximately 378,795 s.f. The project will include approximately 376,000 s.f. of residential, 2,800 s.f. of retail, and 72,500 s.f. of below-grade parking with 217 parking stalls. The project is not using any of the additional development potential allowed for by the street vacation. The project is also using the space between the buildings at ground level for courtyard space.

Without the vacation, the project would be divided into two buildings with much larger footprints. The no-vacation option would result in much bulkier buildings with significantly increased frontage along the Burke Gilman Trail and 24th Avenue NE. The no vacation option provides 80% mass along the trail and 86% mass along the street. With the vacation, the mass along the trail is only 47% and 63% along the street. There would also be no public benefit with no trail connections or an improved streetscape. The outdoor space would be solely private, with two internally facing courtyards instead of three, with both courtyards being in shade for much longer during the day. With the vacation, two of the courtyards would be semi-public and open. The impacts to height, bulk, and scale would be detrimental to the overall

design and pedestrian experience and create larger walls against neighboring properties and the Burke Gilman Trail.

When the petition was made, the site was zoned as Low-rise Residential 3 (LR3). This project had pursued a contract rezone from LR3 to NC2-85, capping the height at 75 feet. Since the city-wide Mandatory Housing Affordability (MHA) legislation, which up-zoned this property to NC2-75, was passed by the City Council under Ordinance 125791 on March 18, 2019, the contract rezone application has been withdrawn and the project will be subject to the MHA legislation. This project will contribute approximately \$8 million to affordable housing as a result of the MHA legislation. The vacation supports a development that is consistent with the City goals for affordable housing and increased density in urban centers. The height, bulk, and scale of the vacation scheme is consistent with the City's Design Guidelines and aligns with future development potential of the surrounding sites that were recently up-zoned as part of the MHA legislation.

In addition, the vacation option is consistent with all applicable City and University Community Center planning goals and policies for this site.

The proposal has been very carefully reviewed. The project has been through three Northeast Design Review Board (DRB) meetings as part of the SDCI's review process. The DRB "agreed that the additional height [offered by a contract rezone], in combination with the street vacation, provides opportunities for smaller building footprints and more creative site design." The DRB also agreed the "street vacation provides a maximum of public benefit designed to include a significant public open space and a well-designed connection from the Burke Gilman trail to University Village."

The SDC also held three meetings about the street vacation. The SDC "agreed the proposed connection from NE 47th St. to the Burke-Gilman Trail was essential to the urban design merit proposal" and that the "vacation scenario increased the visibility and accessibility of the trail from U-Village." The SDC voted unanimously to improve the urban design and the public benefits portions of the vacation proposal.

SDOT finds no adverse land use impacts associated with vacating NE 48th Street.

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. The current policies prioritize specific and tangible physical elements. The policies also provide that facilitating economic development, meeting code requirements for development, or mitigating defined impacts is not a sufficient public benefit and are clear that public benefit features must be additive and not meet any other obligations.

The proposed public benefit package for the Trailside Apartment development is focused on significant long-term impacts to the public, University District residents, the UW, neighboring properties, the 25th Avenue NE commercial core, and the U-Village shopping center. The project team worked closely with the surrounding community to develop the public benefit proposal and its inviting connections to the Burke Gilman Trail, improved sidewalks, restoring existing and creating new landscaping, and improving street crossings (particularly 25th Ave NE). The public benefit package also considered adjacent and

concurrent developments to establish that public benefits, street improvements, and associated amenities will work together.

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 policies provide that the public benefit proposed for a vacation must be separate and above amenities provided to meet code or other requirements. The amenities listed on the public benefit chart below are not required for any other purpose.

The public benefit proposal includes the following:

Enhanced Burke-Gilman Trail connection

The 16-foot-wide pedestrian and bicycle connection, will span from the Burke Gilman Trail to 24th Ave NE. In addition to providing a connection to the Burke-Gilman trail, pedestrian lighting, seating walls, and bollards for safety will be included. The access stairway connecting the project commons to the trail connection has also been widened. To enhance the trail connection, improvements are proposed at the intersection of 24th Ave NE and NE 47th St.

Enhanced ROW improvements

24th Ave NE between NE 47th and NE 49th Streets will be developed as a curb less street. The proposed design includes on street parking and plantings on both sides of the street, and a 6-foot-wide sidewalk on the west side of the street. The 24th Ave NE and NE 47th St intersection will include pedestrian scaled pavers and a crosswalk connecting the trail connection with the sidewalk along the northside of NE 47th St. Right-of-way improvements along NE 47th St will include an 8-foot-wide mixed-use pathway and 6-foot-wide planting strip along the north side of the street, and curb improvements on the northwest corner of the 25th Ave NE and NE 47th St. intersection.

Burke-Gilman Trail amenities

Proposed amenities along the trail segment abutting the project site include pedestrian lighting, drinking fountains, seating, a bike repair station, wayfinding, and an informational kiosk. The proposed amenities will be located on property between the trail and project site, which is owned by UW and Seattle Parks and Recreation. The amenities area and adjacent portion of the trail will include a concrete surface. Transition zones that include concrete banding will be located at both ends of the area to signal to trail users that they are entering a new area. A split rail fence will separate the amenities area from the landscape restoration area.

Landscape Restoration

This element includes restoring landscaping between the Burke Gilman Trail and project site. The plantings will restore native plant species and remove invasive plants. Either the developer will

implement the project, or a \$15,000 contribution will be made to Green Seattle Partnership for them to complete the restoration project. The proposal also includes maintenance funding.

Wayfinding

This element includes providing wayfinding at 4-6 locations adjacent and near to the project site for pedestrians and cyclists. An informational kiosk will be located in the Burke-Gilman Trail amenities area. The project team is working with SDOT as they continue to develop a city-wide wayfinding program.

The chart below outlines the public benefit package and provides an estimate of the cost to provide the public benefits:

Public Benefit	Description	Approx. Value	Code Required
1 – Enhanced Burke-Gilman Trail Connection (including 47th Ave ROW enhancements)	<i>Burke-Gilman Trail connection within property (3,040 S.F.) 5 fixtures pedestrian-scale lighting 1 bollard</i>	\$300,000	No
2 – Enhanced ROW improvements (24th Ave NE and NE 47th St)	<i>24th Ave NE: Surfacing to SDOT curb less street standards (17,000 S.F.) Additional Planting (525 S.F.) 7 additional street trees 2 additional street light NE 47th right-of-way enhancements (north side) for bikes/peds between NE 24th St and NE 25th St: Sidewalk (3,000 S.F.) Planting area (630 S.F.) 5 Street Trees</i>	\$350,000	Minimal 24th Ave NE Frontage Improvements
3 – Burke-Gilman Amenities – SPU and SPR Property	<i>Concrete surfacing at amenity and trail (2,075 S.F.) 2 benches 1 water fountain/fill station 1 bike fix-it station 75 feet of split-rail fencing 1 trash and 1 recycling receptacle 1 fixtures- pedestrian scale lighting Striping and traffic control markings</i>	\$130,000	No
4 – Burke-Gilman Trail Landscape Restoration	<i>New native landscape plantings in SPR property (approx. 4,900 S.F.) New native landscape plantings in SPU property (approx. 7,600 S.F.)</i>	\$15,000	No

	<i>Maintenance agreement</i>		
5 – Wayfinding	<i>4-6 wayfinding signs 1 information kiosk</i>	\$18,000	No
	Total Value	\$813,000	

The most significant element of the public benefit focuses on connecting the Burke Gilman Trail to the University Village area on the project site property and connecting to NE 47th Street. There is not currently an easy connection and the slope of the site creates challenges. The Burke Gilman Trail is heavily used and providing this connection will create opportunities to access the trail for biking and walking purposes and create connections between the UW, the residential areas, and the shopping and amenities in the area. To be considered as a public benefit, the continuity of the enhanced trail connection must be guaranteed through a binding agreement with the City.

The trail connection was supported by adjacent communities, the Parks Department, and the Design Commission. The Cascade Bicycle Club and Feet First expressed support for the project and optimism that the development will improve the experience, safety, and mobility of people who use this regional amenity. They went on to note that the Burke Gilman Trail is the area's most used non-motorized corridor, and existing safe and direct connections from the trail and into adjacent neighborhoods and retail are inadequate. The PUDA must specify that the portion of the Trailside property proposed for use as the public trail connection shall remain open and accessible to the public permanently.

The review of any vacation includes a detailed look at the elements of the proposed public benefit. The goal is to enhance the strongest elements and make sure that elements that do not have a clear public purpose are not included in the final public benefit package. The public benefit proposal was refined for this project and the changes include enhancing the trail connection at NE 47th Street and making the plaza area more publicly accessible and eliminating a smaller connection at NE 49th Street. Also eliminated was landscaping deemed too private and undergrounding utilities that is not generally considered a public benefit.

In addition to the trail connection, the other elements of the public benefit are designed to enhance pedestrian and bicycle activity and support biking and walking between the community, the UW, and many retail and other activities in the area. The choice to include an SDOT-supported curbside street design helps define the neighborhood priority as pedestrians and bicyclists. The public benefit package provides a strong public character to the street environment around the project and should definitely support community connections. The public benefit package offers a significant benefit to the community that is public in nature and is likely to be heavily used.

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 before the street vacation ordinance is passed.

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.

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 SDOT through a Street Improvement Permit, including:
 - Curbless street improvements on 24th Avenue NE, and
 - Enhanced intersection treatments at NE 47th Street.
3. The trail connection to the Burke Gilman Trail shall require a Property Use and Development Agreement (PUDA), public access easement agreement, SPU permit, or other binding mechanism to define the design, use, maintenance, programming and other obligations related to the trail connections and right-of-way improvements. The agreement(s) shall ensure that the trail connection remains open and accessible to the public unless relocated or replaced. The agreement between the Petitioner and SPU shall be completed before a Certificate of Occupancy is issued for the project. The enhanced trail connection shall also require a permit from the Parks Department that shall also be obtained before a Certificate of Occupancy is issued. SPU has agreed to provide for a trail connection across SPU property subject to the terms being developed as a condition of the vacation, but SPU is not obligated to accommodate other public benefit features such as benches or other features unless SPU issues a separate permit for any additional elements. The SPU permit agreement should:
 - Be recorded in order to place future property owners or successors on notice and bind them to permanent construction, access, maintenance, monitoring, and management obligations for the portion of the trail connection on SPU property;
 - Establish terms for payment of adequate and fair compensation to SPU for Petitioner's and its successors' use of SPU property for the trail connection;
 - Require the Petitioner and its successors to indemnify and hold harmless the City for any claim, damages, and attorney's fees arising from any individual use of the trail connection, and any claim that the trail connection has been improperly constructed or maintained;
 - Require that the Petitioner and its successors construct the trail connection to accepted standards and maintain the trail connection in as good condition as when initially completed;
 - Require insurance in a form and amount acceptable to the City's Risk Manager covering the City for any claims or damages arising from any claim that the trail connector has been improperly constructed or maintained;
 - Provide that the permit shall not be revoked without both SPU's and SDOT's consent in recognition of the trail connection as a public benefit condition of the vacation; and

- Include provisions for continuous and unrestricted access for maintenance, repair, protection, and monitoring of the SPU facilities and for future upgrades.
4. The utility issues shall be resolved to the full satisfaction of the affected utility before the final vacation ordinance is approved. Before starting any development activity on the site, the Petitioner shall work with the affected utilities and provide protection for 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. The impacted utilities include SCL and SPU.
 5. It is expected that development activity will commence within approximately 18 months of this approval and that development activity will be completed within 5 years. To insure timely compliance with the conditions imposed by the City Council, the Petitioner shall provide SDOT with regular reports, following City Council vacation approval, 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 until SDOT determines that all conditions have been satisfied and all fees have been paid as applicable.
 6. 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 City codes through the regulatory review processes.
 7. Free speech activities such as hand billing, signature gathering, and holding signs, all without obstructing access to the space, the building, or other adjacent amenity features, and without unreasonably interfering with the enjoyment of the space by others, shall be allowed within the on-site vacation public benefit features. While engaged in allowed activities, members of the public may not be asked to leave for any reason other than conduct that unreasonably interferes with the enjoyment of the space by others. Signage clearly identifying public access and allowed free speech activities is required at the public open space elements and shall require the review and approval of SDOT Street Vacations. Signage shall be consistent with signage provided for public amenity spaces. Any violation of these condition will be enforced through Chapter 15.90 of the Seattle Municipal Code.
 8. 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.
 9. Signage clearly identifying public access is required at the public open space elements and shall require the review of SDOT Street Vacations. The final design of the public benefit elements shall require the review and approval of SDOT Street Vacations. The public benefit requirements include the following features including approximate square footage dimensions, shall be described in the PUDA:

Public Benefit	Description	Approx. Value	Code Required
1 – Enhanced Burke-Gilman Trail Connection (including 47th Ave) ROW enhancements)	<i>Burke-Gilman Trail connection within property (3,040 S.F.) 5 fixtures pedestrian-scale lighting 1 bollard</i>	\$300,000	No
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5 – Wayfinding	<i>4-6 wayfinding signs 1 information kiosk</i>	\$18,000	No
Total Value		\$813,000	

Sincerely,



Sam Zimbabwe
 Director

Enclosures