

December 9, 2020

MEMORANDUM

To: Transportation & Utilities Committee
From: Lish Whitson, Analyst
Subject: Grand Street Commons Alley Vacation (Clerk File 314459)

At its December 16, 2020 meeting, the Transportation and Utilities Committee will receive a briefing on the Grand Street Commons Alley Vacation ([Clerk File 314459](#)) petition. Mount Baker Housing is seeking to vacate the alley connecting S Grand Street and S Holgate Street between 23rd Avenue S and Rainier Avenue S. The vacation would facilitate the development of an affordable housing project covering three-quarters of the block. It is located across the street from Colman Playground and three blocks south of Interstate 90 and the future Judkins Park light rail station, in Council District 3.¹

The December 16 briefing is an early Council briefing as called for in the City's street vacation policies. It is intended to provide members of the public with "an early opportunity to provide input on the vacation to the Council, the petitioner and City reviewers." It also provides the Council an opportunity "to hear about the vacation and provide early feedback regarding the process."

This memorandum describes the proposed project and vacation and identifies issues for Councilmembers to consider in reviewing the petition.

Grand Street Commons

Mount Baker Housing has partnered with Lake Union Partners to redevelop a three-block brownfield site, a former manufacturing facility, with affordable housing.² Lake Union partners is redeveloping two blocks on the north side of Grand Street, and Mount Baker Housing is redeveloping most of the block on the south side of Grand Street. The block currently contains an auto repair shop on its southwest corner (Dere Auto), which will remain, and is otherwise vacant.

The site is zoned Neighborhood Commercial 3-75 (M) allowing for a broad range of uses, including mixed-use development up to 75 feet tall, with mandatory housing affordability requirements. The proposed vacation would allow for an increase in the number of units built on the site from 157 affordable units to 202 affordable units, and 33 family-sized units to 58 family-sized units. The ground floor of the project would include 11,650 square feet of retail and office space. According to the vacation petition, 32 parking spaces would be located on the ground floor and accessed off S Holgate Street.

¹ The site is located across S Holgate Street to the north from District 2.

² In 2018, the Council adopted [Resolution 31836](#), which designated these three blocks as a "Redevelopment Opportunity Zone" to facilitate their clean-up and redevelopment.

In order to develop the project, Mount Baker Housing has petitioned the City Council to vacate the alley which runs north-south through the block bounded by S Grand Street, S Holgate Street, 22nd Avenue S and 23rd Avenue S. The Mount Baker Housing site is bounded by two street stubs: 22nd Avenue S on the west and 23rd Avenue S right-of-way on the east. Each of these stubs connect to a principal arterial on the south (Rainier Avenue S to the west and 23rd Avenue S to the east) and S Grand Street on the north. The alley is currently fenced off and undeveloped.

Street Vacation Policies

In 2018, the City Council updated its [Street Vacation Policies](#) to provide greater clarity for petitioners, members of the public and decision-makers in proposing and reviewing street vacation petitions. The policies identify two related but independent questions that the Council considers in reviewing a street vacation petition: (1) are the “public trust functions” of the right-of-way maintained? and (2) will the public receive a benefit from the vacation?

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

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

The City Council’s provide guidance that is particularly relevant to the proposed street vacation. The petitioner should address these policies as it proceeds:

Street vacation petitions may be approved only if access is retained to properties on the block where the right-of-way is located and to properties on neighboring blocks or streets.

While the primary purpose of streets is circulation, the primary purpose of alleys is to provide access to individual properties. Alleys provide space for loading, vehicular access to abutting properties, and space for utility functions such as water, sewer, solid waste, telecommunications, and electricity. In general, alleys in residential, commercial, and mixed-use zones will be retained. Alleys shall be retained for their primary purposes and other public purposes and benefits. (p. 9)

In general, streets and alleys in commercial, mixed-use, and downtown areas will be preserved to facilitate moving goods and people and maintain access to property that is separate from pedestrian routes. In general, these rights-of-way will be retained unless it can be demonstrated that the vacation meets another important public purpose without jeopardizing the area’s functioning and its compatibility with surrounding areas. A vacation must preserve access to off-street loading and parking areas and the continuity of street fronts, particularly in areas with pedestrian activity. (p. 16)

A vacation shall include a commitment to provide public benefits. The concept of providing a public benefit is derived from the public nature of streets. Streets, whether improved or unimproved, provide important benefits to the public. Among the various benefits are preserving the street grid that provides for consistency in the development pattern and influences the scale and orientation of buildings. Streets provide for breathing space, open space and views, natural drainage, and wildlife corridors. These benefits are in addition to the public functions provided by streets discussed in earlier sections of these policies, including: moving people and goods in vehicles, on foot, or by bicycle; and providing for current and future utility services, and for street trees and other amenities. (p. 22)

The following factors are not public benefits, but may be considered when reviewing the public benefit package:

- Project compliance with City policies and goals, including the Comprehensive Plan;
- Proposals designed to improve race and social equity, improve access to opportunity, and reduce the threat of displacement by for example, providing quality jobs or education to communities with low access to opportunity, or increasing the supply of affordable housing beyond City requirements;
- Addressing the effects of the vacation on vulnerable low-income populations and communities of color;
- Providing affordable or special needs housing, job training, or other human services;
- The public nature of the project (library, governmental purposes, low-income housing);
- Ideas resulting from the early community engagement process; ☐ Neighborhood support or opposition;
- Broad-based community support or opposition;
- Support or opposition from non-governmental organizations, public development authorities, or other government entities;... (p. 24)

Next Steps

The Seattle Design Commission, City departments, and other stakeholders are currently reviewing the street vacation petition. Once their review is complete, the Director of the Seattle Department of Transportation will send a recommendation to Council. The Council will be required to hold a public hearing on the petition. That could occur in the first or second quarter of 2021.

cc: Dan Eder, Interim Director
Aly Pennucci, Supervising Analyst