

**IN THE MATTER OF THE REQUEST OF SWEDISH HEALTH SERVICES TO EXTEND THE GRANT OF APPROVAL FOR THE PETITION OF THE VACATION OF THE ALLEY IN BLOCK 95, TERRY'S SECOND ADDITION, WITHIN CITY COUNCIL DISTRICT 3, IN THE BLOCK BOUNDED BY COLUMBIA STREET, MINOR AVENUE, CHERRY STREET, AND BOREN AVENUE**

**CLERK FILE 314304**

**CLERK FILE 314477**

The City Council extends its grant of approval of the Swedish Health Services petition contained in Clerk File 314304 and approved August 8, 2016, for eight years to August 8, 2029, for the vacation of:

**The alley lying within Block 95, Terry's Second Addition to the City of Seattle, according to the Plat thereof recorded in Volume 1 of Plats, Page 87, Records of King County, Washington; Containing an area of 3,841 square feet or 0.0882 Acres, more or less; Situate in the City of Seattle, King County, Washington**

Clerk File 314477 is granted subject to the following:

The vacation is granted upon the Petitioner meeting the following conditions as contained in Clerk File 314304. The Petitioner shall demonstrate that all conditions imposed on the vacation by the City Council have been satisfied: all utility work relating to the vacation including easements or other agreements is completed; all public benefit elements have been provided; any other agreements or easements have been completed and recorded as necessary; and all fees paid, prior to the passage of the street vacation ordinance.

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. The project must be substantially in conformity with the proposal reviewed by the Sustainability & Transportation Committee in August of 2016.
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 the Seattle Department of Transportation; elements of the street improvement plan and required street improvements to be reviewed include:

Street improvement plan showing sidewalks, street trees, bike racks, street furniture, lighting, art or artist-made elements, and landscaping around the site and the off-site public benefit features, including but not limited to these specific elements:

- Marion to Madison sidewalk and plantings;
- Minor & Seneca curb bulbs, sidewalks, furnishings & plantings;
- University & Summit traffic circle;
- Boylston & Seneca curbs bulbs, sidewalk, furnishings, & plantings;
- Boylston & Marion curb bulbs & sidewalk;
- Broadway Avenue plantings;
- Wayfinding signs and street tree replacement;
- Public art in the ROW along the First Hill Mile;
- Columbia & Cherry expanded and enhanced pedestrian streetscape;
- Pedestrian controlled signal at Boren & Cherry; and
- Pedestrian controlled signal at Minor & James.

3. The utility issues shall be resolved to the full satisfaction of the affected utility prior to the approval of the final vacation ordinance. Prior to the commencement of any development activity on the site, the Petitioner shall work with the affected utilities and provide for the protection of 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. Utilities impacted may include:

- Seattle City Light;
- Seattle Public Utilities;
- Puget Sound Energy; and
- CenturyLink Communications.

4. It is expected that development activity will commence within approximately 2 years of this approval and that development activity will be completed within 5 years. In order to insure timely compliance with the conditions imposed by the City Council, the Petitioner shall provide the Seattle Department of Transportation with Quarterly Reports, following Council approval of the vacation, 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 (C of O) until SDOT has determined that all conditions have been satisfied and all

fees have been paid as applicable.

5. Access to the buildings for vehicle parking, services, bicycles, and patient drop-off shall be provided as follows, changes to this proposal shall require the review of SDOT: three access points will be allowed; two driveways on Cherry Street with one providing an in/out driveway to the parking garage and one providing an entry to the truck loading dock; one exit-only driveway on Columbia Street will be allowed for freight vehicles exiting the parking garage.
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 various City codes and through regulatory review processes including SEPA.
7. The Petitioner is a health care facility, for which maintaining a healing environment is paramount. In the context of maintaining the healing environment, 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 vacation public benefit features; however, the Petitioner shall retain the right to preclude any such activities in the event they interfere with the provision of healthcare services in a healing environment. Members of the public may be asked to leave for conduct that unreasonably interferes with the enjoyment of the space by others or unreasonably interferes with the provision of healthcare services in a healing environment that includes but is not limited to, activities that create noise that interferes with patients' rest and recovery, and interfere with access to care including emergency care and physician services. 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 space, if any, on the site. Any violation of these conditions 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 24 hours per day, with temporary closures permitted for reasons such as maintenance, safety, or private functions and to outline future maintenance obligations of the improvements. Signage shall be provided as described in Condition 7. The final design of the public benefit elements shall require the review and approval of SDOT Street Vacations. SDOT may request additional review by the Design Commission of the implementation of the public benefit elements or the pedestrian enhancements, as necessary. Public benefit elements in the right-of-way require additional SIP review, street use permits and indemnification; public and private areas must be clearly distinguished and markers in the sidewalk shall be required. The public benefit requirements include the following features as well as corresponding development standards, including approximate square footage dimensions, which shall be outlined in the PUDA:

**Block 95 Alley Vacation Proposal**

| PUBLIC BENEFIT           | DESCRIPTION  | QUANTITY                       | ESTIMATED COST |
|--------------------------|--|--------------------------------|----------------|
| <b>1 First Hill Mile</b> | Sidewalk & pedestrian crossing improvements  |                                | \$1,300,000    |
|                          | <ul style="list-style-type: none"> <li>Marion to Madison sidewalk and plantings</li> </ul>   | 4,800 SF                       |                |
|                          | <ul style="list-style-type: none"> <li>Minor &amp; Seneca curb bulbs, sidewalk, furnishings and plantings</li> </ul>   | 2,650 SF                       |                |
|                          | <ul style="list-style-type: none"> <li>University &amp; Summit traffic circle</li> </ul>   | 925 SF                         |                |
|                          | <ul style="list-style-type: none"> <li>Boylston &amp; Seneca curb bulbs,</li> </ul>  | 3,870 SF                       |                |
|                          | <ul style="list-style-type: none"> <li>sidewalk, furnishings and plantings</li> </ul>  |                                |                |
|                          | <ul style="list-style-type: none"> <li>Boylston &amp; Spring traffic circle</li> <li>Boylston &amp; Marion curb bulbs and sidewalk</li> <li>Broadway Avenue plantings</li> </ul> | 1,130 SF<br>2,715 SF<br>830 SF |                |
| Wayfinding signs         | 11   |                                |                |
| Street tree replacements | 39   |                                |                |

|   |   |           |                    |
|---|---|-----------|--------------------|
| <b>2 First Hill Park Contribution</b>   | Contribution toward improvements to First Hill Park | \$500,000 |                    |
| <b>3 Public Art</b>                     | Public art in the ROW along the First Hill Mile     | \$300,000 |                    |
| <b>4 Minor Avenue Voluntary Setback</b> | Setback along Minor Avenue                          | 1,700 SF  | \$125,000          |
| <b>5 Boren Avenue Voluntary Setback</b> | Setback along Boren Avenue                          | 1,200 SF  | \$90,000           |
| <b>6 Columbia St. Row Improvements</b>  | Expanded and enhanced pedestrian streetscape        | 980 SF    | \$40,000           |
| <b>7 Cherry St. Row Improvements</b>    | Expanded and enhanced pedestrian streetscape        | 560 SF    | \$70,000           |
| <b>8 Pedestrian Controlled Signal</b>   | Pedestrian controlled signal at Boren & Cherry      | 1         | \$200,000          |
| <b>9 Pedestrian Controlled Signal</b>   | Pedestrian controlled signal at Minor & James       | 1         | \$200,000          |
| <b>TOTAL</b>                            |   |           | <b>\$2,825,000</b> |

Signed by me in open session this \_\_\_\_\_ of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 President \_\_\_\_\_ of the City Council