

Street Vacation Stakeholder Group SUMMARY OF MEETING HELD FEBRUARY 1, 2017

Seattle City Hall, Room 307

Members Present: Mark Brands—represented by Venita Sidhu, Alex Brennan, Sally Clark, Theresa Doherty, Howard Greenwich, Alex Hudson, Ellen Kissman, Michael Laslett, Abby Lawlor, Shannon Loew, Xochitl Maykovich, Leslie Morishita, Eric Oliner, John Pehrson, John Savo, Ross Tilghman, Mike Woo; **Council:** Susie Levy --representing Councilmember O'Brien; BrynDel Swift—representing Councilmember Juarez
Staff: Jasmine Marwaha; **Facilitator:** John Howell

WELCOME AND INTRODUCTIONS

John Howell welcomed the Stakeholder Group members. Members introduced themselves. Those who had not been able to attend the January 18 meeting also noted their interests related to street vacation, as follows:

- Displacement of low-income residents
- Equitable community development, affordability, preservation
- Complexity of the street vacation process.

REVISED GROUND RULES – John Howell

The Street Vacation Stakeholder Group Ground Rules were revised to incorporate a suggestion from the last meeting. This appears in item 9, which now reads as follows:

9. Committee members recognize that participants and the constituents they represent have different degrees of power and privilege (based on race, class, gender, ability, position, education, etc.). We will attempt to be conscious of those differences and work to make sure that all members of the group feel comfortable engaging in discussions and feel their voices are heard equitably.

Decision: The Stakeholder Group approved the Ground Rules, with the change made in item 9.

FOLLOW-UP TO QUESTIONS AND REQUESTS FOR INFORMATION – Jasmine Marwaha

A six-page questions and answers document and a document entitled “Seattle Department of Transportation [SDOT] Street Vacation Checklist” are posted on the Stakeholder Group’s webpage and available from Jasmine. These respond to group members’ questions and information requests from the January meeting. The documents give basic information about the street vacation process and how it currently works. A video of the South Lake Union Amazon project will be posted on the group’s website.

DISCUSSION OF VALUES AND PRINCIPLES FOR SHAPING RECOMMENDATIONS

To provide context for the discussion, Beverly Barnett of SDOT summarized the values in the current street vacation process as follows:

- Street right-of-way as an important public asset that provides circulation, access, light, air, open space and views
- The street vacation process as providing consistency, equity and predictability.

Stakeholder Group members suggested values or principles they thought should guide street vacation policy and process. The following summarizes the values proposed and discussion of them.

- **Equity** – The idea that the public right-of-way belongs to everyone, including business people, workers, shoppers, visitors, protesters and people who are homeless. It includes pedestrians as well as drivers of cars and trucks. It is also important to consider **balancing consistency and equity**, since there might be different considerations about equity depending on the nature and work of the applicant and project.
- **Predictability** – The uncertainty and timing challenges of the street vacation process might discourage some applicants and lead them to change their development plans. Also, if all the possible types of public benefit were part of the discussion, the process would be more predictable for applicants.
- **Serving the public interest**, rather than physical attributes of the project. For example, reducing economic inequality and providing living-wage jobs. There was also a suggestion that the applications of nonprofits be considered differently than that of a private developer, in light of the value of their work to serve the public interest, such as providing uncompensated care.
- **Promoting public engagement at the development stage** of the project, along with **iterative and direct dialog** between affected communities and the applicant. A narrow range of public benefits offered or perceived has led to a lack of engagement in the street vacation process, especially for low-income communities.
- **Transparency** – Make information easily available and understandable.
- **Economic opportunity**
- **Affordability**
- **Racial and social justice** – Conduct active public engagement to understand the proposed vacation’s effects on people of color and other marginalized populations, such as displacement and loss (or gain) of jobs. Prioritize impacts on marginalized communities. Review projects using tools from the City’s Race and Social Justice Initiative.
- **Clarity** in what the public benefits are and how to use them, how to apply the policies and what counts as successful. There needs to be more clarity around **“commensurate”** – is it the official value of the square footage? function or experience that is lost? Does it vary depending on the project?
- **An assessment of the value of the vacation** – the quantitative and qualitative value of what is being given up (value to the public) and the value to the applicant.
- **Public Benefit should relate to the Public loss** – not all public benefit will specifically address /involve Social Justice issues.
- **Long-term enforcement of the public benefit agreement** – For example, does the public plaza the applicant created continue to be open to the public?

- **Public benefits that are offsite, programmatic or other nonphysical options** – Impacts on and benefits for the community broadly defined, such as living wage jobs, affordable housing, health care and child care.
- **Open space** – including human scale of projects, setbacks, block crossings, etc. Once given up, this is difficult to get back.
- **Consistency, equity and predictability** – These values now in the policy include a lot of the values the group has discussed. We must not further complicate the process for developers and be sure what we are proposing fits into the development permitting schedule. Now if a developer has a landmark issue, a street vacation issue in addition to getting through design review, it is a challenge.

There was a comment that it would be helpful for the Stakeholder Group to be more aware of the perspective of a private developer, so the group understands their motivations for street vacations. Jasmine noted that a representative from Amazon had initially committed to participate, but has not been able to attend.

➔ **Follow-up action:** Jasmine will continue working to add a private sector representative to the group.

ISSUE IDENTIFICATION

The Stakeholder Group members proposed issues and ideas about changes to the current street vacation process that they would like the group to discuss. The following summarizes the ideas:

- **Add diverse voices to the membership of the Design Commission** – Consider adding someone who represents the community, in addition to the current at-large seat on the commission, and looking at ways to vary the voices to reflect the community affected by a project. Other opinions included: Design Commission was not well equipped with membership to handle Social Justice issues along with Public Benefits they usually handle.
- **Rethink the framing and timing of the whole process** – Setting the process in SDOT puts the focus on transportation and open space, and not on social justice, jobs or other public benefits. Perhaps it should be moved to or conducted in partnership with a social services department. Also, by the time a project is sent for public review, the proposal is “baked” and difficult to change, so public comments don’t have much impact. Instead, early in the process, the City Council should give policy guidance to the developer about what they would like to see, and communities should be actively engaged.
- **Broaden the definition of public benefit** – The definition should include **offsite and nonphysical benefits**. It should include affordable housing (affordable for those with incomes at 0 to 30 percent of area median income [AMI]), health care access, permanent, living wage jobs, and access to jobs, such as local hiring and training wages. Consider if the definition should also **recognize public benefits the applicant provides** as part of its work.
- **Broaden the impact statement** – There should be a social equity impact statement as well as an Environmental Impact Statement (EIS).

- **Broaden the definition of “partial” street vacation** to include narrowing of streets. Currently, “partial” applies to subterranean areas. A broader definition could be similar to the Housing Affordability and Livability Agenda (HALA) to include affordability requirements for building out into the right-of-way.
- **Add proposed street vacations to institutional Master Plans** so that when the Master Plan is approved, the street vacation is also approved. Currently, although possible street vacations are identified in major institutions’ master plans, the street vacation process is separate.
- **Identify where social justice issues should be discussed** – One suggestion was to consider a third review group focused on social justice impacts. Others thought the mission of the Design Commission should be expanded to include review of race and social justice impact, and engaging in dialog with diverse stakeholders.
- **Measurement of benefits** – Better guidance is needed on proportional benefit and how to measure it. This should address both physical and nonphysical benefits.
- **Street Vacation Checklist suggestions** – Suggested changes were:
 - In Step 1 Community Notification, there should be a requirement to have communities sign off on the changes, not just that they be contacted.
 - In Step 3, item 3 Community Information, require a statement on what information was provided, how the applicant followed up with communities, and how they would be impacted.
 - In Step 3, item 12 Vacation Policies/Land Use Impacts, an important element is the demographics of the residents, such as whether they rent or own.
 - In Step 3, item 14 Public Benefit Matrix, the applicant should detail the costs of the public benefit—how much it costs them to create the public benefit—and provide an economic impact statement.
- **Transparency, clarity, streamlining** – Look broadly at the street vacation process and how to make it understandable and doable while enabling a fit with the individual locations and communities.

NEXT STEPS – John Howell

The Stakeholder Group was set up as a four-meeting process. The handout, “Upcoming Advisory Group Meetings,” lists possible agenda topics for Meetings #3 and #4 to identify and reach consensus on potential changes to street vacation policies and process. John proposed making the meetings longer and possibly adding a fifth meeting. Group members suggested ways to conduct some work between meetings.

- **Possible additional meeting** – John and Jasmine will decide between Meetings #s 3 and 4 if a Meeting #5 is needed.
- **Between meeting communication** – Jasmine will provide the Stakeholder Group email list to members. John and Jasmine will distill the conversation at this meeting into a draft set of principles, and “buckets” of issues and key questions. Members could use the email list to propose changes/additions and discuss questions with members before Meeting #3.

➤ **Follow-up actions:**

- John and Jasmine will draft and send to group members draft sets of principles and topics.
- Members should review the drafts and use the email list to propose and discuss possible changes and additions.
- Jasmine will send out a Doodle poll to identify dates for Meetings #3 and #4.