

Block 89 – 111 Westlake Ave N

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Diane Sugimura
Director, DPD

Shannon Loew, Chair

Ellen Sollod, Vice Chair

Brodie Bain

Lee Copeland

Thaddeus Egging

Grant Hromas

Martin Regge

John Savo

Ross Tilghman

Michael Jenkins
Director

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Planner

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Commissioners Present

Shannon Loew, Chair
Ellen Sollod, Vice Chair
Lee Copeland
Thaddeus Egging
Grant Hromas
Martin Regge
Ellen Sollod
Ross Tilghman

Commissioners Excused

Brodie Bain

Project Description

Vulcan proposes to vacate the subterranean portion of the alley in the block bounded by Denny Way, Westlake Ave N, John St, and 9th Ave N in the South Lake Union neighborhood to facilitate a mixed-use development. The north-south alley is 16 feet wide, 5,755 square feet in area, and currently unimproved.

The preferred development scheme would have three buildings and one other structure located on two parcels separated by the alley surface. The proposal includes:

- An 18-story building with 420,000 square feet of office space
- A 40-story tower with 460,000 square feet of residential space
- 30,000 square feet of ground-level retail
- Below-grade parking for 800 vehicles
- At-grade open space, including a plaza at the southwest corner of the site

The petitioner proposes the following public benefits related to the vacation:

1. Improvements to the alley surface that remains in public ownership
2. Improvements to the triangular portion of right-of-way at the corner of 9th Ave and Denny Way
3. Green Street improvements on John St
4. Voluntary street-level setback, landscaping, paving seating, and lighting along Denny Way
5. Sidewalk widening, landscaping, and paving on 9th Ave N and Westlake Ave N

A detailed list of the approved public benefit items is available in on page 6.

Meeting Summary

The Design Commission unanimously approved the public benefit package for the proposed subterranean alley vacation with several conditions. The approval of public benefit is conditional on the Commission re-reviewing the public benefit package should Council's final determination about the minimum depth required for this subterranean vacation result in any change to 1) the site plan or 2) the size, configuration, or characteristics of any public benefit item. The Commission adopted this condition since it had agreed to review the project at the public benefit phase even though the petitioner did not fulfill the initial condition adopted at the Commission's urban design merit review on Novem-

March 19, 2015**1:30 – 3:30 pm****Type**

Subterranean Alley Vacation

Phase

Public Benefit

Previous Reviews

November 20, 2014

Project Team Present**Sharon Coleman**

Vulcan

Patrick Gordon

ZGF Architects

Kris Snider

HEWITT

Attendees**Brian Aske**

Lease Crutcher Lewis

Beverly Barnett

SDOT

Sara Belz

Council Central Staff

Holly Golden

Hillis Clark Martin & Peterson

Jackie Hensy

ZGF

Kristy Hollinger

EA Engineering,

Pearl Leung

Vulcan

Scott Lien

Vulcan

Alan Locke

ZGF

Bertha Martinez

ZGF

Melody McCutcheon

Hillis Clark Martin & Peterson

Jeff Peterson

Coughlin Porter Lundeen

Megan Pryor

ZGF

Michelle Sarlitto

EA Engineering

Tobin Thompson

ZGF

Diane Tilstra

SLU Task Force

Barb Wilson

Vulcan

March 19, 2015

ber 20, 2014, concerning the minimum necessary depth for this subterranean vacation. The minimum depth for a subterranean vacation is the distance between the undersurface of the right-of-way and the top of any below-grade structure serving the development.

The Commission's approval also requires further review and approval of two project elements: the proposed improvements to the triangular portion of right-of-way at Denny Way and 9th Ave N and details on how the building and site design accommodates transit users. This additional review will occur at an administrative review conducted by staff.

Refer to the full action for a complete list of the Commission's conditions and recommendations.

Recusals and Disclosures

John Savo disclosed that his employer, NBBJ, has done work and continues to do work with the applicant. However, Mr. Savo is not involved with this project. With this disclosure, Mr. Savo did not believe he needed to recuse himself. There were no objections to his participation in the review.

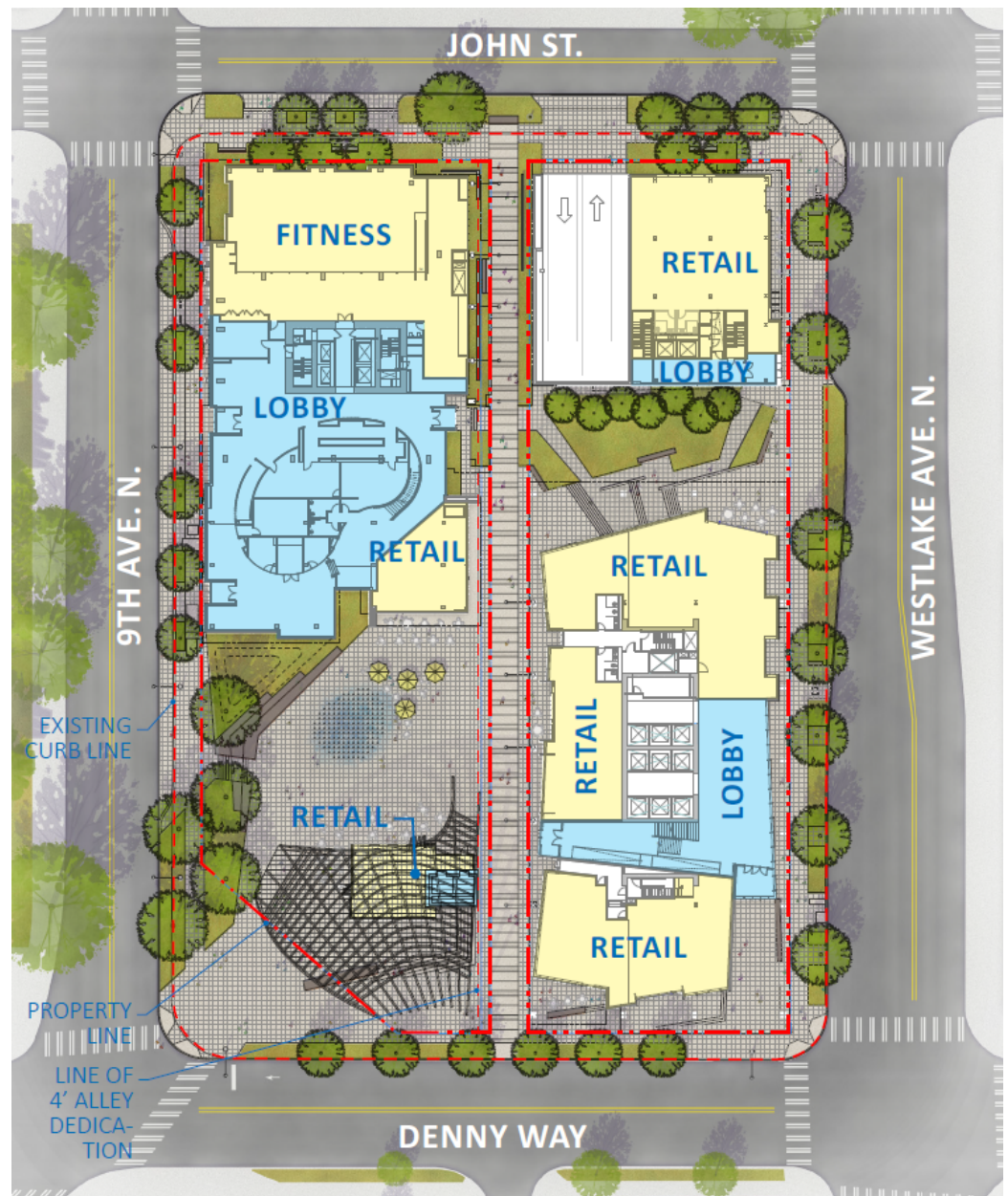


Figure 1. Site plan for the subterranean vacation development proposal.

Summary of Presentation

Sharon Coleman updated the Commission on the team's progress toward meeting the Commission's first condition from its November 20, 2014, review of the vacation proposal, which required that the petitioner:

"Work with SDOT and all utility stakeholders to determine the minimum necessary depth between the surface of the alley and the top of any below-grade structure to accommodate all planned or potential utility uses. This should be resolved and approved by SDOT before proceeding with the Commission's public benefit review."

Ms. Coleman informed the Commission that, following conversations with the City, the team determined there are no planned or potential utility needs in the alley right-of-way and, therefore, is continuing to propose a vacation of the subsurface portion of the alley up to the undersurface of the right-of-way.¹

Patrick Gordon introduced the project and summarized design updates since the Commission's urban design merit review. In particular, Mr. Gordon said the paving has evolved following the Commission's previous recommendations with the goal of creating a transition from the public realm to private space. His presentation is available on the [Design Commission website](#).

As shown in Figure 1, a site plan illustrated the proposed mixed-use development, and Mr. Gordon described vehicle access and loading in the no alley vacation and subterranean alley vacation scenarios. As context, Mr. Gordon cited data from the Downtown Seattle Association (DSA) indicating that pedestrian volumes at the intersection of Denny Way and Westlake Ave N more than doubled between 2012 and 2014.

Kris Snider showed historical photos of the site and provided further detail about the proposed landscape and ground-plane treatment. The petitioner proposes standard City sidewalk paving throughout the project site except for the alley surface, which would have distinct patterning, as shown in Figure 2.

Mr. Gordon introduced the public benefit package. Refer to the action section of the minutes for the list of public benefits that the Design Commission recognized in its approval.

Mr. Gordon described that the petitioner gains a consolidated garage entry as a result the vacation. He reminded the Commission that the project does not gain additional FAR or developed square footage from the vacation. Furthermore, Mr. Gordon said any savings from reduced shoring and excavation costs are counteracted by the additional cost of constructing a shared truck loading area.

Mr. Gordon noted that recently Seattle Public Utilities (SPU) requested vehicular access for maintenance of the catch basin. Accordingly, he showed two alternatives for SPU access along John St, which is a Green Street. One alternative involved use of the project's proposed driveway, and the other required a wider curb cut on John St.

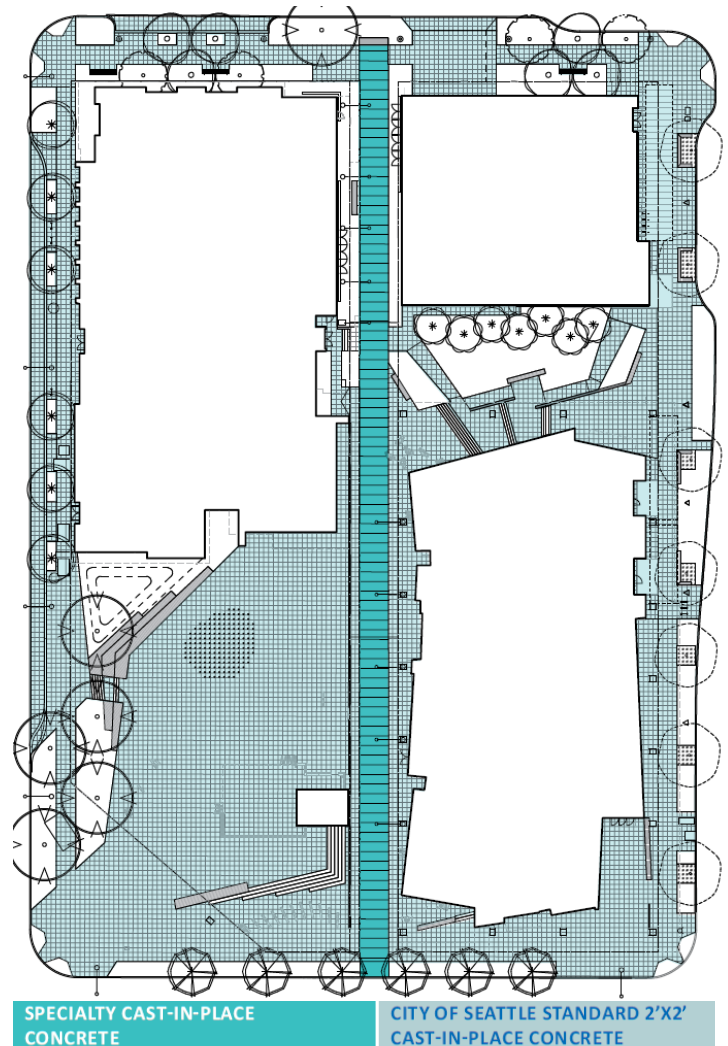


Figure 2. Proposed paving for the project site.

¹ In conversations with the project team prior to this review, the Commission reminded them of the need to meet the aforementioned condition from November 20, 2014. The Commission agreed to review the public benefit package despite the petitioner not fulfilling this condition, as the Commission adopted an additional condition as part of its action on public benefit requesting additional review if any change to the site plan or public benefit items occurs following the Council's final determination on the minimum necessary depth.

| Public benefit item | Description |
|--|---|
| Alley right-of-way improvements | Special paving, landscaping, pedestrian-scaled lighting, wayfinding, seating, and furnishings in the alley right-of-way between John St and Denny Way, which remains in public ownership. |
| Improvements to the triangular portion of right-of-way at the corner of 9th Ave and Denny Way | Paving based on 2' x 2' City of Seattle standard sidewalk module, landscaping, lighting, and seating. |
| Green Street improvements on John St | Relocation of existing curb between 9 and 16 feet to the north to expand pedestrian streetscape, including new paving, landscaping, lighting, and seating. |
| Voluntary setback and streetscape improvements on Denny Way | Expanded street-level building setback, seating, landscaping, and lighting to implement some of the recommendations in the Denny Way Streetscape Concept Plan. |
| Streetscape improvements on 9th Ave N and Westlake Ave N | Relocation of existing curb to widen sidewalk, including new paving and additional landscaping. |

Finally, Mr. Gordon addressed concerns about the proposed alley improvements given that the alley surface would remain public right-of-way. He stated that only the landscaping would potentially need to be removed were the City to decide to use the right-of-way for vehicles; the other improvements would remain.

Agency Comments

Beverly Barnett did not speak to the merits of the proposed subterranean alley vacation but about the vacation application and approval process. According to Ms. Barnett, SDOT believes that the petitioner is pursuing the wrong process to achieve its goals and should instead seek a full alley vacation. Ms. Barnett conveyed that this has been a consistent message from the highest levels of SDOT. Ms. Barnett stated that questions about the depth of the subterranean vacation and related utility issues have not been resolved, though they could be were the petitioner to apply for a full vacation. She said that, in the case of a subterranean vacation, the City is obligated to preserve right-of-way function for future and undefined needs, including drainage, access, and circulation. She referenced the City's adopted Street Vacation Policies and stated that if a petitioner incorporates an alley into the project it is fundamentally a full vacation. According to Ms. Barnett, SDOT does not agree with the petitioner's position on the proposal, and SDOT's recommendation to Council will be to deny the request. However, she acknowledged that the petitioner has a right to proceed with this application because the decision to vacate the right-of-way ultimately lies with the Council. Because of these issues, Ms. Barnett explained that SDOT has not looked closely at the proposed public benefit package; the Design Commission can speak to it as it sees fit. Ms. Barnett believes it is possible for the petitioner to achieve everything it wants and resolve all issues if it proceeded with a full vacation.

Public Comments

Diane Tilstra stated that she has recently been involved with a group focused on promoting diverse public spaces to build community in the growing South Lake Union neighborhood. She supports the subterranean vacation proposal because of the ground-level space it provides. The group she is involved with has identified a need for more diverse spaces that invite community to interact with each other. Ms. Tilstra believes this project provides that kind of space. She recommended approval of the subterranean vacation so that people feel the proposed plaza is a safe and public space for pedestrians. Ms. Tilstra also stated that she supports Vulcan's effort to work with Seattle Parks and Recreation on relocating the existing basketball court to Denny Park.



Figure 3. Bird's-eye view of triangle portion of right-of-way at the corner of Denny Way and 9th Ave N.

Summary of Discussion

The Commissioners understood and appreciated the issues that SDOT raised concerning the subterranean vacation petition. The Commission acknowledged that, under a full vacation, its review of public benefit would be different. However, the Commission recognized that they had been asked only to evaluate this subterranean vacation and reviewed the proposed public benefit package accordingly.

The Commissioners expressed interest in the design of the proposed improvements to the triangular portion of right-of-way at the corner of Denny Way and 9th Ave N. as shown in Figure 3. Though the Commissioners appreciated the team's desire to enhance visual and physical connections with Denny Park with these improvements, they also sought more information on how trees, landscaping, and other design features achieved that goal. The Commissioners indicated that it was important to the success of the plaza as a public benefit item for its design to be welcoming to the public since it serves as the physical and function terminus to the Bell St Green Street corridor.

The Commission also provided input on the Denny Way streetscape, specifically concerning the lack of integration of transit infrastructure into the proposed right-of-way and site improvements. Since the development fronts onto a heavily used bus route and upgraded transit facilities are a typical public benefit feature, the Commission directed the petitioner to revise the design to include an integrated bus shelter and supporting technology into the proposed street-level setback.



Figure 4. Looking northwest towards the corner of Denny Way and Westlake Ave N.

Finally, the Commission considered the potential for the proposed alley improvements to be altered or removed should the City decide to use the right-of-way surface, which remains in public ownership, for vehicle access. The Commissioners agreed that any such change would require in-kind replacement elsewhere on the site.

Action

The Design Commission thanked the project team for presenting the proposed public benefit items for the subterranean vacation petition at Block 89. The Commission particularly appreciated the introduction of landscape, lighting, and other treatments into the alley area to enhance the public realm for all users. The Commission also commended the proposed Green Street treatments along John St, which support the broader effort to reconnect the east-west pedestrian network across SR 99.

With a **vote of 8 to 0**, the Design Commission approved the following public benefit items for the petition to vacate the subterranean portion of the alley in the block bounded by Denny Way, Westlake Ave N, John St, and 9th Ave N. The public benefit items are based on the presentation materials from March 19, 2015, available on the [Commission website](#).

As proposed by the applicant, the subterranean vacation would begin immediately below the surface of the right-of-way.



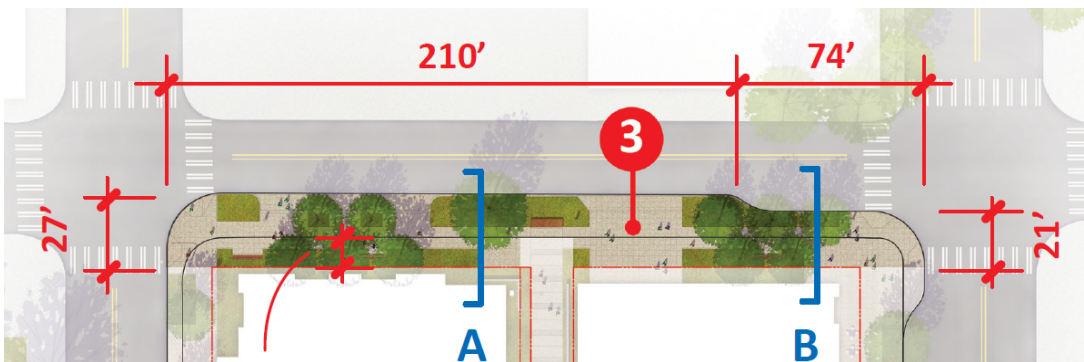
Alley right-of-way improvements

Special paving, landscaping, pedestrian-scaled lighting, wayfinding, seating, and furnishings in the alley right-of-way between John St and Denny Way, which remains in public ownership.



Improvements to Denny Way / 9th Ave N triangular portion of right-of-way

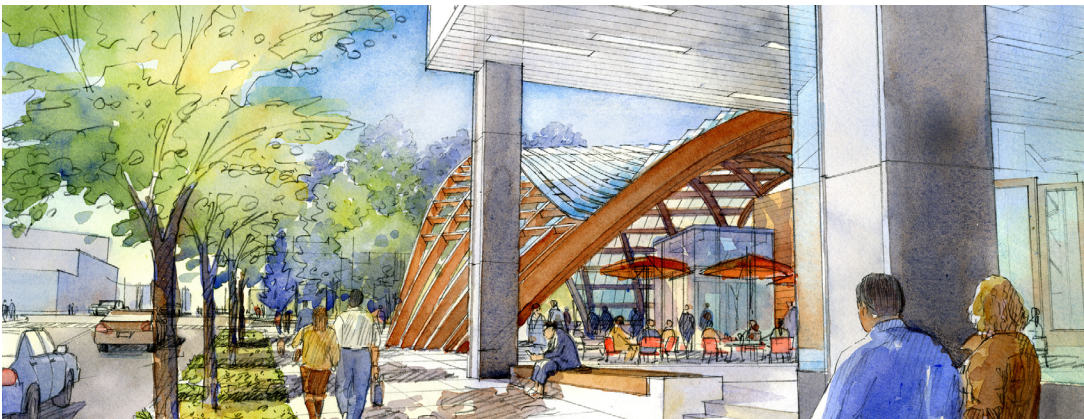
Paving based on 2' x 2' City of Seattle standard sidewalk module, landscaping, lighting, and seating.



Green Street

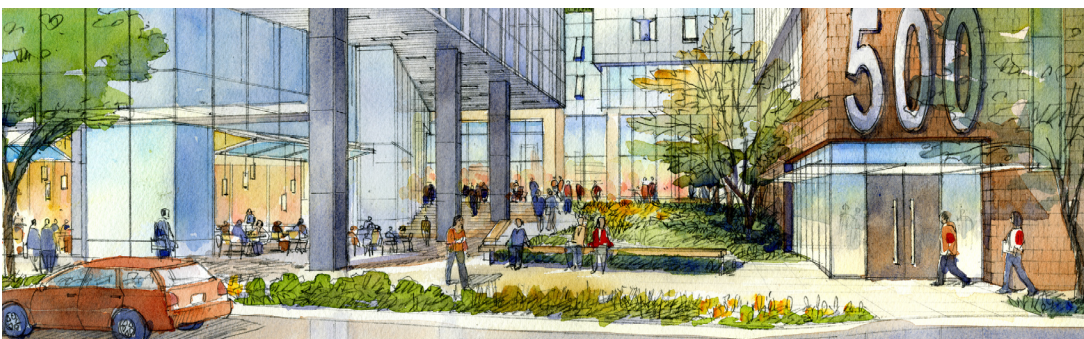
improvements on John St

Relocation of existing curb between 9 and 16 feet to the north to expand pedestrian streetscape, including new paving, landscaping, lighting, and seating.



Setback and streetscape improvements on Denny Way

Expanded street-level building setback, seating, landscaping, and lighting to implement some of the recommendations in the Denny Way Streetscape Concept Plan.



Streetscape Improvements on 9th Ave N and Westlake Ave N

Relocation of existing curb to widen sidewalk, including new paving and additional landscaping.

The Commission's approval of public benefit is subject to the following conditions:

1. If a Council requirement for a minimum depth for this subterranean vacation results in any changes to 1) the site plan for the project or 2) the size, configuration, or characteristics of any of the public benefit items listed above, the Design Commission requests that the petition be re-referred to the Commission for further review. The Commission would then determine 1) if the revision affected the public benefit package, 2) if the revised proposal is still sufficient, and 3) if the revised proposal is insufficient, what changes would make the package acceptable.
2. If at a future date the City determines that vehicle access to the alley is necessary, resulting in removal or any alteration of the alley improvements counted as public benefit in the table above, the petitioner shall provide in-kind replacement of those items elsewhere onsite.
3. Return for an administrative review of the design of the right-of-way triangle at the corner of Denny Way and 9th Ave N. Continue to develop this area to enhance the physical and visual connections among the project site, Denny Park, and Bell Street.
4. Return for an administrative review to provide additional detail on the integration transit infrastructure, such as a bus shelter, real-time transit information, and other improvements to support transit users, into the building and public realm design.

The Commission also recommended that the width of the proposed curb cut, shown in Figure 5, be the minimum necessary for SPU to access and maintain the catch basin from John St.

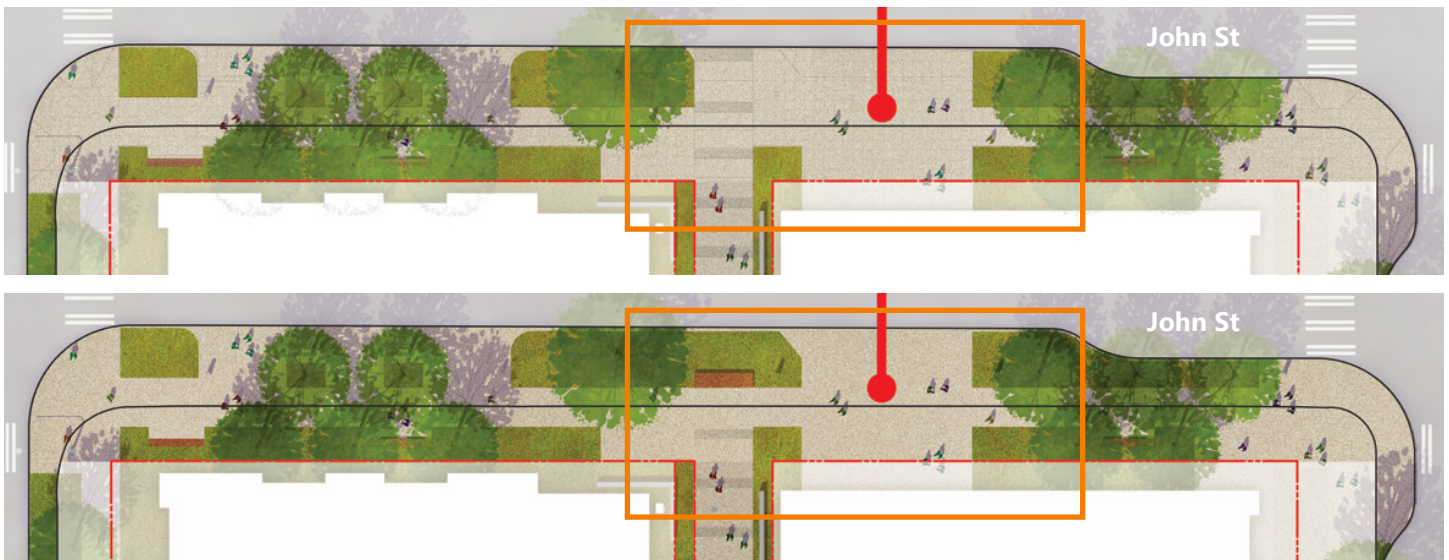


Figure 5. Comparison of options for SPU access from John St. Above is an alternate scheme that would require a wider curb cut. Below is the site plan as currently designed.

Aside from the required administrative review mentioned above, this is the final time the Design Commission expects to review this vacation petition. Approval of both the urban design merit and public benefit phases constitutes the Commission's recommendation to SDOT that the subterranean vacation be approved. The City Council ultimately decides whether to grant the vacation.