



City of Seattle
Edward B. Murray, Mayor

Department of Transportation
Scott Kubly, Director

Date: March 31, 2016

To: The Honorable Mike O'Brien, Chair, Sustainability and Transportation Committee
The Honorable Rob Johnson
The Honorable Kshama Sawant

From: Scott Kubly, Director, Seattle Department of Transportation
Ben Noble, City Budget Director

Subject: Response to 2016 Statement of Legislative Intent 101-1-A-1; an Inventory of Public Benefits provided by Street and Alley Vacations

As a part of the 2016 budget process, the City Council adopted a Statement of Legislative Intent (SLI) requesting that Seattle Department of Transportation (SDOT) develop a report detailing the public benefits received from street and alley vacations since 1995. The report is to include the following:

1. An inventory and map of publicly-accessible plazas, art, pedestrian ways, and green spaces built as a result of street and alley vacations, and an indication of whether they are located on public or private property;
2. A complete inventory of all public benefits received, including the assessed value of those benefits;
3. The types of public benefits that are most commonly provided through the street and alley vacation process;
4. An inventory of the square footage of street or alley land conveyed and the amount of money paid to the City for that right-of-way, not including funds conveyed as part of public benefits; and
5. A scope of work for further qualitative analysis of public benefits received from street and alley vacations, to measure the impact of these public benefits on the general public.

Background on Street Vacations

The power to vacate streets was granted by the State Legislature to the legislative bodies of cities and towns by RCW Chapter 35.79. The statute provides some procedural and other

parameters that cannot be changed locally. Seattle enacted an ordinance, codified at SMC Chapter 15.62, which conforms to the statutory requirements.

The State has established some procedural requirements relating to vacations, such as defining the signatures necessary for a valid petition, the requirement for a public hearing, and has specified that legislative bodies may charge a vacation fee. However, with the exception of shoreline street ends, the State has not established guidelines for when vacations should be granted or denied.

The City Council has established vacation guidelines in the adopted Street Vacation Policies. These guidelines are intended to provide consistency in decision making and guidance as to the information the City Council will consider when reviewing a petition for a street or alley vacation. The Street Vacation Policies were first adopted in 1986 by Resolution 27527 and have been revised and updated numerous times.¹

However, at its core the Policies remain the same, expressing the City's values relating to vacations and take a conservative posture, specifically stating that right-of-way will be retained unless there are "compelling reasons" for the vacation and the vacation serves "the public interest in a significant way." The Policies are clear that there is no right to vacate or develop public right-of-way and that to do so; a discretionary legislative approval must be obtained from the City Council. The Street Vacation Policies provide for a three-step review of any vacation petition in order to determine if the vacation is in the public interest.

The Policies define the components of public interest as:

1. Protection of the public trust, defined as providing for circulation, access, utilities, light, air, open space, and views;
2. Protection from adverse land use impacts, defined as assuring that the project is consistent with City policies; and
3. Provision of public benefit, defined as providing a long-term benefit for the general public.

The Street Vacation Policies provide that during the review of the petition, 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 whether 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 the City holds in rights-of-way.

SLI Response

¹ A few sections of the policies were revised in 1991 by Resolution 28387, in 1993 by Resolution 28605, and again in 2001 by Resolution 30297. Significant revisions were made to the Vacation Policies in 2004 by Resolution 30702. The Policies were again amended in 2009 in Resolution 31142 and the Policies are currently in Clerk File 310078.

SDOT began by looking at the number of vacations approved between 1995 and 2015 and found that the City Council has approved approximately 90 petitions. Of the 90 approved petitions, five petitions were withdrawn by the Petitioner and the project was not developed. For these projects the final vacation ordinance was never passed and the right-of-way remains as public right-of-way. In addition, approximately seven petitions were denied. Of these denied petitions, six were in single family areas and one was a partial vacation in an industrial area.

The 90 projects approved by the City Council includes: 18 multi-family residential projects; 19 office or commercial projects; 4 projects for industrial purposes, 4 in other categories, and 40 projects for public, government or non-profit purposes. Historically, a slight majority of vacations are for private projects at approximately 53% percent and just under ½ of the projects are in the public, government, or nonprofit category at around 47%.

As SDOT began to review the records to develop the inventory we were able to find accessible electronic records for about the last ten years and the inventory matrix and case studies are based on these records which includes 39 projects. These 39 project files formed the core data base for the response on the public benefit elements. ²

Past vacation discussions were more focused on the vacation and post-vacation development as a whole. The discussion focused on whether the project was consistent with the Street Vacation Policies. The discussion did not provide a specific articulation of design requirements, mitigation, and public benefit elements. The project, and its design and amenities, were presented as shown in the Master Use Permit (MUP) submittal. Once the vacation was approved by the City Council, the MUP that was issued needed to reflect the project as approved. An example is the 1997 approval for two alleys in Clerk File 301530, for Fred Hutchinson Cancer Research Center (FHCRC) in the South Lake Union neighborhood. The vacation of two alleys had the following conditions:

- All utilities issues be resolved to the satisfaction of the affected utilities; and
- Space for all service and delivery functions shall be provided on the FHCRC site.

An alley vacation for Kline Galland Center for a senior living facility approved in 1997 in Clerk File 301648 contained the following conditions:

- Resolution of all utility issues;
- The site shall be designed to have a clear distinction between public and private property. The design shall include appropriate City standards and SEATRAN approvals and my require improvement of the south end of the alley.

² Of the 39 projects reviewed, 17 projects were for public, government, or nonprofit agency projects. This includes City projects including three Parks projects, Fleet and Administrative Services for a fire station, Seattle City Light for the Denny Substation, Seattle Public Utilities for both the North and South Transfer Stations, the University of Washington for two student housing projects, Harborview Hospital, Seattle Children's Hospital, Seattle Housing Authority, Housing Resources Group, and the Port of Seattle.

- All service and loading shall occur on site. Continued service access for adjacent properties shall be insured.
- The petitioner is encouraged to work with the Seattle Jobs Initiative.

Over time the Council has refined its review and requires more detail and specificity in the vacation review and careful articulation of the various elements of a proposal including design features, mitigation measures, and public benefit elements. The Council now asks for clear listing or charts which specify code requirements, mitigation measures, and proposed public benefit elements. The charts have proven a useful tool to evaluate the elements of project design and provide a measure of public benefit that can be used to assess the quality and adequacy of the proposal. Conditions are more detailed to provide for more accountability during development and over the life of a project. While the vacation process has always required a careful review of any proposed vacation and the City Council has been rigorous in its discussion and review of vacations the current conditioning provides for clearer accountability and more clarity on the mitigation and public benefit of a project.

1: An inventory and map of publicly-accessible plazas, art, pedestrian ways, and green spaces built as a result of street and alley vacations, and an indication of whether they are located on public or private property.

In order to respond to the SLI request, SDOT expanded on an inventory begun about 2 years ago by the Seattle Design Commission (SDC) for the purposes of developing a library of public benefit elements that could assist developers in creating their own public benefit proposal. The SDOT inventory lists all of the identified public benefit elements from projects granted in approximately the last ten years. Earlier projects are **not** available in electronic form at the City Clerk's office and required a more laborious review through the microfiche to find the requested information. In addition, earlier proposals tended to provide a more general description of the public benefit elements rather than the more detailed descriptions and charts that are currently required.

The attached chart shows the individual elements of the public benefit proposals for projects approved in the last ten years and whether the public benefit elements are on public or private property (Exhibit 1A-B). It identifies the year of the vacation petition, the area, whether an alley or a street, and a general description of the type of project, such as residential, commercial, or industrial. The vacations and the public benefit elements are mapped, and map queries can identify elements of specific interest like a plazas or art. Maps attached show: location of vacations; the location of the publicly accessible plazas; and vacations within each City Council district (Exhibits 2A-C).

To provide more experiential data about the sites, SDOT interns visited ten sites and took photos and made notes of what they found and experienced at the sites. This data is intended to provide information that would be similar to the experience of someone who is a neighbor or a community member and not someone working in a building that includes vacation public benefit features. The ten case studies (Exhibit 3A) are attached with a map (Exhibit 2D) showing the location of the case studies.

Assessing the qualitative value of public benefits using the charted data was a challenging task. While the chart can identify which projects provided art or overhead weather protection or widened the sidewalk, mapping and listing the specific elements cannot provide the context of the full analysis of any proposed vacation or consider the balancing test envisioned in the Street Vacation Policies.

Public benefits are always comprised of a variety of elements and not all of the elements would constitute adequate public benefit if proposed on their own, for example, elements like benches can contribute to an enhanced streetscape but would not be adequate on their own. Some public benefit packages include elements that would not be classified as public benefits but rather support the public benefit package such as retail or café space adjacent to a plaza. The goal through the vacation review process is to develop a comprehensive package of specific elements that provide a long-term benefit for the general public and are proportional to the benefits obtained by the developer from the vacation.

Even with these qualifying statements, it is clear from a review of the Public Benefits chart that the vacation process has been successful in adding a considerable amount of amenities to the public realm. All of the amenities are above and beyond what a developer would be required to provide under the land use code or other regulations; all were acquired at private, not public, expense; and are generally maintained by the private developer. While much has been achieved, moving forward with the data provided in this SLI and anticipated revisions to the Policies with a focus on the strongest public benefit features will further enhance what the public already achieves as a result of the vacation process.

SDOT has found anecdotally that public benefit is subject to “eye of the beholder” conclusions. In particular, the provision of plazas and similar open space as a public benefit draws a variety of opinions. The spaces can be considered an important public asset by some and the same space can be considered too private or cold and corporate by others. One consistent criticism of plazas as a public benefit is that they can appear to belong to the adjacent building and not to the public. The new and shiny spaces can feel unwelcoming to some. Some people are uncertain whether they can enter or linger in the spaces provided at some projects and there are reports of efforts by building operators to manage public use or activities at the public benefit sites. A closer look at the elements of the most successful spaces may help resolve the design challenge in making sure these private spaces can become more welcoming for the general public with future projects. This work will support recent City Council discussions on the signage at these spaces and clarification as to how the public may use these privately owned but publicly accessible spaces.

One public benefit that seems broadly supported is an increase in the pedestrian realm around a project site. Benefits, including: increasing building setbacks; widening sidewalks; adding more landscaping and street trees, rain gardens, and other elements like benches or street furniture, art, wayfinding signage; and some bicycle enhancements receive strong support. The streetscape along Terry Avenue in South Lake Union and the emerging streetscape along 7th

Avenue in the Belltown area are good examples of this. These enhancements are clearly public, never close, and provide amenities beyond those currently required by the City.

One exhibit included with this report provides a summary of design elements that promote a sense that a space is public and a summary of elements that make a space seem more private based on reviewing the plazas and public spaces provided by past vacations (Exhibit 3A).

Successful design elements include:

- Easily visible public space signage helps to communicate the public nature of the open spaces;
- Amenities like seating, tables, landscaping, artwork, and lighting improve the comfortability and attractiveness of the public spaces;
- Vendors and other programming elements help to create a vibrant environment to draw people into the spaces;
- Seamless integration between the sidewalk and the plazas encourage public use of the space; and
- Elements that reflect the character of the surrounding neighborhood foster unique and inviting spaces for nearby residents and visitors.

Design elements not supporting public use and activation include:

- Grade changes from the sidewalk make public spaces feel like they are not integrated with the public realm;
- A lack of seating options detracts from the comfort level of public spaces;
- Overhead building elements create a “corporate” feel in the space and make them less inviting to the public;
- Signage attempting to regulate behavior makes the space feel unwelcoming; and
- Gates, barriers, and a lack of easy visibility between the sidewalk and the public space make them feel more private.

2: Provide a complete inventory of public benefits received, including the assessed value of those benefits.

The final column on the summary chart includes the number of projects that provided the specific benefit, for example the number of projects that provided on-site publicly accessible open space (Exhibit 1A-B). However, the City does not perform a financial assessment or an appraisal of the public benefit proposal as a package or the individual elements of the public benefit proposal. Historically the City has not requested that the public benefit package also include a budget or cost estimate for the development of the public benefit features. Because this information has not been required it does not exist in most of the vacation files.

The discussion at the City Council has focused on the quality and adequacy of the public benefit proposal and not on the cost of the individual elements or of the overall public benefit proposal. The goal has been to achieve a public benefit that serves the general public and meets the criteria in the Street Vacation Policies. The City Council has established a balancing test that requires a demonstration of a sense of balance between what the public gives up and

what the public achieves through the vacation process. The Policies require that the public benefit proposal should recognize the loss of the benefits provided by the right-of-way to the public and the gains achieved by the vacation to the Petitioner.

Budget information and cost estimates for the public benefit proposal can be requested and included in future vacation recommendations.

A few projects did, however, provide a budget for the public benefit:

<u>Vacation</u>	<u>Public Benefit Budget</u>
4755 Fauntleroy	\$2.4M
SCL Denny substation	\$10.6M
SPU South Transfer Station	\$2.45M
SPU North Transfer Station	\$4.1M
Yesler Terrace 10 th Ave Hillclimb	\$2.2M
Yesler Terrace Pocket Parks	\$3-4M

3: Identify the types of public benefits that are most commonly provided through the street and alley vacation process.

The inventory chart lists the number of times each public benefit type was included in a public benefit package for the 39 projects reviewed (Exhibit 1A-B). The public benefit elements provided most often includes:

a. Street trees or other landscaping	27 projects
b. Enhancement of pedestrian/bicycle environment	27 projects
c. Widened sidewalks, curb bulbs, reduced curb cuts	21 projects
d. Seating or street furniture	20 projects
e. Plaza	15 projects
f. Park or open space	14 projects

4: An inventory of the square footage of street and alley land conveyed and the amount of money paid to the City for that right-of-way, not including funds conveyed as part of the public benefit.

The attached exhibits include all of the revenues from vacation fees from 1995 to 2015 (Exhibit 4A) and the total amount, in square feet, of right-of-way that has been vacated from 1995 to 2015 per City Council District and zoning designation (Exhibit 4B-C). This includes only the vacation fees, which are defined as the amount paid to acquire the City's interest in the right-of-way. The amount of the fee is established by an appraisal which is conducted after the Council approves a vacation as provided for in SMC 15.62. As with any appraisal, factors which impact the value of the property include the zoning designation and the location. This exhibit does not include payment for any public benefit elements, like payment for planning for a Park or any other required payments or fees.

It should be noted that the charts include different vacation projects. The revenue chart is based on when payment was received by the City; not when the Council approved the project. For example, projects that paid the fee in 1995 would have been approved by the City Council earlier than 1995 (Exhibit 4A). No projects that were approved in 2014 or 2015 have paid the vacation fee and no appraisals for those projects have been done. The amount of right-of-way vacated chart is based on the date of approval and includes projects approved for vacation between 1995 and 2015 (Exhibit 4B-C). This chart includes projects that have not yet paid the vacation fee or will not be required to pay a vacation fee.

The total amount of vacation fee revenue received by the City between 1995 and 2015 is:

- \$44,157,952, total; and
- \$2,102,759 as an annual average over 21 years.

The total amount of right-of-way approved for vacation between 1995 and 2015 is:

- 7,178,457 square feet.

Exhibit 4,C provides some context for the amount of right-of-way vacated and identifies the zoning designation of the property. For example, over 3,421,516 square feet of right-of-way has been vacated in industrial areas where industrial uses require large consolidated parcels. The next largest category appears under Single Family zoning. While the City has not approved a vacation for single family residential purposes during the study period, projects for Parks and other public agencies occur in areas where the underlying zoning is Single Family.

Not all projects are required to pay a vacation fee. Federal and State agencies are exempt and the City Council has by ordinance exempted City departments. In addition, some projects may vacate right-of-way and then rededicate new right-of-way. The Seattle Housing Authority vacated approximately 106,685 square feet of right-of-way for the redevelopment of Yesler Terrace but replaced the old streets with a new street grid of approximately 137,046 square feet of right-of-way, the amount of right-of-way vacated is included in the right-of-way chart but there is no fee to record on the revenue chart.

Some history on vacation fees may be useful as there were changes to the fees between 1995 and 2015, including increasing the fees from one-half of the appraised value to the full appraised value of the right-of-way, exempting City departments from vacation fees, and discussion of whether to relieve low-income housing providers from the vacation fee (Exhibit 5A).

State Law requires that 50 percent of the fees from vacations be deposited into a Street Vacation Fee fund (our fund is the Cumulative Reserve Capital Project Street Vacation Subfund) with the money designated for use for transportation or open space purposes. The City directs the remaining 50 percent of the fees from vacations to the Cumulative Reserve Capital Project Unrestrictive Subfund and the money in that fund is unrestricted and is expended through the budget process.

5: A scope of work for further qualitative analysis of public benefit received from street and alley vacations, to measure the impact of these public benefits on the general public.

The City Council intends to begin a comprehensive review of the Street Vacation Policies later this year and the information provided in this SLI will assist in framing broader policy discussions.

Right-of-way is a public asset that the City manages as a trustee for the public and therefore care must be taken when right-of-way is vacated. Defining the nature of the public asset that is being given up helps define the nature of the public benefit that should be required. Streets provide for circulation, access, light, air, open space, and views. The grid pattern provides for consistency in the development pattern and a way to organize and rationalize the City's geography. The grain and texture of the development in a city is based upon the grid system. Street right-of-way also provides for breathing space in a dense urban environment.

The traditional focus on public benefit has looked at the value that streets provide and required a public benefit that had a relationship to what the public lost through the vacation process.

While public benefit was intended to provide public amenities that go beyond project or SEPA mitigation, it was viewed as a way to off-set the increase in project scale and get back some of the breathing space lost through the vacation. If a project is bigger in scale because of a vacation and the grid pattern is altered, the public benefit is a way to partially replace the lost right-of-way with other usable public spaces and amenities.

Historically, the City Council has been very specific about requiring a physical, immediate, and tangible public benefit. Proposals for planning efforts have been disfavored but implementing plans has been supported. This focus on a physical and tangible public benefit even affects City and other public projects that are providing a public service.

The Policies provide that the public, governmental, or educational purpose of the project can be considered in determining the adequacy of the public benefit proposal, but that the public purpose itself is not sufficient to provide the entirety of the public benefit. Essentially, because public projects such as the Denny Substation have physical impacts, it was felt the benefit should include physical improvements.

The Council may choose to consider broadening the definition of what constitutes a public benefit as the Policies are revised. If the goal is to widen the definition in order to secure a broader range of options and public benefits, the discussion seems less a qualitative review of the historic data provided here. The policy discussion of a new or expanded definition of public benefit relates more to the goals and priorities of the Council moving forward in its review of new vacation petitions. The discussion to potentially add to the definition of public benefit will need to consider applicable law that defines public benefit. If the definition of public benefit is expanded, it will be important to provide direction as to how new public benefit options should be measured and reviewed and how the various public benefit options should be prioritized.

The Council has recently expressed some concerns about the quality and character of some public plazas. As discussions move forward it will be important to have a clear understanding of the goals of the Council regarding the required public benefit. As noted, the long-standing view of public benefit has been that it should be related to some of the benefits that streets provide and it has been intended to off-set some of the public space lost through the vacation.

If there is concern that certain public benefits have not been successful in providing a long-term benefit to the general public then the policy discussion could focus more on defining design standards and working in other ways to be more specific about the public benefit elements. For example, if the issue is that plazas have not been successful in serving the general public, the solution could be a more rigorous review of the elements of the design and a narrowing of what the Council will accept as a publicly accessible plaza. The review of existing spaces that work well and not so well can frame these discussions. The Seattle Design Commission and City staff can assist in providing clearer measures for spaces that serve the public well and provide higher quality public benefits.

There has been some discussion of the relative merits of on-site versus off-site public benefits. The Policies currently prioritize on-site public benefits and specify that on-site public benefits are favored as the provision of the public benefit can also act to offset any increase in scale from the development. Off-site benefits are noted as being accepted when it is not practicable to provide the benefit on-site. Both types of benefits can work equally well and some of the challenges with providing on-site public benefits have been noted.

Providing off-site benefits has a different set of challenges. In an urban area that is largely developed there are not always items such as missing street trees or sidewalk segments that can be easily provided. Off-site benefits can be difficult to site as the improvements would be adjacent to property not owned by the Petitioner. Changes to the street or sidewalk may not be supported by a property owner and may be too short term if it is anticipated that new development may occur on the site. Or for example, it may be difficult to add a curb bulb because of existing drainage infrastructure or vehicle turning movements. Maintenance and repair of off-site amenities can be more difficult to monitor. SDOT Modal plans can also change the long-term certainty of off-site public benefit elements.

The strongest off-site elements are often implementing portions of existing plans such as street concept plans, bicycle or pedestrian master plan, or neighborhood plans.

Recommendations for the public benefit policy revisions:

1. Should the City Council choose to revise the Street Vacation Policies, the Policies should be considered and revised as a whole. The elements of the review process are intended to work together in guiding the review and evaluation of a proposed vacation;
2. The City Council should define and clarify its goals with regard to public benefit. What the Council would like to achieve will guide any policy changes and direct the work implementing the policies;

3. There should be more specificity of the elements that should be balanced in assessing the adequacy of the public benefit;
4. The Policies currently provide that the public benefit should balance what the public loses through the vacation with what the public achieves through the vacation but does not provide detail on what elements should be considered and how to prioritize the various elements. More detail and specificity on the elements will be important to measure the adequacy of a proposal;
5. There should be more clarity on the priority between on-site and off-site public benefits;
6. The discussion should include how to prioritize new types of public benefit with the existing options if the definition of public benefit is expanded; and
7. The land use impacts of a vacation should be given a higher priority. The location and context of a project as well as city and neighborhood goals for an area are important and are sometimes overshadowed by the public benefit discussion.
8. Any proposed changes to the policies should continue to be in compliance with the procedural requirements of State law such as the signature and public hearing process and consider any applicable legal limitations.

The Street Vacation Policies were first adopted in 1986 and since that time the City has revised and instituted many new procedures. Addressing coordination and timing of vacations and procedures such as SDCI's Design Review process, Type 1 access decisions, and SDOT's Street Improvement Permit (SIP) and Utility Major Permits (UMP) process will be important. In addition, a review of when a Master Use Permit can be issued for a project that includes a vacation should be considered.

Assessing both the quality and quantity of the public benefit proposal has proven to be the most difficult piece of the vacation review for developers who must provide it, reviewers who must evaluate it, the community who will make use of it, and the City Council who must ultimately make the decision. While the public benefit proposal is one of the most importance elements of any vacation, it is not the only thing to be considered. As noted in the Policies: "The proposal to provide a public benefit does not entitle a Petitioner to a vacation; the decision whether to grant a vacation is based on a review of all the elements identified in these Policies."

The Executive looks forward to working with the City Council as the review of the public benefit and potential revisions to the adopted Street Vacation Policies moves forward.

EXHIBITS

1) **Approved Street Vacation Public Benefits (2005-2015)**

- A) Onsite Public Benefits & List of Most Common Benefits
- B) Offsite Public Benefits

2) **Maps of Approved Street Vacations (2005-2015)**

- A) All Approved Street Vacations
- B) All Approved Street Vacations by City Council District
- C) Approved Street Vacations with Publicly-Accessible Spaces
- D) Selected Public Benefit Case Studies

3) **Public Benefit Case Studies**

- A) Case Study Project Descriptions and Observation Notes
- B) Public Space Design Summary

4) **Street Vacation Area and Revenue Analysis (1995-2015)**

- A) Vacation Fees Received
- B) Street Vacations by City Council District
- C) Street Vacations by Zoning Designation
- D) Street Vacation Project Fees

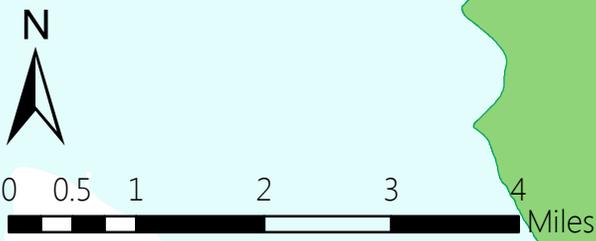
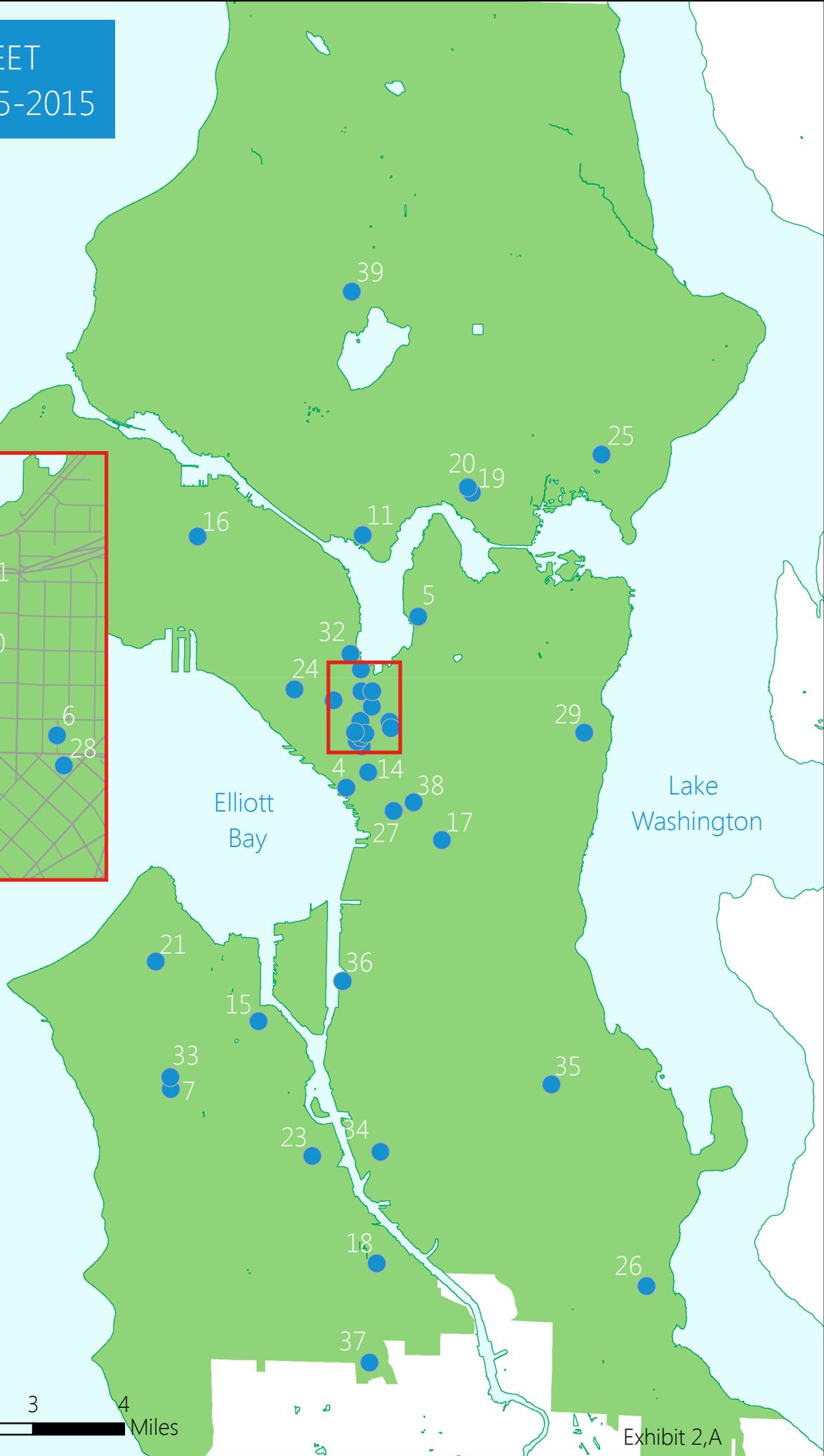
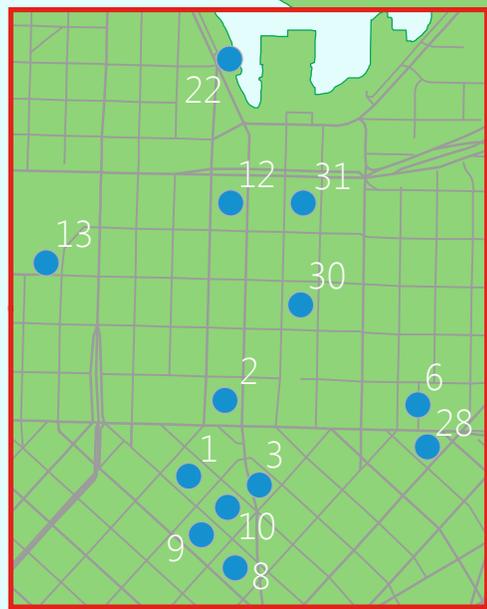
5) **Street Vacation Fee History**

- A) History of Vacation Fees

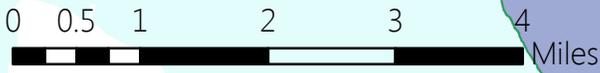
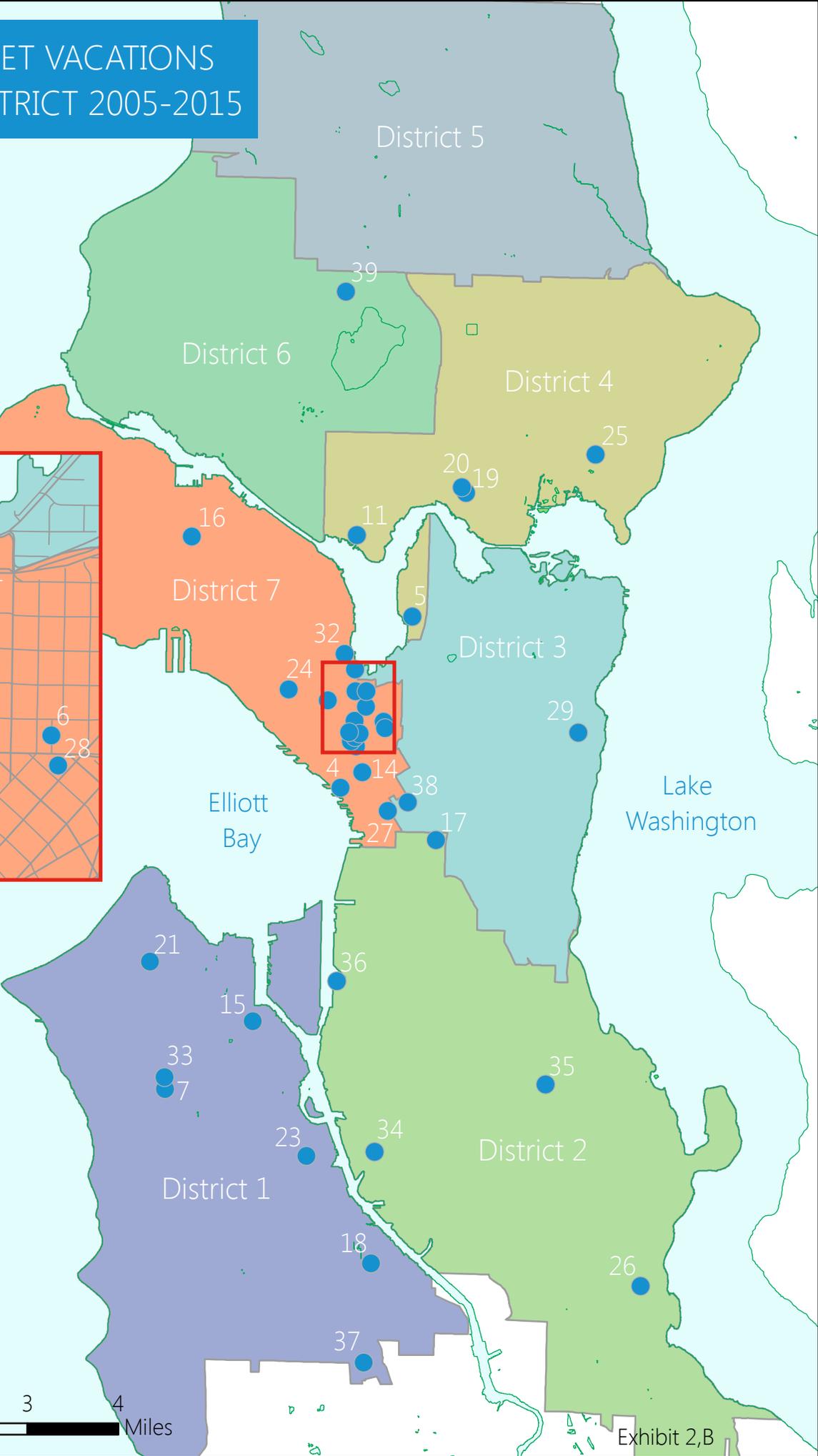
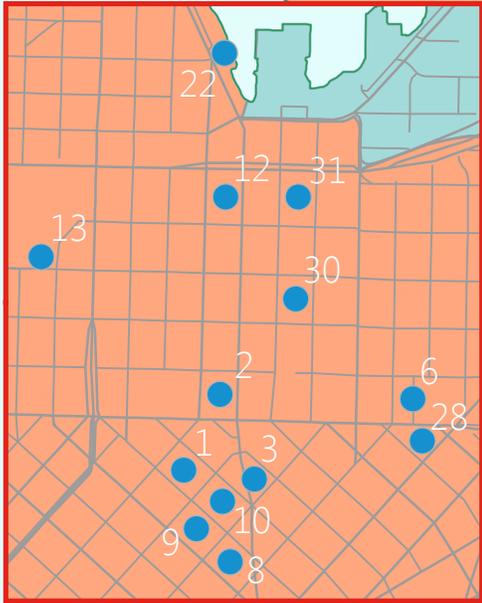
Approved Street Vacation Project Public Benefits (2005-2015) - Offsite Public Benefits

PROJECT INFORMATION							OFFSITE PUBLIC BENEFITS									
Mapped Project Number	Project	Applicant/Developer	Year Filed	Neighborhood	Vacation Type	Proposed Land Use	Pedestrian/Bicycle Trails or Public Stairways	Enhancement of Pedestrian/Bicycle Environment	Enhancement of Existing Public Space	Green Streets Improvements	Funding for Neighborhood Plan Element	Wayfinding Signage	Real Property	In-Lieu Funds	Other	
1	B 21	Amazon/Acorn Development LLC	2015	Denny Triangle	Alley	Commercial - Office/Retail	x	x							x	
2	B 89 DT Denny's 5th NS	Vulcan/City Investors IV LLC	2014	South Lake Union	Alley	Commercial - Office/Retail			x	x						
3	B 24 Heirs SA Bell 2nd	GID Development Group/Ninth and Lenora LLC	2014	Denny Triangle	Alley	Residential/Retail				x				x		
4	Armory Way	Pike Place Market PDA	2014	Downtown	Street (Unopened ROW)	Open Space/Walkway/Parking										
5	E Howe St	Inhabit Eastlake LLC	2013	Eastlake	Street (Subterranean)	Residential/Commercial										
6	Pontius Ave N	Seattle City Light	2013	South Lake Union	Street	Electrical Substation		x		x		x			x	
7	B 3 Norris Add	Project X LLC	2013	West Seattle	Alley	Residential/Retail				x				x		
8	B 14 Heirs SA Bell	Amazon/Acorn Development LLC	2012	Denny Triangle	Alley	Commercial - Office/Retail	x					x		x		
9	B 19 Heirs SA Bell 2nd	Amazon/Acorn Development LLC	2012	Denny Triangle	Alley	Commercial - Office/Retail						x				
10	B 20 Heirs SA Bell 2nd	Amazon/Acorn Development LLC	2012	Denny Triangle	Alley	Commercial - Office/Retail	x					x		x		
11	Carr PI N	Seattle Public Utilities	2012	Wallingford	Street	Solid Waste Transfer Station										
12	B 93 DT Denny's 1st NS	City Investors XX LLC	2012	South Lake Union	Alley	Commercial - Office/Retail										
13	Broad St	Gates Foundation/Iris Holdings LLC	2012	Uptown	Street	Commercial - Office										
14	Westlake Ave	Seattle Parks and Recreation	2011	Downtown	Street	Park										
15	Delridge Way Etc	Seattle FAS	2011	Delridge	Street (Unopened ROW)	Fire Station										
16	B 20 Gilman's Add	Block 20 LLC	2011	Interbay	Alley	Residential/Retail		x								
17	Yesler Terrace	Seattle Housing Authority	2011	First Hill	Street and Alley	Residential/Commercial	x									
18	2nd Ave S & S Chicago St	Seattle Public Utilities	2010	South Park	Street	Solid Waste Transfer Station						x			x	
19	B 23 Brooklyn Add	University of Washington	2009	University District	Alley	Residential (Student Dorms)										
20	B 22 Brooklyn Add	University of Washington	2009	University District	Alley	Residential (Student Dorms)										
21	B 5/6 Plat of W Sea Niezs	Safeway Stores, Inc.	2009	West Seattle	Alley	Commercial - Retail								x		
22	Terry Ave N ETC	Seattle Parks and Recreation	2009	South Lake Union	Street	Park										
23	Soundway	Seattle Parks and Recreation	2009	West Seattle	Street	Park										
24	B 33 Denny's DT Home	Burkheimer Family LLC	2009	Uptown	Alley	Residential/Retail										
25	41 Ave NE NE 46 St	Seattle Children's Hospital	2009	Laurelhurst	Street	Medical Center								x		
26	Wolcott Ave	Housing Resources /Chung Tai Buddhist Assoc	2008	Rainier Beach	Street	Residential										
27	5th Ave	Fifth & Columbia Investors, LLC	2008	Downtown	Street (Subterranean)	Commercial - Office/Retail										
28	B 54 Heirs of Sarah A Bells 2	1221 East Denny Owner LLC	2008	Denny Triangle	Alley	Residential/Retail/Office/Hotel										
29	B 9 Waddels	Epiphany School	2008	Madrona	Alley	Private School										
30	B 101 DT Denny's 5th	Amazon/City Place IV LLC	2008	South Lake Union	Alley	Commercial - Office/Retail										
31	CB 103 DT Denny's 1st	Vulcan/City Investors IX LLC	2007	South Lake Union	Alley	Commercial - Office/Retail										
32	Highland Dr	CarrAmerica Dexter Avenue LLC	2006	South Lake Union	Street	Residential/Retail										
33	B 55/56	Hancock Fabrics Inc/Fauntelroy Place LLC	2006	West Seattle	Alley	Residential/Retail								x		
34	2nd S	Capital Industries	2006	Duwamish Industrial	Street	Industrial								x		
35	31st S ETC	Seattle Housing Authority	2006	Columbia City	Street and Alley	Residential										
36	S Forest	Port of Seattle	2005	Duwamish Industrial	Street (Submerged)	Industrial									x	
37	SW Roxbury	Seattle Department of Fleets and Facilities	2005	Highland Park	Street	City Training Center									x	
38	B 70	FH LLC	2005	First Hill	Alley	Retirement Community										
39	B 3 Bonen's	Bethany Church	2005	Green Lake	Alley	Church			x						x	
Total Number of Projects Providing Benefit							4	3	2	4	0	5	0	8	6	

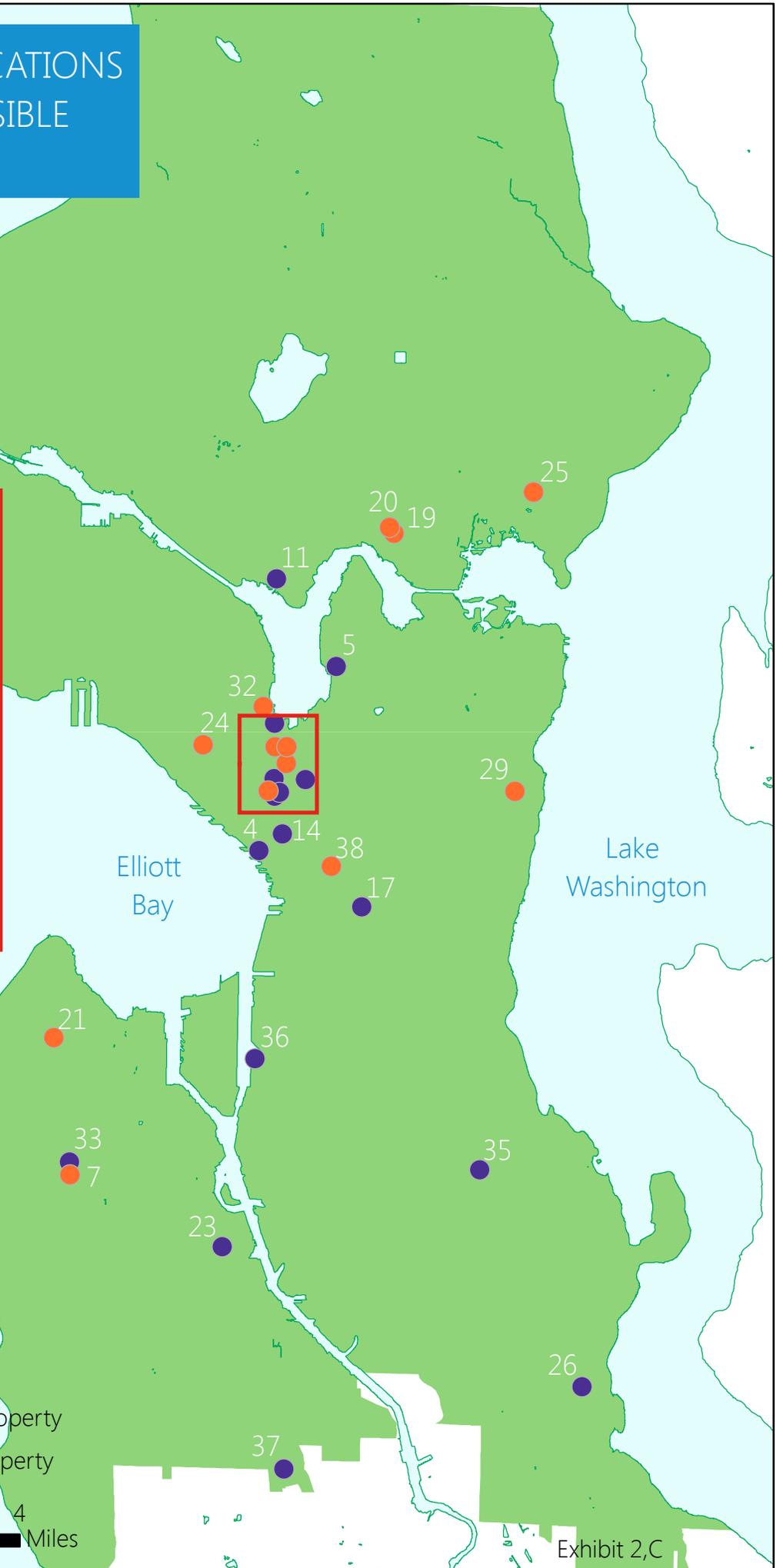
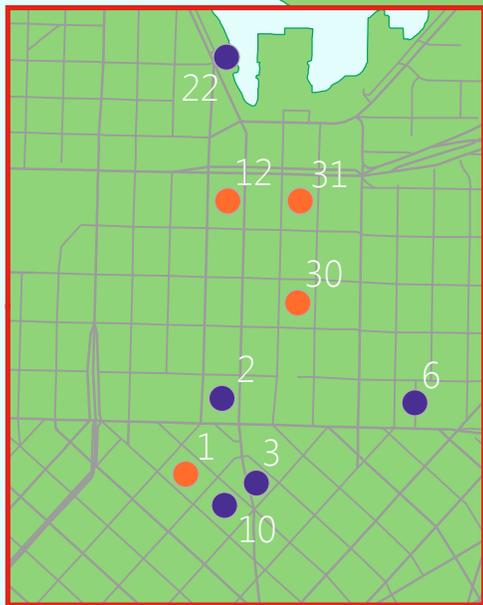
APPROVED STREET VACATIONS 2005-2015



APPROVED STREET VACATIONS BY COUNCIL DISTRICT 2005-2015



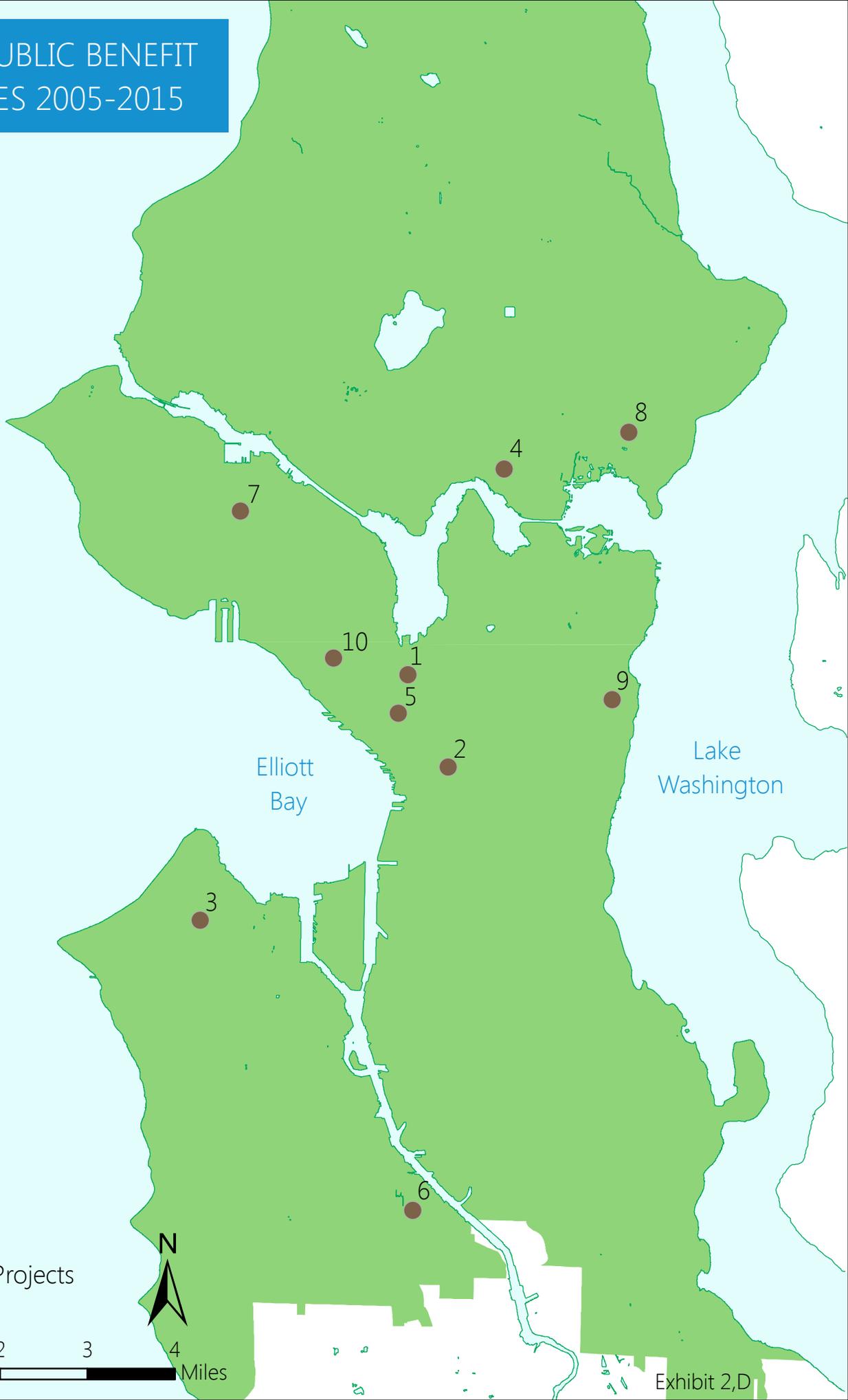
APPROVED STREET VACATIONS WITH PUBLICLY-ACCESSIBLE SPACES 2005-2015



- Located on Private Property
- Located on Public Property



SELECTED PUBLIC BENEFIT CASE STUDIES 2005-2015



● Case Study Projects

0 0.5 1 2 3 4 Miles

1) BLOCK 101 - AMAZON/CITY PLACE IV

2008 | Alley Vacation | South Lake Union | 333 Boren Ave N

PROJECT DESCRIPTION

Vacation of alley between Harrison St and Thomas St to construct a mixed-use office/retail development

PUBLIC BENEFIT PACKAGE

- Two public plazas accessible from Boren Ave N and Terry Ave N, including a hillclimb connection
- Landscaping, seating, special paving, lighting, and a "signature element" provided in the plazas
- Sustainable features included in the building and the plazas
- Preservation and reuse of the Terry Building
- Widened sidewalk, special pavers, back-in angle parking, street trees, planting areas, ornamental street lights, benches, and bicycle racks provided on Terry Ave N
- Curb bulbs in coordination with SDOT
- Street trees, sidewalk improvements, pedestrian enhancements, and retail on Harrison St and Boren Ave N



Site plan of through-block connection between Boren Ave N and Terry Ave N



Plaza adjacent to Boren Ave N

SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • The reconstructed streetscape along Terry Ave N creates an inviting and attractive pedestrian experience. • The building tenant provided a "community banana stand" in the plaza with free bananas for the public. This helped to activate the plaza. 	<ul style="list-style-type: none"> • Most of the plaza area is not at grade with the adjacent sidewalk, making them feel like more private spaces. • The wheelchair access ramp for the hillclimb was difficult to locate from the street. • The "public space" signs were difficult to locate. • More seating in the interior of the plaza could improve activation.

2) BLOCK 70 - TERRACES AT SKYLINE/FIRST HILL LLC

2005 | Alley Vacation | First Hill | 715 9th Ave

PROJECT DESCRIPTION

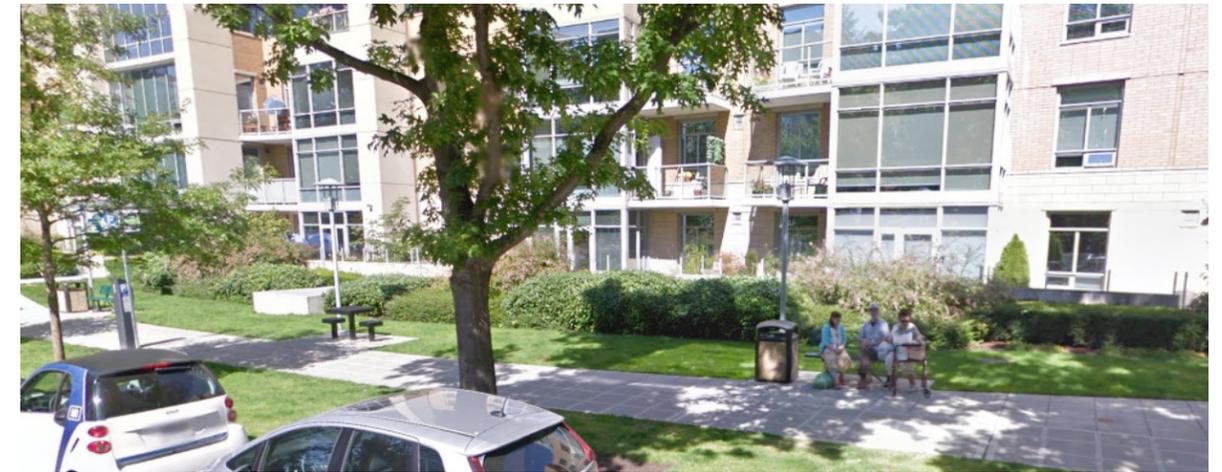
Vacation of alley between Columbia St and Cherry St to construct a highrise retirement community

PUBLIC BENEFIT PACKAGE

- A publicly-accessible hillclimb on Cherry St, including terracing, special paving, benches, resting places, landscaping, and signage
- Public opens space on 8th Ave, including landscaping, seating, and paving treatments
- Landscaping around the entire site, including the drop off area at 9th Ave and Columbia St



Rendering of development with publicly-accessible spaces along 8th Ave and Cherry St



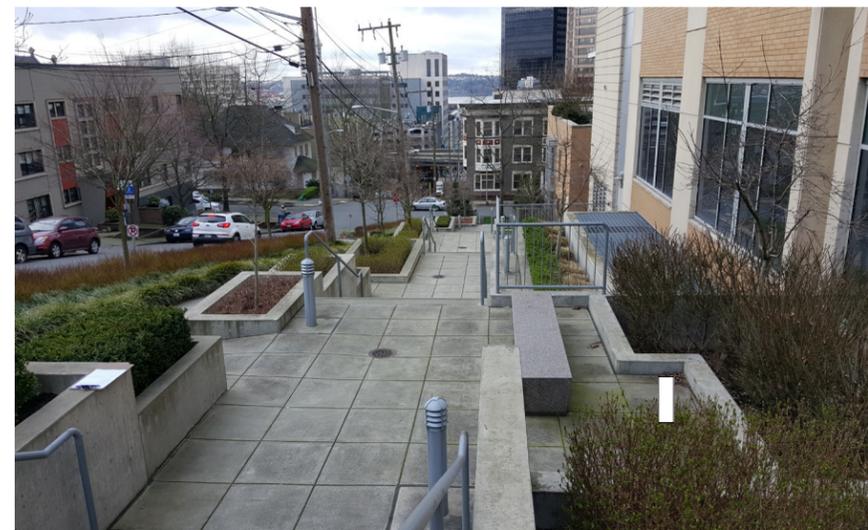
Public open space with seating along 8th Ave



Public space sign provided at 8th Ave and Cherry St



Cherry St hillclimb with landscaping



Resting terrace on the Cherry St hillclimb

SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • The hillclimb feels like a public space and provides a comfortable connection between 8th Ave and 9th Ave. • The tables and seating along 8th Ave are easily accessible amenities from the sidewalk. 	<ul style="list-style-type: none"> • Only one sign on 8th Ave and Cherry St indicates that the hillclimb is open to the public. • Only one terrace of the hillclimb includes resting benches. • Additional seating could further enhance the use of the space.

3) BLOCKS 5 & 6 - SAFEWAY STORES, INC

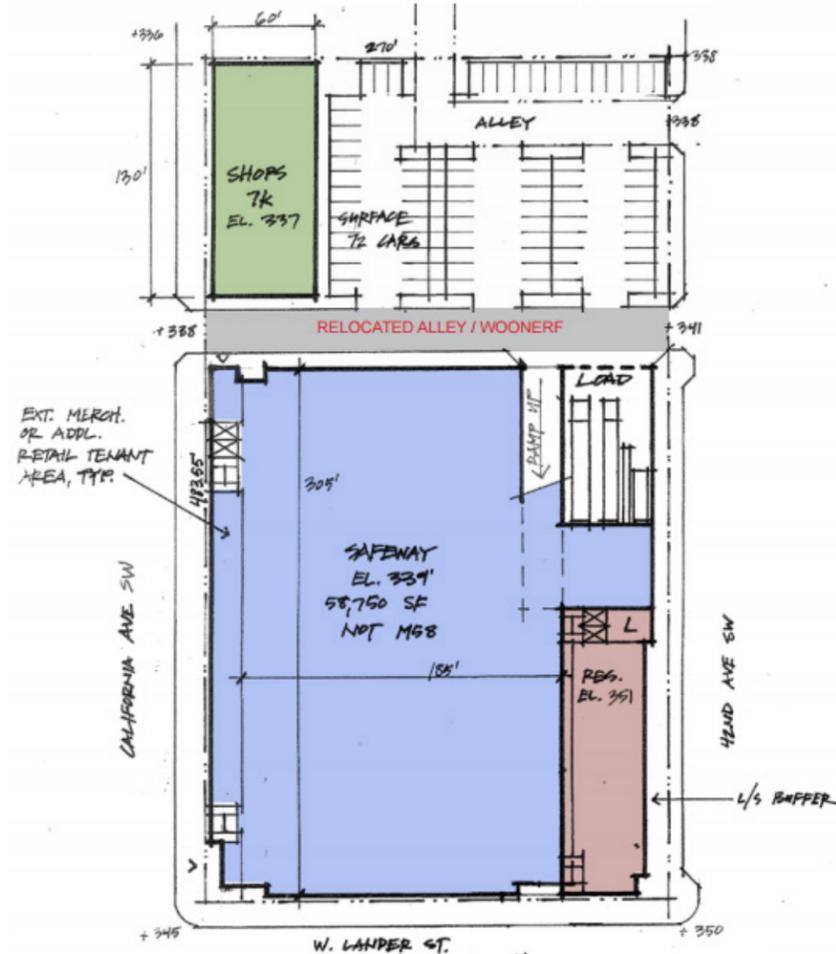
2009 | Alley Vacation | West Seattle | 2622 California Ave SW

PROJECT DESCRIPTION

Vacation of alley between SW Admiral Way and SW Lander St to construct a grocery store and retail shopping center

PUBLIC BENEFIT PACKAGE

- A public plaza at the corner of California Ave SW and SW Lander St, including tables, chairs, landscaping, seat walls, and lighting
- Increased building setbacks along California Ave SW and SW Lander St
- Seat walls, enhanced landscaping, benches, and canopies along California Ave SW
- Two additional public plazas at the retail entries on California Ave SW
- Pedestrian level street lighting along California Ave SW
- Interpretive signage about the history of Hiawatha Playfield mounted to south facade of building
- \$10,000 provided for the development of historic signage for Hiawatha Playfield
- Additional covered bike parking at California Ave SW and SW Lander St
- Stylized compass rosettes installed in the sidewalk at California Ave SW and SW Lander St and at 42nd Ave SW and SW Lander St
- Stylized crosswalk at 42nd Ave SW and SW Lander St



Site plan of development showing building setback for public plaza at California Ave SW and SW Lander St



The public plaza at California Ave SW and SW Lander St includes unwelcoming signage that restricts activity



Hiawatha Playfield historical signage



Seating and landscaping along California Ave SW



Rendering of public plazas along California Ave SW



Compass rosette at 42nd Ave SW and SW Lander St

SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • Pedestrian lighting, landscaping, and seating along California Ave SW are attractive amenities that are accessible from the sidewalk. • Compass rosettes enhance the look and character of the sidewalk. 	<ul style="list-style-type: none"> • Public plazas feel very private, like they are only store entrances for Safeway customers. • "No" signs (e.g., no loitering, no smoking) posted around the plazas make them feel unwelcoming. • Canopies along the sidewalk do not extend over the entire width of the sidewalk and provide little weather protection.

4) BLOCK 23 - UNIVERSITY OF WASHINGTON

2009 | Alley Vacation | University District | 1315 NE Campus Parkway

PROJECT DESCRIPTION

Vacation of alley between NE Campus Parkway and NE 40th St to construct a student housing development

PUBLIC BENEFIT PACKAGE

- Tree thinning, soil amendment, and tree planting on the NE Campus Parkway median
- Public access provided through the block, which may be limited during nighttime hours
- Widened sidewalks, street trees, landscaping, building canopies, lighting, benches, lean rails, bike racks, and transit shelters provided around the block
- Voluntary setbacks accommodated around the block
- Public courtyard provided in the center of the building and accessible from NE 40th St and NE Campus Parkway
- Wayfinding signage that clearly indicates spaces that are available for public use
- Pervious paving provided on the sidewalks around the block



Site plan of development showing publicly-accessible courtyard and through-block connector



Signage provided at entrance to public courtyard



Streetscape amenities along NE Campus Parkway



Interior of public courtyard



Rendering of through-block connector from NE 40th St



Rendering of entrance to public courtyard from NE Campus Parkway

SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • The wide sidewalks, lean bars, custom transit shelters, seating, and greenery create an inviting environment for pedestrians and transit riders. • The public courtyard is attractive for pedestrians and offers comfortable seating and direct access to adjacent retail. 	<ul style="list-style-type: none"> • The courtyard can be closed off to the public during certain hours, which limits time and opportunity for access. • The wayfinding signage was either not present or difficult to locate.

5) BLOCK 14 - AMAZON/ACORN DEVELOPMENT LLC

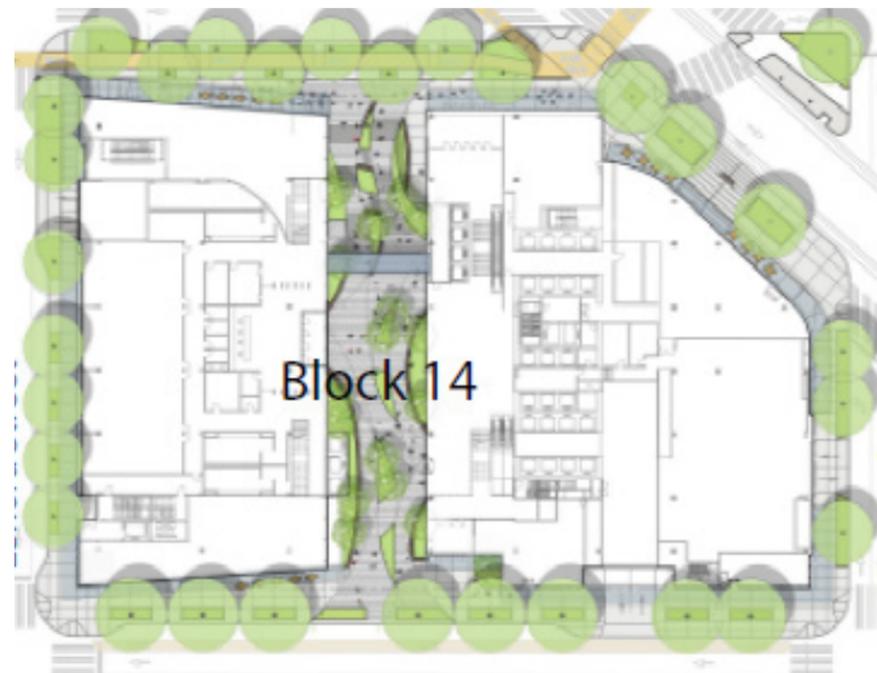
2012 | Alley Vacation | Denny Triangle | 2050 6th Ave

PROJECT DESCRIPTION

Vacation of alley between Lenora St and Virginia St to construct a mixed-use office/retail development

PUBLIC BENEFIT PACKAGE

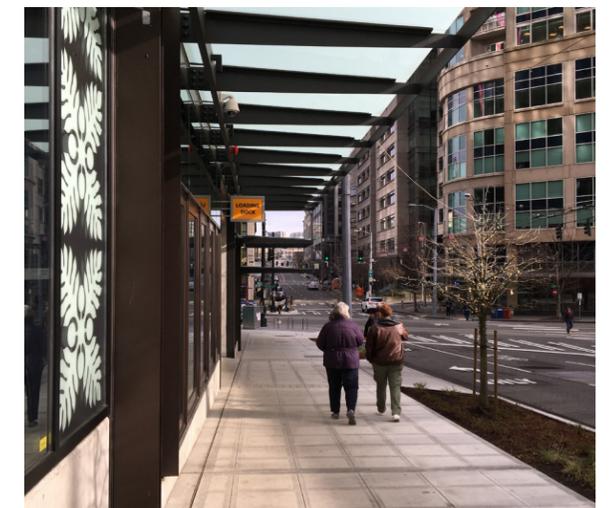
- New cycle track and pedestrian enhancements on 7th Ave, including special paving, furnishings, and stormwater plantings
- Signalization improvements at 7th Ave and Westlake Ave
- Two bicycle trash receptacles, two lean rails, and one bicycle wayfinding sign on 7th Ave
- Restriping existing bike lane to transition from cycle track
- Permeable pavers between the cycle track and the sidewalk
- \$250,000 provided for the City's technical analysis and its implementation of off-site cycle track improvements
- Interim cycle track upgrades around Block 13 before full build out
- Four to six new signals for the Westlake Ave/7th Ave/Virginia St intersection to allow for scramble crossings
- One new curb bulb on the northwest corner of 7th Ave and Westlake Ave
- Enlarged pedestrian island between 7th Ave, Westlake Ave, and Virginia St
- Restriping of two existing crosswalks and addition of one new crosswalk
- New bicycle crossings across Westlake Ave
- Paving and landscape improvements at adjacent streetcar stop
- Voluntary setbacks around the entire block
- Landscape and sidewalk improvements around the entire block and beyond the existing curb line, including four to six additional trees, new curb bulbs at corners, two new Center City wayfinding signs, and reduction of seven curb cuts
- One new signature art piece and integrated art in right of way elements (e.g., manhole covers, street furniture)
- \$3.7 million provided for sponsorship and contribution to the City's purchase of a fourth streetcar



Site plan of Block 14 including cycle track on 7th Ave (shown in yellow)



Cycle track and pedestrian enhancements on 7th Ave



SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • The building setbacks and landscaping have created a attractive and clean pedestrian environment. • The cycle track and improved pedestrian/ bicycle crossings seem functional and comfortable for all users • Overhangs are functional and provide protection from the weather. • The public through-block connector (not provided as part of the benefit package) feels welcoming to the public. 	

6) 2ND & CHICAGO - SEATTLE PUBLIC UTILITIES

2010 | Street Vacation | South Park | 130 S Kenyon St

PROJECT DESCRIPTION

Vacation of a portion of 2nd Ave S and S Chicago St to construct the SPU South Transfer Station

PUBLIC BENEFIT PACKAGE

- Public viewing area with educational signage, materials, tours, and programs to learn about solid waste transfer operations
- Directional signage to the facility and within the facility
- Sidewalks on the north side of S Kenyon St and the west side of 5th Ave S
- Public path along W Marginal Way
- Additional landscaping provided around the site
- Implement perimeter design that discourages illegal dumping on the site
- First opportunity for construction positions for the South Park community
- Develop business alliance to link the facility with opportunities to support local businesses
- Minimize garbage truck traffic on non-arterial streets
- Provide weekly litter patrols in the area



Site plan of the South Transfer Station



Rendering of transfer station entrance, including new sidewalk



Rendering of landscaping and sidewalks on S Kenyon St



Educational materials in the public viewing room



View of the facility from the public viewing room



Public path adjacent to W Marginal Way



Landscaping and sidewalks near S Kenyon St

SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • The landscaping enhancements are visually appealing and add greenery to the area. • The sidewalks and public path connect well with each other and enhance the pedestrian access between the facility and the South Park neighborhood. • The public viewing room offers an interesting and educational experience for visitors. 	<ul style="list-style-type: none"> • Difficult to locate the public viewing room from the outside of the facility.

7) BLOCK 20 - BLOCK 20 LLC

2011 | Alley Vacation | Interbay | 3040 17th Ave W

PROJECT DESCRIPTION

Vacation of a portion of the alley between W Dravus St and W Barrett St to construct a mixed-use residential/retail development

PUBLIC BENEFIT PACKAGE

- Upgraded lighting at the concession stand at the Interbay Soccer Stadium
- \$5,000 provided for improvements at the park facility
- Voluntary setbacks along alley and along street-level and upper-level facades
- Additional public bike racks
- Canopy lighting at 16th Ave W and W Dravus St and the building lobby
- Pedestrian street lights at W Barrett St
- Building-mounted alley light fixtures
- Upgraded stadium light fixtures at sidewalk level
- Upgraded alley paving at 17th Ave W
- Dog bag dispenser at W Barrett St
- Overhead weather protection at W Dravus St and 16th Ave W
- Landscape element at the alley
- Additional planting improvements and street trees provided with larger sizes than required by code
- Pedestrian wayfinding elements at W Dravus St
- Waste receptacles at each building entry
- Seating elements at W Dravus St and 17th Ave W
- Street tree replacement on W Dravus St
- Street trees on 17th Ave W north of the alley
- Sidewalk replacement on 17th Ave W north of the alley
- Planting improvements on 17th Ave W north of the alley
- Daylit raingardens and enhanced plantings at 16th Ave W and 17th Ave W
- Reduction of three curb cuts around the site
- Screened parking garage with commercial and residential uses



Rendering of 16th Ave W building frontage



Seating elements along W Dravus St



Enhanced landscaping, sidewalk, and dog bag dispenser along 17th Ave W



Wayfinding signage at 16th Ave W and W Dravus St



Raingarden along 16th Ave W



Unimproved sidewalk - 17th Ave W and W Dravus St

SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • The wide sidewalks with trees and raingardens, stone benches, and lighting elements encourage pedestrian activity and public use of the area. 	<ul style="list-style-type: none"> • Development did not include sidewalk reconstruction on the full block. Sidewalk is patchy, disjointed, and broken near 17th Ave W and W Dravus St. • Improving orientation to adjacent playfields could better activate the streetscape.

8) 41ST AVE NE & NE 46TH ST - SEATTLE CHILDREN'S

2009 | Street Vacation | Laurelhurst | 4800 Sand Point Way NE

PROJECT DESCRIPTION

Vacation of a portion of 41st Ave NE and NE 46th St to construct medical facilities

PUBLIC BENEFIT PACKAGE

- Trail connection between the Burke-Gilman Trail and Sand Point Way NE at the Hartman site
- Plaza, street, and sidewalk amenities along both sides of Sand Point Way NE
- Transit access enhancements to Metro bus routes and the Seattle Children's shuttle on both sides of Sand Point Way NE
- \$2 million provided for SDOT to fund and develop priority pedestrian and bicycle projects in Northeast Seattle
- Plaza, street, and sidewalk improvements for public access on 40th Ave NE
- Pocket park at the corner of 40th Ave NE and NE 45th St



Oblique view of hospital expansion alternative with open spaces highlighted



Rendering of open spaces and landscaping at 40th Ave NE and NE 45th St



Rendering of Sand Point Way NE improvements



Landscaping and cycle track (trail connection) along Sand Point Way NE



Pocket park near the corner of 40th Ave NW and NE 45th St



Improved connection to the Burke-Gilman Trail

SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • Amenities feel very public and easily-accessible, including the wayfinding signage, Burke-Gilman Trail connection, and landscaping. • The pocket park and other street improvements feel like they are oriented to the neighborhood, rather than the hospital. 	

9) BLOCK 9 - EPIPHANY SCHOOL

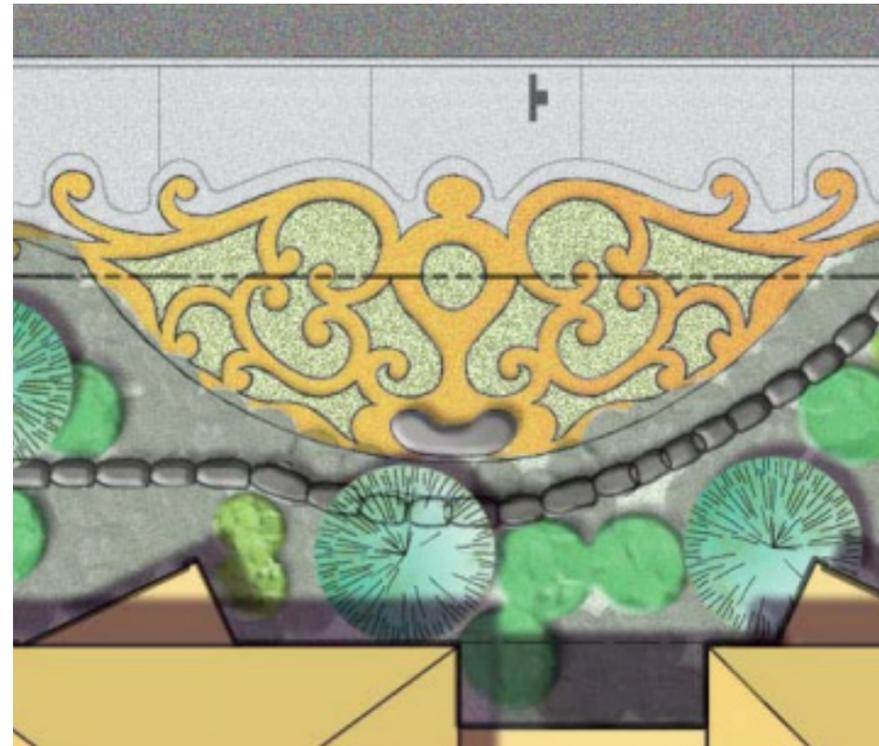
2008 | Alley Vacation | Madrona | 3611 E Denny Way

PROJECT DESCRIPTION

Vacation of alley off E Howell St to construct an expansion of a private parish school

PUBLIC BENEFIT PACKAGE

- Pocket park area on E Denny Way, including landscaping, seating, special paving, and an art element
- Sustainable features incorporated into building, pocket park, and landscaping
- 20 foot landscaped building setback along E Denny Way and 36th Ave
- Public access to walk through the site and use the recreational facilities as practicable
- Flashing pedestrian lights and improved school zone signage if grant funding is available



Overhead rendering of pocket park on E Denny Way



Site plan of school expansion, including landscaping areas and pocket park



Pocket park near E Denny Way and 36th Ave



Crosswalk and signage on E Denny Way



Decorative bench in the pocket park



Landscaped area with building setback off E Denny Way

SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • Pocket park near 36 Ave and E Denny Way feels public, attractive, and comfortable. • The landscaping combined with the large building setback creates an inviting street environment. 	<ul style="list-style-type: none"> • There are no elements or signage indicating that the publicly-accessible school grounds and recreational facilities are open to the public.

10) BLOCK 33 - BURKHEIMER FAMILY LLC

2009 | Alley Vacation | Uptown | 118 Republican St

PROJECT DESCRIPTION

Vacation of alley between Mercer St and Republican St to construct a mixed-use residential/retail development

PUBLIC BENEFIT PACKAGE

- Pedestrian plaza at the corner of Warren Ave N and Republican St, including art, special paving, street furniture, and pedestrian lighting
- Voluntary setback at the southeast corner of the building
- Voluntary setbacks at all retail frontages
- Voluntary setbacks at the townhouse frontages on Warren Ave N
- Overhead weather protection, landscaping, lighting, seating, and art around the block
- Raingarden for natural drainage along Warren Ave N



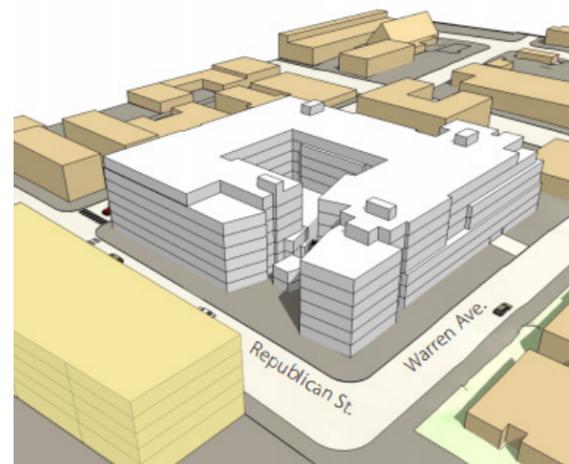
Site plan of development showing publicly-accessible plaza near Warren Ave N and Republican St



Public plaza with landscaping and public art



Raingardens and setbacks along Warren Ave N



Rendering of building massing and public plaza space at Republican St and Warren Ave N



Rendering of building with public plaza and enhanced landscaping from the intersection of Republican St and 1st Ave N



Overhead weather protection along 1st Ave N

SITE OBSERVATION NOTES

Most Successful Elements	Less Successful Elements
<ul style="list-style-type: none"> • The wide sidewalks on Warren Ave N and Republican St provide ample space for pedestrians and comfortable connections to and from Seattle Center. • The plaza is well-oriented to the Seattle Center entrance at Warren Ave N and Republican St. • The landscaping around the block enhances the attractiveness of the pedestrian environment. 	<ul style="list-style-type: none"> • Public space signage is mounted flat on benches and is difficult to locate. • The plaza at Warren Ave N and Republican St feels like an entrance for the apartment building, rather than a public space. • Overhead weather protection does not extend over full width of the sidewalk.

PUBLIC SPACE DESIGN SUMMARY

Most Successful Design Elements



Easily visible public space signage helps to communicate the public nature of the open spaces.



Amenities, such as seating, tables, landscaping, artwork and lighting, improve the comfortability and attractiveness of the public spaces.



Vendors and other programming elements help to create a vibrant environment to draw people into the spaces.



Seamless integration between the sidewalk and the plazas encourage public use of the spaces.



Elements that reflect the character of the surrounding neighborhood foster unique and inviting spaces for nearby residents and visitors.

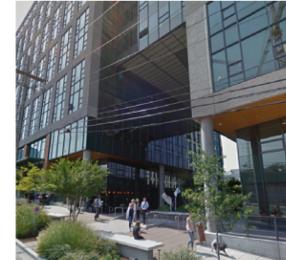
Less Successful Design Elements



Grade changes from the sidewalk make the public spaces feel like they are not integrated with the public realm.



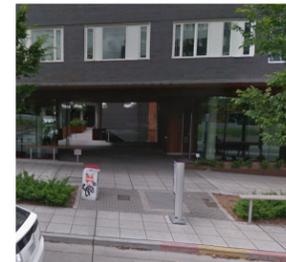
A lack of seating options detract from the comfortability of the public spaces.



Overhead building elements create a "corporate" feel in the spaces and make them less inviting to the public.



Signage attempting to regulate behavior make the spaces feel unwelcoming.



Gates, barriers, and a lack of easy visibility between the sidewalk and public spaces make them difficult to locate and feel more private.

VACATION FEES RECEIVED 1995-2015

Year Received	Revenue
2015	\$17,566,423
2014	\$0
2013	\$7,560,000
2012	\$750,000
2011	\$1,322,500
2010	\$1,286,000
2009	\$563,400
2008	\$319,000
2007	\$3,848,450
2006	\$172,500
2005	\$0
2004	\$491,000
2003	\$1,148,000
2002	\$617,000
2001	\$3,809,500
2000	\$792,350
1999	\$522,750
1998	\$843,400
1997	\$260,825
1996	\$1,376,342
1995	\$908,512
Total	\$44,157,952
Average/year	\$2,102,759

Vacation Revenue

This chart includes vacation revenue received by the City from 1995-2015. The revenue is the vacation fee and not payment for public benefit elements. The chart reflects the fee payment, not project approval; some projects were approved prior to 1995.

STREET VACATIONS BY CITY COUNCIL DISTRICT

VACATIONS APPROVED BY THE CITY COUNCIL 1995-2015

Vacation Fees	
City Council District	Fees
1	\$585,500
2	\$4,939,450
3	\$4,616,273
4	\$7,560,000
5	\$0
6	\$741,250
7	\$21,859,400
Total	\$40,301,873

Area of Vacated Right of Way	
City Council District	Square Feet
1	4,257,635
2	2,177,183
3	248,306
4	127,646
5	35,160
6	22,495
7	310,032
Total	7,178,457

STREET VACATIONS BY ZONING DESIGNATION

VACATIONS APPROVED BY THE CITY COUNCIL 1995-2015

Vacation Fees	
Zoning Designation	Fees
C1/C2	\$1,256,500
DMC	\$0
DRC	\$0
DOC/1&2	\$16,359,000
IC	\$3,040,000
IB	\$21,750
SM	\$881,000
IDM	\$550,000
PMM	\$0
IG 1/2	\$3,973,450
L1	\$0
L3	\$7,560,000
L4	\$0
MIO	\$2,117,423
NC1/2	\$1,262,750
NC3	\$1,260,500
SF	\$873,500
DMR	\$105,000
HR	\$1,041,000
YT	\$0
Total	\$40,301,873

Area of Vacated Right of Way	
Zoning Designation	Square Feet
C1/C2	162,870
DMC	21,777
DRC	17,150
DOC/1&2	87,103
IC	45,772
IB	3,795
SM	55,382
IDM	20,550
PMM	1,358
IG 1/2	3,421,516
L1	732,998
L3	169,937
L4	576,441
MIO	32,146
NC1/2	28,228
NC3	148,936
SF	1,533,283
DMR	3,840
HR	8,690
YT	106,685
Total	7,178,457

STREET VACATION PROJECT FEES

VACATIONS APPROVED BY THE CITY COUNCIL 2005-2015

Project Number	Project	Petitioner	Fees	Notes
1	Block 21 Heirs of SA Bell's 2nd Addition	Acorn Development	0	In progress
2	Block 89 DT Denny's 5th Addition	City Investors	0	In progress
3	Block 24 Heirs SA Bell's 2nd Addition	GID/Parks	0	In progress
4	Armory Way	Pike Place Market PDA	0	In progress
5	E Howe St.	Inhabit Eastlake	0	In progress
6	Pontius Ave. N	Seattle City Light	0	City
7	Block 3 Norris Addition	West Seattle Project X	0	In progress
8	Block 14 Heirs SA Bell's Addition	Acorn Development	\$5,181,000	
9	Block 19 Heirs SA Bell's 2nd Addition	Acorn Development	\$5,190,000	
10	Block 20 Heirs SA Bell's 2nd Addition	Acorn Development	\$5,188,000	
11	Carr Pl. N	Seattle Public Utilities	0	City
12	Block 93 DT Denny's 1st Addition	City Investors	\$881,000	
13	Broad St.	Gates Foundation	0	Property exchange
14	Westlake Ave. N	Seattle Dept. of Parks	0	City
15	Delridge Way etc	Fleets & Facilities	0	City
16	Block 20 Gilman's Addition	Unico Properties	0	Rededication
17	Yesler Terrace	Seattle Housing Authority	0	Rededication
18	2nd Ave. S & S Chicago St.	Seattle Public Utilities	0	City
19	Block 23 Brooklyn Addition	U of W	0	State
20	Block 22 Brooklyn Addition	U of W	0	State
21	Blocks 5 & 6 Plat of West Seattle UR Niesz	Safeway Stores	\$450,000	
22	Terry Ave. N	Seattle Dept. of Parks	0	City
23	Soundway	Seattle Dept. of Parks	0	City
24	Block 33 Denny's DT Home Addition	Burkheimer Family	0	Rededication
25	41 Ave. NE & NE 46 St.	Children's Hospital	\$7,560,000	
26	Wolcott Ave. S	Housing Resources Group	\$232,500	
27	5th Ave.	5 & Columbia Investors	\$99,000	
28	Block 54 Heirs of SA Bells 2nd Addition	1200 Stewart	0	In progress
29	Block 9 Waddel's Madrona Park Addition	Epiphany School	\$80,000	
30	Block 101 DT Denny's 5th Addition	City Investors	\$900,000	
31	Block 103 DT Denny's 1st Addition	City Investors	\$190,000	
32	Highland Dr.	CarrAmerica		Withdrew
33	Blocks 55 & 56 Boston Company's Plat	Fauntleroy Place	\$60,000	
34	2nd Ave. S	Capital Industries	\$319,000	
35	31st Ave. S etc	Seattle Housing Authority	0	Rededication
36	S Forest St.	Port of Seattle	0	Port
37	SW Roxbury St.	Fleets & Facilities	0	City
38	Block 70 Terry's 1st Addition	Presbyterian Retirement	\$920,000	
39	Block 3 Bonen's Addition	Bethany Church	\$65,000	

HISTORY OF VACATION FEES

A review of this selective history of vacation fees demonstrates that the City Council has made changes over time with regard to the amount of the fee charged for vacations and who is required to pay a vacation fee.

1937: The City Council has charged a vacation fee since at least 1937. The fee was one-half the appraised value of the right-of-way.

1967: The City's authority to charge a vacation fee was challenged by the Puget Sound Alumni of Kappa Sigma. The State Supreme Court found that the City did not have authority from the State or by ordinance to charge a vacation fee. Following this decision, the State legislature granted authority to cities and towns to charge vacation fees and the City Council adopted an ordinance requiring that fees be paid prior to the adoption of a vacation ordinance.

1983: Before 1983, the City Council did not impose street vacation fees on Federal or State agencies, City departments, Municipal corporations, and accredited institutions of higher learning. In 1983 the City Council determined that City departments, Municipal corporations, and institutions should pay the vacation fee. The Council continued the fee waiver for Federal and State agencies. In addition, the Council made the fee mandatory and not permissive.

1995: Before 1995, vacation revenue was deposited into the General Fund (GF). However, the vacation revenues are extremely variable and the timing of the revenue is difficult to predict. The City Council determined that it was more appropriate to place the fees in the Cumulative Reserve Fund (CRF) to be used for capital projects. Ordinance 117627 was adopted in 1995 directing that vacation revenues be deposited in the CRF (now called the Cumulative Reserve Capital Project Street Vacation Subfund).

2001: Before 2001, the State had established that cities could charge vacation fees of up to one-half the value of the right-of-way. In 2001, State law was revised to allow cities to charge a vacation fee to the full appraised value of the right-of-way. The Council revised the SMC to charge the maximum allowed by State law as a mandatory vacation fee. While the Executive proposed that City departments be exempt from vacation fees or alternatively, that the fees remain at one-half of the right-of-way's appraised value, the City Council imposed the fee increase on City departments.

2002: Proposed legislation that would exempt City departments from paying vacation fees failed.

2004: The Council passed legislation that exempted City departments from the payment of vacation fees, established a new fund for street vacation fees, and moved fees from the CRF to the new Street Vacation Subaccount within the Capital Projects Account of the CRF.