



Mike McGinn, Mayor
City of Seattle

DATE: July 15, 2013
TO: Peter Hahn, Director, Seattle Department of Transportation
FROM: Mike McGinn, Mayor
SUBJECT: Request for alley vacation at 4755 Fauntleroy Way South

Dear Peter,

I understand that the developers of 4755 Fauntleroy Way South located in West Seattle have made a request to vacate the alley as part of their development proposal. Pursuant to the City of Seattle's Street Vacation Policies, last amended in 2009, it is up to the Director of the Seattle Department of Transportation to transmit a recommendation to the City Council regarding the alley vacation request.

Streets and alleys are public property, owned by the people of Seattle. There is no right under the zoning code or elsewhere to vacate or to develop public right-of-way. The City may not vacate a public right-of-way unless City Council determines that to do so is in the public interest. Street and alley vacation decisions are not limited by land use policies and codes, and vacations may be conditioned or denied as necessary to protect the public interest.

In order to transfer a publicly owned asset to a private owner, our Street Vacation Policies require us to confirm that doing so would be in the public interest, and must meet each of the following three requirements:

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

The Street Vacation Policies also indicate that "the City will also consider":

- Compliance of the project with City policies and goals, including the Comprehensive Plan, neighborhood planning goals, and economic development goals;
- Provision of affordable or special need housing or other human services;
- Public nature of the project (library, governmental purposes, low-income housing);
- Neighborhood support or opposition;
- Broad-based community support or opposition²

¹ City of Seattle Street Vacation Policies, Clerk File Number 310078

² City of Seattle Street Vacation Policies, Clerk File Number 310078

As our city grows, we must be careful stewards of our public rights of way. I believe that it is time to view street and alley vacations in the same way we view any investment of public funds or property, and consider whether they support the City's vision for sustainable economic development with shared prosperity, as embodied in the Comprehensive Plan, and numerous other city policies and goals. Indeed, the four core values of the Comprehensive Plan--community, environmental stewardship, economic opportunity and security and social equity—are the values I have embraced since the beginning of my administration. As the Comprehensive Plan states, these four core values are the pillars of sustainability. These values offer a standard by which to evaluate whether this project is in the public interest.

Based on review of the details of this project through the lens of these values, I do not believe that approval of the alley vacation petition in its current form is in the public interest. It does not provide adequate public benefit. It falls short of meeting specific Comprehensive Plan core values and the Administration's overarching commitment to just and sustainable development. More specifically, the project facilitated by this alley vacation does not move us toward achieving the following goals found in the Economic Development Elements of the Comprehensive Plan, and the West Seattle Urban Design Framework and the Pedestrian Master Plan:

Economic Development Elements (Livable Wages and Benefits)

We have a strong commitment to social and economic justice at the City of Seattle. One of our core economic development goals is to provide fair and livable wages and benefits for our residents. The Economic Development elements of Seattle's Comprehensive Plan contain clear language to this effect: "seeking a greater proportion of living wage jobs that will have greater benefits"³ and "support key sectors of Seattle's economy to create jobs that pay wages that can support a family, provide necessary benefits, and contribute to the vitality of the City including, but not limited to, the industrial, manufacturing, service, hospitality and retail sectors."⁴ The primary retail use in the proposed project is a 41,000 square foot Whole Foods Market. There are already seven large supermarkets within a mile and half of the site, at least six of which offer employer-paid, comprehensive affordable health benefits for full and part-time employees and their families, as well as family-supporting wage scales. Family health benefits and employee wage scales offered by the proposed anchor tenant are significantly lower than other similar businesses, particularly for the growing percentage of employees who work part-time.⁵ In addition, if the City is going to transfer its assets or otherwise help grocers build new facilities, we should encourage grocers willing to locate in underserved areas identified as having low food security and poor food access, consistent with the strategies identified in the City's Food Action Plan.⁶

³ Comprehensive Plan, Economic Development Goal 4

⁴ Comprehensive Plan, Economic Development Policy 16.5

⁵ Nari Rhee and Howard Greenwich, "On the Fringe and Uninsured: How Nonstandard Employment Cuts Workers off of Health Care," Puget Sound Sage (forthcoming) 2013. See also Puget Sound Sage's recent study showing that location of a low-wage grocery store in an area already served by grocery depresses total grocery wages for the market area: Christopher Fowler "Economic Impact of a Walmart Store in the Skyway Neighborhood of South Seattle" Puget Sound Sage, 2012.

⁶ Seattle Food Action Plan, p. 15

West Seattle Triangle Urban Design Framework (WSTUDF) and the Pedestrian Master Plan

The WSTUDF calls for making Southwest Alaska Street a “connecting main street” with a vibrant street character and retail uses to help enhance the pedestrian environment.⁷ My administration is committed to the promotion of walkable neighborhoods and to the implementation of our existing neighborhood plans. Indeed, among the key goals of Seattle’s Pedestrian Master Plan is: “**develop a pedestrian environment that sustains** healthy communities and supports a vibrant economy.”⁸ The particularly large footprint of the anchor tenant, and its orientation within this proposed development does not support this goal. Moreover, the pedestrian-oriented midblock connector called for in the WSTUDF exists but has been diminished by the plan for access by truck delivery for the large grocer. This mixture of a heavily used truck access zone directly adjacent to the pedestrian connector will significantly diminish the pedestrian experience, as opposed to our goal of “investing in safe and connected pedestrian facilities.”⁹

The public interest requires that we do a better job of using our publicly owned right of way to foster sustainable, shared prosperity. For these reasons I find that approval of an alley vacation to develop this project as currently configured is not in the public interest. I have reviewed the public benefit proposal offered by the applicant and I find it insufficient in light of the project’s negative impact on the public interest.

Our Street Vacation Policies were written with the intent of ensuring the public would benefit from turning over a public asset to a private owner. Our Comprehensive Plan directs us to support just and sustainable development. I intend to examine all future projects through the lens provided by the Comprehensive Plan and other City goals and policies as described above.

In this instance it is difficult to see how the alley vacation proposal meets our public benefit standards when it does not support equitable economic development as stated in our Comprehensive Plan, does not support community vibrancy and walkability, and does not support our local urban design plans. It is the position of the executive that because this project is not in the public interest, we will not forward a recommendation to approve this alley vacation request to the City Council at this time.

Sincerely,



Mike McGinn
Mayor of Seattle

⁷ West Seattle Triangle Urban Design Framework, p. 13

⁸ http://www.seattle.gov/transportation/pedestrian_masterplan/pmp_goals.htm

⁹ http://www.seattle.gov/transportation/pedestrian_masterplan/pmp_goals.htm