



SEATTLE CITY COUNCIL

Legislative Summary

CB 119603

Record No.: CB 119603

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125908

In Control: City Clerk

File Created: 08/01/2019

Final Action: 09/06/2019

Title: AN ORDINANCE relating to the transfer of City real property for housing development; declaring the property located at 1314, 1326, and 1336 Yakima Avenue South (“PMA 1594”) surplus to the City’s needs; transferring the jurisdiction of this property from the Department of Finance and Administrative Services to the Office of Housing; authorizing its transfer to Homestead Community Land Trust or its designee; and authorizing the Director of the Office of Housing to execute and deliver the contract for transfer of land, deed, and related documents.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A - Term Sheet

Drafter: Emilia.Sanchez@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	08/02/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
1	Council President's Office	08/02/2019	sent for review	Finance and Neighborhoods Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Finance and Neighborhoods Committee						
1	City Council	08/05/2019	referred	Finance and Neighborhoods Committee			

- | | | | | | |
|---|---|---|------------------------------------|------------|------|
| 1 | Finance and
Neighborhoods
Committee | 08/09/2019 | pass | | Pass |
| | Action Text: | The Committee recommends that City Council pass the Council Bill (CB).
In Favor: 3 Chair Bagshaw, Mosqueda, Pacheco
Opposed: 0 | | | |
| 1 | City Council | 09/03/2019 | passed | | Pass |
| | Action Text: | The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
In Favor: 9 Councilmember Bagshaw, Councilmember González , Council
President Harrell, Councilmember Herbold, Councilmember Juarez,
Councilmember Mosqueda, Councilmember O'Brien, Councilmember
Pacheco, Councilmember Sawant
Opposed: 0 | | | |
| 1 | City Clerk | 09/06/2019 | submitted for
Mayor's signature | Mayor | |
| 1 | Mayor | 09/06/2019 | Signed | | |
| 1 | Mayor | 09/06/2019 | returned | City Clerk | |
| 1 | City Clerk | 09/06/2019 | attested by City Clerk | | |
| | Action Text: | The Ordinance (Ord) was attested by City Clerk. | | | |
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CITY OF SEATTLE

ORDINANCE 125908

COUNCIL BILL 119603

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5 AN ORDINANCE relating to the transfer of City real property for housing development;
6 declaring the property located at 1314, 1326, and 1336 Yakima Avenue South (“PMA
7 1594”) surplus to the City’s needs; transferring the jurisdiction of this property from the
8 Department of Finance and Administrative Services to the Office of Housing; authorizing
9 its transfer to Homestead Community Land Trust or its designee; and authorizing the
10 Director of the Office of Housing to execute and deliver the contract for transfer of land,
11 deed, and related documents.

12
13 WHEREAS, the Department of Finance and Administrative Services (FAS) notified other City
14 of Seattle (“City”) departments about the availability of the property at 1314, 1326, and
15 1336 Yakima Avenue South (“PMA 1594”) as excess to the City’s needs; and

16 WHEREAS, none of the notified departments indicated any interest in PMA 1594 except the
17 Office of Housing (OH), which expressed its interest in facilitating the development of
18 the property for affordable housing; and

19 WHEREAS, FAS prepared a preliminary report and recommendation for OH to solicit
20 development proposals for use of the property for affordable homeownership
21 opportunities; and

22 WHEREAS, in September 2017 the City Council adopted Resolution 31770, which provides that
23 the City intends to prioritize the use of surplus properties for the development of
24 affordable housing and to expedite such dispositions to create more affordable housing as
25 quickly as possible; and

26 WHEREAS, the Office of Housing conducted a competitive process to select a developer for
27 permanently affordable homeownership on PMA 1594; and

1 WHEREAS, the development team consisting of Homestead Community Land Trust and Edge
2 Developers, LLC, was selected to develop this property as permanently affordable
3 homeownership; and

4 WHEREAS, Homestead Community Land Trust and Edge Developers propose to develop 16
5 townhomes, at least ten of which will be affordable to households earning less than 80
6 percent of the area median income, and six or fewer will be sold at market rate in order to
7 subsidize the low sales prices of the affordable homes; NOW, THEREFORE,

8 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

9 Section 1. Jurisdiction over the real property located at 1314, 1326, and 1336 Yakima
10 Avenue South legally described below (“Property”) is hereby transferred from the Department of
11 Finance and Administrative Services to the Office of Housing, at no cost to the Office of
12 Housing:

13 Lots 5 through 11, Block 3, Jackson and Rainier Street Addition recorded in
14 Volume 3 of Plats, page 65, Records of King County, Washington

15 Section 2. The Director of the Office of Housing (“Director”) is hereby authorized to
16 assume jurisdiction over the Property and make the Property available for development of
17 affordable housing.

18 Section 3. The Director is authorized to negotiate a property transfer agreement
19 (“Agreement”) and any ancillary documents to accomplish the transfer of ownership of the
20 Property to Homestead Community Land Trust (“Homestead”), a Washington nonprofit
21 corporation, or with a designee of Homestead approved by the Director (Homestead and any
22 approved designee, and any assignee of the Agreement approved by the Director, are referred to
23 as “Transferee”), on the terms and subject to the conditions authorized in this ordinance.

1 Section 4. The Agreement shall reflect the provisions included in the Term Sheet attached
2 to this ordinance as Attachment A, with such revisions and additions as the Director may
3 determine are reasonably necessary to carry out the intent of this ordinance.

4 Section 5. The improvements to be developed on the Property are to include at least 16
5 townhomes, no fewer than ten of which are to be sold to households with incomes at or below 80
6 percent of median income at prices deemed to be affordable by the Director. Up to six of the
7 townhomes may be sold at market value to subsidize the prices of the affordable homes. The
8 townhomes, together with any additional improvements to be developed on the Property with the
9 approval of the Director and all necessary regulatory approvals, are referred to in this ordinance
10 as the "Project."

11 Section 6. The Director is authorized to execute and deliver such additional documents,
12 which may include amendments to the Agreement and related covenants, and to take such other
13 actions, as may be necessary or appropriate to implement the intent of this ordinance, and to
14 administer and enforce the Agreement, covenants, and any other such documents that the
15 Director deems appropriate to implement the intent of this ordinance. The authority given to the
16 Director in this ordinance may be delegated to and exercised by the Director's designee.

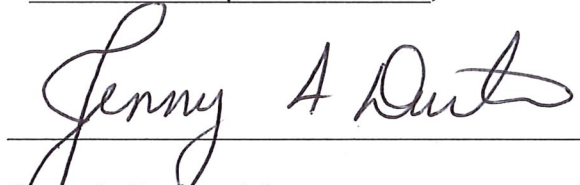
1 Section 7. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 3rd day of September, 2019,
5 and signed by me in open session in authentication of its passage this 3rd day of
6 September, 2019.

7 

8 President _____ of the City Council

9 Approved by me this 6th day of September, 2019.

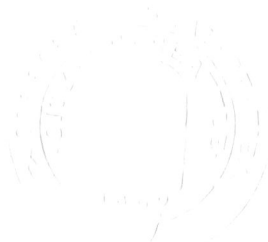
10 
11 Jenny A. Durkan, Mayor

12 Filed by me this 6th day of September, 2019.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)



16 Attachments:
17 Attachment A - Term Sheet

Attachment A: Term Sheet

TRANSFER OF PROPERTY FROM THE CITY OF SEATTLE (City) TO HOMESTEAD
COMMUNITY LAND TRUST OR ITS ASSIGNEE (Purchaser)

This term sheet describes the basic terms of the proposed transfer of property between Purchaser and City. The Agreement will include the following terms:

1. Transfer. Any transfer of the property shall be by Quit Claim Deed.
2. Consideration. In consideration for the City transferring the Property to Purchaser, Purchaser shall agree to construct or cause to be constructed within the Property improvements substantially as described in those plans and specifications prepared by Daniel Umbach under Master Use Permits Nos. 3033649-LU, 3033650-LU, and 3033651-LU, which improvements shall be 16 townhouses/rowhouses, 10 of which will be for sale to households with incomes at the time of sale of 80% or less of the area median income, as defined by the City of Seattle's Office of Housing.
3. Conditions precedent to the City's obligation to transfer the property:
 - a. Purchaser shall have obtained approval from the Director of the Office of Housing (Director) of the final plan set and development budget including projected sales prices.
 - b. Purchaser shall have obtained permits for the development of the Property consistent with the designs approved by the Office of Housing.
 - c. Purchaser shall have provided evidence satisfactory to the Office of Housing that Purchaser has secured all necessary construction financing to fund the construction of the Project.
4. Other conditions.
 - a. The Agreement will contain other conditions determined by the Director to be necessary to provide the desired outcomes.
 - b. The transfer to Purchaser shall be "AS IS," without any warranty as to any matters related to title or the condition of the Property, including without limitation the presence of any encroachments, hazardous materials or any other environmental matters.
 - c. Purchaser to convey to the City a 50-year covenant preserving 10 of the townhouses built on the Property as affordable housing.