

April 30, 2018

## MEMORANDUM

**To:** Sustainability and Transportation Committee  
**From:** Lish Whitson, Council Central Staff  
**Subject:** Washington State Convention Center Addition Street Vacation  
Clerk File 314338

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On Tuesday, May 1, the Sustainability and Transportation Committee will continue its review of the [petition](#) from the Washington State Convention Center Public Facilities District (WSCC) to vacate underneath Olive Way and Terry Avenue and vacate three alleys. The vacations would facilitate the development of a Convention Center Addition.

On April 3, the Committee received a [presentation](#) from the WSCC on their petition. On April 17, the Committee [heard](#) from the Seattle Department of Transportation (SDOT), the Seattle Department of Construction and Inspections (SDCI) and the Seattle Design Commission (SDC) regarding the City's review of the vacation petition. On April 18, the Committee held a [public hearing](#) on the petition. At the May 1, meeting the Committee will discuss outstanding issues raised at the previous meetings and may vote on the petition.

### I. Background

The Convention Center Addition is a 2.4 million square foot project. The project includes an 8-story new convention center on the site of the current Convention Place Metro Station bounded by Pine Street, 9<sup>th</sup> Avenue, Olive Way and Boren Avenue. The Convention Center Addition (site A) would be connected under Olive Way and Terry Avenue to a new 290' residential tower (site B) and a 240' officer tower (site C) located on the blocks between Olive Way, 9<sup>th</sup> Avenue and Howell Street and Boren Avenue on the west and east sides of Terry Avenue respectively.

The proposed Convention Center Addition would allow the WSCC to book additional events in a facility comparable to the existing Convention Center. The WSCC estimates that this could generate an estimated \$260 million in visitor spending annually, add 3,900 direct and indirect hospitality and tourism-related jobs, and approximately 6,000 construction jobs.

To build the project as proposed, the WSCC requests that alleys located on sites A, B and C be vacated. Further, they request a vacation of Olive Way and Terry Avenue between Sites A, B and C starting at 8-feet below grade. Olive Way is a principal arterial that is one-way in the eastbound direction. It provides connections between Downtown Seattle and I-5 and Capitol Hill. Terry Avenue is a designated green street between Olive Way and Denny Way. The alleys each provide access to the abutting property, all of which is currently under control by the WSCC. The alleys on blocks B and C continue across Howell Street to the north.

The City's [Street Vacation Policies](#) guide the Council's review of a street vacation petition. The current policies lay out a three-stage analysis: (1) public trust analysis, (2) land use analysis, and (3) public benefit analysis. Public trust analysis includes review of circulation and access, impacts on utilities, light, air, open space and views. Land use analysis looks at the proposed development and reviews whether the project is consistent with City goals, plans and regulations. Finally, the public benefit analysis considers the petitioner's proposal to provide public benefits to offset the loss to the public of the right-of-way. Given its size and complexity, the Convention Center Addition petition raises questions in all three of these areas of analysis. A [memo](#) prepared for the April 18 Transportation Committee meeting lays out key issues that the Committee should consider in evaluating the petition.

This memo describes a proposed set of conditions for the Committee's consideration.

## II. Proposed Conditions

In granting a street vacation, the Council typically promulgates a list of conditions. Those conditions include measures to mitigate the impacts of the vacation and conditions to ensure the public benefits are provided.

The SDOT Director has [recommended](#) approval of the street and alley vacations if the project meets a number of conditions. Those conditions are incorporated into the proposed Council condition document as shown in Attachment 1. Many of these conditions have been redrafted to increase clarity at the request of the Law Department, but the substance of the conditions recommended by the Director remain the same, except as discussed below.

**A. Councilmember O'Brien** has added or amended three conditions to the Director's recommended conditions, as follows:

### 1. Flexibility for MHA (Section 2)

A standard condition for all street vacations is that the street vacation is only permitted in order to facilitate the project presented to the Council. The project as proposed has been vested to the City's zoning prior to the adoption of Mandatory Housing Affordability (MHA) requirements in Downtown Seattle. The MHA rules for Downtown allow a previously-vested project to opt in to the MHA program, and add floor area and building height, without losing other vesting rights. An additional condition has been added that would recognize that if the developers of any of the three buildings facilitated by the street and alley vacations wishes to add height and floor area by opting in to the MHA program, the Council will consider that larger building to be consistent with the proposal presented to Council.

### 2. Downtown Seattle Transit Tunnel Operation (Section 3)

The project requires the eventual closure of the Downtown Seattle Transit Tunnel (DSTT) to buses. This closure has been planned to occur as light rail service expands in the tunnel. WSCC's

agreement with King County for the purchase of the Convention Place transit station included a section identifying a DSTT termination date. That [agreement](#) states:

The DSTT Termination Date shall be no earlier than the September 2019 Metro transit service change unless the following conditions are met: (i) the permits necessary to commence construction, which are contingent upon the issuance of the Project's Master Use Permit but not necessarily all permits required to complete construction, are issued by the City of Seattle prior to July 1, 2018; and (ii) Buyer has notified Seller no later than September 30, 2018 that Buyer has begun demolition and construction of the Project (not including the King County Site Work) and that Buyer needs to take control of the site by March 2019. (King County Ordinance 18546, Section 18.2)

In order to accommodate the 40 peak hour bus trips that currently operate through the Bus Tunnel, the [One Center City](#) (OCC) project proposes a number of improvements to transit through Downtown Seattle. Many of those improvements will be implemented in time for buses to move out of the DSTT by March 2019. Two key improvements are identified as necessary to keep regional transit customers moving reliably after the DSTT closes to buses:

- Create a new northbound transit pathway on 5th Avenue and 6th Avenue
- Explore transit service revisions to maximize reliable pathways and take advantage of speed and reliability investments being made by other One Center City projects

The first of these actions requires negotiations with WSDOT that have not yet been completed. The second of these actions requires King County Council to approve the bus service revisions. SDOT cannot commit that they will be implemented by March 2019.

Councilmember O'Brien's condition would state that the WSCC can not take any actions that would result in the closure of the DSTT to bus operations earlier than September 2019. This will allow permitting, approval and some construction of the WSCC project to continue and would not preclude Metro from moving their operations out of the tunnel earlier than September 2019, if appropriate.

### 3. Reporting on WMBE and Priority Hire Goals (Section 14)

The WSCC has updated their goals for Woman- and Minority-Owned Business Enterprise (WMBE) participation in the project and has proposed adopting Priority Hire as an attachment to the Project Labor Agreement. The new goals would include at least \$80 million of work for WMBE owned firms, and a goal of at least 19% of labor hours worked on the project from Priority Hire zip codes, aspiring to meet or exceed 26%. Councilmember O'Brien has amended the condition related to reporting on project progress to request that the WSCC report on its progress toward meeting those goals.

**B. Councilmember Mosqueda** has proposed an amendment to the public benefits proposal for the street vacations. The amendment was developed in consultation with the WSCC.

Since the SDOT recommendation was released, Councilmember Mosqueda has discussed the proposed public benefits with the WSCC. WSCC has indicated that it can make an earlier commitment to some public benefits that they were previously agreed to with the Community Package Coalition. Specifically, the WSCC has proposed:

1. Speeding up the delivery of \$14 million of funding for affordable housing;
2. Adding an additional \$1 million of housing for affordable housing, resulting in a total \$30 million of affordable housing as a street vacation public benefit; and
3. Speeding up the delivery of \$6 million of funding to implement bicycle improvements to 8<sup>th</sup> Avenue between Pike Street and Bell Street.

The amendatory language is shown in Attachment 2 to the memo.

### **III. Next Steps**

If the committee votes to approve the street vacation as conditioned, I will work with the Law Department to finalize the conditions document in advance of a full Council vote.

cc: Kirstan Arestad, Central Staff Director  
Ketil Freeman, Supervising Analyst

Attachment 1: Proposed conditions document

Attachment 2: Proposed amendment relating to affordable housing and bicycle funding

PETITION OF WASHINGTON STATE CONVENTION CENTER FOR THE VACATION OF THE ALLEY IN BLOCK 33, HEIRS OF SARAH A. BELL'S 2ND ADDITION; THE ALLEY IN BLOCK 43, HEIRS OF SARAH A. BELL'S 2ND ADDITION; THE ALLEY IN BLOCK 44, HEIRS OF SARAH A. BELL'S 2ND ADDITION; THE SUBTERRANEAN PORTION OF TERRY AVENUE BETWEEN HOWELL STREET AND OLIVE WAY; AND THE SUBTERRANEAN PORTION OF OLIVE WAY BETWEEN 9TH AVENUE AND BOREN AVENUE ALL IN THE DENNY TRIANGLE NEIGHBORHOOD OF THE DOWNTOWN URBAN CENTER AREA OF SEATTLE

CLERK FILE 314338

The City Council grants approval of the petition from the Washington State Convention Center (“WSCC”, or “Petitioner”) for the vacation of alleys in Blocks 33, 43, and 44 of Sarah A Bell’s 2nd Addition and subterranean portions of Olive Way between 9<sup>th</sup> Avenue and Boren Avenue, and Terry Avenue between Howell Street and Olive Way. The alleys to be vacated are described as:

**Block 33 (Site B): the alley bounded by Howell Street to the north, Terry Avenue to the east, Olive Way to the south and Ninth Avenue to the west:**

ALL OF THAT PORTION OF A 16 FOOT WIDE ALLEY LYING SOUTH OF THE SOUTH MARGIN OF HOWELL STREET AND NORTH OF THE NORTH MARGIN OF OLIVE WAY {FORMERLY KNOWN AS OLIVE STREET}, AS SHOWN IN BLOCK 33, SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL (DECEASED), COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON.

**Block 43 (Site C): the alley bounded by Howell Street to the north, Boren Avenue to the east, Olive Way to the south, and Terry Avenue to the west:**

ALL OF THAT PORTION OF A 16 FOOT WIDE ALLEY LYING SOUTH OF THE SOUTH MARGIN OF HOWELL STREET AND NORTH OF THE NORTH MARGIN OF OLIVE WAY {FORMERLY KNOWN AS OLIVE STREET}, AS SHOWN IN BLOCK 43, SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL {DECEASED}, COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON.

**Block 44 (Site A): the alley bounded by Olive Way to the north, Boren Avenue to the east, Pine Street to the south and Ninth Avenue to the west:**

ALL OF THAT PORTION OF A 16 FOOT WIDE ALLEY LYING SOUTH OF THE SOUTH MARGIN OF HOWELL STREET AND NORTH OF THE NORTH MARGIN OF OLIVE WAY (FORMERLY KNOWN AS OLIVE STREET), AS SHOWN IN BLOCK 43,

SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL {DECEASED}, COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON.

The vacations of the subterranean portions of Olive Way and Terry Avenue are described as:

**Subterranean Olive Way: the portion of which that is bounded by Ninth Avenue to the west and Boren Avenue to the east:**

A SUBSURFACE DEDICATION BEING ALL OF THAT PORTION OF OLIVE WAY (FORMERLY KNOWN AS OLIVE STREET), BEING A 66 FOOT WIDE DEDICATED PUBLIC RIGHT OF WAYS LYING EAST OF THE WEST MARGIN OF 9TH AVENUE (FORMERLY KNOWN AS 9TH STREET) AND WEST OF THE EAST MARGIN OF BOREN AVENUE (FORMERLY KNOWN AS 11TH STREET), AS SHOWN ON THE PLAT OF THE SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL (DECEASED), COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON; THE VERTICAL LIMITS OF THE ABOVE DESCRIBED LYING BELOW AN INCLINED PLANE LOCATED EIGHT (8) FEET BELOW THE ESTABLISHED STREET GRADE MORE PARTICULARLY DESCRIBED AS HAVING AN ELEVATION OF 144.14 FEET AT THE EASTERLY END OF THIS SEGMENT OF OLIVE WAY AND AN ELEVATION OF 132.15 FEET AT THE WESTERLY END OF THIS SEGMENT OF OLIVE WAY; TOGETHER WITH THAT PORTION OF TERRY AVENUE LYING WITHIN THE ABOVE DESCRIBED AREA AND SOUTH OF THE NORTH MARGIN OF OLIVE WAY AND NORTH OF THE SOUTH MARGIN OF OLIVE WAY.

SAID ELEVATIONS DESCRIBED HEREIN ARE EXPRESSED IN TERMS OF NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVO 88) AS OF THE DATE OF THIS INSTRUMENT AND ARE BASED UPON CITY OF SEATTLE BENCHMARK 3832-2205, BEING A 2 INCH DIAMETER BRASS-CAP STAMPED PLS #17676, SET AT THE NORTH CORNER OF BOREN AVENUE AND OLIVE WAY, 0.4 FEET NORTHWEST OF TOP OF WHEEL CHAIR RAMP AND 2.4 FEET SOUTH OF THE POINT OF CURVATURE AT BACK OF SIDEWALK, HAVING AN ELEVATION OF 150.13 FEET; SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.

**Subterranean Terry Avenue: the portion which that is bounded by Howell Street to the north and Olive Way to the south:**

A SUBSURFACE DEDICATION BEING ALL OF THAT PORTION OF TERRY AVENUE (FORMERLY KNOWN AS 10TH STREET), BEING A 66 FOOT WIDE DEDICATED PUBLIC RIGHT OF WAY LYING SOUTH OF THE SOUTH MARGIN OF

HOWELL STREET AND NORTH OF THE NORTH MARGIN OF OLIVE WAY, AS SHOWN ON THE PLAT OF THE SECOND ADDITION TO THE TOWN OF SEATTLE AS LAID OFF BY THE HEIRS OF SARAH A. BELL (DECEASED), COMMONLY KNOWN AS HEIRS OF SARAH A. BELL'S 2ND ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 121, IN KING COUNTY, WASHINGTON; THE VERTICAL LIMITS OF THE ABOVE DESCRIBED LYING BELOW AN INCLINED PLANE LOCATED EIGHT (8) FEET BELOW THE ESTABLISHED STREET GRADE, MORE PARTICULARLY DESCRIBED AS HAVING A LOWER LIMIT ELEVATION OF 136.69 FEET AT THE SOUTHERLY END OF THIS SEGMENT OF TERRY AVENUE AND AN ELEVATION OF 130.92 FEET AT THE NORTHERLY END OF THIS SEGMENT OF TERRY AVENUE; SAID ELEVATIONS DESCRIBED HEREIN ARE EXPRESSED IN TERMS OF NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVO 88) AS OF THE DATE OF THIS INSTRUMENT AND ARE BASED UPON CITY OF SEATTLE BENCHMARK 3832-2205, BEING A 2 INCH DIAMETER BRASS-CAP STAMPED PLS #17676, SET AT THE NORTH CORNER OF BOREN AVENUE AND OLIVE WAY, 0.4 FEET NORTHWEST OF TOP OF WHEEL CHAIR RAMP AND 2.4 FEET SOUTH OF THE POINT OF CURVATURE AT BACK OF SIDEWALK, HAVING AN ELEVATION OF 150.13 FEET; SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.

The vacation petition includes, in approximate numbers: the alley in Block 33 of 1,600 sf; the alley in Block 43 of 3,200 sf; the alley in Block 44 of 2,880 sf; the below-grade area of Olive Way of 38,148 sf; and the below-grade area of Terry Avenue of 9,900 sf. This is 7,680 sf of vacation area and 48,048 sf of below-grade vacation area for a total of approximately 55,728 sf of right-of-way.

The vacation is granted upon the Petitioner meeting the following conditions. The Petitioner shall demonstrate to the satisfaction of SDOT and the City Council that: all conditions imposed by City Council have been fully satisfied; all utility work relating to the vacation, including the relocation of utilities, easements, or other agreements are completed; all public benefit elements have been provided; any other agreements or easements have been completed and recorded as necessary; and all fees are paid prior to the passage of the street vacation ordinance.

1. The vacation is granted to allow the Petitioner, including any successors in interest, to build a project substantially in conformity with the project presented to the City Council's Sustainability and Transportation Committee in April 2018 and for no other purpose.
2. The City Council encourages the Petitioner, including any successors in interest, to comply with SMC 23.58B and SMC 23.58C (Mandatory Housing Affordability) with respect any development that is included in the project described in condition 1 above. If the development includes changes from the project that result from voluntary compliance with SMC 23.58B and SMC 23.58C, those changes are deemed to be in substantial conformity with the project.

3. The Petitioner shall take no action that would result in closing the Downtown Seattle Transit Tunnel to Metro bus operations earlier than the September 2019 Metro transit service change.
4. All street improvements shall be designed and constructed to: meet City standards, except as modified by these conditions and shown in the materials presented to the Sustainability and Transportation Committee; and implement the public benefit requirements. The improvements shall be reviewed and approved by the Seattle Department of Transportation (SDOT). Street improvements include but are not limited to:
  - Sidewalks, street trees, bike racks, street furniture, lighting, landscaping; and
  - Street improvements in the Howell/Olive wedge and Ninth Avenue.

The Petitioner shall prepare a street improvement plan that is approved by SDOT. No street improvements may be constructed before the plan is approved.

5. The Petitioner shall resolve all utility issues to the full satisfaction of the affected utility providers prior to approval of the final vacation ordinance. The Petitioner shall ensure that utility facilities are not damaged or compromised because of the project. Measures required to ensure protection of utility facilities and operations shall be paid by the Petitioner. The Petitioner shall execute a Release and Indemnification Agreement with respect to the subterranean vacations of Olive Way and Terry Avenue, and a Covenant regarding environmental conditions prior to approval of the final vacation ordinance. Approval of the Agreement is subject to the City's sole and exclusive discretion.
6. Vehicular access to the site shall be provided as follows below. All service and loading shall be accommodated on-site and accessed through these driveways. Any proposed changes to these access requirements shall be approved by SDOT:
  - A loading dock driveway on Howell Street on Site B;
  - Two loading dock driveways on Site C (serving both Site C and Site A), one of which is on Boren Avenue and one of which is on Terry Avenue;
  - A driveway on Olive Way on Site A; and
  - A driveway on Boren Avenue on Site A.
7. A single Transportation Management Plan (TMP) is required for the combined activities of the WSCC Addition facilitated by the street and alley vacations and the existing WSCC Convention Center. The TMP shall be approved by SDOT and the Seattle Department of Construction and Inspections (SDCI) and shall include but not be limited to reviewing any impacts of the WSCC activities on the character of the Green Streets including loading and unloading activities on 9<sup>th</sup> Avenue. The TMP shall include at least the following elements:

**Goals:**

- Minimize parking- and traffic-related impacts associated with WSCC events (north and south site).



- WSCC Employees – 15 percent Single Occupancy Vehicle (SOV) rate.
- Event Attendees – 35 percent SOV Rate (with a goal of reducing to 15 percent SOV Rate by 2035).

**Employee/Tenant Strategies to Meet Goals:**

- Participate in transportation promotion and encouragement programs.
- Employ commuter information centers covering all transportation modes, locations, schedules, and pricing.
- Provide bicycle storage, shower, and locker facilities.
- Implement tiered daily parking pricing to discourage SOV commuting within the WSCC garage facilities, including discounted carpool parking. Provide alternatives to monthly parking.
- WSCC and other tenants shall provide their employees with a transit pass subsidy.
- Provide information about ride-match opportunities.
- Offer a guaranteed ride home program.
- Promote bicycle and walking programs.

**Event Attendee/Event Sponsor Strategies to Meet Goals:**

- Implement event parking management measures based on the cumulative attendance at all WSCC facilities. Measures include parking fee tiers, dynamic parking pricing, black-out days for daily parkers, management of long-term vendor parking, media alerts, carpool discount parking, valet parking, etc.
- WSCC shall develop and provide a mobility information toolkit for event sponsors. Event sponsors shall be required to implement the toolkit to create a communications and event management program to encourage attendees to use non-SOV options via information, education, and incentives.
- Update and augment website to include travel options, travel routes, parking rates, garage availability, etc.
- Support promotion of alternative transportation modes and customized communication for national and regional conferences. Coordinate communications and promotions through conference-specific “Visit Seattle” sites.

**Transit Strategies:**

- Work with regional transit agencies to provide convenient and attractive transit fare products to attendees such as a multi-day regional pass, transit passes bundled with event tickets, and mobile ticket app promotions.
- Provide information on-site in the visitor information centers regarding transit routes and stops near the WSCC.

**Bicycle Strategies:**

- Provide permanent bicycle parking throughout the WSCC frontages that are proximate to building entry points.

- Provide a minimum of 110 permanent bicycle parking spaces in the Addition garage plus (accessed from Olive Way) additional storage areas via temporary bike corrals located in the garage when the proposed supply is expected to be exceeded.
- Identify Designated Bike Share Parking area locations adjacent to the Addition to help manage the demand from bike share programs when warranted by the event demands.
- Implement signage to direct bicyclists to internal garage bicycle parking.
- Bike valet strategies shall be implemented as needed

**Pedestrian Strategies:**

- Expand on the City's existing wayfinding program on facility corners to identify key nearby locations.
- Expand on internal visitor center resources to include walking routes to key transit hubs and areas of interest in the City.

**Parking Guidance and Implementation:**

- Implement e-Park in all garages.
- Promote non-SOV travel using real time pricing and notification via e-Park signs and website.
- Work with interested event sponsors to facilitate carpool parking.

**Curb Use Strategies:**

- Marshall buses off-site.
- Allow short-term staging of buses via the City's curb-use permitting process.
- Partner with the City to develop a transportation network company (TNC) management plan to manage congestion created by attendees using these services while addressing passenger safety and ensuring that pedestrians, bicycles, and transit are not negatively impacted. Strategies may include specific pick-up and drop-off locations, geo-fencing, first-in-first-out garage use during major events, wayfinding, and other patron messaging tools.
- Provide curbside staffing to ensure efficient vehicular and pedestrian mobility.

**Annual Monitoring and Reporting**

- Monitor parking, traffic/loading operations, success in promoting transportation alternatives, etc., so the TMP can be adjusted over time.
- Prepare twice-annual Commute Trip Reduction reports and surveys that detail employee trip reduction programs and employee mode of travel.
- Produce an annual TMP compliance report for events that shall include frequency and utilization of bicycle parking, event attendee mode split/origin surveys, and forecasts for large events the following year.
- Annual TNC management reporting to include video of TNC and general load/unload activity along the WSCC frontages for SDOT assessment of curb management strategies.

- Conduct an annual meeting with key stakeholders including SDCI, SDOT, King County Metro, Sound Transit, and others to review the results of the employee and attendee intercept surveys and performance goal compliance.

**Additional Potential Strategies if Goals are not Met**

- Provide discounted transit fares/passes for event attendees.
  - Develop additional rideshare options for event attendees.
8. A separate Transportation Management Program with a goal of 15 percent SOV for office workers shall be developed and implemented for the office co-development on Site C.
  9. A Dock Management Plan addressing freight loading and access for the Addition shall be prepared. The plan shall be approved by SDOT and SDCI and shall require review of any impacts of the service activities on the character of the Green Street, including blocking the sidewalk. At a minimum the plan shall address:
    - Freight routing, including route restrictions such as the restriction on use of Terry Avenue north of Howell Street;
    - Communication plan for freight routing;
    - Staffing plans for the loading dock;
    - Using an off-site marshalling yard;
    - Managing of the vehicle doors on Boren Avenue and Terry Avenue;
    - Hours of operation for freight loading; and
    - Outlining a reporting process with the City and an enforcement process.
  10. Free speech activities such as hand billing, signature gathering, and holding signs all without obstructing access to the space, the building, or other adjacent amenity features, and without unreasonably interfering with the enjoyment of the space by others, shall be allowed within the onsite vacation public benefit features. While engaged in allowed activities, members of the public may not be asked to leave for any reason other than conduct that unreasonably interferes with the enjoyment of the space by others. Signage clearly identifying public access and allowed free speech activities is required at the public open space elements and shall require the review and approval of SDOT Street Vacations. Signage shall be consistent with signage provided for public amenity spaces. Any violation of these condition may be enforced through Chapter 15.90 of the Seattle Municipal Code.
  11. The Petitioner shall provide and maintain the public benefit elements described below and as shown in materials present to the City Council Sustainability and Transportation Committee. A Property Use and Development Agreement (PUDA) or other binding mechanism is required to ensure that the public benefit elements remain open and accessible to the public. The PUDA shall establish the hours of public access for the various public benefit spaces, with temporary closures permitted for reasons such as maintenance, safety, or private functions and to outline future maintenance obligations of the improvements. Physical public benefits shall provide signage consistent with

Condition 10. The final design of the public benefit elements requires review and approval by SDOT and the Design Commission. SDOT may request additional review by the Design Commission or a subcommittee of the Design Commission, for implementing the public benefit elements or other features of the project, as necessary. Public benefit elements in the right-of-way require additional Street Improvement Permit review, Street Use permits and indemnification; and public and private areas shall be clearly distinguished.

**Public Benefits**

<b>PUBLIC BENEFIT CATEGORY</b>	<b>DESCRIPTION</b>	<b>BENEFIT TO BE PROVIDED</b>	
<b>PHYSICAL PUBLIC BENEFITS</b>	Pine Street/9th Avenue Plaza	3,637 SF setback more than code required setback	
	Flatiron Plaza	1,789 SF setback more than code required setback	
	Terry Avenue Green Street Plaza	831 SF setback more than code required setback	
	Denny Triangle Corner Plaza	396 SF setback more than code required setback	
	Boren Avenue Garden	1,708 SF setback more than code required setback	
	Pine Street Sun Garden	1,154 SF setback more than code required setback	
	<b>Additional Improvements Beyond Code</b>		
	Overhead Weather Protection	747 LF Above Code required overhead weather protection	
	Seating in the ROW	243 LF	
	Planting (On Howell St, Olive Way, Pine St, & Boren Ave)	6,661 SF Above Code required planting for a total of 10,878 SF	

<b>PUBLIC BENEFIT CATEGORY</b>	<b>DESCRIPTION</b>	<b>BENEFIT TO BE PROVIDED</b>
	Off-site ROW Improvements (9th Avenue)	Curb bulbs, enhanced planting, upgraded paving, overhead weather protection, decorative vehicle door
	Off-site ROW Improvements (Olive Way)	Upgraded paving, enhanced planting
	Historic Building Lighting	Lighting of historic features on the Camlin Hotel and Paramount Theater to enhance the pedestrian experience
<b>PUBLIC BENEFIT ART</b>	<b>BOREN AVENUE SCULPTURES</b>	Artworks with integrated seating, lighting, landscaping
	<b>9TH AVENUE + PIKE STREET ARTWORK</b>	Large-scale artwork on a wall of the existing WSCC building
	<b>Olive Way Artworks</b>	Artworks at the five glass vitrines, potential extension to adjacent canopy
<b>FUNDING NEIGHBORHOOD IMPROVEMENTS</b>	<b>Pike Pine Renaissance Act:1 Funding</b>	\$10 million to the Office of the Waterfront for implementation of the Pike Pine Renaissance Act:1
	<b>Bicycle Master Plan Implementation Funding</b>	\$10 million to SDOT for implementing the Bicycle Master Plan
	<b>Lid I-5 Study Funding</b>	\$1.5 million to Seattle Office of Planning and Community Development for I-5 Lid Study
	<b>Freeway Park Association / Seattle Parks and</b>	\$10 million to Seattle Parks Department to support efforts to repair, restore, and possibly enhance Freeway Park

<b>PUBLIC BENEFIT CATEGORY</b>	<b>DESCRIPTION</b>	<b>BENEFIT TO BE PROVIDED</b>
	<b>Recreation Funding</b>	
<b>AFFORDABLE HOUSING FUNDING<sup>1</sup></b>	<b>Funding to Seattle Office of Housing</b>	\$15 million to the Seattle Office of Housing for the construction of permanently affordable housing units within the city that are proximate to jobs, transit, amenities, and services for specific populations

12. In addition to the conditions imposed through the vacation process, the project is subject to additional conditioning pursuant to various City codes including but not limited to SEPA.

13. The Petitioner has committed to meeting the following schedule for paying funds and implementing physical public benefit features to meet street vacation public benefit requirements. The Petitioner shall not request or be issued a first structural building permit, Certificates of Occupancy for each structure, or the final street vacation approval until the relevant physical public benefits have been implemented and relevant public benefit funds have been provided, as identified in this schedule.

**Public Benefit Schedule**

<b>Public Benefit</b>	<b>Timing of Public Benefit</b>
Implemented on-site improvements (on-site open spaces and elements above code) – Site A	On-site at Site A done at Certificate of Occupancy (C of O) for WSCC
Implemented on-site improvements (on-site open spaces and elements above code) – Site B	Any future Purchase and Sale Agreement (PSA) for Site B shall include the vacation conditions that require performance on Site B.

<sup>1</sup> As described in SDOT’s street vacation recommendation to the City Council, WSCC’s agreement to provide funding for housing is a voluntary action by the WSCC.

	<p>On-site improvements on Site B shall be done at C of O for Site B, which is anticipated to occur around the same time as C of O for the WSCC.</p> <p>If there is a delay on Site B, and the building is not complete, or construction is not substantially underway at the time of C of O for the WSCC, then Site B shall return to the Seattle Design Commission to share the interim condition.</p> <p>The requested interim condition shall be implemented.</p> <p>When Site B is built, then it shall be required to include the on-site public benefit elements. This requirement shall be documented in PSA (as noted above) and the PUDA, which gets recorded against the property.</p>
<p>Implemented on-site improvements (on-site open spaces and elements above code) – Site C</p>	<p>On-site at Site C done at C of O for WSCC.</p> <p>Even if the full tower will be built later on Site C, the ground-level uses and loading dock shall be operational at the same time as the WSCC. The MUP for Site A shall include a link/condition to the first level/phase of Site C.</p>
<p>Implemented off-site improvements (ROW improvements)</p>	<p>Completed at C of O for WSCC for ROW improvements adjacent to Site A, 9th Avenue (off-site), and Olive Way (off-site). For ROW improvements adjacent to Site C, the improvements shall be complete at C of O for the WSCC (see note above).</p> <p>For ROW improvements adjacent to Site B, done at C of O for Site B. If there is a delay on Site B, and the building is not complete, or construction is not substantially underway, then the project shall return to the Seattle Design Commission to share the interim condition.</p> <p>The requested interim condition shall be implemented. When Site B gets built, then the offsite ROW improvements adjacent to Site B shall be required. This requirement shall be documented in PSA (as noted above) and the PUDA, which gets recorded against the property.</p>
<p>Art</p>	<p>Completed at C of O for WSCC</p>

Landmarks lighting	Completed at C of O for WSCC
Housing funding (Office of Housing)	\$15 million at the first structural building permit for WSCC
Lid I-5 study funding (Office of Planning and Community Development)	First structural building permit for WSCC
Freeway Park funding (Seattle Parks and Recreation)	<p>First Payment: \$750,000 (for planning and activation); first structural building permit for WSCC</p> <p>Second Payment: \$1 million (for design); 6 months after the First Payment</p> <p>Third Payment: \$200,000 (for activation); 6 months after the Second Payment</p> <p>Fourth Payment: \$7.8 million (for construction); 6 months after the Third Payment</p> <p>Fifth Payment: \$250,000 (for activation); 3 months after the Fourth Payment</p>
Pike/Pine Renaissance Act 1 funding (Office of the Waterfront)	<p>First Payment: \$3 million; at WSCC shoring and excavation building permit</p> <p>Second Payment: \$7 million; by June 2019</p>
Bicycle Master Plan Implementation funding (SDOT)	<p>First Payment: \$1 million; at WSCC shoring and excavation building permit</p> <p>Second Payment: \$9 million; by June 2019</p>

14. The WSCC is encouraged to begin development within approximately 5 years of this approval and to complete all development activity within approximately 10 years. To ensure timely compliance with the conditions imposed by the City Council, the Petitioner



shall provide SDOT with quarterly reports following Council approval of the vacations that provide an update on the development activity, schedule, and progress on meeting the street vacation conditions and public benefit requirements. The Petitioner is encouraged to include information on its progress toward meeting its Woman- and Minority-Owned Business Enterprise and Priority Hire program goals as part of this reporting. The Petitioner shall not request or be issued a Final Certificate of Occupancy until SDOT has determined that all conditions have been satisfied, all fees have been paid as applicable, and public benefits have been provided consistent with conditions 11 and 13.

Signed by me in open session this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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President \_\_\_\_\_ of the City Council

**Amendment relating to affordable housing and bicycle funding**

Sponsor: Councilmember Teresa Mosqueda

The Washington State Convention Center (WSCC) has developed an agreement with the Community Package Coalition for a number of public benefits, some of which would be implemented after construction of the Convention Center project. Those public benefits are identified in the Community Package Coalition term sheet as Phase 2 and Phase 3 improvements. Phase 2 and Phase 3 public benefits are not included as street vacation public benefits.

Included in phase 2 is \$11 million provided to the Office of Housing to be used for affordable housing development and \$6 million for 8<sup>th</sup> Avenue bicycling improvements to be used for the section of 8<sup>th</sup> Avenue between Pike Street and Bell street. Phase 3 includes an additional \$3 million for affordable housing.

Since the SDOT recommendation was released, Councilmember Mosqueda has discussed the proposed public benefits with the WSCC. They have indicated that they can make earlier commitment to some public benefits that they had previously agreed to with the Community Package Coalition. Specifically, the WSCC has proposed:

1. Speeding up the delivery of \$14 million of funding for affordable housing (phase 2 and 3 funds);
2. Adding an additional \$1 million of housing for affordable housing, resulting in a total \$30 million of affordable housing as a street vacation public benefit; and
3. Speeding up the delivery of \$6 million of funding to implement bicycle improvements to 8<sup>th</sup> Avenue between Pike Street and Bell Street.

Amend the proposed Washington State Convention Center Addition street vacation conditions as follows:

PETITION OF WASHINGTON STATE CONVENTION CENTER FOR THE VACATION OF THE ALLEY IN BLOCK 33, HEIRS OF SARAH A. BELL'S 2ND ADDITION; THE ALLEY IN BLOCK 43, HEIRS OF SARAH A. BELL'S 2ND ADDITION; THE ALLEY IN BLOCK 44, HEIRS OF SARAH A. BELL'S 2ND ADDITION; THE SUBTERRANEAN PORTION OF TERRY AVENUE BETWEEN HOWELL STREET AND OLIVE WAY; AND THE SUBTERRANEAN PORTION OF OLIVE WAY BETWEEN 9TH AVENUE AND BOREN AVENUE ALL IN THE DENNY TRIANGLE NEIGHBORHOOD OF THE DOWNTOWN URBAN CENTER AREA OF SEATTLE

\* \* \*

11. The Petitioner shall provide and maintain the public benefit elements described below and as shown in materials present to the City Council Sustainability and Transportation Committee. A Property Use and Development Agreement (PUDA) or other binding mechanism is required to ensure that the public benefit elements remain open and accessible to the public. The PUDA shall establish the hours of public access for the various public benefit spaces, with temporary closures permitted for reasons such as maintenance, safety, or private functions and to outline future maintenance obligations of the improvements. Physical public benefits shall provide signage consistent with Condition 10. The final design of the public benefit elements requires review and approval by SDOT and the Design Commission. SDOT may request additional review by the Design Commission or a subcommittee of the Design Commission, for implementing the public benefit elements or other features of the project, as necessary. Public benefit elements in the right-of-way require additional Street Improvement Permit review, Street Use permits and indemnification; and public and private areas shall be clearly distinguished.

**Public Benefits**

<b>PUBLIC BENEFIT CATEGORY</b>	<b>DESCRIPTION</b>	<b>BENEFIT TO BE PROVIDED</b>
* * *		
<b>FUNDING NEIGHBORHOOD IMPROVEMENTS</b>	<b>Pike Pine Renaissance Act:1 Funding</b>	\$10 million to the Office of the Waterfront for implementation of the Pike Pine Renaissance Act:1
	<b>Bicycle Master Plan Funding</b>	<del>\$10</del> 16 million to SDOT for implementing the Bicycle Master Plan, <u>including \$6,000,000 for 8th Avenue Bicycling Improvements</u>
	<b>Lid I-5 Study Funding</b>	\$1.5 million to Seattle Office of Planning and Community Development for I-5 Lid Study
	<b>Freeway Park Association / Seattle Parks and Recreation Funding</b>	\$10 million to Seattle Parks Department to support efforts to repair, restore, and possibly enhance Freeway Park

PUBLIC BENEFIT CATEGORY	DESCRIPTION	BENEFIT TO BE PROVIDED
<b>AFFORDABLE HOUSING FUNDING<sup>1</sup></b>	Funding to Seattle Office of Housing	\$ <del>15</del> 30 million to the Seattle Office of Housing for the construction of permanently affordable housing units within the city that are proximate to jobs, transit, amenities, and services for specific populations

12. In addition to the conditions imposed through the vacation process, the project is subject to additional conditioning pursuant to various City codes including but not limited to SEPA.
13. The Petitioner has committed to meeting the following schedule for paying funds and implementing physical public benefit features to meet street vacation public benefit requirements. The Petitioner shall not request or be issued a first structural building permit, Certificates of Occupancy for each structure, or the final street vacation approval until the relevant physical public benefits have been implemented and relevant public benefit funds have been provided, as identified in this schedule.

**Public Benefit Schedule**

Public Benefit	Timing of Public Benefit
* * *	
Housing funding (Office of Housing)	\$ <del>15</del> 30 million at the first structural building permit for WSCC
* * *	
Bicycle Master Plan Implementation funding (SDOT)	First Payment: \$1 million; at WSCC shoring and excavation building permit  <u>Second Payment: \$6 million at the first structural building permit for WSCC</u>  <del>Second</del> <u>Third</u> Payment: \$9 million; by June 2019

<sup>1</sup> As described in SDOT’s street vacation recommendation to the City Council, WSCC’s agreement to provide funding for housing is a voluntary action by the WSCC.