

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

Version 2

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 9th 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 (NAVD 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 petition is granted subject to the Petitioner's compliance with 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, conveyance of easements, and execution of 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 approval 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. 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.

4. 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.
5. 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. A loading dock driveway on Howell Street on Site B;
 - 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;
 - c. A driveway on Olive Way on Site A; and
 - d. A driveway on Boren Avenue on Site A.
6. A single Transportation Management Plan (TMP) is required for the combined activities of the WSCC Addition 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 9th 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 tenants of the WSCC 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 may 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.
7. 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.
 8. 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:
 - a. Freight routing, including route restrictions such as the restriction on use of Terry Avenue north of Howell Street;
 - b. Communication plan for freight routing;
 - c. Staffing plans for the loading dock;
 - d. Using an off-site marshalling yard;
 - e. Managing of the vehicle doors on Boren Avenue and Terry Avenue;
 - f. Hours of operation for freight loading; and
 - g. Outlining a reporting process with the City and an enforcement process.
 9. 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.
 10. 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 9. 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,. 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

PUBLIC BENEFIT CATEGORY	DESCRIPTION	BENEFIT TO BE PROVIDED	
PHYSICAL PUBLIC BENEFITS	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	
	Additional Improvements Beyond Code		
	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	
	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		

PUBLIC BENEFIT CATEGORY	DESCRIPTION	BENEFIT TO BE PROVIDED
	Historic Building Lighting	Lighting of historic features on the Camlin Hotel and Paramount Theater to enhance the pedestrian experience
PUBLIC BENEFIT ART	BOREN AVENUE SCULPTURES	Artworks with integrated seating, lighting, landscaping
	9TH AVENUE + PIKE STREET ARTWORK	Large-scale artwork on a wall of the existing WSCC building
	Olive Way Artworks	Artworks at the five glass vitrines, potential extension to adjacent canopy
	Minimum Contribution toward public art	\$1.85 million for the projects described above
FUNDING NEIGHBORHOOD IMPROVEMENTS	Pike Pine Renaissance Act:1 Funding	\$10 million to the Office of the Waterfront for implementation of the Pike Pine Renaissance Act:1
	Bicycle Master Plan Implementation Funding	\$16 million to SDOT to implement the Bicycle Master Plan, which includes \$6 million for 8 th Avenue Bicycling Improvements
	Lid I-5 Study Funding	\$1.5 million to Seattle Office of Planning and Community Development for I-5 Lid Study
	Freeway Park Association / Seattle Parks and Recreation Funding	\$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
AFFORDABLE HOUSING FUNDING¹	Funding to Seattle Office of Housing	\$30 million to the Seattle Office of Housing for the construction of permanently affordable housing units within the city that are near jobs, transit, public amenities, and services for specific populations

11. 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.
12. The Petitioner shall meet the following schedule for paying funds and implementing physical public benefit features. 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 paid, as identified in this schedule.

Public Benefit Schedule

Public Benefit	Timing of Public Benefit
Implemented on-site improvements (on-site open spaces and elements above code) – Site A	Prior to issuance of a Certificate of Occupancy (C of O) for construction of the WSCC addition
Implemented on-site improvements (on-site open spaces and elements above code) – Site B	<p>Any future Purchase and Sale Agreement (PSA) for Site B shall include the vacation conditions that require performance on Site B.</p> <p>Prior to issuance of a C of O for Site B.</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 present the interim condition.</p>

¹ 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>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>Prior to issuance of a C of O for construction of the WSCC addition.</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 C of O for the WSCC addition. 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 present 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>
<p>Landmarks lighting</p>	<p>Completed at C of O for WSCC</p>

Housing funding (Office of Housing)	\$30 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: \$6 million at the first structural building permit for WSCC</p> <p>Third Payment: \$9 million; by June 2019</p>

13. 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 10 and 12.

14. If the WSCC sends a request to King County to close the Downtown Seattle Transit Tunnel (DSTT) to buses in March 2019, the WSCC shall provide \$50,000 to SDOT when the closure request is sent to King County. SDOT shall use the funds to analyze the impacts of closing the DSTT on transit service on 2nd, 3rd, and 4th Avenues between Jackson and Stewart Streets. The analysis shall identify transit spot improvements with the greatest benefits for increasing transit travel times and rider experience. In addition to the \$50,000 in analysis funds, the WSCC shall provide up to \$1 million to SDOT to mitigate transit impacts subject to the following:
- a. In the second week after closing the DSTT to buses, average peak-hour bus travel times increase by one or more minutes on 2nd, 3rd or 4th Avenues between Jackson Street and Stewart Street.
 - b. Before receiving any funds beyond the \$50,000 in analysis funds, SDOT shall present the WSCC with an itemized list of improvements to be funded with the \$1 million.
 - c. The funds shall only be used for transit spot improvements as described in SDOT's April 27, 2018 letter to Councilmember O'Brien, and as identified in SDOT's impact analysis as providing the greatest impact for transit travel times and rider experience. Examples of spot improvements include but are not limited to:
 - i. Bus lane upgrades;
 - ii. Transit signal priority/queue jumps;
 - iii. Extended or expanded 3rd Avenue transit-only restriction; or
 - iv. Bus zone improvements.

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

President _____ of the City Council