



Legislation Text

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File #: CB 119087, Version: 2

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to the sale and redevelopment of City-owned property located at 318 Fairview Avenue North; authorizing the execution of a Purchase and Sale Agreement and other documents necessary to implement the sale and redevelopment of such property; exempting the sale of such property from the requirements of Resolution 29799, as amended by Resolution 30862; and authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of The City of Seattle a bargain and sale deed for a condominium unit to be constructed on the property.

WHEREAS, the City acquired the property located at 318 Fairview Avenue North (“Property”) pursuant to Ordinance 122044 in 2006, and has used it continuously since that time as a streetcar operations and maintenance facility (“Facility”); and

WHEREAS, as part of the Center City Connector Streetcar Project, the City intends to expand the Facility upon the at-grade portion of the Property; and

WHEREAS, in July of 2017 the City received an unsolicited letter of interest from SCD Acquisitions West LLC (“Skanska”) to purchase the residual development rights associated with the Property to use the available portions above and below the expanded Facility as part of a planned office project adjacent to the Facility; and

WHEREAS, Skanska is negotiating for the purchase of two other properties on the same half-block as the Property, which puts Skanska in a unique position to fully develop the underutilized half-block; and

WHEREAS, the proposal contemplates that, after conveyance of the Property, Skanska will create a two-unit condominium comprising a Facility Unit and an Office Unit, and will thereafter immediately convey the Facility Unit to the City at no cost; and

WHEREAS, the City and Skanska have determined through engineering analysis that Skanska's development can be constructed and operated in a manner that will not interfere with the current and planned operation of the Facility and the levels of service of the South Lake Union and Center City Connector streetcars; and

WHEREAS, once the City completes the expansion of the Facility as anticipated, the ability to use the above- and below-grade property will become constrained and thus unlikely; NOW, THEREFORE,

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

Section 1. The Director of the Seattle Department of Transportation ("Director"), or the Director's designee, is authorized to sell to SCD Acquisitions West LLC, or such affiliated assignee as the Director may approve ("Skanska"), the property located at 318 Fairview Avenue North in the City of Seattle ("Property") and legally described as follows:

Parcel A:

Lots 1 and 2, Block 3, Fairview Homestead Association for the Benefit of the Mechanics and Laborers, according to the plat thereof records in Volume 1 of Plats, page(s) 119, in King County, Washington.

Parcel B:

Lot 3, Block 3, Fairview Homestead Association for the Benefit of the Mechanics and Laborers, according to the plat thereof records in Volume 1 of Plats, page(s) 119, in King County, Washington.

Parcel C:

The North half of Lot 5 and all of Lot 4, Block 3, Fairview Homestead Association for the Benefit of the Mechanics and Laborers, according to the plat thereof records in Volume 1 of Plats, page(s) 119, in King County, Washington.

consistent with the terms and conditions set forth in the Purchase and Sale Agreement by and between The City of Seattle and Skanska attached to this ordinance as Attachment A ("Agreement").

Section 2. In order to carry out the sale authorized in Section 1 of this ordinance, the Director of the Seattle Department of Transportation or the Director's designee is authorized to execute the Agreement, in substantially the form attached hereto as Attachment A, with such minor revisions and additions, not

inconsistent with the express terms of this ordinance or with applicable law, as the Director may determine are reasonably necessary to carry out the intent of this ordinance.

Section 3. To carry out the Agreement for and on behalf of the City, the Director is authorized to execute such instruments of conveyance and other documents in connection therewith, including without limitation a deed for the Property in substantially the form attached to the Agreement as Exhibit B, and to cause such documents to be delivered to Skanska and recorded in the real property records of King County, all pursuant to the terms of the Agreement.

Section 4. The Director is also authorized to execute, when completed, a development agreement and related documents contemplating the creation of a two-unit condominium and conveyance of a condominium unit to the City for the Facility, and to acquire, accept, and record on behalf of the City a bargain and sale deed for the Facility Unit. The development agreement shall be consistent with the term sheet attached as Exhibit E to the Agreement.

Section 5. Proceeds from the transaction authorized herein shall be deposited into the Transportation Operating Fund (10310) and the Streetcar Operating Fund (10810). None of the property proceeds may be expended until authorized by future Ordinance.

Section 6. The sale of the property authorized in Section 1 of this ordinance is exempted from compliance with the property disposition policies and procedures set forth in Resolution 29799, as amended by Resolution 30862.

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

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

Attachments:  
Attachment A - Purchase and Sale Agreement