

Lish Whitson

Date: November 12, 2021

Version: 1

Amendment 2

to

Council Conditions for Clerk File 314459

Sponsor: CM Pedersen

Provide flexibility in how space is provided to the Cultural Space Agency

This amendment amends condition 9 to the Council's conditional approval of the Grand Street Alley Vacation, as follows:

9. Additional review by the SDC shall include the following:

- If any substantive changes are proposed to elements of the public benefit package, including funding associated with any public benefit feature, removing, relocating, or changing the type of design features for the plaza or related right-of-way improvements, the size and orientation of any spaces provided for cultural or artistic activities, or any changes to the proposed street furniture, paving, landscaping, lighting, or any other similar feature, the revisions shall be brought to the SDC for review and approval. The review and approval by the SDC shall occur before issuing any associated street use permit or a building permit for GSC South needed to install or implement any such elements.
- Before issuing any Certificate of Occupancy for GSC South, the SDC's Executive Director shall review and approve the agreement to between the Office of Arts & Culture and the Cultural Space PDA to create a condominium or otherwise set aside for the life of the building a space of approximately 1,500 square feet for the PDA to use as a community focused space that will help activate the public plaza throughout the year.
- Within 180 days of issuing a building permit associated with GSC South (MUP 3035498-LU) the SDC shall review and approve the final Cultural Expression and Public Art Plan developed as a part of the vacation public benefit package. A member of the SDC shall be a voting member in the selection of artists.
- Funds used to create items of cultural expression to be incorporated into the plaza designs shall result in the creation of elements that have a long-term or permanent quality as opposed to items that are temporary in nature.

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Effect:

A condition of vacating an alley to facilitate the development of an affordable housing project by Mount Baker Housing Association (MBHA) is to provide a 1,500 square foot space rent free to the Cultural Space Agency (CSA) for cultural activities. The proposed conditions implied that the space would be a condominium. However, MBHA and the CSA are still discussing the best way to transfer the space. In addition to creating a condominium they are also exploring using a structure like a 99-year lease that would ensure that space would be available for the life of the building. MBHA has asked for this amendment to provide flexibility to create the most appropriate structure for both parties.