



## Legislation Text

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**File #:** CB 118440, **Version:** 1

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**CITY OF SEATTLE**  
**ORDINANCE** \_\_\_\_\_  
**COUNCIL BILL** \_\_\_\_\_

AN ORDINANCE relating to the sale of City real property for residential development; authorizing the sale of the site located at 6<sup>th</sup> Avenue and Yesler Way to Stream Real Estate, LLC; authorizing the Director of Housing to execute, deliver, and administer the contract for sale of land, deed, and related documents; authorizing other actions related to the disposition and use of the property; and ratifying and confirming certain prior acts.

WHEREAS, the City of Seattle accepted King County Parcel 524780-1526 from King County in 1995 as part of a multi-parcel land trade; and

WHEREAS, Section 3 of Ordinance 117630, authorizing the City's acceptance of the parcel, stated that King County was "conveying [the property] to the City of Seattle for housing, redevelopment, or community garden purposes"; and

WHEREAS, the City of Seattle's Office of Housing presently has jurisdiction over this parcel of approximately 7,200 square feet; and

WHEREAS, the Office of Housing has determined that the parcel's present use, as a public parking lot, is of lesser public benefit than its potential to provide housing that is affordable to low-income persons; and

WHEREAS, the Office of Housing, in cooperation with the Department of Finance and Administrative Services, contracted for and obtained an appraisal of the property, which established its fair market value as \$1.44 million; and

WHEREAS, the Office of Housing has determined that a private housing developer intends to construct housing upon the adjoining parcel and would be interested in expanding his project to encompass the City-owned parcel; and

WHEREAS, the private housing developer has agreed to restrict rents and income levels at the adjoining parcel as part of a linkage agreement, as provided for in Seattle Municipal Code 23.49.012, for 50 years; and WHEREAS, representatives of the Office of Housing have successfully negotiated an agreement whereby the private developer will pay fair market value for the property presently owned by the Office of Housing and provide additional consideration in the form of public benefit; NOW, THEREFORE,

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

Section 1. The Director of the Office of Housing (“Director”) is authorized to enter into, enforce, and perform an agreement (“Agreement”) with Stream Real Estate, LLC (“Purchaser”) for the transfer of property legally described as:

The East half of Lots 7 and 8, Block 31, Town of Seattle, as laid out by D.S. Maynard, commonly known as D.S. Maynard’s Plat of Seattle, according to the plat thereof recorded in Volume 1 of Plats, page 23, in King County, Washington

(the “Property”). This transfer is subject to the terms and conditions in the form of the Purchase and Sale Agreement attached to this ordinance as Attachment A, with any revisions or additions that are not inconsistent with the terms of this ordinance or applicable law, as the Director may determine are reasonably necessary to carry out the intent of this ordinance. The sale price for the Property is \$1,440,000.

Section 2. All residential units provided through construction on the Property and adjoining King County Parcel 524780-1525 shall be offered as rental housing with occupancy limited to households with incomes no greater than 80 percent of median income. Rent levels shall be restricted to no greater than 30 percent of 80 percent of median income. For purposes of this section, median income shall mean the annual median family income for the statistical area or division thereof including Seattle for which median family income is published from time to time by the U.S. Department of Housing and Urban Development, with adjustments according to household size in a manner determined by the Director.

Section 3. The Director is authorized to execute the proposed Housing Use Covenant in substantially the

same form as Attachment B to this ordinance. The Director is further authorized to execute and deliver such additional documents, which may include amendments to the Agreement, and to take other actions as may be necessary or appropriate to implement the intent of the ordinance and to administer and enforce the Agreement, covenants, and any other related documents, except that those changes to the Use Covenant as specified in Section 13 of the Use Covenant shall be approved by ordinance.

Section 4. Proceeds from the sale of the Property authorized in this ordinance shall be used to reimburse costs incurred and paid by the Office of Housing in connection with the sale. 90 percent of the proceeds shall be deposited in the Office of Housing's Low-Income Housing Fund, 16400. These funds shall be prioritized for developing or preserving housing for which occupancy is limited to households with incomes no greater than 30 percent of annual median family income for the statistical area or division thereof including Seattle for which median family income is published from time to time by the U.S. Department of Housing and Urban Development, with adjustments according to household size in a manner determined by the Director and for which housing costs shall not exceed 30 percent of 80 percent of annual median family income as described above in this Section 4. Ten percent of the proceeds shall be deposited in the Office of Housing's Operating Fund, 16600, to cover administrative costs associated with expending the proceeds.

Section 5. The sale of this property is exempted from compliance with the property disposition policies and procedures previously or hereafter contained in or adopted by resolution, including Resolution 29799 as amended by Resolution 30862.

Section 6. Nothing in this ordinance is intended or shall be construed to require that the City exercise its authority under its regulatory ordinances to permit the development of the Property as contemplated by this ordinance or the Agreement, nor binds the City to do so.

Section 7. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 8. 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 \_\_\_\_\_, 2015, and  
signed by me in open session in authentication of its passage this  
\_\_\_\_ day of \_\_\_\_\_, 2015.

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

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

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Monica Martinez Simmons, City Clerk

(Seal)

Attachment A: Purchase and Sale Agreement for Sale of Real Property

Attachment B: Housing Use Covenant