

CITY COUNCIL AGENDA TOPIC

Public Hearing and action on Resolution authorizing the execution of documents necessary in support of the removal of restrictive residential covenants on a city owned property known as Lot 19 of the Woodridge Division No. 3, located at 12020 SE 11th Street (formerly the “Ollis Property”).

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Parks & Community Services

EXECUTIVE SUMMARY**ACTION**

Public Hearing to solicit input on the proposal to remove restrictive residential covenants. If approved, the Resolution would authorize the execution of documents necessary for the removal of said covenants to allow the property to be developed for public use, which includes a trail access from the Woodridge neighborhood to the Eastrail regional trail project and is deemed in the best interest of the public. The plat’s covenants may be amended and released with written consent of the majority of owners of the lots. The city’s execution of the release document as the owner of Lot 19 contributes to the majority of signatures required for this covenant removal.

RECOMMENDATION

Hold the public hearing and move to adopt Resolution No. 10411

BACKGROUND/ANALYSIS

The Eastrail regional trail project is converting a previously used railroad corridor into a regional multi-use trail throughout East King County. When complete, the trail will extend 42 miles from Renton, north through Bellevue and Kirkland, to Woodinville, and the City of Snohomish with a spur connection to Redmond. King County Parks is currently rehabilitating and retrofitting the Wilburton Trestle for trail use. When opened, this segment of Eastrail will connect the Woodridge neighborhood to Mercer Slough Nature Park to the south and the Wilburton neighborhood to the north.

The City has received frequent requests for access to Eastrail from the Woodridge neighborhood, including during Neighborhood Enhancement Program (NEP) engagement and other communications to staff. In response to these requests, on November 8, 2021, the City Council approved the acquisition of the Ollis Property under Resolution No. 10015. This property is Lot 19 of the Woodridge Division No.

3 Plat. The plat is subject to recorded Covenants, Conditions, and Restrictions (CC&Rs) that restrict development on lots within the plat to single-family residences. While Bellevue Land Use Code would permit development of a city park on this property, the CC&Rs do not allow for non-residential use. To proceed with planning, design, and development of a trail connection for public use, it is necessary to remove the restrictive residential covenants on the Ollis Property. This change is accomplished by an amendment to the CC&Rs that is signed by the majority of lot owners within the Woodridge Division No. 3 plat. Community engagement with the property owners of the plat is underway with signatures being collected to meet this requirement.

For the City, as a property owner, State law requires a public notice and public hearing on a proposal to remove restrictive covenants from property owned by the City before the action is finalized. On July 9, the City Council approved Resolution No. 10393 setting a time and location for a public hearing to provide an opportunity for the public to comment on the proposed removal of restrictive residential covenants on the Ollis Property.

This public hearing was advertised in the newspaper of record. Notices were also sent to the property owners within 500-foot radius of the Ollis Property and all lot owners within the Woodridge Division No. 3.

Following the hearing, staff will request Council action on a proposed Resolution authorizing the execution of documents necessary as one of the majority lot owner signatures required for the removal of restrictive residential covenants on the Ollis Property.

POLICY & FISCAL IMPACTS

Policy Impact

RCW 35A.21.410: Any code city must hold a public hearing upon a proposal to remove, vacate, or extinguish of restrictive covenants from property owned by the code city before the action is finalized.

Under BCC 4.32.060, sales of real property including interest in property shall be submitted to the council for approval.

Comprehensive Plan: Connecting Bellevue's parks and trails to the regional system of nearby state, King County and neighboring city parks, greenways, trails and facilities (PA-4) and the potential transportation and recreation uses under consideration for the Eastside Rail Corridor when considering public and private improvements adjacent to and across the corridor and preserve the opportunity for future multi-modal transportation use and access (TR-118).

Fiscal Impact

Removal of the restrictive residential covenants has no fiscal impact to the City.

OPTIONS

1. Hold the Public Hearing and adopt the Resolution authorizing the execution of documents necessary in support of the removal of restrictive residential covenants on a city owned property

known as Lot 19 of the Woodridge Division No. 3, located at 12020 SE 11th Street (formerly the “Ollis Property”).

2. Hold the Public Hearing do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

- A. Vicinity Map
Proposed Resolution No. 10411

AVAILABLE IN COUNCIL LIBRARY

Proposed Release of Protective Covenants