

**CITY COUNCIL REGULAR SESSION**

Resolution authorizing execution of temporary licenses with Case Three Properties LLC (Mod Pizza) and 321 Bellevue Way NE LLC (Bellevue Rare Coins) for use of City property in the Downtown Park subject to Council approval of an upcoming right-of-way vacation of a portion of the alley between Downtown Park and 104th Avenue NE, south of NE 4th street.

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*Parks & Community Services Department*

**EXECUTIVE SUMMARY**

This Resolution authorizes execution of temporary licenses with two private property owners for use of City-owned park property, subject to Council approval of an upcoming right-of-way vacation of a portion of the alley between Downtown Park and 104<sup>th</sup> Avenue NE, south of NE 4<sup>th</sup> street.

**RECOMMENDATION**

Move to adopt Resolution No. 9616.

If approved, effective date: 06/17/2019

**BACKGROUND/ANALYSIS**

Completing construction of the Downtown Park's NE Gateway is one of the City Council's Vision Priorities, and design is already underway. Located at one of downtown Bellevue's prominent intersections, Bellevue Way and NE 4th St, this park entry remains unfinished, leaving little connection with the downtown area and resulting in it going largely unnoticed. This project seeks to establish a prominent and welcoming entry to the Downtown Park and create a key focal point along the Grand Connection.

The ability to create a prominent and welcoming entry is complicated by the presence of a 12-foot-wide one-lane alley that bisects the NE corner of the Downtown Park. The alley is a dedicated right-of-way currently used as an access to NE 4<sup>th</sup> Street by customers and service vehicles of two adjacent businesses, Mod Pizza and Bellevue Rare Coins. Retaining this right-of-way as it currently exists would create frequent vehicle-pedestrian conflicts and be a physical intrusion and eyesore to the future Gateway. Closing and vacating the northern end of the right-of-way is key to the success of the Gateway project and in the best interest of the park and City.

Throughout the design process, the neighboring private property owners, Case Three Properties LLC (Mod Pizza) and 321 Bellevue Way NE LLC (Bellevue Rare Coins), have been consulted on how plans for the redevelopment of the NE corner of Downtown Park could impact their properties. Maintaining vehicle access and parking for customers and service vehicles has been a primary point of discussion. To mitigate the potential traffic circulation issues associated with closing the northern end of the right-of-way to vehicles, Parks proposed utilizing a portion of the eastern edge of the Downtown Park

(approximately 1,180 square feet) to widen the existing drive aisle behind the two adjacent properties. The property owners agreed to this proposal and worked with City staff to develop a temporary use license that sets out terms and conditions for access and use of the portion of the widened drive aisle on City property. The widened drive aisle will also be accessible to the public as well as improving the City's access to the Downtown Park for maintenance and construction purposes. If Council approves the right-of-way vacation of the northern end of the alley that will be proposed later this year, Parks will execute the temporary use licenses with the two property owners. The licenses will remain in effect until use of the widened drive aisle is no longer necessary and/or until redevelopment of the properties.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

Comprehensive Plan: Parks, Recreation & Open Space

PA-1: Establish a coordinated and connected system of open space and greenways throughout the city that provide multiple benefits including preserving natural systems, protecting wildlife habitat and corridors, and providing land for recreation.

PA-35: Develop parks and facilities in a quality manner to assure attractiveness, full utilization, and long-term efficiency.

### **Fiscal Impact**

The required staff preparation and research time is accommodated within existing operating budgets. The estimated cost to widen the existing access drive is \$10,000. There is sufficient funding in the 2019-2025 CIP Plan P-AD-100 (Downtown Park Gateway) to fund this project.

## **OPTIONS**

1. Adopt the Resolution authorizing execution of temporary licenses with Case Three Properties LLC (Mod Pizza) and 321 Bellevue Way NE LLC (Bellevue Rare Coins) for use of City property in the Downtown Park subject to Council approval of an upcoming right-of-way vacation of a portion of the alley between Downtown Park and 104th Avenue NE, south of NE 4th street.
2. Do not adopt the Resolution and provide alternative direction to staff.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Site Diagram
  - B. CIP Project Description
- Proposed Resolution No. 9616

## **AVAILABLE IN COUNCIL LIBRARY**

Temporary Use License with Case Three Properties LLC  
Temporary Use License with 321 Bellevue Way NE LLC