

CITY COUNCIL REGULAR SESSION

Resolution initiating vacation of a portion of the alley between Downtown Park and 104th Avenue NE, south of NE 4th Street; and setting a time and place for a hearing to consider such a vacation.

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EXECUTIVE SUMMARY

This Resolution initiates the process and sets the public hearing date for a street vacation requested by the City of Bellevue Parks and Community Services Department for a portion of the alley between Downtown Park and 104th Avenue NE, south of NE 4th Street.

RECOMMENDATION

Move to adopt Resolution No. 9632.

If approved, effective date: 07/15/2019

BACKGROUND/ANALYSIS

The unnamed alley that is the subject of this proposed street vacation runs through a portion of Downtown Park near the northeast corner of the park. The alley is 12 feet in width and was dedicated as public right of way on July 8, 1937 by Hamley's Replat of Tract 2 Sharps Subdivision of Cheriton Fruit Gardens. The City of Bellevue Parks and Community Services Department owns property on both sides of the area to be vacated. The vacation of this portion of the alley would allow the area to be incorporated into the Parks and Community Services Department's proposed Downtown Park Northeast Corner Gateway project, which will function as a main entry into the Downtown Park and serve as a focal point for the City's Grand Connection, the City's envisioned pedestrian-oriented corridor that links Meydenbauer Bay Park to the Wilburton Special Opportunity District. The Downtown Park Northeast Corner Project is identified in the Grand Connection Art and Cultural Plan as a "key gateway for Bellevue and the Grand Connection route and an important transition from Downtown Bellevue into a more intimate environment of the Park and ultimately Old Bellevue." Additionally, the Plan identifies this location as an opportunity for a gateway between the bustling downtown and the natural elements of the Park, further suggesting this as a setting for a major public art opportunity.

To mitigate the impact of closing this end of the alley, the Parks and Community Services Department is proposing to execute temporary licenses with the two impacted properties, Case Three Properties LLC (Mod Pizza) and 321 Bellevue Way NE LLC (Bellevue Rare Coins), for the use of City property in the Downtown Park to maintain vehicle access and parking for customers and service vehicles. On

June 17, 2019, by Resolution No. 9616, Council authorized the execution of these temporary licenses if and when the alley between Downtown Park and 104th Avenue NE, south of NE 4th street is vacated.

City Departments have reviewed the proposed street vacation, which will also be reviewed by franchise utilities for easements that would need to be reserved prior to vacating the right-of-way.

If Council adopts the recommended Resolution initiating a street vacation pursuant to BCC 14.35.060, staff will return on August 5 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed street vacation. Following that hearing, staff will request Council action on a proposed Ordinance authorizing the street vacation.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

BCC 14.35.070 requires that Council hold a public hearing to consider the vacation, to hear any person wanting to speak for or against the vacation, and to pass an ordinance accomplishing the vacation, if appropriate. Staff will gather information and prepare findings to assist the Council in the discussion of the vacation. Following the hearing, the Council shall determine:

- a. Whether a change of use or vacation of the described portion will better serve the public good; or
- b. Whether the street or portion thereof is no longer required for public use; or
- c. Whether the use thereof as a public way is of such benefit as not to justify the cost of maintenance; or
- d. Whether the substitution of a new and different thoroughfare would be more useful to the public; or
- e. Whether conditions may so change in the future as to provide a greater public use or need than presently exists; and
- f. Whether objections to the proposed vacation are made by owners of private property (exclusive of the petitioners) abutting the same.

BCC 14.35.050 requires the public hearing be held at a time not more than 60 days, nor less than 20 days, after the date of passage of a resolution establishing the hearing date.

Fiscal Impact

This action requires staff preparation and research time, which can be accommodated within the existing operating budget.

OPTIONS

1. Adopt the Resolution initiating vacation of a portion of the alley between Downtown Park and 104th Avenue NE, south of NE 4th Street; and setting a time and place for a hearing to consider such a vacation.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

A. Proposed right-of-way vacation location map
Proposed Resolution No. 9632

AVAILABLE IN COUNCIL LIBRARY

N/A