

**CITY COUNCIL REGULAR SESSION**

Ordinance approving the vacation of a portion of the alley between Downtown Park and 104th Avenue NE, south of NE 4th Street and authorizing conveyance of easements to Puget Sound Energy and Century Link within the vacation area.

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**EXECUTIVE SUMMARY**

This Ordinance is requesting Council to approve the 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 and authorizing conveyance of easements to Puget Sound Energy and Century Link within the vacation area.

**RECOMMENDATION**

Move to adopt Ordinance No. 6505.

**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 and is 12 feet in width. 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 department's proposed Downtown Park Northeast Corner Gateway project. The Downtown Park Northeast Corner Gateway 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."

On July 15, 2019 Council approved Resolution No. 9632 setting August 5, 2019 as the date for a public hearing to take public comment on the requested street vacation. At the August 5, 2019 public hearing no public comments were received. Following the hearing, Council directed staff to return at a future meeting with an Ordinance to approve the proposed street vacation.

The City will convey easements to Puget Sound Energy and Century Link for existing franchise utilities within the area being vacated and record the license with Bellevue Rare Coins and Mod Pizza that was approved by Council on June 17, 2019 by Resolution No. 9616.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

#### Bellevue City Code

BCC 14.35.090 states that "...the Council may, by ordinance and subject to provisions of this code regarding payment of compensation, vacate such street, alley or part thereof reserving to the City an easement or the right to exercise and grant easement vacated land for the construction, repair, and maintenance of public utilities and services and may impose such other conditions or limitations as it deems necessary and proper to preserve any desired public use or benefit."

Pursuant to BCC 14.35.070 Council determined the following criteria were met to approve this proposed street vacation: a) a change of use or vacation of the described portion will better serve the public good; e) conditions may so change in the future as to provide a greater public use or need than presently exists; and f) no objections to the proposed vacation were made by owners of private property abutting the same.

### **Fiscal Impact**

This action requires staff preparation and research time, which can be accommodated within the existing operating budget. The petitioner is the City of Bellevue and therefore no petition is submitted. It has been determined that this right-of-way is Class III per Bellevue City Code 14.35.120 and that no compensation is required.

## **OPTIONS**

1. Adopt the Ordinance approving the vacation of a portion of the alley between Downtown Park and 104th Avenue NE, south of NE 4th Street and authorizing conveyance of easements to Puget Sound Energy and Century Link within the vacation area.
2. Do not adopt the Ordinance and provide alternative direction to staff. The aforementioned right-of-way would remain public right-of-way.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Proposed right-of-way vacation location map  
Proposed Ordinance No. 6505

## **AVAILABLE IN COUNCIL LIBRARY**

- Puget Sound Energy Easement  
Century Link Easement