



CITY OF SEATTLE

ORDINANCE ~~12519~~ 124549

COUNCIL BILL 118129

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3  
4 AN ORDINANCE relating to the 23<sup>rd</sup> Avenue Corridor Improvements project; transferring  
5 jurisdiction of a portion of Lot 1, Block 2, Sander-Boman Real Estate Co.'s 1<sup>st</sup> Addition  
6 to the City of Seattle, from the Department of Parks and Recreation to the Department of  
7 Transportation; laying-off, opening, widening, extending, establishing, and designating  
8 the property for street purposes; superseding requirements of Ordinance 118477; and  
9 ratifying and confirming certain prior acts.

10 WHEREAS, in 1973, real property located at the southwest corner of 23<sup>rd</sup> Avenue and East  
11 Jefferson Street ("Property") was acquired by the City of Seattle, as authorized by  
12 Ordinance 102101 and as amended by Ordinance 102915, and accepted by Ordinance  
13 104089 in 1974 for the proposed construction of a pedestrian overpass; and

14 WHEREAS, in 1985, the overpass project was abandoned and jurisdiction of the Property was  
15 transferred by Ordinance 112605 from the Department of Transportation ("SDOT")  
16 (formerly known as the Engineering Department) to the Department of Parks and  
17 Recreation ("DPR"), for use as auxiliary parking for Medgar Evans Pool; and

18 WHEREAS, currently the Property still provides auxiliary parking for the Garfield Playfield,  
19 Garfield Community Center, and Medgar Evers Pool; and

20 WHEREAS, a small portion of the Property is needed for the 23<sup>rd</sup> Avenue Corridor  
21 Improvements project (the "Project"); and

22 WHEREAS, the primary goals of the Project are to replace the pavement to extend the life of the  
23 roadway and to enhance transit operations by providing new signal and transit  
24 technologies along with key improvements to enhance the pedestrian environment for  
25 this multi-modal corridor such as: expanded sidewalks, upgraded traffic signals, upgraded  
26 lighting, improved transit speed and reliability, and bus stop improvements; and

27 WHEREAS, planned Project improvements include widening the existing sidewalk and  
28 rebuilding the existing curb ramps and landings to meet current ADA requirements and  
widening the transit turn at the intersection of 23<sup>rd</sup> Avenue and East Jefferson Street to  
increase transit mobility; and

WHEREAS, to implement such improvements it is necessary for the City to lay off a portion of  
the Property for street purposes at the intersection of 23<sup>rd</sup> Avenue and East Jefferson  
Street and place it under SDOT's jurisdiction; NOW, THEREFORE,

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

2 Section 1. Jurisdiction of the following described property is transferred from DPR to  
3 SDOT:

4  
5 That certain parcel of land situated in the City of Seattle, County of King,  
6 state of Washington, being that portion of Lot 1, Block 2, Sander Boman  
7 Real Estate Co.'s 1st Addition to the City of Seattle according to the plat  
8 thereof, recorded in Volume 3 of Plats, page 114, Records of King  
9 County, Washington, situated in the Southeast quarter of the Southwest  
10 quarter of Section 33, Township 25 North, Range 4 East, W.M., described  
11 as follows:

12 Beginning at the NE corner of said Lot 1;

13 Thence along Easterly line of said lot, South 01°15'48" West 19.44 feet;

14 Thence North 29°31'44" West 22.61 feet to the Northerly line said lot;

15 Thence along said Northerly line, South 88°50'27" East 11.58 feet to the  
16 Point of Beginning.

17 Containing: 112.5 square feet, more or less, and comprising a portion of  
18 tax parcel No. 754480-0095.

19 Section 2. SDOT shall pay DPR \$8,286 for the property acquired as described in  
20 Section 1 of this ordinance. The money shall be deposited in the Parks and Recreation  
21 Fund.

22 Section 3. The portion of the Property described in Section 1 is hereby laid off,  
23 opened, widened, extended, and established as street right-of-way.

24 Section 4. The following provisions of Ordinance 118477, which adopted  
25 Initiative 42, shall not apply to the actions authorized by this ordinance:

26 Section 1. All lands and facilities held now or in the future by The  
27 City of Seattle for park and recreation purposes, whether designated as  
28 park, park boulevard, or open space, shall be preserved for such use; and no

1 such land or facility shall be sold, transferred, or changed from park use to  
2 another usage, unless the City shall first hold a public hearing regarding the  
3 necessity of such a transaction and then {sic} enact an ordinance finding  
4 that the transaction is necessary because there is no reasonable and practical  
5 alternative and the City shall at the same time or before receive in exchange  
6 land or a facility of equivalent or better size, value, location and usefulness  
7 in the vicinity, serving the same community and the same park purposes.

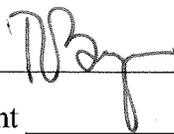
8 Section 3. Section 1 permits by duly enacted ordinance after a  
9 public hearing: a boundary adjustment of equivalents with an adjoining  
10 owner; or the transfer of a joint use agreement with Seattle School District  
11 No. 1 to another school site. Section 1 also permits by duly enacted  
12 ordinance after a public hearing and without providing replacement  
13 property: a transfer to the federal, state, or county governments for park  
14 and recreation uses; the reversion of right-of-way continuously owned by a  
15 City utility; the opening of an unimproved street for street use; a sub-  
16 surface or utility easement compatible with park use; and franchises or  
17 concessions that further the public use and enjoyment of a park.

18 Section 4. This ordinance shall take effect as provided by Article  
19 IV, Section 1 of the City Charter. However, if the City should sell,  
20 transfer, or change the use to a non-park use of any park property held on  
21 or after May 17, 1996 (including Bradner Playfield), the City shall replace  
22 it in kind with equivalent or better property or facilities in the same  
23 vicinity, serving the same community, unless the City has already received  
24 as good or better land and facilities for park use in the same vicinity,  
25 serving the same community, in exchange for that transaction.

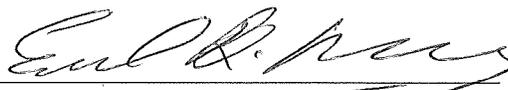
1 Section 5. Any act consistent with the authority and prior to the effective date of  
2 this ordinance is ratified and confirmed.

3 Section 6. This ordinance shall take effect and be in force 30 days after its approval by  
4 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
5 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

6 Passed by the City Council the 2nd day of September, 2014, and  
7 signed by me in open session in authentication of its passage this  
8 2nd day of September, 2014.

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10   
11 President \_\_\_\_\_ of the City Council

12  
13 Approved by me this 5<sup>th</sup> day of September, 2014.

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15   
16 Edward B. Murray, Mayor

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18 Filed by me this 5<sup>th</sup> day of September, 2014.

19  
20   
21 Monica Martinez Simmons, City Clerk

22 (Seal)

**FISCAL NOTE FOR CAPITAL PROJECTS ONLY**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Department of Transportation	Larry Huggins/684-5001	Doug Palmer/684-5266

**Legislation Title:**

AN ORDINANCE relating to the 23<sup>rd</sup> Avenue Corridor Improvements project; transferring jurisdiction of a portion of Lot 1, Block 2, Sander-Boman Real Estate Co.'s 1<sup>st</sup> Addition to the City of Seattle, from the Department of Parks and Recreation to the Department of Transportation; laying-off, opening, widening, extending, establishing, and designating the property for street purposes; superseding requirements of Ordinance 118477; and ratifying and confirming certain prior acts.

**Summary and background of the Legislation:**

This legislation transfers jurisdiction of a portion of property at the southwest corner of 23<sup>rd</sup> Avenue and East Jefferson Street from the Department of Parks and Recreation ("DPR") to the Department of Transportation ("SDOT"), lays off and designates it as street right-of-way, and places it under SDOT's jurisdiction. This property designation will allow the City to construct wider sidewalks with Americans with Disabilities Act (ADA) compliant curb ramps and landings. The designation also softens the turn for articulated buses servicing nearby bus stops and enhances public safety.

This street improvement is a part of the construction planned for the 23<sup>rd</sup> Avenue Corridor Improvements project (the "Project"). The Project is a roadway reconstruction that extends from East Roanoke Street to Rainier Avenue South, a vital multi-modal corridor connecting Interstate 90 to State Route 520 and neighborhoods in Seattle including the Central Area, Capitol Hill, Leschi, Madrona, Madison Park, and Montlake.

The primary goals of the Project are to replace the pavement to extend the life of the roadway and to enhance transit operations through new signal and transit technologies. The improvements will include: new pavement, expanded sidewalks, upgraded traffic signals, upgraded lighting, improved transit speed, and bus stop improvements.

DPR recommends that certain requirements of Ordinance 118477, adopting Initiative 42, be superseded for purposes of this legislation. The proposed street improvements will provide a long-term benefit to the parks system through enhanced public accessibility and safety to Garfield Playfield, Garfield Community Center, and Medgar Evers Pool.

<b>Project Name:</b>	<b>Project I.D.:</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date:</b>
23 <sup>rd</sup> Avenue Corridor Improvements project	TC367420	23 <sup>rd</sup> Ave S/E John St/Rainier Ave S	Q3/2013	Q4/2016

Please check any of the following that apply:

This legislation creates, funds, or anticipates a new CIP Project.

This legislation does not have any financial implications.

Appropriations for the Project are included in the 2014 Adopted Budget and the 2014-2019 Adopted Capital Improvement Program.

**Other Implications:**

**a) Does the legislation have indirect financial implications, or long-term implications?**

Yes. SDOT will pay \$8,286 to DPR as just compensation for the property acquisition necessary to complete the Project.

**b) What is the financial cost of not implementing the legislation?**

This legislation will allow the City to designate this property as street right-of way and widen the transit turn lane at the intersection of 23<sup>rd</sup> Avenue and East Jefferson Street. If the sidewalk is not widened at this intersection to accommodate ADA compliant landings and curb ramps, and accommodating the wide turns made by articulated buses, there is a risk that the City may be exposed to safety concerns and potential liability for not complying with ADA requirements.

**c) Does this legislation affect any departments besides the originating department?**

Yes, DPR is transferring a small portion of property that is currently being used as overflow parking.

**d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

None.

**e) Is a public hearing required for this legislation?**

No.

**f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

**g) Does this legislation affect a piece of property?**

Yes, a portion of property will be transferred from DPR to SDOT and designated as street right-of-way.

**h) Other Issues:**

None.

**List attachments to the fiscal note below:**

Attachment 1: Map of TJO area for the 23<sup>rd</sup> Avenue Corridor Improvements Project  
Attachment 2: Vicinity Map



# 23rd Avenue and East Jefferson Street



**Legend**

-  TJO Parcel
-  Parcels
-  Parks



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**City of Seattle**  
**Edward B. Murray**  
**Mayor**

June 10, 2014

Honorable Tim Burgess  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that transfers jurisdiction of a portion of real property located at the southwest corner of 23<sup>rd</sup> Avenue and East Jefferson Street from the Department of Parks and Recreation to the Department of Transportation and designates it as street right-of-way. This property designation will allow the City to construct wider sidewalks with Americans with Disabilities Act (ADA) compliant curb ramps and landings. The designation also softens the turn for articulated buses servicing nearby bus stops and enhances public safety.

This street improvement is part of the larger construction planned for the 23<sup>rd</sup> Avenue Corridor Improvements project ("Project"). This Project is a roadway reconstruction that extends from East Roanoke Street to Rainier Avenue South. The reconstruction will expand the traffic lanes to conform to lane-width standards and upgrade signals to meet transit signal priority needs, including the Intelligent Transportation Systems features to provide travel time information.

Thank you for your consideration of this legislation which supports substantial pedestrian improvements and safety features for this vital multi-modal corridor. Should you have any questions, please contact Larry Huggins at 684-5001.

Sincerely,

  
Edward B. Murray  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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315798

No.

CITY OF SEATTLE, CLERKS OFFICE

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:124549-565 TITLE ONLY

was published on

09/26/14

The amount of the fee charged for the foregoing publication is the sum of \$269.10 which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

09/26/2014

Notary public for the State of Washington,  
residing in Seattle

## City of Seattle

The full text of the following legislation, passed by the City Council on September 2, 2014, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

### ORDINANCE NO. 124549

AN ORDINANCE relating to the 23rd Avenue Corridor Improvements project; transferring jurisdiction of a portion of Lot 1, Block 2, Sander-Boman Real Estate Co.'s 1st Addition to the City of Seattle, from the Department of Parks and Recreation to the Department of Transportation; laying-off, opening, widening, extending, establishing, and designating the property for street purposes; superseding requirements of Ordinance 118477; and ratifying and confirming certain prior acts.

### ORDINANCE NO. 124550

AN ORDINANCE relating to historic preservation, imposing controls upon the Metropolitan Printing Press Company Building, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

### ORDINANCE NO. 124551

AN ORDINANCE relating to historic preservation, imposing controls upon the RKO Distributing Company Building, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

### ORDINANCE NO. 124552

AN ORDINANCE relating to land use and zoning, extending a deadline for compliance with locational restrictions in Section 23.42.058 on the production, processing, selling, or delivery of marijuana; and repealing Section 7 of Ordinance 124326.

### ORDINANCE NO. 124553

AN ORDINANCE relating to a pedestrian tunnel under and across East Thomas Street, east of 15th Avenue East; amending Ordinance 122597; updating the insurance and bond requirements; amending the annual fee and other terms and conditions of the permit; renewing the term of the permit to Group Health Cooperative, formerly known as Group Health Cooperative of Puget Sound; providing for the acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

### ORDINANCE NO. 124554

AN ORDINANCE relating to the Department of Finance and Administrative Services, declaring the property located at 3205 13th Avenue West, commonly known as former Fire Station 20, surplus to the City's needs and authorizing the Director of the Department of Finance and Administrative Services to sell the site and building through an open competitive process.

### ORDINANCE NO. 124555

AN ORDINANCE relating to the State Route 520 Project; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of the City of Seattle, a statutory warranty deed for a portion of Lot 1, Block 1, Glenwilde Addition to the City of Seattle, from Michael Leigh, a single person; placing the real property conveyed by such deed under the jurisdiction of the Department of Transportation and designating the property for street purposes; and ratifying and confirming certain prior acts.

## State of Washington, King County

### ORDINANCE NO. 124556

AN ORDINANCE authorizing, in 2014, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Department of Planning and Development, Department of Parks and Recreation, Seattle Police Department and the Seattle Department of Transportation to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.

### ORDINANCE NO. 124557

AN ORDINANCE relating to the 2014 Budget; amending Ordinance 124349, which adopted the 2014 Budget, including the 2014-2019 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; adding new projects; revising project allocations for certain projects in the 2014-2019 CIP; creating positions; creating exempt positions; modifying positions; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

### ORDINANCE NO. 124558

AN ORDINANCE relating to enforcement and timely payment of parking infractions; providing authority to provide notice through use of a vehicle notification sticker that a vehicle may be immobilized; correcting a conflicting provision with regard to the time to request administrative review; providing that any person who unlawfully removes an immobilization device and is immobilized a second time is not eligible for a payment plan; and amending Seattle Municipal Code Sections 11.35.010 and 11.35.020.

### ORDINANCE NO. 124559

AN ORDINANCE relating to the Department of Finance and Administrative Services, declaring the property located at 620 South Main Street as surplus to the City's needs; and authorizing the Director of Finance and Administrative Services to negotiate and execute all documents for the sale and transfer of the property to the Interim Community Development Authority.

### ORDINANCE NO. 124560

AN ORDINANCE relating to Seattle Public Utilities; declaring the real property at 5560 South Holly Street surplus to the City's needs and authorizing the Director of Seattle Public Utilities to sell the property through an open competitive process.

### ORDINANCE NO. 124561

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer facility easements within the campus of the University of Washington as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and accept a new easement grant from the University of Washington for a City-owned sanitary sewer facility; and ratifying and confirming certain prior acts.

### ORDINANCE NO. 124562

AN ORDINANCE relating to the City Light Department, declaring the former Greenlake, Beverly, and Boulevard Park Substation properties as surplus to the City's

needs and no longer required for providing public utility service or other municipal purpose; authorizing the sale of said properties through brokered sales to be managed by the Department of Finance and Administrative Services; and authorizing the General Manager and Chief Executive Officer of the City Light Department to execute all necessary documents to accomplish such property sales.

### ORDINANCE NO. 124563

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

### ORDINANCE NO. 124564

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

### ORDINANCE NO. 124565

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, September 26, 2014.  
9/26(315798)