

Resolution No. ~~3521~~ 31480

The City of Seattle – Legislative Department

Resolution sponsored by: Tom Roemer

A RESOLUTION granting conceptual approval to Prologis, L.P. to maintain and operate an existing truck loading access area in Colorado Avenue South, north of Diagonal Avenue South, abutting 4200 East Marginal Way South.

Related Legislation File: _____

Date Introduced and Referred: 9.3.13	To: (committee): Transportation
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 9/16/13	Date Presented to Mayor: 9/20/13
Date Signed by Mayor: 9.27.13	Date Returned to City Clerk: 9.27.13
Published by Title Only <input checked="" type="checkbox"/>	Date Returned Without Concurrence:
Published in Full Text _____	

Committee Action:

Date	Recommendation	Vote
9-10-13	Approve	T/RJGBH 3-0

This file is complete and ready for presentation to Full Council. _____

Full Council Action:

Date	Decision	Vote
Sept. 16, 2013	Adopted	9-0

Law Department

CITY OF SEATTLE
RESOLUTION 31480

A RESOLUTION granting conceptual approval to Prologis, L.P. to maintain and operate an existing truck loading access area in Colorado Avenue South, north of Diagonal Avenue South, abutting 4200 East Marginal Way South.

WHEREAS, Prologis L.P has applied for permission to maintain an existing at-grade loading access area to maintain access for trucks and trailers to the Prologis, L.P. eastern truck court; and

WHEREAS, Colorado Avenue South was constructed around 1986 as part of the redevelopment of the Prologis, L.P. property at 4200 East Marginal Way South, and was specifically designed to accommodate the operations of the distribution facility, including the ways that trucks maneuver, back-in, and access the loading bays; and

WHEREAS, Prologis, L.P. will be dedicating a portion of the previous Diagonal Avenue South right of way to the City to re-establish public access that was interrupted by Federal Cause 524 in 1942; and

WHEREAS, in making a recommendation, the Director of the Seattle Department of Transportation ("Director") considered the submitted plans and application materials for the Prologis loading access area and recommends that conceptual approval be granted; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE
MAYOR CONCURRING, THAT:**

Section 1. The City Council finds that the Prologis, L.P. loading access area is in the public interest.

Section 2. As conditions for obtaining permission to maintain the Prologis, L.P. loading access area, Prologis, L.P. shall:

(1) Provide public liability insurance naming the City as an additional insured or in the form of self-insurance, either as approved by the City's Risk Manager;

(2) Pay all City permit fees; and



1 (3) Cease to use the right-of-way for loading area purposes if Prologis, L.P. fails to
2 perform any obligation under the term permit within 90 days after receiving notice by the City
3 specifying its failure to perform.

4 Section 3. After this resolution is adopted, SDOT will present to the Council for its
5 modification or approval a draft term permit ordinance that prescribes the conditions under
6 which permission to use the right-of-way will be granted.

7
8 Section 4. As recommended by the Director and the Mayor, conceptual approval for the
9 at-grade loading access area project is GRANTED.

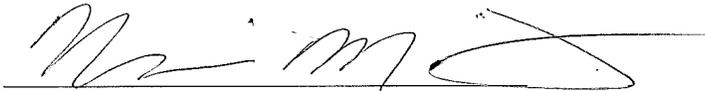


1 Adopted by the City Council the 10th day of September, 2013, and
2 signed by me in open session in authentication of its adoption this 10th day
3 of September, 2013.

4 

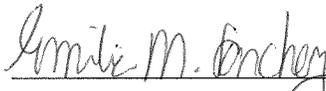
5 President _____ of the City Council

6
7 THE MAYOR CONCURRING:

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10 Michael McGinn, Mayor

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12 Filed by me this 27th day of September, 2013.

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15 Monica Martinez Simmons, City Clerk

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17 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Department of Transportation	Angela Steel/684-5967	Christie Parker/684-5211

Legislation Title:

A RESOLUTION granting conceptual approval to Prologis, L.P. to maintain and operate an existing truck loading access area in Colorado Avenue South, north of Diagonal Avenue South, abutting 4200 East Marginal Way South.

Summary of the Legislation:

This proposed resolution grants the conceptual approval for Prologis, L.P. to maintain and operate an existing truck loading access area in the westerly margin of Colorado Avenue South, north of Diagonal Avenue South, abutting 4200 East Marginal Way South. An area map is attached for reference.

The purpose of the truck loading access area is to maintain access for trucks and trailers to the Prologis, L.P. eastern truck court.

Background:

Prologis, L.P. operates a distribution facility at 4200 East Marginal Way that supports customers transporting freight from the Port of Seattle.

In 1986, this portion of Colorado Avenue South was reconstructed as a requirement of the redevelopment of the property that Prologis, L.P. currently owns and operates. This portion of Colorado Avenue South was specifically designed to accommodate the operations of this facility, including the way that trucks maneuver, back-in, and access the loading bays on east side of the building. Colorado Avenue South currently operates the way in which it should to accommodate the facility.

Please check one of the following:

This legislation does not have any financial implications.

Although this resolution does not accept or appropriate funds, SDOT will receive a permit fee from Prologis, L.P. after the effective date of the term permit ordinance.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No



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

If the legislation is not enacted by the City Council, the City of Seattle will not receive the annual fee as part of the term permit ordinance. The City of Seattle has the option to adjust the fee amount on an annual basis.

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

No

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives? Prologis, L.P. could continue to operate their existing truck loading access area without a term permit ordinance. Prologis, L.P may be subject to the risk of having to remove this use from the public place upon shorter notice than the term permit ordinance would require.

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. An area map is attached for reference.

h) Other Issues: N/A

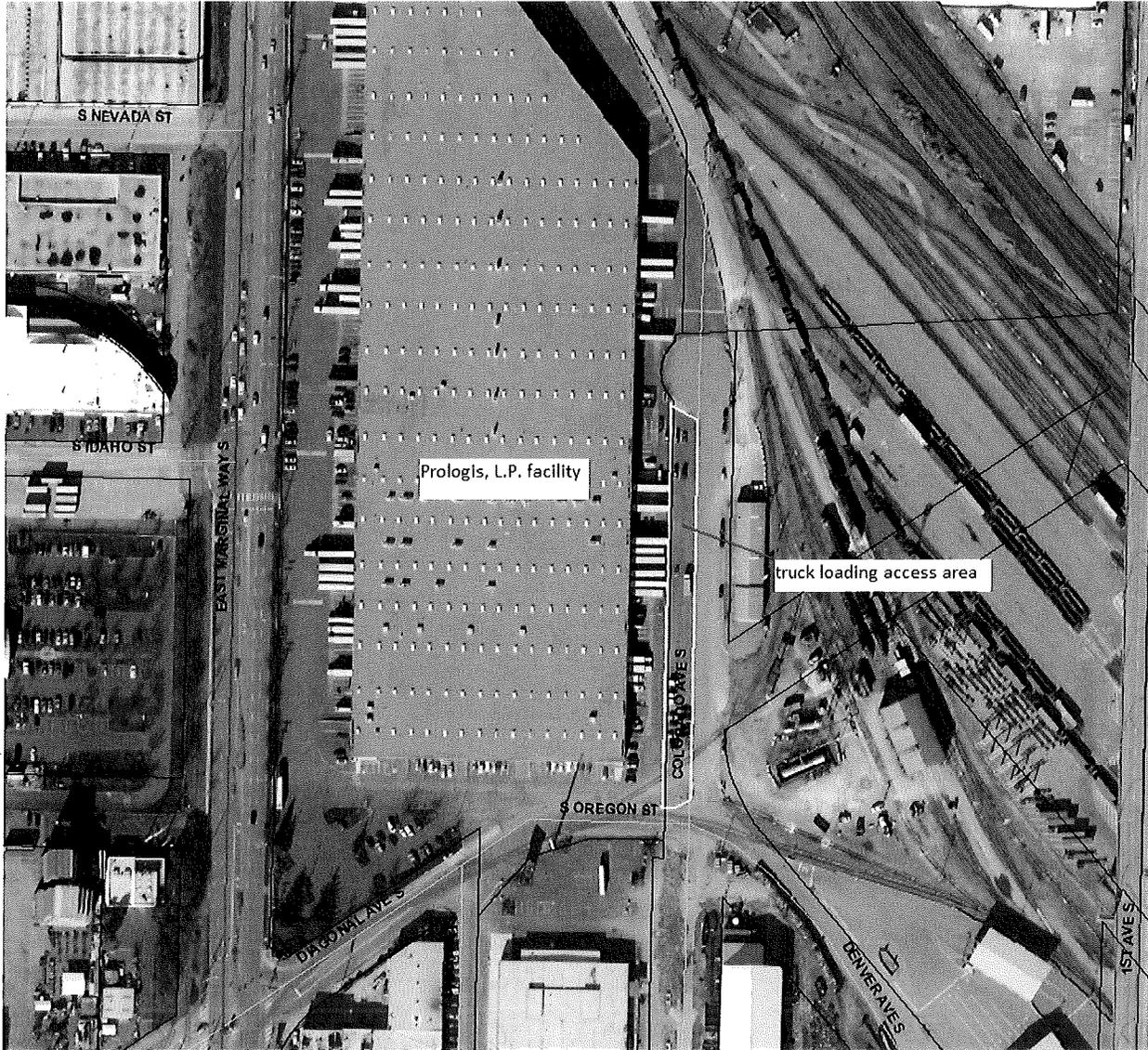
List attachments to the fiscal note below:

Attachment A –Truck Loading Access Area Map

Attachment B – Depiction of the Truck Loading Access Area



Attachment A – Truck Loading Access Area Map

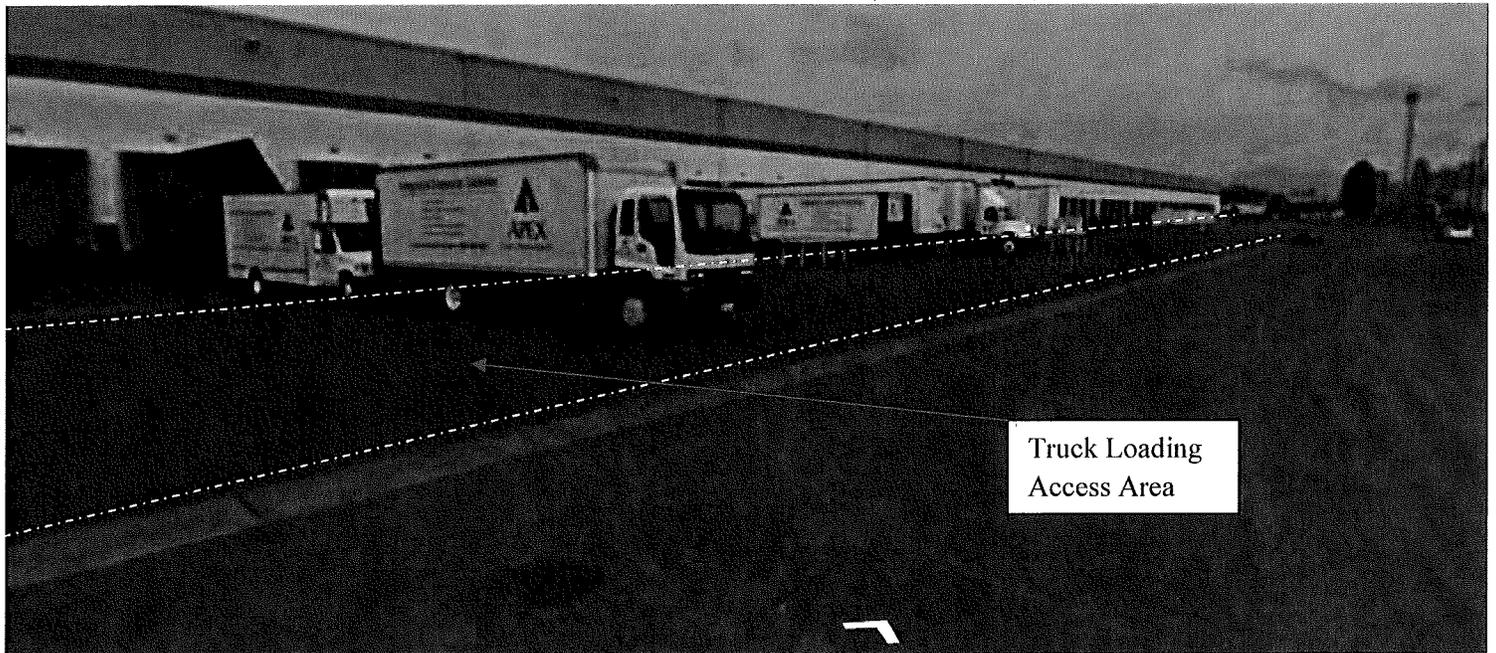


Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Resolution.



Angela Steel
SDOT Prologis FISC ATT B
July 24, 2013
Version #1

Attachment B – Depiction of the Truck Loading Access Area



Looking north along Colorado Avenue South





City of Seattle
Office of the Mayor

August 13, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Resolution that grants conceptual approval to Prologis, L.P. to maintain and operate an existing truck loading access area in the westerly margin of Colorado Avenue South, north of Diagonal Avenue South, abutting 4200 East Marginal Way South.

Prologis, L.P. operates a distribution facility that supports customers transporting freight from the Port of Seattle. The purpose of the Prologis, L.P. truck loading access area is to accommodate large trucks and trailers that use the Prologis, L.P. eastern truck court. In 1986, this portion of Colorado Avenue South was reconstructed as part of the redevelopment of the site to accommodate the operations of the facility, specifically the way that trucks maneuver, back-in, and access the east side of the building. Colorado Avenue South currently operates the way in which it should to accommodate the facility.

Thank you for your consideration of this proposed Resolution. Should you have questions, please contact Angela Steel at 684-5967.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON -- KING COUNTY

--SS.

303312
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

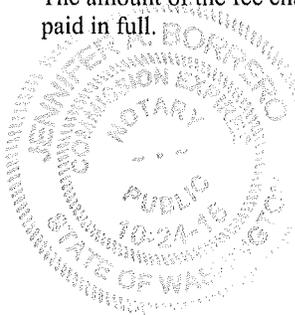
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:31463,65,76,77,79-80

was published on

10/09/13

The amount of the fee charged for the foregoing publication is the sum of \$107.25 which amount has been paid in full.



[Handwritten Signature]

Subscribed and sworn to before me on
10/09/2013
[Handwritten Signature]

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on September 16, 2013, 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.

RESOLUTION NO. 31463

A RESOLUTION relating to the City Light Department; establishing a ratepayer engagement process for the development of biennial revisions to the utility's strategic plan and supporting electricity rates; outlining the roles of the Department, the City Light Review Panel, the Mayor, and the Council in that process; and establishing a schedule for regular adoption of such strategic plans and electricity rates necessary to implement them.

RESOLUTION NO. 31465

A RESOLUTION approving the alignment, station locations, and maintenance base location for Sound Transit's Central Link, University Link, Northgate Link Extension, and East Link Light Rail Lines in the City of Seattle; and superseding the alignment, station locations, and maintenance base location approved in Resolution 30993.

RESOLUTION NO. 31476

A RESOLUTION granting conceptual approval to King County Department of Natural Resources and Parks, Wastewater Treatment Division to expand, construct, maintain, and operate diversion structures in 32nd Avenue West to redirect combined sewer overflows as part of the South Magnolia Combined Sewer Overflow Control Project.

RESOLUTION NO. 31477

A RESOLUTION adopting the 2013 update of the Urban Forest Stewardship Plan.

RESOLUTION NO. 31479

A RESOLUTION granting conceptual approval to the Port of Seattle to construct, maintain, and operate a private road and electrical utilities on a portion of South Dakota Street and Duwamish Avenue South, east of East Marginal Way South, as part of the Argo Yard Truck Roadway Project.

RESOLUTION NO. 31480

A RESOLUTION granting conceptual approval to Prologis, L.P. to maintain and operate an existing truck loading access area in Colorado Avenue South, north of Diagonal Avenue South, abutting 4200 East Marginal Way South.

Date of publication in the Seattle Daily Journal of Commerce, October 9, 2013.

10/9(303312)