CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 118129

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.

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

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

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

WHEREAS, a small portion of the Property is needed for the 23rd Avenue Corridor Improvements project (the "Project"); and

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

WHEREAS, planned Project improvements include widening the existing sidewalk and rebuilding the existing curb ramps and landings to meet current ADA requirements and widening the transit turn at the intersection of 23rd 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 23rd Avenue and East Jefferson Street and place it under SDOT's jurisdiction; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

> That certain parcel of land situated in the City of Seattle, County of King, state of Washington, being that portion of Lot 1, Block 2, Sander Boman Real Estate Co.'s 1st Addition to the City of Seattle according to the plat thereof, recorded in Volume 3 of Plats, page 114, Records of King County, Washington, situated in the Southeast quarter of the Southwest quarter of Section 33, Township 25 North, Range 4 East, W.M., described as follows:
>
> Beginning at the NE corner of said Lot 1;
>
> Thence along Easterly line of said lot, South 01°15'48" West 19.44 feet;
>
> Thence North 29°31'44" West 22.61 feet to the Northerly line said lot;
>
> Thence along said Northerly line, South 88°50'27" East 11.58 feet to the Point of Beginning.
>
> Containing: 112.5 square feet, more or less, and comprising a portion of tax parcel No. 754480-0095.

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

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

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

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

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

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

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

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

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

Passed by the City Council the ____ day of _____, 2014, and signed by me in open session in authentication of its passage this _____ day of _____, 2014.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2014.

_____

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2014.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Form revised: February 26, 2014

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

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

Legislation Title:

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.

Summary and background of the Legislation:

This legislation transfers jurisdiction of a portion of property at the southwest corner of 23rd 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 23rd 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.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:
23rd Avenue Corridor Improvements project	TC367420	23rd 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.**

__X__ **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 23rd 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 23rd Avenue Corridor Improvements Project
Attachment 2: Vicinity Map

City of Seattle

23rd Avenue Corridor Improvement Project TJO Map

Tax Parcel #
754480-0095
SW Corner of
23rd Ave and
E Jefferson St

Legend
- Parks
- TJO Area

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Feet
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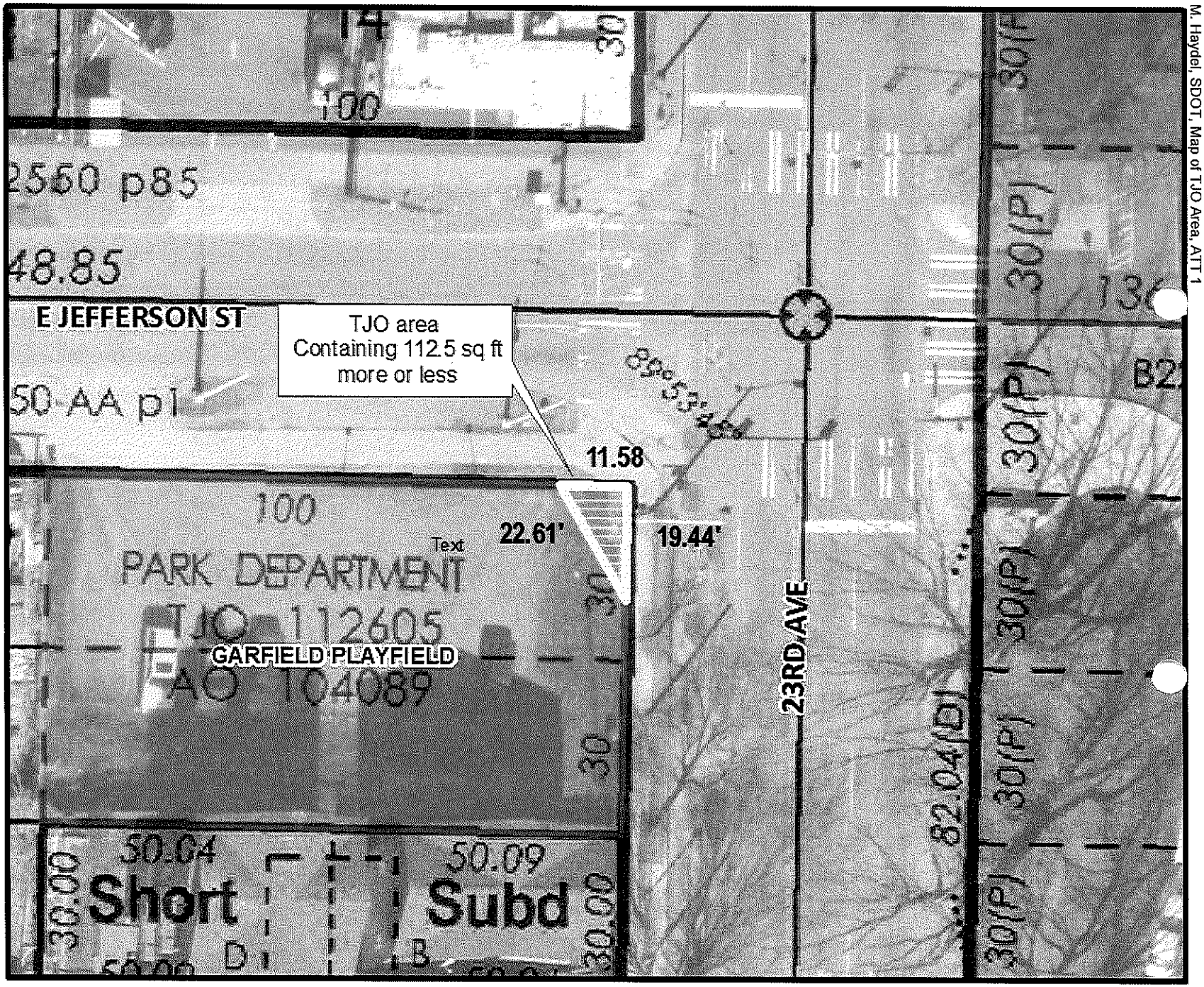
Map date: April 16, 2014

No warranties of any sort, including accuracy, fitness or mechantability accompany this product.

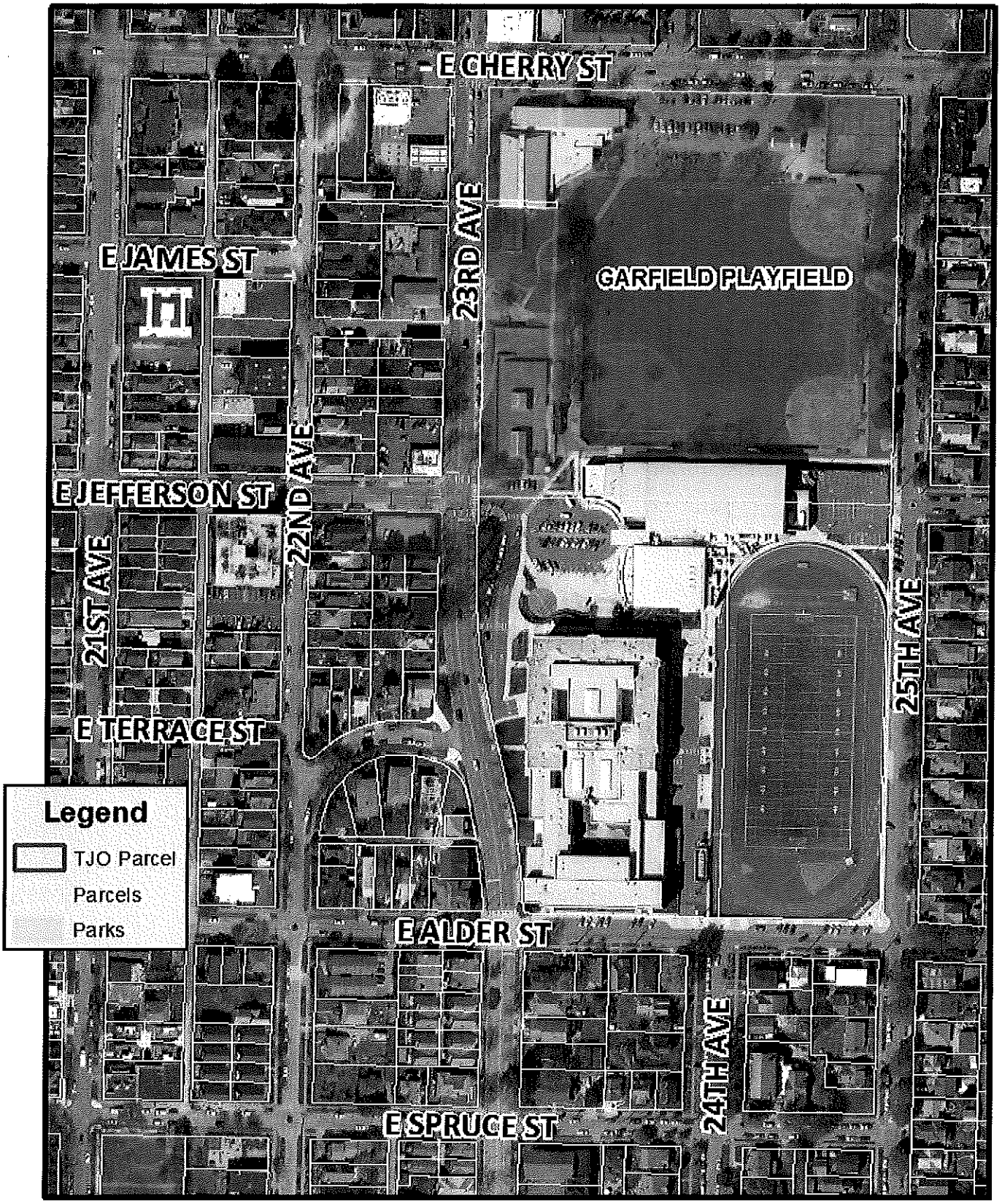


Attachment 1 to SDOT 23rd Avenue Corridor Improvements Project FISC

Gretchen M. Haydel, SDOT, Map of TJO Area, ATT 1

Gretchen M. Haydel, SDOT, Vicinity Map, AT(

Vicinity Map
23rd Avenue and East Jefferson Street



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City of Seattle
Edward B. Murray
Mayor

June 10, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd 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 23rd 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 23rd 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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