



Legislation Details (With Text)

**File #:** CB 118509    **Version:** 1    **Name:** CB 118509  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 10/5/2015

**Final Action:** 10/16/2015    **Ord. No.** Ord 124880

**Title:** AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of the Department of Parks and Recreation to acquire by negotiation certain land and other necessary property rights, commonly known as the northwest corner of 14th Avenue NE and NE 65th Street, for open space, park, and recreation purposes, and to execute, accept, and record the deed and instruments deemed by the Superintendent to be necessary; authorizing the Seattle City Attorney to commence condemnation proceedings; placing the acquired real property under the jurisdiction of the Department of Parks and Recreation and designating the property for open spaces, parks, and recreational purposes; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

**Sponsors:** Jean Godden

**Indexes:**

**Attachments:** 1. Summary and Fiscal Note, 2. Summary Att A - Map of Roosevelt Neighborhood, 3. Presentation, 4. Affidavit of Mailing, 5. Signed Ord 124880

Date	Ver.	Action By	Action	Result
10/16/2015	1	City Clerk	attested by City Clerk	
10/16/2015	1	Mayor	Signed	
10/16/2015	1	Mayor	returned	
10/6/2015	1	City Clerk	submitted for Mayor's signature	
10/5/2015	1	City Council	passed	Pass
9/25/2015	1	Parks, Seattle Center, Libraries, and Gender Pay Equity Committee	pass	Pass
9/14/2015	1	City Council	referred	
9/2/2015	1	Council President's Office	sent for review	
9/1/2015	1	City Clerk	sent for review	
9/1/2015	1	Mayor	Mayor's leg transmitted to Council	

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of the Department of Parks and Recreation to acquire by negotiation certain land and other necessary property rights, commonly known as the northwest corner of 14<sup>th</sup> Avenue NE and NE 65<sup>th</sup> Street, for open space, park, and recreation purposes, and to execute, accept, and record the deed and instruments deemed by the Superintendent to be necessary; authorizing the Seattle City Attorney to commence condemnation proceedings; placing the

acquired real property under the jurisdiction of the Department of Parks and Recreation and designating the property for open spaces, parks, and recreational purposes; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

WHEREAS, The City of Seattle (City) considers the Roosevelt Residential Urban Village as an underserved community that lacks enough quality open space for public use; and

WHEREAS, according to Seattle's Parks and Recreation 2011 Development Plan and 2011 Gap Report Update, around 1/2 of the Roosevelt Residential Urban Village is unserved by open space within 1/8 of a mile; and

WHEREAS, Roosevelt Residential Urban Village was recently upzoned to add additional density and is experiencing increased development; and

WHEREAS, the City's Department of Parks and Recreation Roosevelt Neighborhood Plan calls for the need to plan and create new open spaces in conjunction with development; and

WHEREAS, Seattle Resolution 31347 declares the City's intent to promote and enhance the livability of the Roosevelt Residential Urban Village by implementing initiatives that complement the increased density; and

WHEREAS, one of the initiatives proposed by Resolution 31347 is the designation of a green street on 14th Avenue Northeast, from Northeast 65th Street to Northeast 66th Street, which includes streetscape improvements that enhance open space, and support walkability and bicycle connections in the neighborhood; and

WHEREAS, the Roosevelt community has long advocated for the City to: preserve views of and from the local Roosevelt High School; provide increased green space to balance and serve the increased density; provide green space in the core of the neighborhood; protect the scenery of Roosevelt High School from obscuring shadows; and honor Roosevelt High School's status as a historic landmark; and

WHEREAS, the property at 1322 NE 65th Street, Seattle, Washington, is located in a part of the Urban Village that lacks open space, protects some views of Roosevelt High School through its adjacency to the newly designated green street on 14<sup>th</sup> Avenue NE, and provides a neighborhood park next to future high

density development; and

WHEREAS, the City has determined that the acquisition of the property at 1322 NE 65<sup>th</sup> Street will, after development, provide a new neighborhood park that meets the criteria to address open space needs established in Seattle's Parks and Recreation Seattle's Parks and Recreation 2011 Development Plan and 2011 Gap Report Update; is consistent with the proposed green street initiatives for 14th Avenue NE contained in Resolution 31347; meets the community's multiple objectives of open space and view protection; and is necessary and in the public's best interest to acquire and use the same for open space, park, and recreation purposes; NOW, THEREFORE,

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

Section 1. Public convenience, use, and necessity require that the following described real property, situated in The City of Seattle (City), County of King, State of Washington, and commonly known as the northwest corner of 14<sup>th</sup> Avenue NE and NE 65<sup>th</sup> Street, together with all its pertaining rights, privileges, and other property interests ("Property"), be acquired for open space, park, and recreation purposes for the City through negotiations and use of eminent domain (condemnation) if necessary:

Address: 1322 NE 65<sup>th</sup> Street, Seattle, WA, King County Parcel Number: 0525049045

That portion of the southeast quarter of the southeast quarter of the southeast quarter of Section 5, Township 25 North, range 4 east, W.M., described as follows: Beginning at the point which is 369.32 feet west and 138.35 feet north of the southeast corner of said subdivision: thence north 95.60 feet, more or less, to the south line of East 66th Street; thence east along said street line 45.32 feet, more or less, to the west line of 14th Avenue Northeast, thence South along said avenue line 95.60 feet, more or less, to a point which is 138.35 feet north of the south line of said subdivision: thence west 44.60 feet, more or less, to beginning;

Section 2. The Superintendent of the Department of Parks and Recreation, or the Superintendent's designee, on behalf of the City, is authorized to negotiate and enter into agreements to acquire the Property, and upon payment of just compensation, to accept the deeds and other necessary instruments for the Property, and to record the same.

Section 3. The Seattle City Attorney is authorized to commence and prosecute proceedings in the manner provided by law to condemn, take, damage, and appropriate the "Property" in fee simple or other

property rights described in Section 1, after just compensation has been paid into court for the owners of the “Property”, in the manner provided by law, and to stipulate for the purpose of minimizing damages.

Section 4. The Property, when acquired by the City, shall by this ordinance be placed under the jurisdiction of the Seattle Department of Parks and Recreation and designated for open space, park, and recreation purposes.

Section 5. Any act consistent with the authority of this ordinance and prior to its effective date 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 a three-fourths vote of all the members of the City Council the \_\_\_\_ day of \_\_\_\_\_, 2015, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

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Monica Martinez Simmons, City Clerk

(Seal)