

Amendment 1 Version 1 to CB 121036 – Golden Gardens Concession Agreement with Kite Cafe

Sponsor: Councilmember Strauss

Expand the use of jeep selling milkshakes and ice cream

Effect: This amendment would allow the concessionaire to expand the use of a jeep selling milkshakes and ice cream beyond the patio area that is currently defined by the footprint of the patio awning at the south end of the Golden Gardens Bathhouse at Golden Gardens Park (Park).

As part of this agreement, the patio area would expand to include the hardscape area that is bordered by several concrete structures. The concessionaire would have automatic right to use the jeep in this area.

Subject to Seattle Parks and Recreation's (SPR's) approval, the concessionaire could also use the jeep in a non-patio area, provided that SPR would not delay, condition, limit, or withhold such use unreasonably. The expanded use in the non-patio area could include placing the jeep in a different stationary location or operating the jeep on a mobile route.

This amendment would expand the concessionaire's vending opportunities and allow the public to use the patio area for shade when the jeep is in other areas of the Park.

Amend Section 1.3 of Attachment A to CB 121036 as follows:

1.3 Grants of Right to use Patio Area and Non-Patio Area of the Park. Throughout the Term, Concessionaire shall have the rights to use the hardscape patio area to the south of the Concession Premises and extending to the concrete structures bordering this area ("Patio Area") ~~((to place tables, chairs, and potted plants))~~. Concessionaire may place tables, chairs, and potted plants in this area. Signage may be placed with a Certificate of Approval from the Department of Neighborhoods. Any item that Concessionaire would like to use in the Patio Area must be approved by SPR in writing in advance and Concessionaire assumes all liability for any damage or loss.

In addition, during Food Service Hours Thursdays through Sundays and on any legal holidays, Concessionaire shall have the exclusive right to use the Patio Area to place a 12' by 6' jeep ("Jeep") for creation and sales of handspun milkshakes and hand dipped ice cream. While Concessionaire is using the Patio Area to vend with the Jeep, the Patio Area, as identified on Exhibit A, shall be considered part of the "Concession Premises" such that all obligations and restrictions placed on the use of the Concession Premises throughout the Agreement shall apply to the use of the Jeep in the Patio Area. ~~((The Jeep must remain under the patio awning and not extend beyond the footprint of the awning onto the park walkways.))~~ Concessionaire is permitted to have a small folding table and a cooler outside the vehicle and under the awning.

Karina Bull
Parks, Public Utilities, & Technology Committee
August 13, 2025
D1m

Only the Kite Cafe Jeep is permitted; Concessionaire may not use another vehicle, kiosk, or method of vending milkshakes, ice cream, or other food items in the Patio Area. No third-party vending will be permitted.

Concessionaire may also vend with the Jeep in a non-patio area (Non-Patio Area) of the Park, including placing the Jeep in a stationary location or operating the Jeep on a mobile route, without a separate use permit. Concessionaire may vend with the Jeep in a Non-Patio Area as Concessionaire and SPR mutually determine consistent with the purposes of this Agreement. Such use will be subject to SPR's prior approval, which SPR will not delay, condition, limit, or withhold unreasonably.

While Concessionaire is using a Non-Patio Area to vend with the Jeep, the area shall be considered part of the "Concession Premises" such that all obligations and restrictions placed on the use of the Concession Premises throughout the Agreement shall apply to the use of the Jeep in the Non-Patio Area.

~~((This right is))~~ These rights are subject to the same restrictions listed in Section 2 of the Agreement, specifically, that SPR may grant to a third party a temporary food concession right along with the use of the park through a Special Event Permit at Golden Gardens Park periodically during the term of this Agreement.

Amend Section 13.11 of Attachment A to CB 121036 as follows:

13.11 Jeep Entering and Exiting Park: The Jeep used to vend in the Patio Area shall enter and exit the Park using a curb ramp. A spotter will be used to guide the Jeep in and out and the Jeep will travel at no more than five (5) mph. The route will be the most direct at the south end of the main parking lot in front of the Building and directly south of the playground. The Jeep used to vend in a Non-Patio Area of the Park shall enter and exit the Park as approved by SPR. The vehicle will not remain in the park overnight.

(continued on next page)

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Amend Summary Attachment A to CB 121036 as follows:

(after photos of South end concession stand and North end storage room)

Patio Area

