



Legislation Text

File #: CB 120032, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Woodland Park; transferring jurisdiction of a portion of Whitman Avenue N from the Seattle Department of Transportation to Seattle Parks and Recreation for open space, park, and recreation purposes; transferring a portion of Woodland Park adjacent to East Green Lake Way N from Seattle Parks and Recreation to the Seattle Department of Transportation for transportation purposes; and finding, after a public hearing, that the exchange of property meets the requirements of Ordinance 118477, which adopted Initiative 42.

WHEREAS, this portion of Whitman Avenue N right-of-way provides access to Seattle Parks and Recreation's

Woodland Park from Aurora Avenue N and includes an existing paved parking lot and a vegetated median; and

WHEREAS, Seattle Parks and Recreation has maintained this site and has an interest in managing this portion of Whitman Avenue N under Seattle Municipal Code Title 18 for the purposes of public safety, facility maintenance, and event management; and

WHEREAS, the Seattle Department of Transportation and Seattle Parks and Recreation executed a Memorandum of Agreement on August 30, 2018, providing for Seattle Parks and Recreation to install two gates and maintain this portion of Whitman Avenue N; and

WHEREAS, this portion of Whitman Avenue N is not currently required for transportation purposes; and

WHEREAS, transfer of jurisdiction of this portion of Whitman Avenue N to Seattle Parks and Recreation, subject to the conditions in this ordinance, is a desirable public use supported by the Director of Transportation; and

WHEREAS, this portion of Woodland Park adjacent to East Green Lake Way N is needed by the Seattle

Department of Transportation to build a protected bicycle lane; and

WHEREAS, this portion of Woodland Park is currently a grass median between the parking lot and East Green Lake Way N, and its transfer will not negatively impact the park; and

WHEREAS, transfer of jurisdiction of this portion of Woodland Park to the Seattle Department of Transportation, subject to the conditions in this ordinance, is a desirable public use supported by the Superintendent of Parks and Recreation; and

WHEREAS, the proposed land exchange meets the requirements of Ordinance 118477, also known as Initiative 42, providing land equivalent in size, value, location, and usefulness in the vicinity, serving the same community and the same park purposes; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council finds that an exchange of certain park property in Woodland Park for comparable property is necessary because there is no reasonable and practical alternative for the development of a protected bicycle lane along East Green Lake Way N, and such an exchange will result in the City receiving replacement property equivalent in size, value, location, and usefulness in the vicinity, serving the same community and same park purposes, as required by Ordinance 118477.

Section 2. The Director of the Seattle Department of Transportation (SDOT) recommends, and the City Council finds, that the portion of Whitman Avenue N right-of-way between Aurora Avenue N and Whitman Place N, as described in Section 3 of this ordinance and in Exhibit A, Whitman Avenue N Transfer of Jurisdiction Map, is not currently needed for transportation purposes and that transfer of jurisdiction to Seattle Parks and Recreation (SPR) for inclusion into Woodland Park until needed for transportation purposes is a desirable public use.

Section 3. Subject to the conditions and limitations in Sections 4 through 6 of this ordinance, the administrative jurisdiction of the portion of Whitman Avenue N right-of-way described below is transferred, without charge, from SDOT to SPR for open space, park, and recreation purposes:

All that portion of Whitman Avenue North between the easterly margin of Aurora Avenue North as it crosses the intersection of Aurora Avenue North and Whitman Avenue North and the southeasterly margin of Whitman Place North as it crosses the intersection of Whitman Place North and Whitman Avenue North as legally described as:

That portion of Blocks 124, 118 & 108 of the Supplemental Plat of Woodland Park Addition recorded in Volume 10, Page 151 of Surveys, in the North West 1/4 of Section 7, T.25N., R.4E., W. M. records of King County, Washington, more particularly described as follows:

COMMENCING at the found monument at the intersection of Linden Ave. N. & N. 59th Street blocks 124 & 125 of said plat, thence South 88° 34' 14" East along the centerline of N. 59th Street, a distance of 305.65 feet to the found monument at the intersection of N. 59th Street & Aurora Ave. N.; thence South 01° 26' 56" West along the centerline of Aurora Ave. N, a distance of 30.02 feet: thence leaving said centerline North 88° 34' 14" East, a distance of 53.00 feet to the Easterly right of way of Aurora Ave. N.

and the **TRUE POINT OF BEGINNING**; thence North 01° 26' 57" East along said Easterly right of way, a distance of 840.14 feet more or less to the North right of way of N. 62nd Street; thence South 88° 34' 04" East along said right of way, a distance of 91.02 feet to the Easterly right of way of Whitman Ave. N.; thence South 01° 25' 07" West along said Whitman right of way, a distance of 840.14 feet to the Southerly right of way of N. 59th Street; thence North 88° 34' 14" West along said N. 59th Street right of way, 91.47 feet more or less to the **POINT OF BEGINNING**.

Contains approximately 76,659 square feet or 1.76 acres.

Section 4. SPR shall be responsible for all costs associated with development, operation, claim management, and maintenance of the transferred area.

Section 5. SPR shall maintain the transferred area, including the maintenance of the trees and vegetation in the median, consistent with the maintenance standards of other parks in the park and recreation system and shall operate the transferred area in accordance with Seattle Municipal Code Chapter 18.12, as amended, if applicable. The transferred area shall be open to public access on the same terms and to the same extent as Woodland Park. Unless otherwise provided in a Superintendent's rule or pursuant to a future ordinance, the transferred area shall be subject to all the rules, regulations, and codes that apply to or govern the use of Woodland Park.

Section 6. SPR's jurisdiction includes the right to require compensation or repair or replacement for any damage to improvements within this portion, including surfaces, structures, park furnishings, or vegetation,

whether caused by permittees, other City departments or contractors, or malfunctioning utilities.

Section 7. Subject to the conditions and limitations in Section 8 of this ordinance, the administrative jurisdiction of the portion of Woodland Park described below is transferred, without charge, from SPR to SDOT for transportation purposes:

That portion of Woodland Avenue (Green Lake Way N) per the supplemental plat of Woodland Park addition to the City of Seattle, Washington, recorded in volume 5 of plats at page 19, records of King County, said street situated in the city of Seattle, King County, Washington, condemned, taken and appropriated by the City of Seattle for the purpose of public parkway and boulevard, per City of Seattle Ordinance no. 18467, described as follows:

The westerly 3.00 feet of the easterly 63.00 feet adjoining and parallel to the easterly margin of Green Lake Way N (Interlake Avenue N) (Woodland Avenue), from the centerline of N 51st Street extended westerly, north 1,083.78 feet to the northerly line of the said supplemental plat of Woodland Park addition to the City of Seattle, Washington.

Containing 3,251 square feet, or 0.075 acres, more or less.

Situated in the City of Seattle, King County, Washington.

Section 8. SDOT shall be responsible for all costs associated with development, operation, claim management, and maintenance of the transferred area.

Section 9. 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 _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed

this _____ day of _____, 2021

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Exhibit A - Whitman Avenue N Transfer of Jurisdiction Map

Exhibit B - Woodland Park Transfer of Jurisdiction Map