



City Council

Approval of a Resolution Authorizing a Right-Of-Way Permit Agreement between the City of Olympia and King Solomon's Reef

Agenda Date: 4/23/2019
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File Number: 19-0385

Type: resolution **Version:** 1 **Status:** Passed

Title

Approval of a Resolution Authorizing a Right-Of-Way Permit Agreement between the City of Olympia and King Solomon's Reef

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the resolution authorizing the Right-of-Way Permit Agreement with McIntyre Internationale, LLC, and authorizing the City Manager to sign the agreement.

Report

Issue:

Whether to enter into a right-of-way permit agreement for a period of four years between McIntyre Internationale, LLC and the City of Olympia.

Staff Contact:

Francine Eide, P.E., City Engineer, Public Works Engineering, 360.753.8422

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

McIntyre Internationale, LLC is the business owner of King Solomon's Reef at 212 4th Avenue E. King Solomon's Reef is looking for ways to meet customer needs by providing outdoor seating. They have requested the use of a portion of the adjacent north-south alley for private outdoor seating and food/beverage service.

The City controls and maintains the alley as publicly dedicated right-of-way. In order to use the alley for private purposes, King Solomon's Reef must receive approval from the City through a right-of-way permit agreement.

This type of request is becoming more common as downtown development activity increases. If approved, this would be the second alley use permit, modeled after the Well 80 project, which has proven successful.

In reviewing the request, staff concluded that the north-south alley is not used for solid waste collection or deliveries and is not useable for other vehicle traffic. There are private utilities in the alley that would need on-going access. City utilities are located behind King Solomon's Reef in the east-west alley.

Following review, staff believes that the proposed use by King Solomon's Reef is viable with certain conditions as outlined in the proposed Right-of-Way Permit Agreement. The proposed term of the agreement is four years, with the City retaining the right to cancel the permit at the City's convenience. The City would retain access for public and private utility maintenance as needed, and King Solomon's Reef would pay the City \$1,612 each year under the agreement.

Neighborhood/Community Interests (if known):

- The alley is not currently usable for vehicle traffic due to the width of the alley.
- The east-west alley within the block allows for building and solid waste collection access.
- Improvements to the alley will provide another outdoor restaurant experience for our community.

Options:

1. Approve the resolution authorizing the Right-of-Way Permit Agreement with McIntyre Internationale, LLC, and authorizing the City Manager to sign the agreement
 - a. The agreement will generate \$1,612 annual revenue for the General Fund.
 - b. Allows the restaurant to create a vibrant use in the alley.
 - c. The City's utility and transportation interests are not negatively impacted.
2. Do not approve the resolution authorizing the Right-of-Way Permit Agreement.
 - a. Requires the owner of the restaurant to look for other ways to engage customers in creating vibrancy in this block.

Financial Impact:

The Right-of-Way Permit Agreement generates \$1,612 in revenue for the General Fund.

Attachments:

Resolution
Agreement
Map