



Legislation Text

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AN ORDINANCE authorizing the King County executive to grant an easement to the Washington State Public Stadium Authority for non-exclusive parking rights in a Metro transit division parking garage located in Council District 8.

BE IT ORDAINED BY THE COUNTY COUNCIL OF KINGCOUNTY:

SECTION 1. Findings:

A. King County Metro transit division (Metro) owns a parking garage (the Metro Garage) located at 6th Avenue South and South Royal Brougham Way in the City of Seattle, Washington. The Metro Garage is located within and is a component of Metro's Central Campus and primarily is used for parking by Metro's employees.

B. The parking garage was built in 2003 and contains spaces for 1009 vehicles, a capacity that exceeds the need that Metro transit division has for parking at this site.

C. Pursuant to Ordinance 15820, the King County executive executed a purchase and sale agreement (the Agreement), dated June 21, 2007, for the sale of the north half of the old Kingdome parking lot (North Lot) to North Lot Development, L.L.C. (the Buyer).

D. Section 4.5.5 of the Agreement requires the Buyer to provide temporary replacement parking for the Public Stadium Authority (PSA) either on or off-site that is acceptable to the PSA in order to compensate the PSA for parking on the North Lot displaced by Buyer's construction activities on the North Lot.

E. Section 4.5.5 of the Agreement also requires the Buyer to provide 491 permanent replacement parking spaces for the PSA on the North Lot.

F. Section 4.5.5 of the agreement also provides that Buyer may be relieved of complying with some or

all of the parking requirements with the written consent of the PSA.

G. Sale of North Lot closed on September 26, 2011; however, the requirements for replacement parking remain in force as part of the Agreement and separate covenants that run with the land.

H. The requirement for temporary replacement parking was satisfied at closing when King County issued a Special Use Permit to the PSA for parking in the Metro Garage in return for payment by the Buyer to King County of \$103,000.

I. The requirement for permanent replacement parking will be satisfied by the granting to the PSA by King County of an easement for non-exclusive parking rights in the Metro Garage for a term of 47 years or until the Metro Garage is permanently closed or demolished, such parking to be available for events in accordance with a pre-established schedule and payment by Buyer to King County of \$10.1 million.

J. The facilities management division has declared the easement to be surplus to the foreseeable needs of the county.

K. The granting of such an easement is subject to King County council approval, pursuant to KCC 4.56.115, because the value of the easement exceeds \$50,000.

L. It is in the best interests of the citizens of King County, that the aforementioned easement be granted to the PSA, in order to safeguard the benefits articulated in ordinance 15820.

SECTION 2. The King County executive is hereby authorized to execute the Parking Easement Agreement and its exhibits substantially in the form attached to this ordinance as Attachment A, and to implement the terms of the Parking Easement Agreement and its exhibits and to execute any other documents otherwise necessary for such implementation.

SECTION 3. The county executive may not execute the Parking Easement Agreement until either the Federal Transit Administration has approved the County's

request to buy out the Federal Transit Administration interest in the Metro Garage or the Federal Transit

Administration has otherwise approved execution of the Parking Easement Agreement.