

RESOLUTION NO. R-2019-_____

A RESOLUTION authorizing issuance of a right-of-way use permit at 9 S 6th Ave.

WHEREAS, pursuant to Chapter 8.20 YMC, the City Council is authorized to issue permits for construction of certain improvements within public rights-of-way for a commercial business; and

WHEREAS, Scott Peterson, on behalf of The Salvation Army Thrift Store, is requesting a right-of-way use permit to allow him to construct and maintain fencing in the public right-of-way for the purposes of closing a portion of alleyway between the thrift store and URM Cash & Carry, (parcels 181324-21411 & 181324-42499); and

WHEREAS, the property is located in the Central Business District (CBD) zoning district; and

WHEREAS, the application was deemed complete on January 31, 2019; and

WHEREAS, city staff has recommended approval of such permit, with the addition of a termination provision allowing termination on 30 days' notice or at the end of the permit's one year term; and

WHEREAS, reflective signage shall be placed on gates/fencing spanning the closed section of alley; and

WHEREAS, arrangement shall be made to provide the city with 24/7 access to the closed portion of the alley; and

WHEREAS, no fence or gate can be placed over existing manhole, and there must be a minimum of 5' clearance from the manhole edge; and

WHEREAS, the City Council, having considered such application and the recommendation of city staff, hereby finds and determines that issuance of the requested right-of-way use permit authorized pursuant to Chapter 8.20 YMC is in the best interest of residents of the City of Yakima and the City and will promote the general health, safety and welfare; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

The City Manager, or his designee, is hereby authorized to execute and issue a right-of-way use permit in accordance with the provisions of Chapter 8.20 YMC and in conformity with the application for such permit submitted by The Salvation Army Thrift Store by application dated January 11, 2019, and designated as city Regulatory License No. RL190003, for placing fencing in the right-of-way at 9 S 6th Ave., with the following conditions:

1. A provision allowing the City to terminate the permit upon 30 days written notice in addition to the termination provisions found in YMC Ch. 8.20.

2. Reflective signage shall be placed on gates/fencing spanning the closed section of alley.
3. The Salvation Army shall make arrangements to provide the city with 24/7 access to the closed portion of the alley prior to the permit being issued.
4. No fence or gate can be placed over the existing manhole, and there must be a minimum of 5' clearance from the manhole edge.

The term of RL 190003 shall be one year from the date of this Resolution, unless terminated otherwise pursuant to the permit.

ADOPTED BY THE CITY COUNCIL this 19th day of February, 2019.

Kathy Coffey, Mayor

ATTEST:

Sonya Claar Tee, City Clerk