

RESOLUTION NO. R-2021-

A RESOLUTION authorizing the issuance of a right-of-way use permit for a gate at the north end of the alley between N Front Street and N 1st Street at Staff Sgt. Pendleton Way

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; and

WHEREAS, Dan Koommoo of Crafted Restaurant is requesting a right-of-way use permit to allow the continued use and maintenance of a 16 ft. gate at the N end of the alley (at Staff Sgt. Pendleton Way) between N Front Street and N 1st St in the public right-of-way that was installed in an effort to curb loitering, criminal activity, and accumulation of garbage and debris in the alley which has negative effects on the businesses in the area; and

WHEREAS, the City Council had previously approved, and the gate had been installed under right-of-way permit number RL170044; and

WHEREAS, the gate will continue as it is currently installed with no modifications being proposed; and

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

WHEREAS, the gate closes off the North/South alley to pedestrian and vehicle traffic; and

WHEREAS, city staff has recommended approval of such a permit and recommends that the application be reviewed by the full Council; 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 the 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 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 Dan Koommoo by application dated July 12, 2021, and designated as city Regulatory License No. RL210049 for the continued use of a previously approved 16 ft. gate at the N end of the alley between N Front Street and N 1st Street at Staff Sgt. Pendleton Way which shall include the following provisions:

1. Follow all requirements of YMC 8.20, including but not limited to, the insurance requirements;
2. Dan Koommoo of Crafted Restaurant (applicant) shall maintain the gate's required Knox key box, and shall assure that the gate is functional allowing access for the maintenance of underground utilities (manholes, storm grates, etc.);
3. Applicant shall install and/or maintain required signage as determined by the City in and around the gate and alley, specifically, a standard Do Not Enter sign; an Alley Closed Ahead 30" x 30" diamond shaped sign with black letters on a yellow background, and reflective markers on each side of the gate (can be any red

- reflective material or sign with at least 324 square inches (18" x 18") on each side);
and
4. The City may terminate the permit after having provided 30 days written notice to the applicant.

ADOPTED BY THE CITY COUNCIL this 17th day of August, 2021.

Patricia Byers, Mayor

ATTEST:

Sonya Claar Tee, City Clerk