

August 7, 2017

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance approving the vacation of a portion of Bellevue-Redmond Road between NE 8th Street and 120th Ave NE.

FISCAL IMPACT

This action requires staff preparation and research time, which can be accommodated within the existing operating budget. The petitioner is the City of Bellevue, therefore, no administrative fees are collected. It has been determined that this right-of-way is Class I per Bellevue City Code (BCC) 14.35.120 and that compensation would have been required at 100 percent of fair market value (BCC 14.35.130); however, the City is trading property in lieu of payment (per BCC 14.35.160) in conjunction with the 120th Avenue N.E. Stage 2 – N.E. 8th to N.E. 12th Street project (CIP Plan No. PW-R-164).

STAFF CONTACTS

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Civic Services Department

Dave Berg, Director, 452-6468
Transportation Department

POLICY CONSIDERATION

City Code

Section 14.35 of the Bellevue City Code states that "...the Council may, by ordinance and subject to provisions of this code regarding payment of compensation, vacate such street, alley or part thereof reserving to the City an easement or the right to exercise and grant easement vacated land for the construction, repair, and maintenance of public utilities and services and may impose such other conditions or limitations as it deems necessary and proper to preserve any desired public use or benefit."

BACKGROUND

This section of right-of-way varies in width from 30 feet to 60 feet and has a total area of approximately 14,971 square feet. The adjacent properties on all sides of the area proposed to be vacated are owned by AutoNation (previously Barrier Motors).

The City has acquired all necessary property rights for the construction of the 120th Avenue N.E. Stage 2 Project, between N.E. 7th and N.E. 12th Streets (CIP Plan No. PW-R-164). Substantial construction has been completed on this project. The area proposed to be vacated will not be needed by the City as public right-of-way when the new roadway is completed. If approved, the

vacated area will be used as an offset for a portion of the land area needed in another section of this project for which compensation would be due to AutoNation. Transfer of the vacated property to AutoNation would not occur until completion of the Project within the Property Rights area, as defined in the Settlement Agreement, which is estimated to be August 14, 2017.

On May 4, 2015, Council approved Resolution No. 8904 setting June 1, 2015 as the date for a public hearing to take public comment on the requested vacation. At the June 1, 2015 public hearing no public comments were received. Following the hearing, Council directed staff to return to Council at a future meeting with an Ordinance to approve the proposed street vacation. Bringing this Ordinance to Council was intentionally delayed until construction was substantially complete and the terms of the settlement agreement with AutoNation had been finalized.

The City will retain easements for sidewalk and utilities. Utility easements will be retained as needed for any existing franchise facilities prior to completion of the vacation.

Per Section 14.35.070 of the Bellevue City Code, Council determined the following criteria were met to approve this proposed street vacation: d) a new and different thoroughfare would be more useful to the public.

EFFECTIVE DATE

If approved, this Ordinance becomes effective on August 17, 2017.

OPTIONS

1. Adopt the Ordinance approving the vacation of a portion of Bellevue-Redmond Road between NE 8th Street and 120th Ave NE.
2. Do not adopt the Ordinance. The City will retain ownership of the aforementioned right-of-way.

RECOMMENDATION

Option 1

MOTION

Move to adopt Ordinance No. 6364 approving the vacation of a portion of Bellevue-Redmond Road between NE 8th Street and 120th Ave NE.

ATTACHMENTS

- A. Vicinity Map
Proposed Ordinance No. 6364

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A