

May 4, 2015

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 8905 setting June 1, 2015 as the date for a public hearing to consider the vacation of a portion of NE 12th Street east of 108th Avenue NE (adjacent to KidsQuest Children's Museum).

FISCAL IMPACT

This action requires staff preparation and research time, which can be accommodated within the existing operating budget. The petitioner has paid the required pre-hearing fee of \$1,650 and will pay a post-hearing fee of \$1,100 if the property is to be vacated. It has been determined that this right-of-way is Class I per Bellevue City Code 14.35.120 and that compensation is required at 100% of fair market value, in excess of filing fees (Bellevue City Code 14.35.130).

STAFF CONTACT

Nora Johnson, Director, 452-4167

Max Jacobs, Real Property Manager, 452-4182

Patti Ebert, Sr. Real Property Agent, 452-5203

Civic Services Department

David Berg, Director, 452-6468

Transportation Department

POLICY CONSIDERATION

Bellevue City Code:

Section 14.35.070 of the Bellevue City Code requires that Council hold a public hearing to consider the vacation, to hear any person wanting to speak for or against the vacation, and to pass an ordinance accomplishing the vacation, if appropriate. Staff will gather information and prepare findings to assist the Council in the discussion of the vacation. Following the hearing, the Council shall determine:

- a. Whether a change of use or vacation of the described portion will better serve the public good; or
- b. Whether the street or portion thereof is no longer required for public use; or
- c. Whether the use thereof as a public way is of such benefit as not to justify the cost of maintenance; or
- d. Whether the substitution of a new and different thoroughfare would be more useful to the public; or
- e. Whether conditions may so change in the future as to provide a greater public use or need than presently exists; and
- f. Whether objections to the proposed vacation are made by owners of private property (exclusive of the petitioners) abutting the same.

Bellevue City Code 14.35.050 requires the public hearing be held at a time not more than 60 days, nor less than 20 days, after the date of passage of a resolution establishing the hearing date.

BACKGROUND

On February 12, 2015, the City received a sufficient street vacation petition signed by property owners of two-thirds of the land abutting a portion of NE 12th Street east of 108th Avenue NE. The sufficiency of the petition, as required by City Code, has been established. The area to be vacated is adjacent to property currently owned by the petitioner, KidsQuest Children's Museum, whose physical address is

1116 108th Avenue NE. This right-of-way is located in the Downtown area within the Bel-Vista Addition to Bellevue Plat.

This section of right-of-way is 30 feet in width and the petitioner owns the property adjacent to it. They have requested to vacate a portion of this right-of-way adjacent to their building (6 feet x 135 feet totaling 810 square feet) to install two new exhibits into the building which necessitate modifications/expansions of the building exterior. The current right-of-way line is located at the north edge of their building.

Six City departments reviewed and commented on the current vacation request. Currently no impacts have been identified and all departments recommend approving the street vacation.

EFFECTIVE DATE

If approved, this Resolution becomes effective immediately upon Council adoption.

OPTIONS

1. Adopt the Resolution setting June 1, 2015 as the date for a public hearing to consider the vacation of a portion of 12th Avenue NE east of 108th Avenue NE.
2. Do not adopt the Resolution and provide alternative direction to staff.

RECOMMENDATION

Option 1.

MOTION

Move to adopt Resolution No. 8905 setting June 1, 2015 as the date for a public hearing to consider the vacation of a portion of NE 12th Avenue NE east of 108th Avenue NE.

ATTACHMENTS

Vicinity Map
Proposed Exterior Expansion
Proposed Resolution No. 8905

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

Copy of Petition to Vacate Streets