

May 4, 2015

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Resolution No. 8904 setting June 1, 2015 as the date for a public hearing to consider the vacation of a portion of Bellevue-Redmond Road between NE 8<sup>th</sup> Street and 120<sup>th</sup> Avenue 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 and, therefore, no administrative fees are collected. It has been determined that this right-of-way is Class I per Bellevue City Code 14.35.120 and that compensation would have been required at 100% of fair market value (Bellevue City Code 14.35.130); however, the City is doing a land swap for this area in conjunction with the 120<sup>th</sup> Avenue NE Stage 2 Capital Improvement Project (PW-R-164).

### **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**

Bellevue-Redmond Road between NE 8<sup>th</sup> Street and 120<sup>th</sup> Avenue NE was a county road established in the late 1920's under County Road Revision 1387. It is located within the Brierwood Park Plat which was created in August, 1908. This section of right-of-way varies in width from 30 feet to 60 feet and has

a total area of approximately 12,570 square feet. The adjacent properties on all sides of the area proposed to be vacated are owned by AutoNation (previously Barrier Motors).

The City is currently completing the property acquisition phase of CIP PW-R-164, 120<sup>th</sup> Avenue NE Stage 2 Project, to be constructed between NE 7<sup>th</sup> and NE 12<sup>th</sup> Streets. The area proposed to be vacated will not be needed by the City as public right-of-way when the new roadway is built. If approved, the vacated area would be used as an offset for a portion of the land area needed in another area of this project for which compensation would be due to AutoNation. For this reason, the City is initiating this right-of-way vacation and no petition is required. Transfer of the vacated property would not occur until the City's CIP project is complete, estimated to be January 2016.

Six City departments reviewed and commented on the current vacation request. They recommended approving the street vacation. The City will retain easements for slope, sidewalk and utilities. Utility Easements will be retained as needed for any existing facilities.

#### **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 Bellevue-Redmond Road between NE 8<sup>th</sup> Street and 120<sup>th</sup> Avenue NE.
2. Do not adopt the Resolution and provide alternative direction to staff.

#### **RECOMMENDATION**

Option 1.

#### **MOTION**

Move to adopt Resolution No. 8904 setting June 1, 2015 as the date for a public hearing to consider the vacation of a portion of Bellevue-Redmond Road between NE 8<sup>th</sup> Street and 120<sup>th</sup> Avenue NE.

#### **ATTACHMENTS**

Vicinity Map  
Right-of-Way Exhibit  
Proposed Resolution No. 8904

#### **AVAILABLE IN COUNCIL DOCUMENT LIBRARY**

Project Plan Aerial