

July 16, 2018

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Ordinance approving the vacation of a portion of SE 20th Street adjacent to 1858 128th Avenue SE.

### **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, post-hearing fee of \$1,100 and appraisal fee of \$1,500.

This right-of-way is Class I right-of-way, per Bellevue City Code (BCC) 14.35.120, and compensation will therefore be at 100 percent of the property's fair market value, per BCC 14.35.130. The appraised fair market value of the right-of-way proposed to be vacated is \$113,000, and will be deposited into the Land Purchase Revolving Fund should Council approve the vacation.

### **STAFF CONTACTS**

Laurie Leland, Interim Director, 452-4366  
Ira McDaniel, 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**

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**

On September 14, 2017, the City received a street vacation petition signed by property owners of two-thirds of the land abutting a portion of SE 20<sup>th</sup> Street adjacent to 1858 128<sup>th</sup> Avenue SE. 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 whose physical address is 1858 128<sup>th</sup> Avenue SE. This right-of-way is located in a residential area in the Woodridge Division No 1 Plat.

The adjacent right-of-way is 30 feet in width and the petitioner has requested to vacate 15 feet of right-of-way adjacent to their property. They have requested to vacate this portion of right-of-way to increase the potential for a short plat in the future.

On February 5, Council approved Resolution No. 9364 setting March 19 as the date for a public hearing. At the public hearing no public comments were received. Following the hearing, Council directed staff to return at a future meeting with an Ordinance to approve the proposed street vacation. Per Section 14.35.070 of the Bellevue City Code, Council determined the following criteria were met to approve this proposed street vacation: b) the street or portion thereof is no longer required for public use, and f) no objections to the proposed vacation were made by owners of private property abutting the same.

No City or franchise utilities are located within the area to be vacated and the trail marker previously identified is also outside of the area to be vacated.

### **EFFECTIVE DATE**

If approved, this Ordinance becomes effective on July 26, 2018.

### **OPTIONS**

1. Adopt the Ordinance approving the vacation of a portion of SE 20th Street adjacent to 1858 128th Avenue SE.
2. Do not adopt Ordinance and provide alternative direction to staff.

### **RECOMMENDATION**

Option 1

### **MOTION**

Move to adopt Ordinance No. 6421 approving the vacation of a portion of SE 20th Street adjacent to 1858 128th Avenue SE.

### **ATTACHMENTS**

A. Vicinity Map

Proposed Ordinance No. 6421

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

N/A