

May 15th, 2017

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance approving the vacation of a portion of 145th Avenue SE lying north of SE 26th Street.

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 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 \$730,200, which will be deposited into the Land Purchase Revolving Fund should Council approve the vacation.

STAFF CONTACTS

Nora Johnson, Director, 452-4167

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

Civic Services Department

David Berg, Director, 452-6468

Transportation Department

POLICY CONSIDERATION

Section 14.35.090 of the Bellevue City Code states "...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 August 8, 2016 the City received a sufficient street vacation petition signed by property owners of two-thirds of the land abutting a portion of 145th Avenue SE, north of SE 26th Street. The sufficiency of the petition, as required by city code, has been established. This section of 145th Avenue SE was dedicated for public use in the Sunset Ranch Plat in September 1953. The right-of-way is 60 feet wide and has a total area of approximately 26,351 square feet. Bellevue College recently completed a campus master plan that locates student housing in the northeast portion of their property and assumes this section of right-of-way is vacated. Bellevue College owns all property adjacent to this right-of-way and will use this area during construction of the first phase of their student housing project. Early clearing and grading work began in September

2016 and building construction began late February 2017.

At the January 9 Study Session, Council approved Resolution 9212 setting February 21 as the public hearing date. At the February 21 public hearing, public comment was heard with no objections to the requested vacation. Following the hearing, Council directed staff to return to Council at a future meeting with an ordinance to approve the proposed street vacation with the following conditions:

- Retention of a City of Bellevue water main easement
- Retention of Puget Sound Energy and Comcast easements as needed for existing utilities
- Request from Fire Department that a portion of 145th Avenue SE remain open to provide emergency vehicles access to the building at 2450 145th Avenue SE until the structure is removed

Per Section 14.35.070 of the Bellevue City Code Council determined the following criteria were met to approve this proposed street vacation: a) a change of use or vacation of the described portion will better serve the public good, b) the street or portion thereof is no longer required for public use, c) the use as a public way is of such public benefit as not to justify the cost of maintenance, e) conditions may so change in the future as to provide a greater public use or need than presently exists; and f) no objections to the proposed vacation were made by owners of private property abutting the same.

EFFECTIVE DATE

If approved, this Ordinance becomes effective on May 25, 2017.

OPTIONS

1. Adopt the Ordinance approving the vacation of a portion of 145th Avenue SE lying north of SE 26th Street.
2. Do not adopt the Ordinance and provide alternative direction to staff.

RECOMMENDATION

Option 1

MOTION

Move to adopt Ordinance No. 6353 approving the vacation of a portion of 145th Avenue SE lying north of SE 26th Street.

ATTACHMENTS

A. Vicinity Map
Proposed Ordinance No. 6353

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A