

CITY COUNCIL REGULAR SESSION

Resolution initiating vacation of a portion of NE Bellevue-Redmond Road east of 120th Avenue NE; and setting a time and place for a hearing to consider such a vacation.

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EXECUTIVE SUMMARY

This Resolution sets the public hearing date for a street vacation requested by Mr. William Finkbeiner, the owner of property that lies south of and adjacent to the subject portion of NE Bellevue-Redmond Road. The City of Bellevue owns property that adjoins the subject right-of-way to the north and has joined Mr. Finkbeiner's request.

RECOMMENDATION

Move to adopt Resolution No. 9634.

If approved, effective date: 07/15/2019

BACKGROUND/ANALYSIS

On August 27, 2018, the City received a sufficient street vacation petition signed by property owners of two-thirds of the land abutting a portion of NE Bellevue-Redmond Road. The sufficiency of the petition, as required by code, has been established. The area to be vacated is adjacent to property currently owned by the petitioner, William Finkbeiner, at 12011 NE Bellevue-Redmond Road. This right of way is located just south of the Bel-Red Corridor in the Wilburton/NE 8th District.

This portion of NE Bellevue-Redmond Road is right-of-way that is left over from the construction of the 120th Avenue NE Phase II project that realigned 120th Avenue NE and NE Bellevue-Redmond Road. This left-over section of roadway is 60 feet in width and was dedicated as public right of way on August 12, 1908 by the Brierwood Park Plat. Mr. Finkbeiner owns property adjacent to the south side of this right of way and the City of Bellevue Transportation Department owns two small properties on the north side that are remnants from acquisition of larger parcels for the 120th Avenue NE Phase II Project.

City Departments have reviewed the proposed street vacation, which will also be reviewed by franchise utilities for easements that may need to be reserved prior to vacating the right-of-way.

If Council adopts the recommended Resolution, staff will return on September 3 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed street vacation. Following that hearing, staff will request Council action on a proposed Ordinance authorizing

the street vacation.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

BCC 14.35.070 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.

BCC 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.

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 and all appraisal fees 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 percent of fair market value, in excess of filing fees (Bellevue City Code 14.35.130).

OPTIONS

1. Adopt the Resolution initiating vacation of a portion of NE Bellevue-Redmond Road east of 120th Avenue NE; and setting a time and place for a hearing to consider such a vacation.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

A. Proposed right-of-way vacation location map
Proposed Resolution No. 9634

AVAILABLE IN COUNCIL LIBRARY

N/A