

CITY COUNCIL REGULAR SESSION

Resolution initiating vacation of a dead-end portion of SE 1st Street between Bellevue Way SE and 105th 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 SRM Development LLC, the adjacent property owner of a dead-end portion of SE 1st Street which lies between Bellevue Way SE and 105th Avenue NE.

RECOMMENDATION

Move to adopt Resolution No. 9930.

BACKGROUND/ANALYSIS

On August 5, 2020, the City received a sufficient street vacation petition signed by property owners of two-thirds of the land abutting a portion of what was formerly SE 1st Street, which lies easterly of and adjacent to Bellevue Way SE, south of the property at 12 Bellevue Way SE and north of the property at 100 Bellevue Way. The sufficiency of the petition, as required by City code, has been established. The property owners on both sides of this segment of SE 1st Street support the proposed vacation and have signed onto the petition.

This section of SE 1st Street was dedicated for public use in the Maxwellton Braes Addition, as recorded in Volume 21 of Plats, Page 80, Records of King County, Washington. The easterly adjacent portion of SE 1st Street was vacated January 5, 1965 through Bellevue City Ordinance No. 713. The remaining dead-end section of the right-of-way proposed for vacation is 40 feet by 134.23 feet, with a total area of 5,369 square feet.

City Departments have reviewed the proposed street vacation, which will also be reviewed by franchise utilities for easements that would need to be reserved prior to vacating the right-of-way. At the City's request, the applicant has agreed to provide a trash services agreement and an access easement for the property to the east of SE 1st Street, currently occupied by Bellevue Animal Hospital.

If Council adopts the recommended Resolution, staff will return on June 28 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 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.

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.

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 dead-end portion of SE 1st Street between Bellevue Way SE and 105th 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. 9930

AVAILABLE IN COUNCIL LIBRARY

N/A