

CITY COUNCIL REGULAR SESSION

Ordinance approving the vacation of a dead-end portion of SE 1st Street between Bellevue Way SE and 105th Avenue SE.

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EXECUTIVE SUMMARY

This Ordinance is requesting Council to approve the vacation of a dead-end portion of SE 1st Street between Bellevue Way SE and 105th Avenue SE.

RECOMMENDATION

Move to adopt Ordinance No. 6607

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, and the applicant has coordinated with franchise utilities to ensure there are easements in place for the existing infrastructure. 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.

On May 3, Council approved Resolution No. 9930 setting June 28, as the date for a public hearing. One written comment was submitted prior to the hearing. At the public hearing no public comments were received. 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:

- Execution of an access easement across the street vacation area to allow access and trash service for the adjacent parcel with a veterinarian clinic,
- Execution of easements for any franchise utilities that have facilities in the vacation area or relocate them out of the vacation area prior to the adoption of the final ordinance, and

- Payment by the petitioner of the appraised fair market value of the vacation area.

Per Section 14.35.070 of the Bellevue City Code, Council determined the following criteria were met to approve this street vacation: b) the street is no longer required for public use, and c) the public benefit of retaining the street does not justify the cost of maintenance.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code 14.35 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."

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 all appraisal fees. 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). The appraised fair market value of the right-of-way proposed to be vacated is \$2,412,000 and would be receipted into the Land Purchase Revolving Fund should Council approve the vacation.

OPTIONS

1. Adopt the Ordinance approving the vacation of a dead-end portion of SE 1st Street between Bellevue Way SE and 105th Avenue SE.
2. Do not adopt the Ordinance and provide alternative direction to staff. The City would retain ownership of the aforementioned right-of-way.

ATTACHMENTS & AVAILABLE DOCUMENTS

A. Proposed right-of-way vacation location map

Proposed Ordinance No. 6607

AVAILABLE IN COUNCIL LIBRARY

N/A