

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Resolution No. 284 fixing the time for a public hearing on vacation of a portion of Ronald Place N. South of North 175 th Street
DEPARTMENT:	City Attorney's Office; Planning and Development Services
PRESENTED BY:	Ian Sievers, City Attorney

PROBLEM/ISSUE STATEMENT:

The owners of property abutting a portion of Ronald Place North extending south of North 175th Street approximately 214 lineal feet to the entrance to Top Foods have filed a petition for vacation for this right-of-way.

The process for reviewing street vacations is described in Shoreline Municipal Code SMC Chapter 12.17 and SMC 20.30.070, City Policy and Procedure PDS 06-01 and State law (Chapter 35.79 RCW). State law requires that the City Council pass a resolution fixing the time for a public hearing on the proposed vacation. The Municipal Code also requires the Planning Commission to hold a public hearing on the proposed vacation. It is anticipated the Council will pass a proposed interim regulation amending processing of quasi-judicial actions under SMC 20.30.070, allowing the open record hearing to be heard before the Hearing Examiner. Proposed Resolution No. 284 includes this hearing in the alternative. The hearing may be no sooner than 20 days nor later than 60 days from the date of the resolution setting the hearing. The date set for the Hearing Examiner is March 10, 2009 in the Cascade Room at the Shoreline Center (Spartan Gym building) at 7:00 p.m. If the hearing is instead heard by the Planning Commission it will held on May 14, 2009 at the Commission's regular meeting.

FINANCIAL IMPACT:

The proposed resolution has no financial impact; applicant fees apply to staff processing and the hearing. Future approval of the street vacation ordinance would entitle the City to monetary or other compensation for the vacation.

BACKGROUND

There are two methods to initiate a street vacation: petition or resolution. The vacation of this portion of Ronald Place has been initiated using the petition method. The petition method requires that the owners of at least two-thirds of any property abutting the right of way proposed for vacation file a petition and applicable fee with the City to request a

street vacation. The map attached to the proposed resolution (Exhibit A) shows the parcels abutting the right of way proposed for vacation. The petition has been verified as representing 100% of the abutting owners.

RECOMMENDATION

Staff recommends the Council approve Resolution No. 284 fixing the time for a public hearing on vacation of approximately 214 lineal feet of Ronald Place North south of North 175th Street.

Approved By: City Manager  City Attorney 

ATTACHMENT A: Resolution No. 284

RESOLUTION NO. 284

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON,
FIXING A PUBLIC HEARING DATE FOR THE VACATION OF A
PORTION OF RONALD AVENUE NORTH SOUTH OF NORTH 175TH
STREET**

WHEREAS owners of two-thirds interest in any real estate abutting any city right-of-way, or any part thereof, may file a petition with the city clerk for vacation of property under SMC 12.17.020;

WHEREAS Larry and Marry Steele and Briar Development Co. LLP, owners of 100% of the property abutting the area proposed for vacation, have filed a petition with the city clerk for street vacation; and

WHEREAS the petition has been verified by city staff and the City Council is required to fix a time by resolution when a public hearing will be held on the petition; now therefore

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
SHORELINE, WASHINGTON AS FOLLOWS:**

Section 1. Vacation Proposed; Hearing Date. The City Council declares its intent to consider the vacation of a portion of Ronald Avenue North south of North 175th as depicted on the map attached hereto as Exhibit "A" following notice to the public and abutting owners and a public hearing as required by law. The public hearing to take public comment on the vacation is hereby set before the Shoreline Planning Commission for May 14, 2009, to commence at 7:00 p.m. or as soon thereafter as the hearing may be held, in the Rainier Room, 18560 1st Avenue NE, Shoreline, WA 98133; provided however, if proposed Ordinance No. 534 is passed on February 9, 2009 as published for the Council agenda of that date, the public hearing shall be set before the Shoreline Hearing Examiner for March 10, 2009 at 7:00 p.m. in the Cascade Room, 18560 1st Avenue NE, Shoreline, WA 98133.

Section 2. Notice of Hearing. The City Clerk shall cause to be mailed and posted a notice stating that a petition has been filed to vacate the proposed right-of-way, describing the right-of-way proposed to be vacated, and detailing the time and place of the hearing to consider the vacation at the times and locations set forth in SMC 12.17.020.

ADOPTED BY THE CITY COUNCIL ON FEBRUARY 9, 2009.

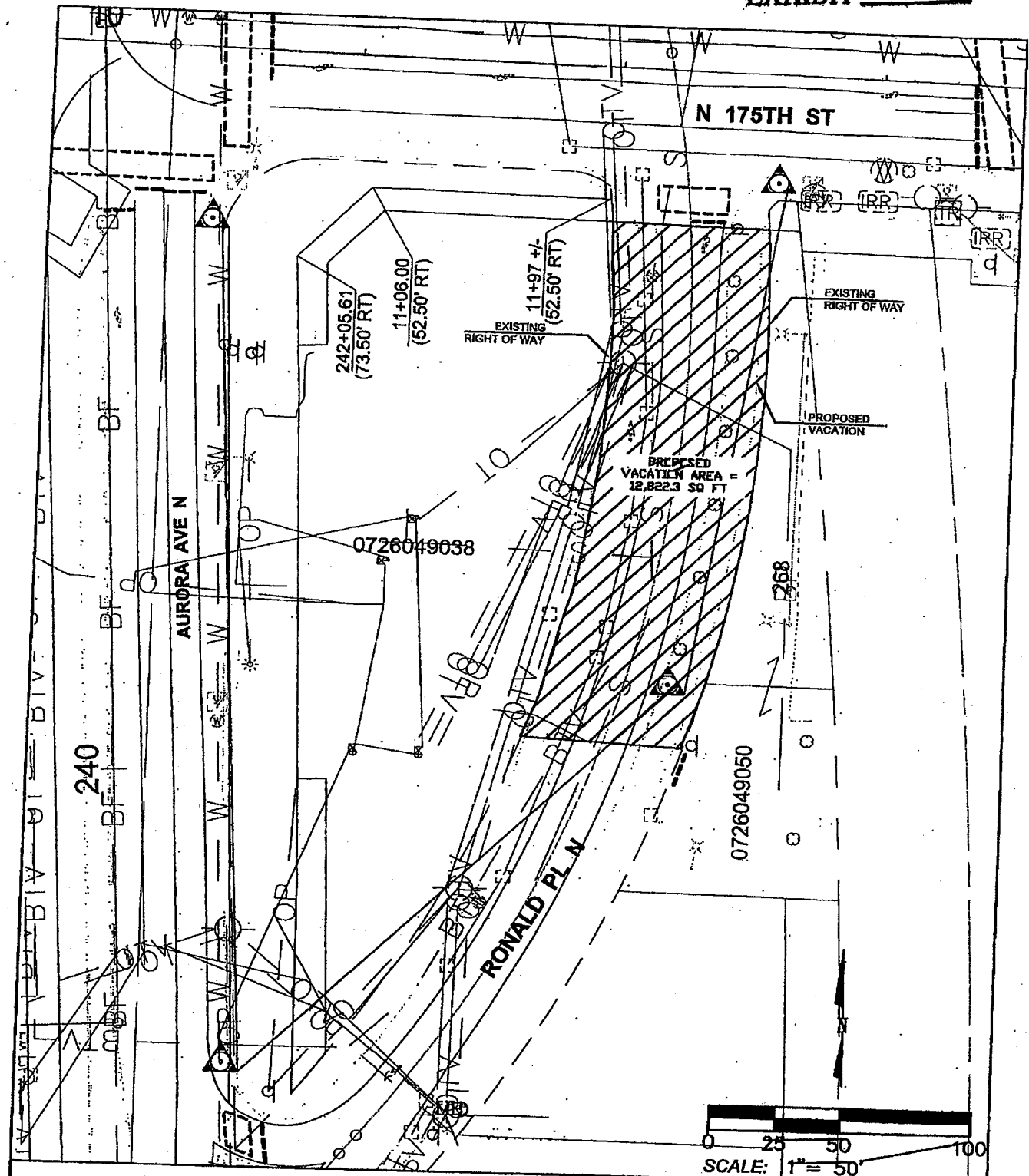
Cindy Ryu, Mayor

Attest:

Scott Passey, City Clerk

EXHIBIT A

(3)



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| BP - UNDERGROUND POWER LINE | OT - ABOVE GROUND TELEPHONE LINE | --- EXISTING RIGHT OF WAY BOUNDARY |
| OP - ABOVE GROUND POWER LINE | S - SANITARY SEWER LINE | --- BTV - BURIED TV CABLE |
| EC - ELECTRICAL SERVICE CONNECTION | ST - STORM SEWER LINE | --- OTV - OVERHEAD TV CABLE |
| OF - UNDERGROUND FIBER OPTIC LINE | W - WATER LINE | |

EXHIBIT MAP
RONALD PLACE N
RIGHT OF WAY VACATION

RECEIVED
 JAN 22 2009
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