

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Adoption of Resolution No. 330 Fixing the Date for a Public Hearing on the Vacation of a Portion of 30 <sup>th</sup> Ave. NE North of NE 149 <sup>th</sup> St.
<b>DEPARTMENT:</b>	City Attorney's Office; Planning and Community Development
<b>PRESENTED BY:</b>	Ian Sievers, City Attorney Miranda Redinger, Associate Planner

**PROBLEM/ISSUE STATEMENT:**

The owners of property at 3004 NE 149<sup>th</sup> Street have filed a petition for vacation of an unused portion of right-of-way abutting their property to the west.

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 Hearing Examiner to hold a public hearing on the proposed vacation. 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 Wednesday, September 5, at 9 a.m. at Shoreline City Hall.

**FINANCIAL IMPACT:**

The proposed resolution has no financial impact; applicant fees apply for staff processing time and the hearing. Future approval of the street vacation ordinance would entitle the City to compensation for the fair market value of the vacated right-of-way.

**BACKGROUND**

There are two methods to initiate a street vacation: petition or resolution. This potential vacation 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. 330 fixing the time for a public hearing on vacation of approximately 3,810 square feet of unused right-of-way located north of the intersection of NE 149<sup>th</sup> St. and 30<sup>th</sup> Ave. NE.

Approved By: City Manager JU City Attorney IS

**ATTACHMENT A:** Resolution No. 330

**RESOLUTION NO. 330**

**A RESOLUTION OF THE CITY OF SHORELINE,  
WASHINGTON, FIXING A PUBLIC HEARING DATE FOR THE  
VACATION OF A PORTION OF 30<sup>TH</sup> AVE. NE NORTH OF NE  
149<sup>TH</sup> ST.**

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, 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 30<sup>th</sup> Ave. NE north of NE 149<sup>th</sup> St. 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 Hearing Examiner for September 5, 2012, to commence at 9:00 a.m. or as soon thereafter as the hearing may be held, in the City Council Chambers, 17500 Midvale Ave. N., 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 July 23, 2012.**

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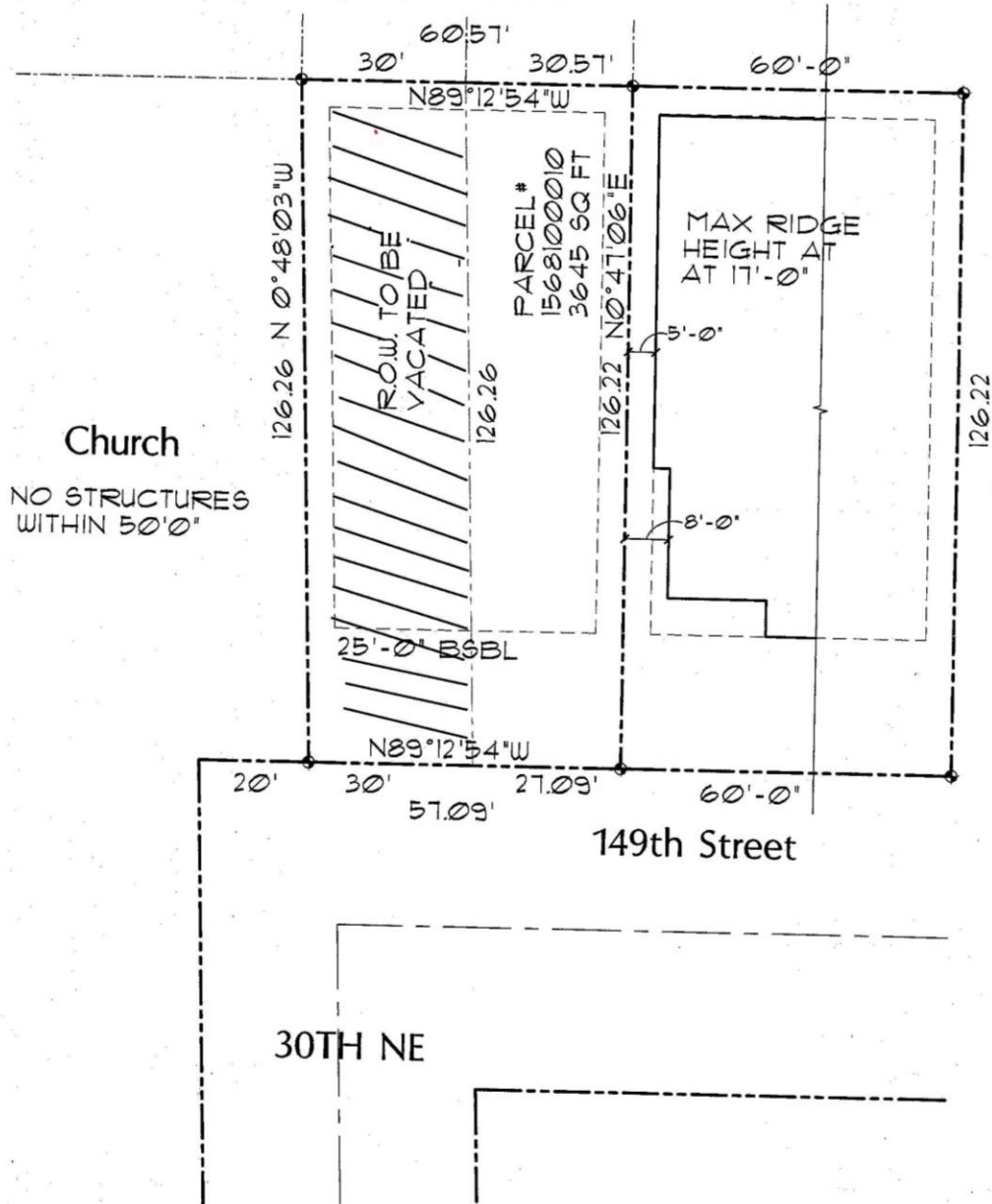
Keith A. McGlashan, Mayor

Attest:

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Scott Passey, City Clerk

Acacia Memorial Park  
& Funeral Home  
NO STRUCTURES  
WITHIN 50'0"



PROJECT DATA

OWNER /CONTACT PERSON:  
DAVE WAGNER  
3004 NE 149TH ST  
SHORELINE, WA 98155  
PHONE: (206) 941-1491

SLOPE INFORMATION  
MAX SLOPE ON PROPERTY IS LESS  
THAN 5%

TREE INFORMATION  
NO SIGNIFICANT TREES  
ON PROPERTY



SCALE: 1" = 20'  
000025

201880

O'NEILL DESIGN  
ASSOCIATES

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DATE: 10-21-11

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