

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Resolution No. 426 - Setting a Public Hearing Date Before the City of Shoreline Hearing Examiner to Consider Vacation of a Portion of the Right-of-Way On 25th Avenue NW

DEPARTMENT: Public Works

PRESENTED BY: Tricia Juhnke, City Engineer

ACTION: ☐ Ordinance ☒ Resolution ☐ Motion
 ☐ Discussion ☐ Public Hearing

PROBLEM/ISSUE STATEMENT:

Staff is requesting that the City Council adopt Resolution No. 426 which sets the date, time and location for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN18-0009, which seeks to vacate a portion of 25th Avenue NW. The date, time and location being set are as follows: Tuesday, April 17, 2018 at 6:00 p.m. in the Shoreline City Hall Council Chambers, 17500 Midvale Avenue N, Shoreline WA, 98133.

Shoreline Municipal Code (SMC) Chapter 12.17 provides for property owners to petition the City Council for vacation of City Right-of-Way. Such a petition, referenced as City File No. PLN18-0009, has been filed with the City by Mr. Marvin Lee, requesting vacation of a portion of 25th Avenue NW in the Richmond Reserve Addition, directly abutting King County Tax Parcel 7284900270 and located at 2501 NW 191st Place. Staff has verified the petition is sufficient as defined in Chapter 35A.01.040 RCW.

RESOURCE/FINANCIAL IMPACT:

No financial impact is directly associated with adoption of this resolution. However, if the resolution is adopted and the Council eventually approves the right-of-way vacation as proposed, SMC 12.17 requires the petitioner to compensate the City for the vacated right-of-way in the estimated amount of \$50,000.

RECOMMENDATION

Staff recommends that Council adopt Resolution No. 426 setting the date, time and location of Tuesday, April 17, 2018 at 6:00 p.m. in the Shoreline City Hall Council Chambers, 17500 Midvale Avenue N, Shoreline WA 98133, for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN18-0009, seeking to vacate a portion of 25th Avenue NW.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

Mr. Marvin Lee, who resides at 2501 NW 191st Place, filed a petition (File No. PLN18-0009), seeking to vacate the northerly 30 feet of 25th Avenue NW, that directly abuts the southerly boundary of Lot 8, Block 4, Richmond Reserve Addition, as recorded in Volume 16, Page 48, King County Plats (King County Tax Parcel 7284900270). Mr. Lee is the sole owner of the parcel, and represents two-thirds interest in the abutting property. Staff has verified the petition is sufficient as defined in Chapter 35A.01.040 RCW.

DISCUSSION

SMC 12.17.020 requires that the City Council, by resolution, fix a time when the petition will be heard by the City of Shoreline Hearing Examiner, not more than 60 days and not less than 20 days after the date of passage of this resolution. Resolution No. 426 sets the date, time and location for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN18-0009. The date, time and location being set are as follows: Tuesday, April 17, 2018 at 6:00 p.m. in the Shoreline City Hall Council Chambers, 17500 Midvale Avenue N, Shoreline WA, 98133.

Following the public hearing, the City's Hearing Examiner will forward his recommendation regarding the proposed right-of-way vacation. Staff will then prepare a staff report detailing the Hearing Examiner's recommendation and requesting that the Council either pass or reject and ordinance granting the vacation.

RESOURCE/FINANCIAL IMPACT

No financial impact is directly associated with adoption of this resolution. However, if the resolution is adopted and the Council eventually approves the right-of-way vacation as proposed, SMC 12.17 requires the petitioner to compensate the City for the vacated right-of-way in the estimated amount of \$50,000.

RECOMMENDATION

Staff recommends that Council adopt Resolution No. 426 setting the date, time and location of Tuesday, April 17, 2018 at 6:00 p.m. in the Shoreline City Hall Council Chambers, 17500 Midvale Avenue N, Shoreline WA 98133, for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN18-0009, seeking to vacate a portion of 25th Avenue NW.

ATTACHMENTS

Attachment A: Resolution No. 426

RESOLUTION NO. 426

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, SETTING A PUBLIC HEARING DATE BEFORE THE CITY OF SHORELINE HEARING EXAMINER TO CONSIDER VACATION OF A PORTION OF THE RIGHT-OF-WAY ON 25TH AVENUE NW.

WHEREAS, Shoreline Municipal Code Chapter 12.17 provides for a property owner to petition the City Council for vacation of City Right-of-Way; and

WHEREAS, in 1907, as part of the Richmond Reserves Addition to Richmond Beach, recorded in Volume 16, Page 48 of King County Plats, all streets were dedicated to the use of the public forever; and

WHEREAS, a petition to vacate property dedicated for street purposes in the Richmond Reserves Addition, being a portion of 25th Avenue NW, with the full legal description as described in Exhibit A and as shown on Exhibit B attached hereto and incorporated in full by this reference, was filed with the City of Shoreline for the above described property; and

WHEREAS, this petition, referenced as File No. PLN18-0009, was filed by Marvin Lee, the owner of abutting property located at 2501 NW 191st Place, Shoreline, Washington, King County Tax Parcel 7284900270, which represents the owner of at least two-thirds interest in the abutting property; and

WHEREAS, City staff has verified the petition as sufficient; and

WHEREAS, SMC 12.17.020 requires that the City Council, by resolution, fix a time when the petition will be heard by the City of Shoreline Hearing Examiner not more than 60 days and not less than 20 days after the date of passage of this resolution; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The time and place for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN18-0009, seeking to vacate a portion of 25th Avenue NW, is fixed as April 17, 2018 at 6:00 pm and shall be held in City Council Chambers, Shoreline City Hall located at 17500 Midvale Ave N, Shoreline, WA 98133.

Section 2. The City Clerk shall cause notice of the public hearing to be provided as set forth in SMC 12.17.020.

ADOPTED BY THE CITY COUNCIL ON MARCH 26, 2018.

Mayor Will Hall

ATTEST:

Jessica Simulcik Smith, City Clerk

**RESOLUTION No. 426
EXHIBIT A**

Legal Description of Area to be Vacated:

The westerly 30 feet of 25th Avenue NW abutting Lot 8, Block 4 of the Richmond Reserve Addition to Richmond Beach, lying between the westerly line of NW 191st Place on the east and the easterly line of the alley of Block 4 of the Richmond Reserve Addition to Richmond Beach on the west, all as recorded in Volume 16, Page 48 of King County Plats.

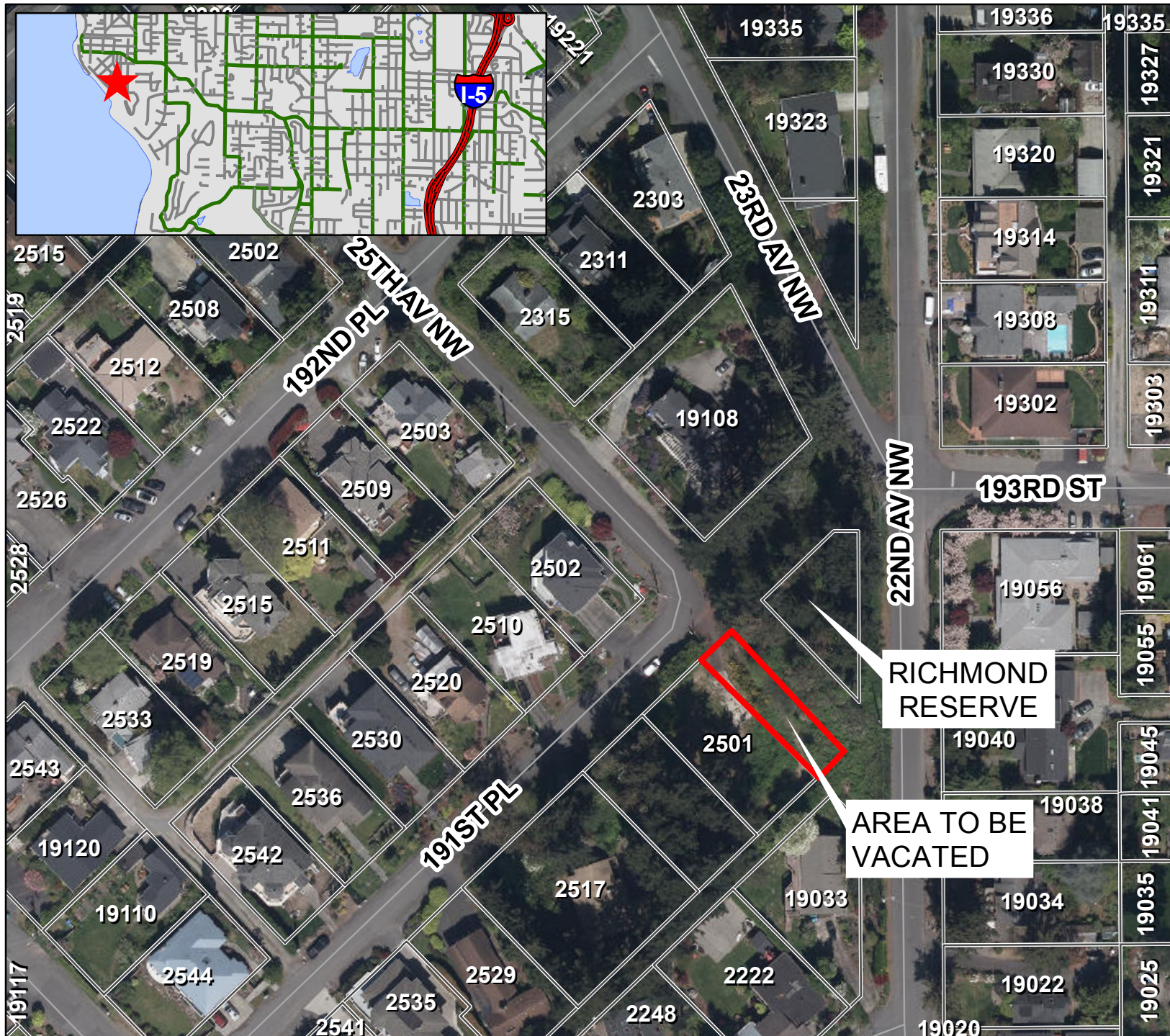
SHORELINE

Geographic Information System

EXHIBIT B

Resolution 426

2501 NW 191st PL



1 inch = 100 feet

0 25 50 100 Feet

No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.

