

**CITY COUNCIL AGENDA ITEM**

**CITY OF SHORELINE, WASHINGTON**

<b>AGENDA TITLE:</b>	Resolution No. 222 fixing the time for a public hearing and for City Council action on vacation of Ronald Place North, between North 175 <sup>th</sup> Street and Aurora Avenue North
<b>DEPARTMENT:</b>	Planning and Development Services
<b>PRESENTED BY:</b>	Tim Stewart AICP, PADS Director

**PROBLEM/ISSUE STATEMENT:**

On July 21, 2001, Tim Morris and others (Key Bank, Alfred Chapman, Naquef Ur-Rahman, Keith and Gail Tufnell, Aurora Cold Storage, City of Seattle City Light and C.A. McAughon) submitted a Petition of Street Vacation to the Planning and Development Services Department (PADS). The right-of-way to be vacated is Ronald Place North between North 175<sup>th</sup> Street and Aurora Avenue North.

The process for reviewing street vacations is described in Shoreline Municipal Code (SMC) 12.17 and 20.30.070 and through State law (Chapter 35.79 RCW). State law requires the City Council to pass a resolution fixing the time for a public hearing and Council action on the proposed vacation, which is before you tonight. The SMC also requires the Planning Commission to hold a public hearing on the proposed vacation. The schedule for this process is:

- August 23, 2004: City Council action of Resolution No. 222 fixing the time for a public hearing and for Council action on vacation of a portion Ronald Place North between North 175<sup>th</sup> Street and Aurora Avenue North.
- September 16, 2004: Planning Commission public hearing on the proposed street vacation.
- October 25, 2004: City Council public hearing and action on an ordinance of street vacation.

If the ordinance approving the street vacation passes, conditions contained within the ordinance, such as the recording of easements, would need to occur before the City Clerk is directed to record the ordinance.

**FINANCIAL IMPACT:**

The proposed vacation has no direct financial impact. Future approval of the street vacation ordinance would entitle the City to monetary or other consideration for the vacation.

## **BACKGROUND**

There are two methods to initiate a street vacation: petition or resolution. The vacation of Ronald Place from 175<sup>th</sup> Street to Aurora Avenue North 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 in Attachment B shows the parcels abutting the right of way proposed for vacation. There are eight property owners abutting both sides of the proposed vacation which total 2,158 lineal feet of frontage. Six of those property owners filed the petition to vacate which total 1,629 lineal feet of frontage or 75%. For comparison purposes, using the resolution method, the council may propose a street vacation without the filing of a petition from abutting property owners.

## **RECOMMENDATION**

Staff recommends the Council approve Resolution No. 222 fixing the time for a public hearing and for Council action on vacation of a portion of Ronald Place North between North 175<sup>th</sup> Street and Aurora Avenue North.

Approved By:

City Manager  City Attorney 

**ATTACHMENT A:** Resolution No. 222 fixing the time for a public hearing and for Council action on vacation of a portion of Ronald Place North between North 175<sup>th</sup> Street and Aurora Avenue North.

**ATTACHMENT B:** Property Owner Map

## RESOLUTION NO. 222

### **A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, FIXING A PUBLIC HEARING DATE FOR THE VACATION OF RONALD AVENUE NORTH BETWEEN NORTH 175<sup>TH</sup> STREET AND AURORA AVENUE NORTH**

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 Tim Morris, Key Bank NA, Alfred G. Chapman, Naqueb Ur-Rahman, Keith and Gail Tufnell, Aurora Cold Storage, City of Seattle City Light and C.A. McAughon have filed a street vacation petition with the city clerk; and

WHEREAS these groups and individuals constitute more than 67% of the abutting owners; and

WHEREAS after the petition is verified by city staff, the city council by resolution fixes a time when the petition will be heard by the planning commission; and

WHEREAS the Council finds that a public hearing prior to consideration of final action should be placed on the agenda of the Planning Commission for September 16, 2004; **NOW, THEREFORE,**

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

**Section 1. Vacation Proposed.** The City Council declares its intent to consider the vacation of Ronald Avenue North between North 175<sup>th</sup> and Aurora Avenue North following notice to the public and abutting owners are required by law and public hearing.

**Section 2. Hearing Date.** A public hearing to take public comment on the vacation of Ronald Avenue North between North 175<sup>th</sup> Street and Aurora Avenue North, as depicted on the map attached hereto as Exhibit "A," is hereby set before the Shoreline Planning Commission for September 16, 2004, to commence at 7:00 p.m. or as soon thereafter as the hearing may be held, in the Board Room, 18560 1<sup>st</sup> Avenue NE, Shoreline, WA 98133. Following the public hearing, the City Council shall consider the hearing record and the recommendation of the Planning Commission at a closed record hearing and take such action in regard to the vacation as may be deemed appropriate.

**Section 3. 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 AUGUST 23, 2004.**

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Mayor Ronald B. Hansen

**ATTEST:**

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Sharon Mattioli, MMC  
City Clerk

# Attachment B Property Owner Map

N 180TH ST

N

RONALD PLACE  
PROPOSED VACATION

TOTAL LINEAR FOOTAGE ABUTTING RONALD PLACE= 2,158' +/-  
TOTAL NEEDED FOR APPLICATION= 1,446' (67%) +/-  
TOTAL REPRESENTED IN SIGNED PETITION= 1,629' (75%) +/-

AURORA AVENUE

N 178TH ST

Seattle City Light  
1,208' +/- Abutting

Aurora Cold Storage  
17532 Aurora Ave N  
108' +/- Abutting

Keith & Gail Tufnell  
17526 Aurora Ave N  
66' +/- Abutting

Naqeb G. Chapman  
17524 Aurora Ave N  
78' +/- Abutting

Alfred G. Chapman  
17512 Aurora Ave N  
87' +/- Abutting

Key Bank National Assoc.  
17504 Aurora Ave N  
82' +/- Abutting

STONE AVENUE

MIDVALE AVENUE

N 175TH ST

0 75 150 300 Feet

8/11/04

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