

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Resolution No. 203 fixing the time for a public hearing and for Council action on vacation of a portion of N 188 th Street between Midvale Avenue N and Seattle City Light Property.
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Tim Stewart, Director of Planning and Development Services Sarah Bohlen, Transportation Planner

PROBLEM/ISSUE STATEMENT:

On December 21, 2001, Mr. Ron Landry, owner of Sky Nursery submitted a Petition of Street Vacation to the Planning and Development Services Department. The right-of-way to be vacated is located at N 188th Street between Midvale Avenue N and Seattle City Light property (east of Aurora Avenue N). Mr. Landry owns the abutting property to the north and south of the proposed vacation. City staff has coordinated with affected utilities and analyzed future City plans for the area in question, and is recommending moving forward with this request.

The process for reviewing street vacations is described in Section 20.30.070 of the Shoreline Development Code and through State law (Chapter 35.79 RCW). State law requires 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 Shoreline Development Code also requires the Planning Commission to hold a public hearing on the proposal. The schedule for this process is:

- April 14, 2003: City Council action of Resolution No. 203 fixing the time for a public hearing and for Council action on vacation of a portion of N 188th Street between Midvale Avenue N and Seattle City Light Property;
- May 15, 2003: Planning Commission public hearing on the proposed street vacation; and
- May 27, 2003: 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:

Tonight's action has no financial impact. Future approval of the street vacation ordinance would entitle the City to monetary or other consideration for the vacation.

RECOMMENDATION

Staff recommends the Council approve Resolution No. 203 fixing the time for a public hearing and for Council action on vacation of a portion of N 188th Street between Midvale Avenue N and Seattle City Light Property.

Approved By:

City Manager 

City Attorney 

ATTACHMENT A: Resolution No. 203 fixing the time for a public hearing and for Council action on vacation of a portion of N 188th Street between Midvale Avenue N and Seattle City Light Property.

RESOLUTION NO. 203

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, FIXING THE TIME FOR A PUBLIC HEARING AND FOR COUNCIL ACTION ON VACATION OF A PORTION OF N 188TH STREET BETWEEN MIDVALE AVENUE N AND THE CITY OF SEATTLE TRANSMISSION RIGHT-OF-WAY.

WHEREAS, Ron Landry has petitioned for the vacation of a certain portion of N 188th Street as shown on the map attached as Exhibit "A" to this resolution and is the owner of more than two-thirds of the property abutting said right-of-way; and

WHEREAS, Section 20.30.070 of the Shoreline Development Code identifies the street vacation process, and

WHEREAS, RCW 35.79.010 authorizes the City Council to consider petitions for street vacation signed by owners of two-thirds of the property abutting the proposed vacation following a public hearing held not less than twenty (20) days nor more than sixty (60) days after passage of a resolution setting the hearing date; and

WHEREAS, no apparent City use of the said street exists, existing utilities may continue to exist through easements, and Mr. Landry has reason to convert the right-of-way to private ownership; and

WHEREAS, the City will be entitled to monetary or other consideration for the vacation; and

WHEREAS the Council finds that a public hearing prior to consideration of final action should be placed on the agenda of the regular Council meeting of May 27, 2003,

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

Section 1. Hearing Date. A public hearing to take public comment on a petition to vacate that portion of N 188th Street west of Midvale Ave. N. and east of the City of Seattle transmission right-of-way, as depicted on the map attached hereto as Exhibit "A," is hereby set for Tuesday, May 27, 2003, to commence at 8:00 p.m. or as soon thereafter as the hearing may be held, in the Mount Rainier Room, 18560 1st Avenue NE, Shoreline, WA 98133. Following the public hearing, the City Council shall consider public comments and shall then take such action in regard to the requested vacation as may be deemed appropriate.

Section 2. Notice of Hearing. The City Clerk shall cause to be posted a notice containing a statement that the petition has been filed, describing the right-of-way proposed to be vacated, and the time and place of the hearing to consider the petition.

ATTACHMENT A

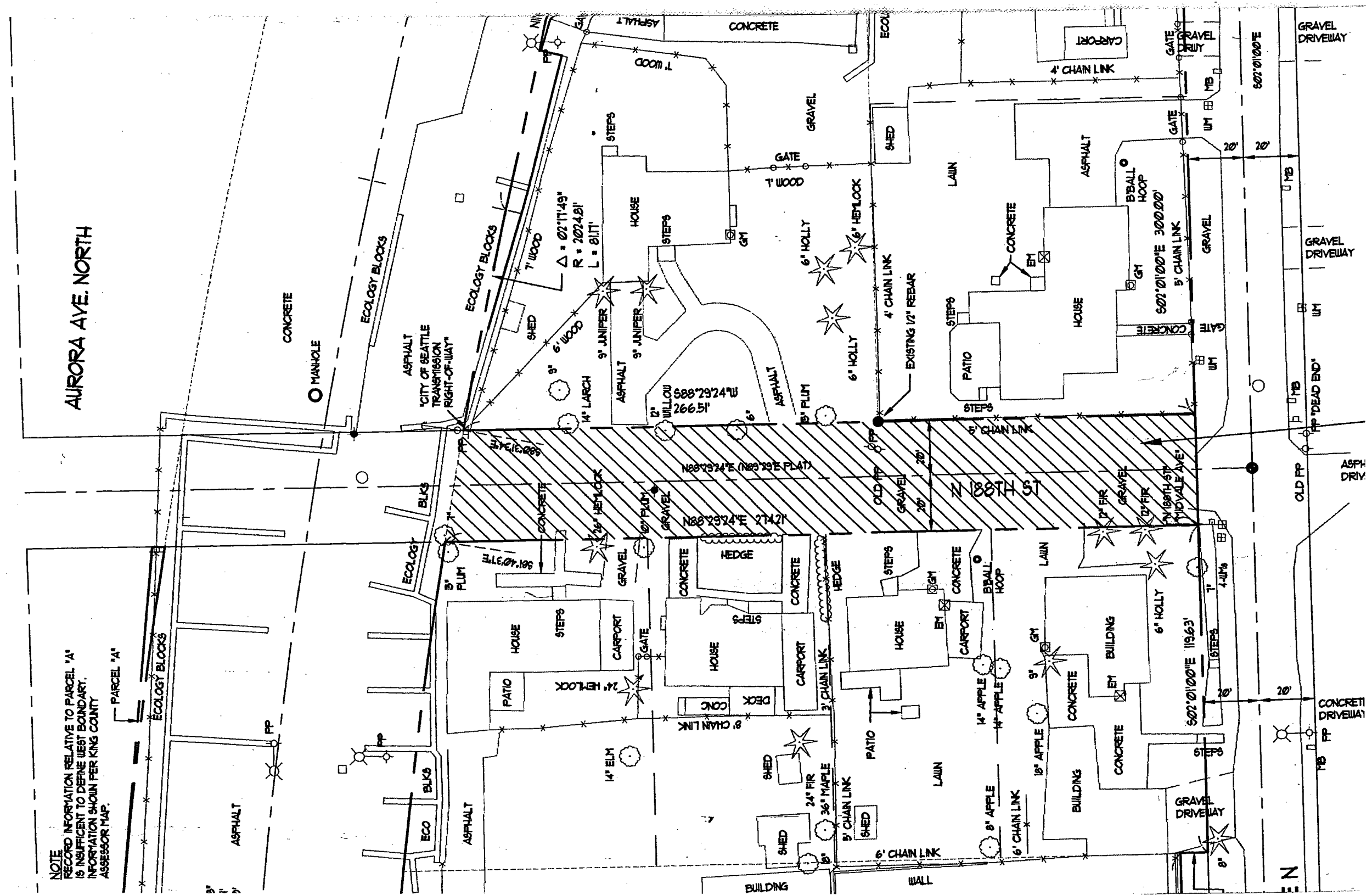
Notice of the public hearing shall be posted in three public places within the City and in a conspicuous place on N 188th Street.

ADOPTED BY THE CITY COUNCIL ON April 14, 2003.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk



VACATE

NORTH 188th STREET VACATION FOR SKY NURSERY

18528 AURORA AVE. N.
SEATTLE, WASHINGTON

OK
david
kehe
architects

PHONE (206) 433-8997
FAX (206) 246-8369
12720 GATEWAY DRIVE SUITE 116
SEATTLE, WASHINGTON 98148
8 1 6 8

SYM	DATE	DESCRIPTION	PROJECT
			0000
			DRAWN BY PAUL
			DATE 03/25/00
			CHECKED BY DAVID
			DATE 03/25/00

