

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approve finding of no current need for right-of-way at 152nd & Aurora, Aurora Corridor Improvement Project, N 145th – N 165th St (Phase I)

DEPARTMENT: Public Works

PRESENTED BY: Kirk McKinley, Aurora Corridor Project Manager
Maggie Brown, Capital Projects Manager

BACKGROUND: The parcel at the SE corner of N 152nd Street and Aurora will have improvements as part of the Aurora Corridor Improvement Project, Phase I. There will be a property acquisition along the Aurora frontage extending around the corner to N 152nd. This parcel has a building which was relocated to this location in 1973, and was placed into a position which encroaches into the existing N 152nd right-of-way by approximately two feet. Research of King County building permit records does not reveal why this foundation permit and moving permit were approved. The building and parcel are owned by Robert Parker, and is occupied by Goldie's management. The building is a two-story structure.

In order to construct a full-width sidewalk along N 152nd, per Shoreline's Engineering Development Guide, the building would have to be removed, as the building's foundation is within the right-of-way. Due to extensive grading that will be required in this area, a retaining wall will need to be constructed regardless of the encroachment. The difference in cost to the Aurora project budget to construct around the encroachment is insignificant. The cost to the property owner to move the building will be significant.

The Aurora design team has developed a design which will navigate around this encroaching structure, using a 9-foot sidewalk along N. 152nd with no amenity zone running 30 feet at the location of the structure. This width is ADA-compliant, but is less than Engineering Development Guide sidewalk dimensions for street projects or frontage improvements required for private property development. While staff has the authority to alter sidewalk width in circumstances where expanding right-of-way conflicts with existing structures under the "32 Points", City Council authorization is required to allow a permit for the encroachment. This requires a City Council finding that there is no current need for this portion of right-of-way, provided the owner removes the encroachment and establishes full standard sidewalks upon redevelopment. Staff could then issue a right-of-way site permit for five-year terms, with 5-year renewals at fair rental value.

ALTERNATIVES ANALYZED: The City can approve encroachments within right-of-way through a right-of-way site permit for five years, with an additional five-year renewal without another application. New applications for subsequent terms are available. (SMC 12.15.030, .050.) The site permit may be used for "structures, facilities, and uses that involve capital expenditures" but may not be issued for uses that will "disturb the existing or planned public use of the right-of-way once in place" (SMC 12.15.030). A rental fee

attaches to the permit. This rental value is calculated at 10% of the fair market value, for a total of \$432 per year. Permanent use beyond the site permit would require a vacation, with compensation paid to the City. The vacation criteria also require that the vacated part not be needed for the long-range pedestrian plan or be detrimental to right-of-way purposes. There are no short-term needs that are known at this time for this area of N 152nd Street, except for the Aurora project, but the long-term needs are currently unknown. For this reason, the more feasible alternative is Council approval to allow a finding that there is no current need for the subject portion of right-of-way. SMC 20.70.030 requires frontage improvements when commercially zoned properties are substantially redeveloped (50% of fair market value of the site prior to redevelopment).

RECOMMENDATION

Staff recommends that Council find that a 2-ft portion of N 152nd adjacent to the Multitronics Building (currently occupied by Goldie's management) is not currently needed, provided encroachments are removed and the sidewalk is fully developed when the abutting property is redeveloped as defined in SMC 20.70.030.

Approved By: City Manager  City Attorney 

Attachment A: Map showing vicinity of encroachment

9.35' LT, 7.50' LT
CURB & GUTTER
VN TRANSITION
1/4" AT FRONT
CURB
N MEDIAN NOSE

1
D-3

31
MPED
IAN

SITE GRADING BY OTHER

MCDONALDS

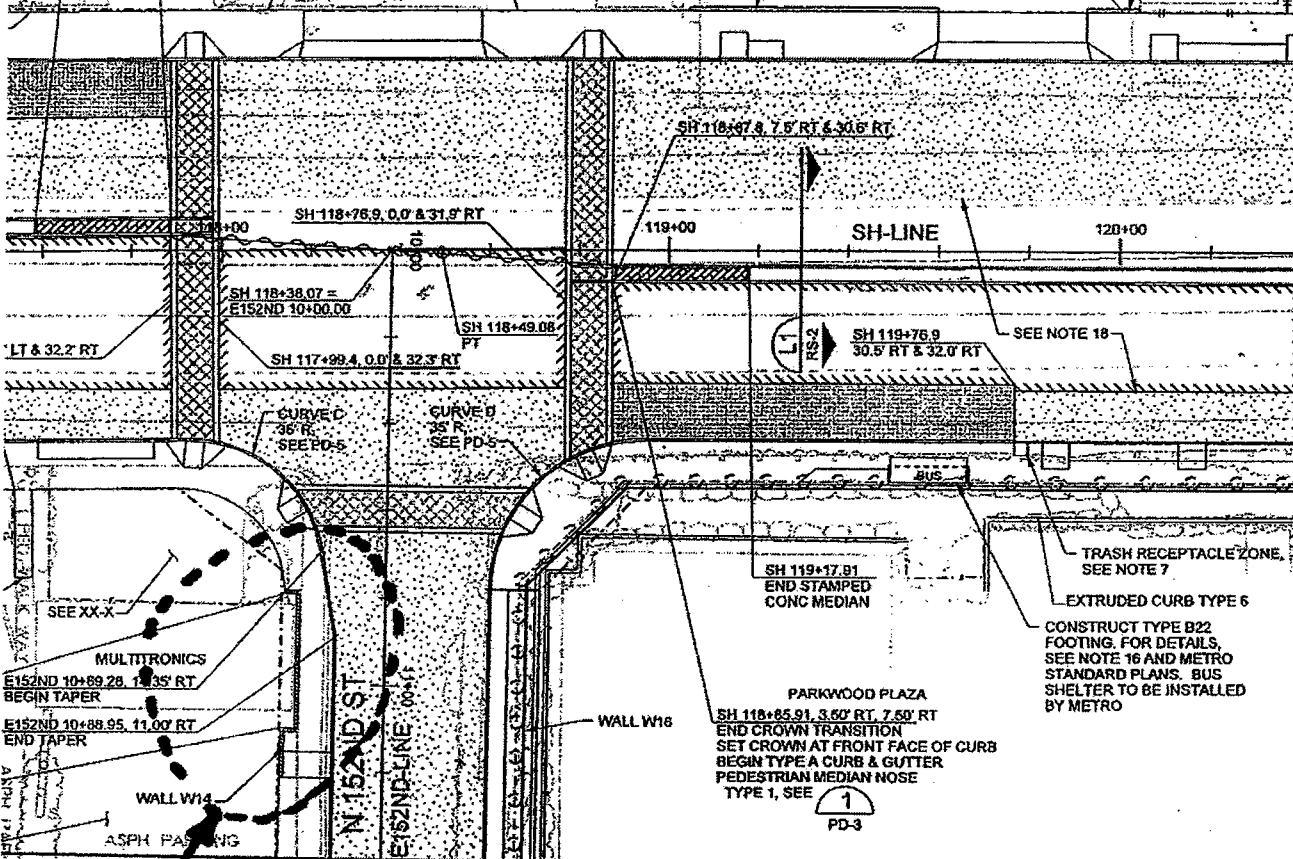
MADDY'S
AUTOMOTIVE

64' LT
MATCH EXST PVMT

ALLSTATE/
PHO HOA
RESTAURANT

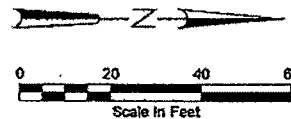
EXTRUDED CURB
TYPE 6

SH 120+40 MATCH TO DRAWING PV-5



E152ND 11+40 MATCH TO DRAWING PV-12

**Proposed
encroachment
area**



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CITY OF SHORELINE
AURORA AVENUE NORTH
MULTIMODAL CORRIDOR PROJECT
TIB NO. 9-P-202(002)-1

AURORA AVENUE NORTH MULTIMODAL CORRIDOR PROJECT
N 145TH STREET - N 165TH STREET
PAVING AND GRADING PLAN

SHEET	67 OF 310
DWG	PV-4
DATE	SEP 2004
PROJ	159851

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