



City Council

Approval of a Resolution Setting a Public Hearing Date for Consideration of a Street Vacation Petition

Agenda Date: 10/15/2019
Agenda Item Number: 4.C
File Number: 19-0926

Type: resolution **Version:** 1 **Status:** Passed

Title

Approval of a Resolution Setting a Public Hearing Date for Consideration of a Street Vacation Petition

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the resolution scheduling a Public Hearing on November 12, 2019, to hear public testimony regarding the vacation petition of a portion of Bethel Street NE, between State Avenue and Olympic Drive.

Report

Issue:

Whether to schedule a public hearing on November 12, 2019, to hear public testimony regarding the vacation petition.

Staff Contact:

Fran Eide, P.E., City Engineer, Public Works Engineering, 360.753.8422

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

A property owner adjacent to Bethel Street NE has asked the City to initiate the process to abandon a portion of Bethel Street NE between State Avenue and Olympic Drive. The additional property would be used for construction of a retaining wall adjacent to a new commercial development.

Under state law RCW 35.79.010, the Council is required to adopt a resolution to set the public hearing date prior to acting on a right-of-way vacation petition. The statute states in part:

RCW 35.79.010

Petition by owners -- Fixing time for hearing.

The owners of an interest in any real estate abutting upon any street or alley who may desire to vacate the street or alley, or any part thereof, may petition the legislative authority to make vacation, giving a description of the property to be vacated, or the legislative authority may itself initiate by resolution such vacation procedure. The petition or resolution shall be filed with the city or town clerk, and, if the petition is signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated, legislative authority by resolution shall fix a time when the petition will be heard and determined by such authority or a committee thereof, which time shall not be more than 60 days nor less than 20 days after the date of the passage of such resolution.

Neighborhood/Community Interests (if known):

The public hearing will provide an opportunity for Council to hear from the community on the requested vacation.

Options:

1. Approve a Resolution scheduling a Public Hearing on November 12, 2019, to hear public testimony regarding the vacation petition of a portion of Bethel Street NE, between State Avenue and Olympic Drive. This is within the required timeline of the proposed resolution.
2. Do not approve the Resolution setting November 12, 2019 as the date for the Public Hearing. Staff will work with Council to set another Public Hearing date that meets the statutory requirements.

Financial Impact:

None

Attachments:

Resolution
Vicinity Map