



TO: T.C. Broadnax, City Manager
FROM: Kurtis D. Kingsolver, P.E., Public Works Director/City Engineer / *KDK*
Justin E. Davis, Division Manager, Facilities Management
Troy Stevens, Sr. Real Estate Specialist, Real Property Services
COPY: City Council and City Clerk
SUBJECT: Resolution - Setting Public Hearing – June 9, 2015
Street Vacation 124.1354 – Waterview Point, LLC
DATE: May 15, 2015

SUMMARY:

A resolution setting Thursday, July 16, 2015, at 1:30 p.m., as the date and time for a hearing before the Hearing Examiner on the request to vacate portions of Waterview Street, North 45th Street, North 46th Street, Morrison Street, Mason Avenue, Harriott Street and portions of alleyway located between North 45th Street and North Cheyenne Street, to create individual residential lots ranging from 18,000 to 19,000 square feet.

STRATEGIC POLICY PRIORITY:

- Assure outstanding stewardship of the natural and built environment.

Vacating portions of Waterview Street, North 45th Street, North 46th Street, Morrison Street, Mason Avenue, Harriott Street and portions of alleyway located between North 45th Street and North Cheyenne Street will facilitate development by allowing the developer to combine right-of-way with real property to help create a more economically viable single family unit project.

BACKGROUND:

The right-of-way proposed for vacation by Waterview Point, LLC is contained in four different plats. The area is generally southwesterly of Waterview Street and north/northwesterly of Stevens Street, contains steep slopes with grades exceeding 40 percent, and approximately 95,060 square feet of unimproved right-of-way.

The petition was previously heard by the Hearing Examiner under street vacation number 124.1269 on February 15, 2007. The Hearing Examiner's report was dated March 8, 2007, and it was recommended for approval on May 1, 2007, under Ordinance No. 27609. Subsequent to first reading, economic conditions caused the developer, HH-One, to put the project on hold. In 2011, HH-One and its partners sold the private property adjacent to the subject right-of-way to Waterview Point, LLC. Since then, real estate conditions have improved and Waterview Point, LLC has asked the City to move forward with the petition. Waterview Point, LLC is no longer going to plat the combined private property and proposed vacated right-of-way. Instead, they will segregate the parcels or record boundary line adjustments to create individual lots ranging from 18,000 to 19,000 square feet.

The Hearing Examiner asked Waterview Point, LLC to refile the petition given the length of time since the original filing. The Hearing Examiner will take the Hearing Examiner's report from 2007 under advisement and consider any new requirements since then at the hearing.

ISSUE:

Pursuant to RCW 35.79 and TMC 9.22 the Public Works Department is requesting the City Council set a date to consider this request for this street vacation to be heard by the Hearing Examiner and report the findings of fact, conclusions of law, and recommendation to the City Council for their consideration.



ALTERNATIVES:

An alternative is to deny the street vacation, subsequently reducing the potential development footprint and feasibility of the proposed project. Denial of the requested street vacation will also prevent future property tax collection.

RECOMMENDATION:

The Public Works Department recommends City Council approve this request to set the Hearing Examiner's public hearing date for July 16, 2015, at 1:30 p.m.

FISCAL IMPACT:

This action only sets the date of the hearing before the Hearing Examiner. Unless decided otherwise, the City will receive market value compensation for the vacated right-of-way. The proceeds will be deposited in accordance with TMC 9.22.