

# ORIGINAL

## RESOLUTION NO. 220

### **A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, INITIATING REVIEW OF A STREET VACATION FOR 170 FEET OF MIDVALE AVE. N. RIGHT-OF-WAY SOUTH OF N. 185<sup>TH</sup> STREET; AND FIXING A PUBLIC HEARING DATE FOR THE VACATION**

WHEREAS, the developer of Gateway Plaza has requested that Council initiate a vacation of 170 feet of Midvale Avenue N. south of 185<sup>th</sup> N. Street to accommodate a new development between Aurora Avenue N, N. 185<sup>th</sup> Street and N. 183<sup>rd</sup> Street and to provide alternate pedestrian and vehicular access from N. 183<sup>rd</sup> Street through a Midvale Avenue N. realignment to N. 185<sup>th</sup> Street; and

WHEREAS, the City Council may initiate a street vacation review by a resolution of intent under SMC 12.17.040 in lieu of a petition from 60% of abutting owners; and

WHEREAS, the City has identified a need to relocate the intersection of Midvale Avenue N. and N. 185<sup>th</sup> Street as creating a traffic safety concern due to its close proximity to the Aurora Avenue N. and N.185<sup>th</sup> Street intersection; and

WHEREAS, it appears the requested vacation may be in the public interest if rights to reacquire a portion of vacated Midvale Avenue N. are retained necessary complete an exchange with Seattle City Light to realign Aurora Avenue N. as part of the Aurora project; 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 August 19, 2003; 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 170 feet of Midvale Avenue N. south of N. 185<sup>th</sup> Street following notice to the public and abutting owners as required by law and a public hearing; Provided, however, any vacation should be conditioned on an option for the City to purchase a portion of the street vacated if needed to realign the Seattle City Light right-of-way as part of the Aurora Project, provide alternate pedestrian and vehicular access from N. 183<sup>rd</sup> Street through a Midvale Avenue N. realignment to N. 185<sup>th</sup> Street, and such other conditions necessary to benefit the public interest. No monetary consideration for the vacation will be required in addition to dedications for alternate pedestrian and vehicular access.

**Section 2. Hearing Date.** A public hearing to take public comment on the vacation described in Section 1, as depicted on the map attached hereto as Exhibit "A," is

hereby set before the Shoreline Planning Commission for August 19, 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.

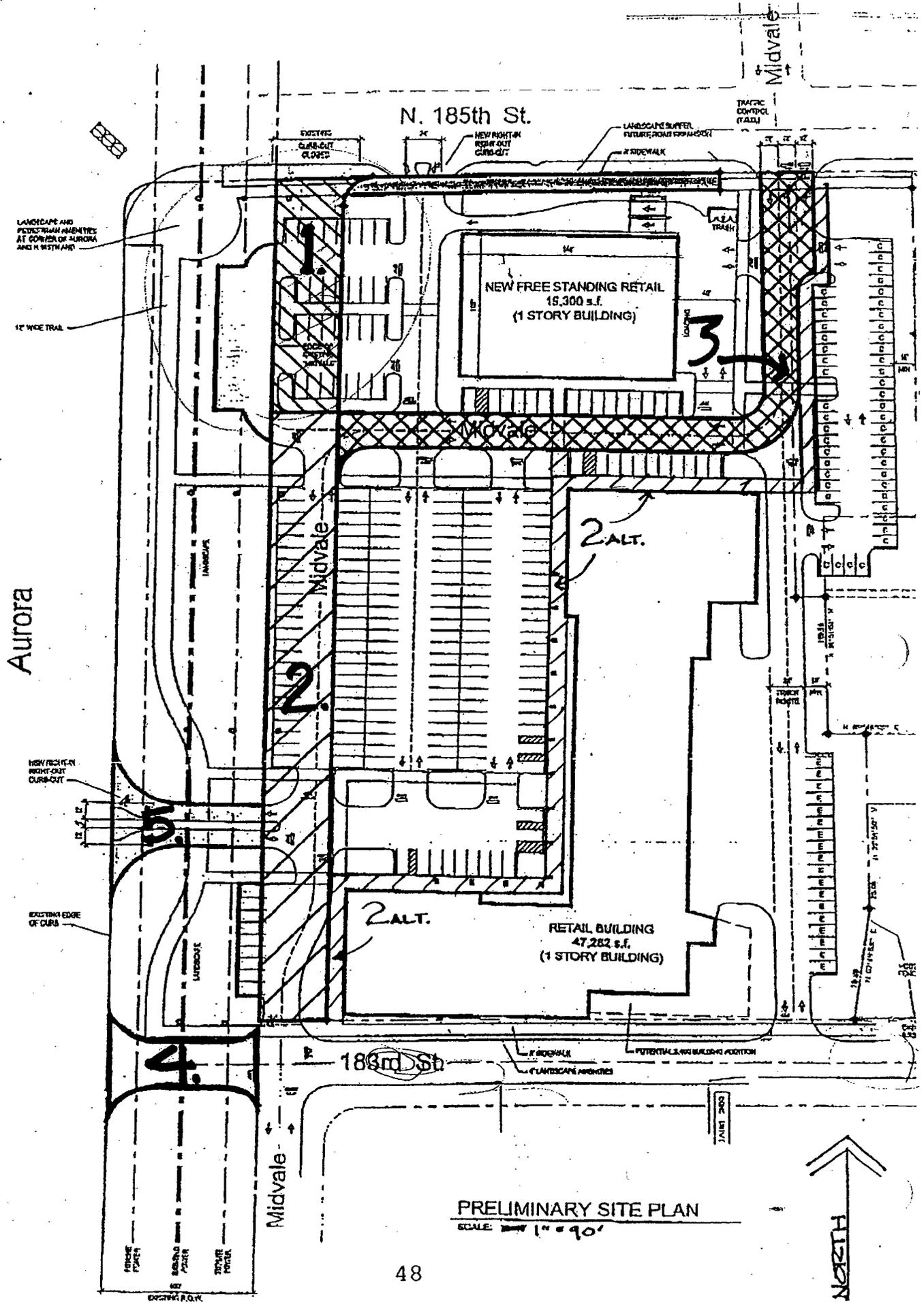
**Section 3. Notice of Hearing.** The City Clerk shall cause to be posted a notice containing a statement that the vacation has been initiated by the City Council describing the right-of-way proposed to be vacated, and the time and place of the hearing to consider the vacation at the times and locations set forth in SMC 12.17.020. The Notice shall further state that if 50 percent of the abutting property owners file written objection to the proposed vacation with the City Clerk prior to the Planning Commission hearing, the vacation proceeding will terminate.

**ADOPTED BY THE CITY COUNCIL ON July 19, 2004.**

  
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Mayor Ronald Hansen

**ATTEST:**

  
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Sharon Mattioli, MMC  
City Clerk



PRELIMINARY SITE PLAN  
SCALE: 1" = 90'