



Hearing Examiner Staff Report
Meeting Date: April 17, 2018, 6:00PM

Project Name/Title:	Petition to Vacate a Portion of 25 th Avenue NW Right of Way
Project File No.:	PLN18-0009
Presented By:	Robert Earl, P.E., City of Shoreline, Engineering Manager

A. PROPOSAL

As provided in Shoreline Municipal Code (SMC) Chapter 12.17, on January 23, 2018, Marvin Lee (“Lee”) filed a petition for the vacation of a portion of unopened platted right-of-way - the northerly half (30 feet) of 25th Avenue NW. (Attachment 1). This right of way, denoted as 25th Avenue NW, is in the Richmond Beach neighborhood of the City of Shoreline.

If approved, the vacation would release 3,600 square feet from the right-of-way. Lee seeks to utilize this area for setbacks, landscaping, and an access driveway in relationship to development on the abutting property that Lee owns. Lee filed an application for the construction of a three-story, five bedroom, single-family residence with attached garage in December 2017 (Application SFR17-1705).

B. FINDINGS OF FACT

1. Legal Authority

- A. With the adoption of RCW 35.79, the Washington State Legislature has delegated to the City the power to vacate streets.
- B. Consistent with RCW 35.79, the City has adopted procedures for a street vacation are set forth in SMC Chapter 12.17.
- C. Both RCW 35.79 and SMC 12.17 provide that the owners of two-thirds interest in any real estate abutting any city right-of-way, or any part thereof, may file a petition with the City to vacate the street.
- D. The City has the sole discretion as to whether a petition to vacate should be granted and denied. *Baumgardner v. Town of Ruston*, 712 F. Supp.2d 1180 (2010).
- E. Washington courts have long held that streets may be vacated for several reasons but regardless of the reason, the vacation must have within it some element of public use. *Youngs v. Nichols*, 152 Wash 306 (1929); *Yarrow First Assoc. v. Town of Clyde Hill*, 66 Wash 2d 371 (1965); *London v. City of Seattle*, 93 Wash 2nd 657 (1980). The courts have also held that the fact one private party may benefit directly or indirect from the vacation does not mean the

vacation will not also serve a public use. *Banchero v. City of Seattle*, 2 Wash. App. 519 (1970).

2. Original Right of Way Dedication (Attachment 2)

- A. 25th Avenue NW was originally platted in 1907 as Charles Street and recorded as “The Richmond Reserve” in Volume 16, Page 48, King County Plats (“Plat”).
- B. The Plat dedicated to the public forever the use of all streets and avenues.

3. Site Characteristics

- A. In the area of the proposed vacation, 25th Avenue NW is bordered by property owned by Lee legally described as Lot 8, Block 4, Richmond Reserve Addition (King County Tax Parcel 7284900270) and addressed as 2501 NW 191st Place (“Property”), and property owned by the City of Shoreline, the site of the Richmond Reserve Park (King County Tax Parcel 7284900360), with this parkland being dedicated to the public in the original 1907 Plat. (Attachment 3)
- B. Lee purchased the Property in September 2017. The Property is 7,200 square feet and is currently vacant as the prior structure was demolished in 2009. The property abuts NW 191st Place.
- C. Lee proposes to vacate a 3,600 square foot area (30 ft by 120 ft). (Attachment 4) The 3,600 square foot area is currently undeveloped and has never been opened to vehicular traffic, utility, or pedestrian use.
- D. The remaining 30 feet of unopened right of way that is not subject to the proposed vacation abuts the City’s Richmond Reserve Park, an open space/natural area pursuant to the City’s Parks, Recreation, and Open Space (“PROS Plan”) encompassing 4,900 square feet. (Attachment 5).

4. Neighborhood Characteristics

- A. The Richmond Beach Neighborhood is predominantly single-family and multi-family residential with some commercial activity located along Richmond Beach Road and NW 195th Street.
- B. The neighborhood immediately surrounding the area to be vacated is occupied by single-family residences. No other properties are accessed by the area to be vacated.
- C. The Richmond Reserve is an open space/natural area within the City’s park system. It current has no recreational improvements and has effectively been viewed by the community as an extension of the park throughout the years.
- D. This area of Richmond Beach Neighborhood is generally encumbered by steep slopes of varying degrees. The area proposed for vacation is steeply sloped upward from its intersection with 191st Place NW to a mid-point, whereupon it becomes steeply sloped downward (greater than 2v:1h) to its intersection with 22nd Avenue NW. Due to the slope, the area proposed for vacation would be classified as a Very High Hazard Landslide Area pursuant to SMC 20.80, the City’s Critical Area Regulations. (Attachment 6)
- E. The area proposed for vacation terminates at the southwesterly corner of Lee’s property. An unopened alley way established in the original 1907 Plat enters the unopened right-of-way at this point.
- F. The area proposed for vacation is not abutting a body of water.

5. Procedural History

- A. On January 23, 2018, Lee filed a petition for a street vacation as provided in SMC Chapter 12.17. City Staff verified that this petition was sufficient. (Attachment 7)
- B. On March 26, 2018, the City Council passed Resolution 426 fixing the date for the open record hearing on the matter before the Hearing Examiner for April 17, 2018. (Attachment 8)
- C. SMC 12.17.020 requires posting of the notice of hearing at least 20 calendar days prior to the hearing and also requires that at least 15 days prior to the hearing, notices shall be mailed to owners of property within 500 feet of the area proposed for vacation.
- D. A Public Notice of Application combined with a Public Notice of Hearing was posted on the area proposed for vacation on March 27, 2018. Public Notices of Hearing were posted in public places in the Richmond Beach neighborhood, and an advertisement for the hearing was placed in the *Seattle Times* on March 27, 2018. Notices were mailed to property owners within 500 feet of the area proposed for vacation on March 28, 2018. (Attachment 9)

6. Public and Agency Comment (Attachment 10)

- A. Substantial public inquiry, but little written public comment, has been received by the City on this petition.
- B. There are no known utilities within the area proposed for vacation. The City notified utility providers with facilities in the vicinity of the area to confirm their current or future use. Verizon, Puget Sound Energy, Seattle Public Utilities and Seattle City Light, did not respond within 30 calendar days after notices were sent. Ronald Wastewater District, Comcast, and the City's Surface Water Utility indicated that they have no infrastructure within the proposed vacation area and have no plans to use the vacation area for future facilities.
- C. The City also notified Shoreline Fire Department to ensure the vacation would not impact any fire infrastructure. The Fire Department did not respond within the 30 calendar day period.

7. Right-of-Way Present and Future need Analysis

City Public Works staff reviewed whether there was any present or future use of the portion of the unopened 25th Avenue NW that has been requested for vacation. Staff foresees no present or future use. (Attachment 11).

8. State Environmental Policy Act (SEPA)

The City's SEPA official has determined that the proposed street vacation is categorically exempt from SEPA, as provided in WAC 197-11-800(2)(h).

9. Shoreline Zoning and Comprehensive Plan

- A. The zoning designation in the subject area is R-6 (residential, 6 dwelling units per acre maximum density). The Comprehensive Plan land use designation is low density residential. (Attachment 12)
- B. 25th Avenue NW and NW 191st Place are classified as Local Secondary Streets in the City's Transportation Element of the Comprehensive Plan. This classification of street provides local access and serves less than 3,000

vehicles per day on one to two lanes without stripping, transit, and defined bicycle or pedestrian ways.

- C. The City's Comprehensive Plan does not specifically address street vacations. However, Staff believes two Comprehensive Plan policies are relevant to the proposed vacation:

LU 139: Restrict water runoff to predevelopment levels and restore water quality to predevelopment levels for all new development and redevelopment. Additional requirements for Low Impact Development (LID) on residential parcels, which are more restrictive than this general policy will apply to any permitted development within the area to be vacated.

ED 4: Encourage and support revitalization and construction spending within the City. This vacation would facilitate construction of a new, single family home on the petitioner's abutting parcel.

C. **CONCLUSIONS**

1. With the adoption of RCW 35.79, the Washington State Legislature has delegated to the City the power to vacate streets. SMC Chapter 12.17 are the City's regulations to perform this function. The criteria for approval of a street vacation are set forth in SMC 12.17.050. Each of the following criteria must be met:

A. The vacation will benefit the public interest.

The public will benefit from the economic payment of approximately \$50,000 by the petitioner for the value of the vacated right of way. As required by SMC 12.17.030(B), 50% of these proceeds shall be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects.

The public will benefit from the economic value of future property taxes paid for the vacated area.

The City will also not be required to expend substantial resources to open the right-of-way due to its topography, maintain the area, or be liable for the area.

B. The proposed vacation will not be detrimental to traffic circulation, access, emergency services, utility facilities or other, similar right-of-way purposes.

The area proposed for vacation has not been opened for street or utility uses since platted in 1907. It is steeply sloped upward from its intersection with 191st Place NW to a mid-point, whereupon it becomes steeply sloped downward (greater than 2v:1h) to its intersection with 22nd Avenue NW and is unsuitable for street use without unjustified expenditure of substantial City funds for regrading.

The surrounding area is adequately served by other streets, such as 25th and 22nd Avenues NW and NW 191st Place, which are constructed to provide access across, and not down, the sloped terrain. Furthermore, no existing access or emergency services routes would be affected nor rendered better or worse by the vacation.

No other parcel will be landlocked due to this vacation.

No utility or public easements are required within the vacation area.

C. The street or alley is not part of a long range circulation plan or pedestrian/bicycle plan.

The area to be vacated is a small residential right of way classified as a Local Secondary Street, is not included in the City's Pedestrian Facilities Plan nor the City's Bicycle Facilities Plan of the Transportation Element of the Comprehensive Plan, and is not identified in any long range circulation plans.

The platted unopened alley adjacent to Lee's property will not be impacted by the vacation.

D. The subject vacation is consistent with the adopted comprehensive plan and adopted street standards.

The vacation is consistent with adopted Comprehensive Plan goals and policies in that it does not affect or interact with the Comprehensive Plan. The vacation also does not interact with the City's adopted street standards.

D. Staff Preliminary Recommendation

Staff recommends approval of the proposed street vacation, subject to the following conditions:

1. Petitioner shall, in addition to all other duties and expenses of vacation as set forth in SMC 12.17, provide and pay for a boundary survey of the combined Lot 8, Block 4, Richmond Reserve Addition and the portion of right of way of 25th Avenue NW that is vacated. Such survey shall be performed by a Land Surveyor licensed to practice in Washington State and shall be recorded with King County consistent with Chapter 58.09 RCW.

Attachments:

1. Petition for Street Vacation, January 23, 2018
2. Richmond Reserve Plat 1907
3. Area Parcel Map
4. Proposed Vacation Area Map
5. PROS Plan (Excerpt)
6. Area Topographic Map
7. Certification of Property Ownership
8. Resolution 426
9. Public Notices
10. Public and Agency Comments
11. Present and Future Right-of-Way analysis
12. Comprehensive Plan Land Use Map and Zoning Map



City of Shoreline

Planning & Community Development

17500 Midvale Avenue North Shoreline, WA 98133-4905

Phone: (206) 801-2500 Fax: (206) 801-2788

Email: pcd@shorelinewa.gov Web: www.shorelinewa.gov

STREET VACATION PERMIT APPLICATION

RECEIVED

JAN 23 2018

PCD

STREET VACATION PETITION AND AFFIDAVIT

NOTE: Please fill out in ink. Petition forms in pencil will not be accepted.

Description of the street or alley petitioned for vacation: SW HALF OF UNDEVELOPED

STREET ROW BOUNDED TO THE NE BY CITY OF SHORELINE PARK, PARCEL # 7284900360, TO THE SW BY APPLICANT PROPERTY, PARCEL # 7284900270, TO THE NW BY INTERSECTION OF 25th AVE NW / NW 1915th PL, TO THE SE BY 22nd AVE NW

Size of street or alley to be vacated (square feet or acres): 30' x 120' = 3600 SF

Primary Applicant Name: MARVIN LEE

Name: MARVIN LEE Email: MARVLEE58@GMAIL.COM

Address: 19040 10th AVE NE City: SHORELINE State: WA Zip: 98155

Phone Cell: 206-660-3424 Fax:

Applicant's Authorized Agent (Contact Person): SAME

Name: Email:

Address: City: State: Zip:

Phone Cell: Fax:

RECEIVED JAN 29 2018 PUBLIC WORKS

Does the area requested to be vacated about a body of: [] Fresh Water [] Salt Water [X] N/A

The applicant hereby certifies that all of the above statements and the information contained in any exhibits, plot plans, or other transmittals made are true. The applicant acknowledges that any action taken by the City of Shoreline based in whole or in part on this application may be reversed if it develops that any such statement or other information contained herein is false.

PREPARED AND SUBMITTED BY: Marvin D. Lee

FOR: SELF DATE: 12-19-17

Washington State Law requires that a petition for vacation of any street or alley be 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 (R.C.W. Chapter 35.79).

PREPARED BY:

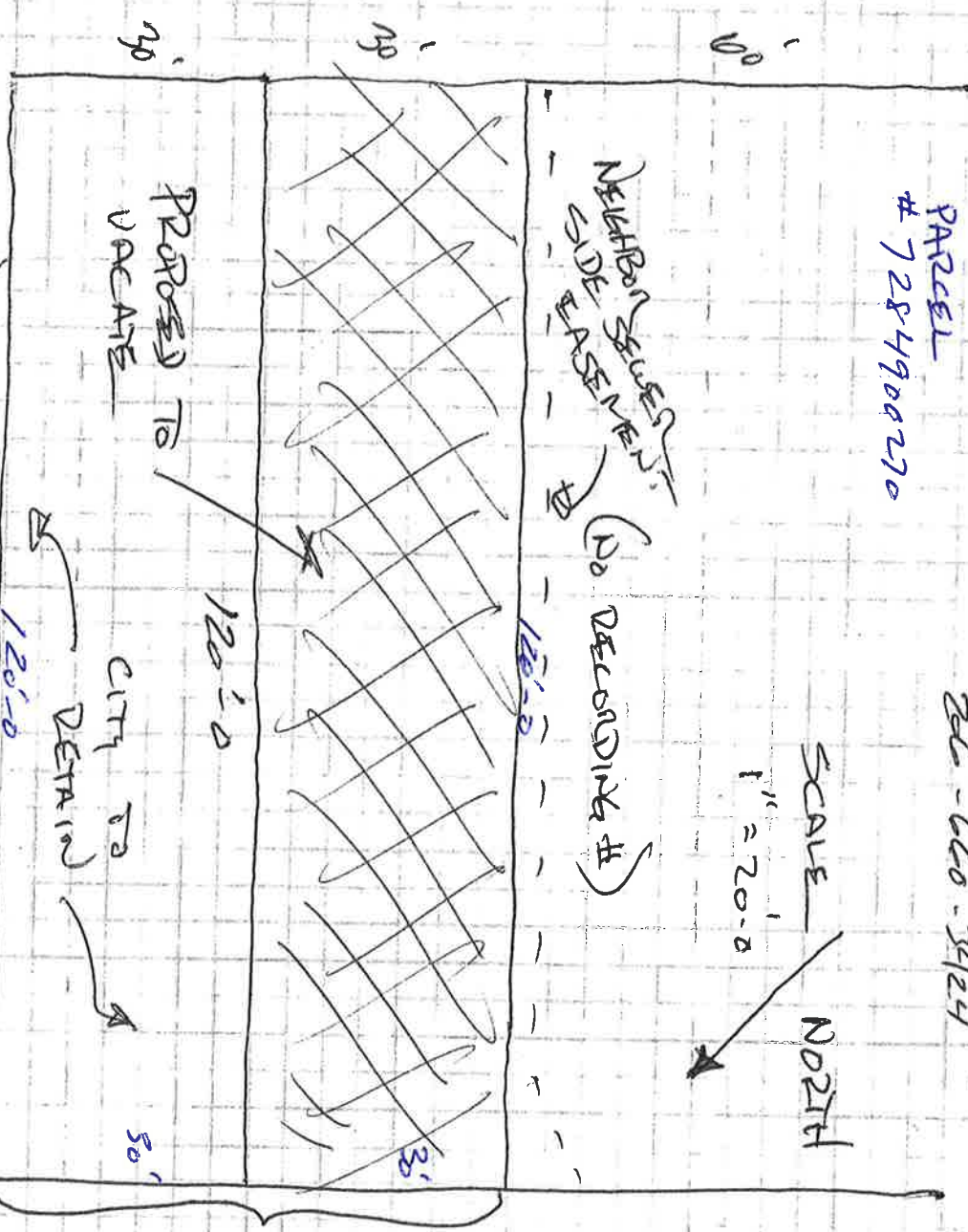
MARVIN LEE
19640 10th AVE NW
SHORELINE, WA 98155
206-660-3424

PARCEL
7284900270

SCALE
1" = 20'-0"
NORTH

ALLEY 10'-0" WIDE

NEIGHBOR SEWER
SIDE EASEMENT
(DO RECORDING #)



UNDEVELOPED
RIGHTS OF WAY

NW 191st Pl

25th Ave NW

pln #18-0009-8

RICHMOND
RESERVE
PARCEL
7284900360

JAN 23 2018

PLN 18-0009

22nd
Ave
NW

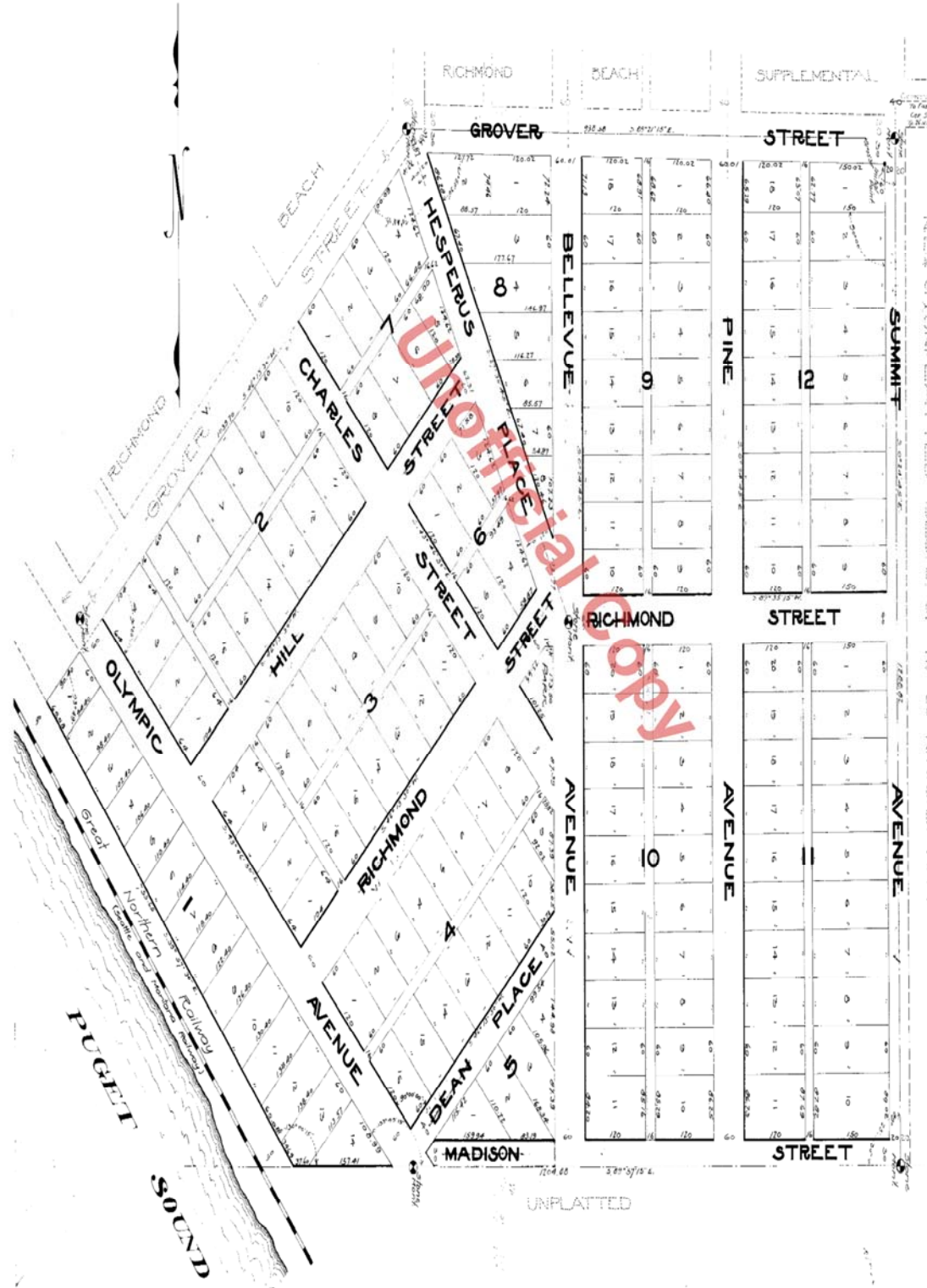
THE RICHMOND RESERVE

48

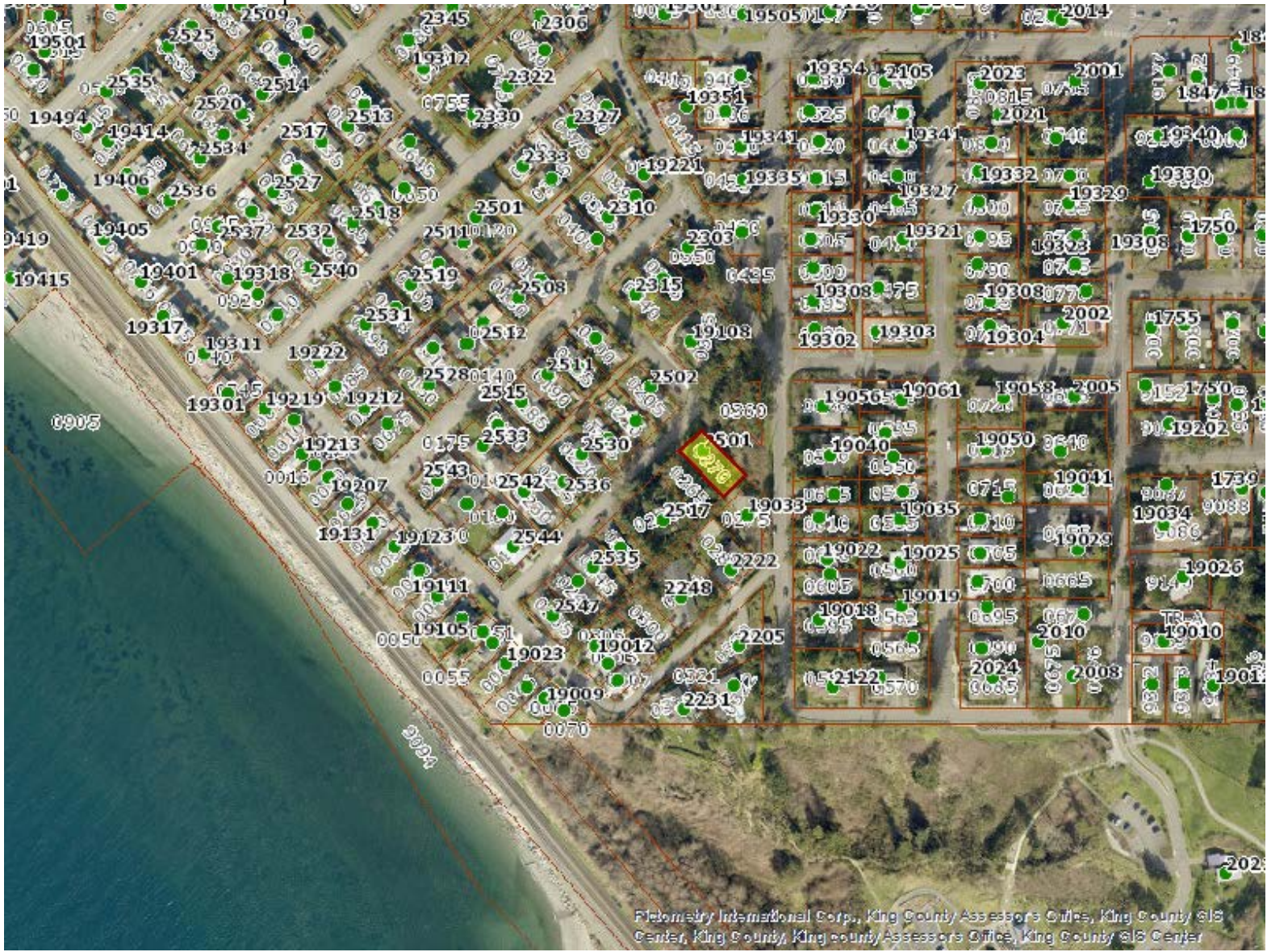
AN ADDITION TO RICHMOND BEACH, KING COUNTY, WASHINGTON.

Scale: 1 inch = 100 feet

Colwell, Pugh & Harkness



Attachment 3 - Aerial Map



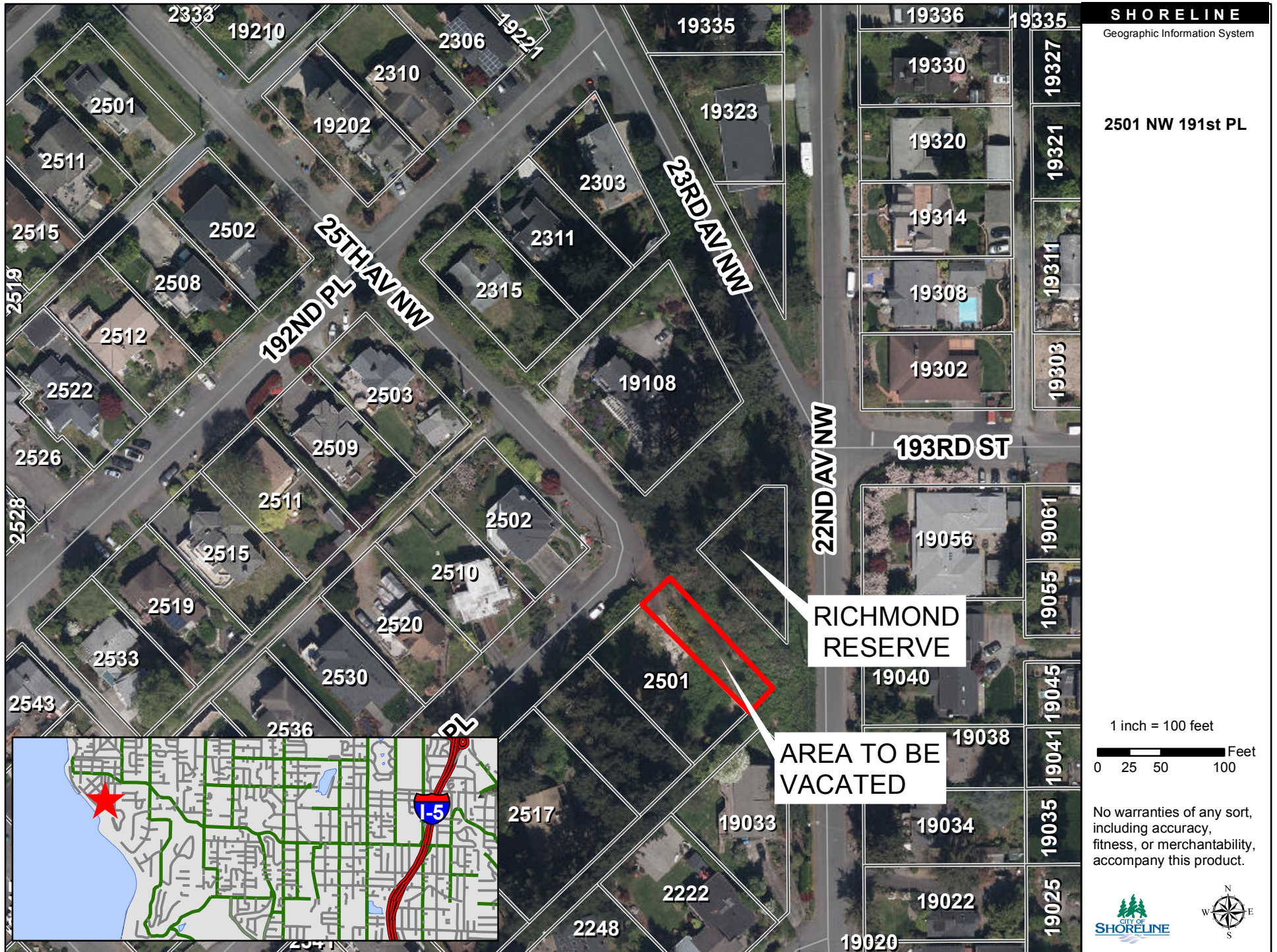
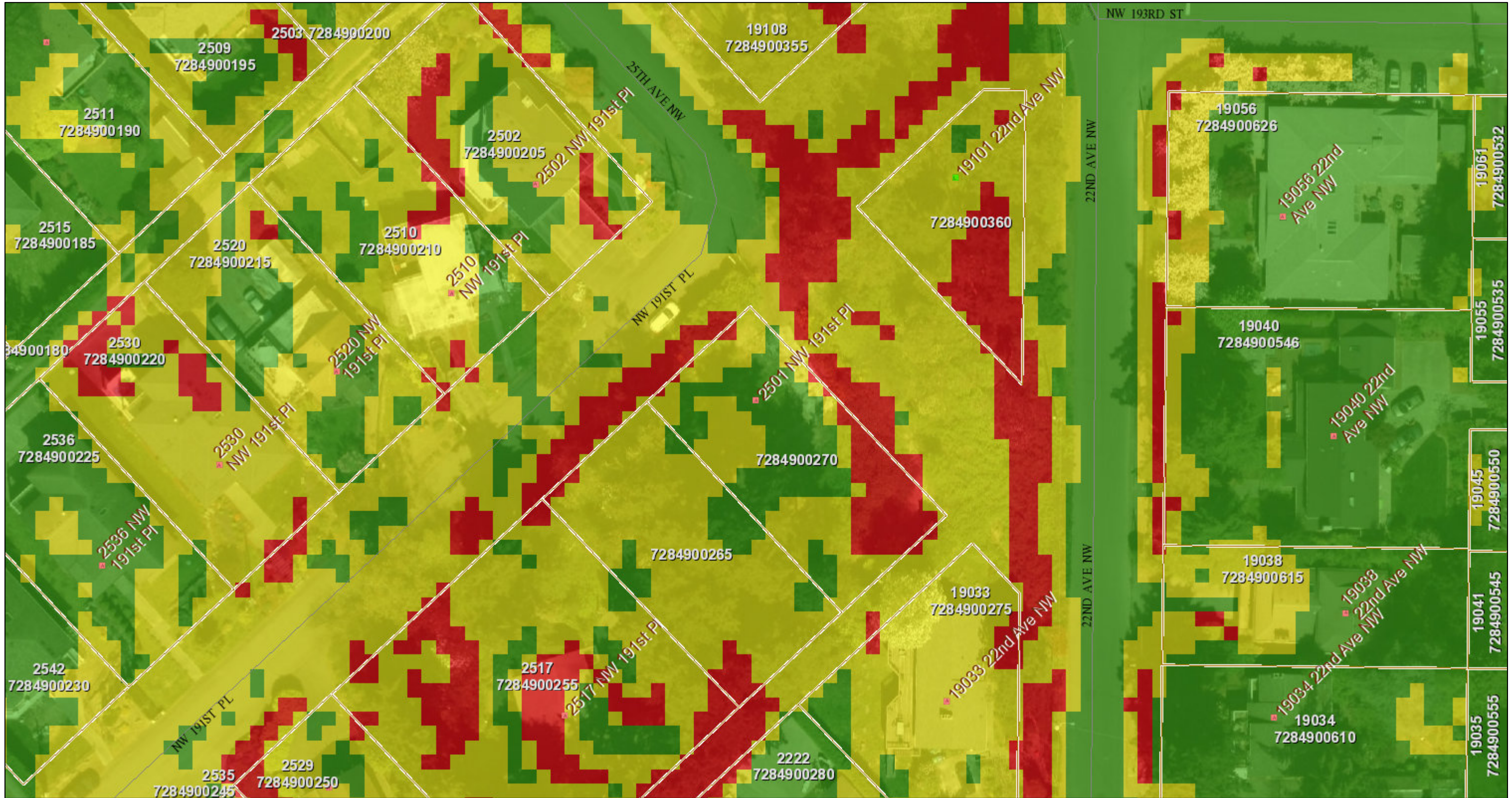


TABLE 5.1: PARKS AND SITE FEATURES CONTINUED

Park Name & Location	Baseball/Softball	Basketball	Formal Garden	Handball	Horseshoe Pit	Open Space/Natural Area	Open Water Access	Picnic Area	Playground	Public Art	Restrooms/Sani-Can	Skate Park	Soccer	Tennis	Trails
North City Park 19201 10th Avenue NE						X									X
Northcrest Park 827 NE 170th St						X			X						X
Paramount Open Space 946 NE 147th St						X									X
Paramount School Park 15300 8th Avenue NE	X							X	X		X	X	X		X
Park at Town Center 175th to 185th Street										X					
Richmond Beach Community Park 2201 NW 197th Street								X	X		X			X	
Richmond Beach Saltwater Park 2021 NW 190th Street							X	X	X	X	X				X
Richmond Beach Saltwa- ter Park Seasonal Dog Off Leash Area 2021 NW 190th Street (Open Nov 1. through March 15)							X				X				
Richmond Highland Park 16554 Fremont Avenue N	X							X	X		X				
Richmond Highlands Recreation Center 16554 Fremont Avenue N															
Richmond Reserve 19101 22nd Avenue NW						X									
Ridgecrest Park 108 NE 161st Street	X			X							X				
Ronald Bog Park 2301 N 175th Street			X				X	X		X					
Shoreline Park 19030 1st Avenue NE							X	X	X	X			X	X	X

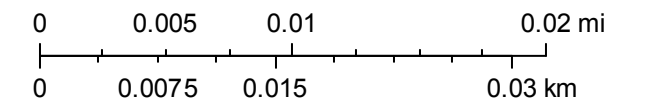
Print a Map



April 11, 2018

1:480

- | | | | |
|--------------------------------|-------------------------|--------------------|---------------------|
| Stream | Wetland | Street | Local Primary |
| F: Contains Fish Habitat | City Boundary - outline | Outside Shoreline | Local Secondary |
| Np: Perennial Non-fish Habitat | Site Address | Interstate | Tax Parcel |
| Ns: Seasonal Non-fish Habitat | Mailable | Principal Arterial | 0 - 15 |
| Piped | Location | Minor Arterial | 15.1 - 40 |
| Not Typed | | Collector Arterial | > 40 symbol"/> > 40 |





17500 Midvale Avenue North
Shoreline, WA 98133
(206) 801-2230

CERTIFICATION

I, the undersigned, Bonita Roznos, Deputy City Clerk of the City of Shoreline, certify that attached hereto is a copy of a document taken from the King County Department of Assessments' website, identifying Marvin D. Lee as the owner of the property identified as Parcel #728490-0270.

Subscribed this 11th day of April, 2018 at Shoreline, Washington.



Bonita Roznos
Deputy City Clerk

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[Glossary of Terms](#)
[Area Report](#)
[Print Property Detail](#)


PARCEL DATA

Parcel	728490-0270
Name	MARVIN D LEE
Site Address	
Residential Area	001-001 (NW Appraisal District)
Property Name	

Jurisdiction	SHORELINE
Levy Code	2263
Property Type	R
Plat Block / Building Number	4
Plat Lot / Unit Number	8
Quarter-Section-Township-Range	SE-2 -26-3

Legal Description

RICHMOND RESERVE ADD
 PLat Block: 4
 Plat Lot: 8

LAND DATA

Highest & Best Use As If Vacant	SINGLE FAMILY
Highest & Best Use As Improved	(unknown)
Present Use	Vacant(Single-family)
Land SqFt	7,200
Acres	0.17

Percentage Unusable	
Unbuildable	NO
Restrictive Size Shape	NO
Zoning	R6
Water	WATER DISTRICT
Sewer/Septic	PUBLIC
Road Access	PUBLIC
Parking	
Street Surface	PAVED

ADVERTIS

Views

Rainier	
Territorial	GOOD
Olympics	GOOD
Cascades	
Seattle Skyline	
Puget Sound	GOOD
Lake Washington	
Lake Sammamish	
Lake/River/Creek	
Other View	

Waterfront

Waterfront Location	
Waterfront Footage	0
Lot Depth Factor	0
Waterfront Bank	
Tide/Shore	
Waterfront Restricted Access	
Waterfront Access Rights	NO
Poor Quality	NO
Proximity Influence	NO

Designations

Historic Site	
Current Use	(none)
Nbr Bldg Sites	
Adjacent to Golf Fairway	NO
Adjacent to Greenbelt	NO
Other Designation	NO
Deed Restrictions	NO
Development Rights Purchased	NO
Easements	NO
Native Growth Protection Easement	NO
DNR Lease	NO

Nuisances

Topography	
Traffic Noise	
Airport Noise	
Power Lines	NO
Other Nuisances	NO

Problems

Water Problems	NO
Transportation Concurrency	NO
Other Problems	NO

Environmental

Environmental	NO
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BUILDING

TAX ROLL HISTORY

Account	Valued Year	Tax Year	Omit Year	Levy Code	Appraised Land Value (\$)	Appraised Imps Value (\$)	Appraised Total Value (\$)	New Dollars (\$)	Taxable Land	Taxable Imps	Taxable Total	Tax Value Reason
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RESOLUTION NO. 426

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, SETTING A PUBLIC HEARING DATE BEFORE THE CITY OF SHORELINE HEARING EXAMINER TO CONSIDER VACATION OF A PORTION OF THE RIGHT-OF-WAY ON 25TH AVENUE NW.

WHEREAS, Shoreline Municipal Code Chapter 12.17 provides for a property owner to petition the City Council for vacation of City Right-of-Way; and

WHEREAS, in 1907, as part of the Richmond Reserves Addition to Richmond Beach, recorded in Volume 16, Page 48 of King County Plats, all streets were dedicated to the use of the public forever; and

WHEREAS, a petition to vacate property dedicated for street purposes in the Richmond Reserves Addition, being a portion of 25th Avenue NW, with the full legal description as described in Exhibit A and as shown on Exhibit B attached hereto and incorporated in full by this reference, was filed with the City of Shoreline for the above described property; and

WHEREAS, this petition, referenced as File No. PLN18-0009, was filed by Marvin Lee, the owner of abutting property located at 2501 NW 191st Place, Shoreline, Washington, King County Tax Parcel 7284900270, which represents the owner of at least two-thirds interest in the abutting property; and

WHEREAS, City staff has verified the petition as sufficient; and

WHEREAS, SMC 12.17.020 requires that the City Council, by resolution, fix a time when the petition will be heard by the City of Shoreline Hearing Examiner not more than 60 days and not less than 20 days after the date of passage of this resolution; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The time and place for an open record public hearing before the City of Shoreline Hearing Examiner on File No. PLN18-0009, seeking to vacate a portion of 25th Avenue NW, is fixed as April 17, 2018 at 6:00 pm and shall be held in City Council Chambers, Shoreline City Hall located at 17500 Midvale Ave N, Shoreline, WA 98133.

Section 2. The City Clerk shall cause notice of the public hearing to be provided as set forth in SMC 12.17.020.

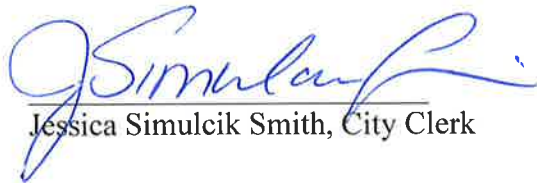
ORIGINAL

ADOPTED BY THE CITY COUNCIL ON MARCH 26, 2018.



Mayor Will Hall

ATTEST:



Jessica Simulcik Smith, City Clerk

ORIGINAL

**RESOLUTION No. 426
EXHIBIT A**

Legal Description of Area to be Vacated:

The westerly 30 feet of 25th Avenue NW abutting Lot 8, Block 4 of the Richmond Reserve Addition to Richmond Beach, lying between the westerly line of NW 191st Place on the east and the easterly line of the alley of Block 4 of the Richmond Reserve Addition to Richmond Beach on the west, all as recorded in Volume 16, Page 48 of King County Plats.



SHORELINE
Geographic Information System

EXHIBIT B

Resolution 426

2501 NW 191st Pl

ORIGINAL

pln #18-0009-21



No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.



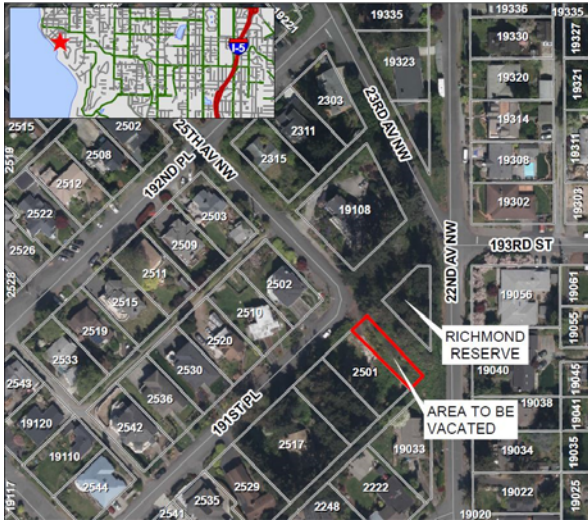


Shoreline City Hall
17500 Midvale Avenue North
Shoreline, Washington 98133
(206) 801-2230

SHORELINE HEARING EXAMINER PUBLIC HEARING NOTICE

Description:

Petition to Vacate portion of 25th Avenue NW, Shoreline



The Hearing Examiner will conduct this hearing to determine whether to recommend approval of street vacation petition File No. PLN18-0009 to the City Council based on criteria in SMC 12.17 and staff recommendations. File No. PLN18-0009 is seeking to vacate a portion of 25th Avenue NW.

All interested persons are encouraged to attend the public hearing to provide oral and/or written comments. Any person with questions or wishing to comment in writing prior to the hearing, please sent to Bonita Roznos, Deputy City Clerk, at broznos@shorelinewa.gov.

Date/Time:

**Tuesday, April 17, 2018
6:00 p.m.**

Location:

**Council Chamber, Shoreline City Hall
17500 Midvale Avenue N.
Shoreline, WA 98133**

Any person requiring a disability accommodation should contact the City Clerk at 801-2231 in advance for more information. For TTY telephone service call 546-0457. Each request will be considered individually according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.

DATED this 28 day of March, 2018.

Jessica Simulcik Smith
City Clerk



SHORELINE HEARING EXAMINER

PUBLIC HEARING NOTICE

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Date/Time: Tuesday, April 17, 2018 6:00 p.m.
Location: Council Chamber, Shoreline City Hall 17500 Midvale Avenue N. Shoreline, WA 98133

If you have any questions,

please contact:
 Bob Earl, Engineering Manager
 206-801-2479
 bearl@shorelinewa.gov



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please contact:
 Bob Earl, Engineering Manager
 206-801-2479
 bearl@shorelinewa.gov



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 206-801-2479
 bearl@shorelinewa.gov



SHORELINE RESIDENT
PO Box 60053
Seattle, WA 98160-0053

SHORELINE RESIDENT
PO Box 60223
Seattle, WA 98160-0223

SHORELINE RESIDENT
2451 Aurora Ave N
Seattle, WA 98109-2204

SHORELINE RESIDENT
1201 N Orange St Ste 600
Wilmington, DE 19801-1171

SHORELINE RESIDENT
19056 22nd Ave NW
Shoreline, WA 98177-2828

SHORELINE RESIDENT
4021 NE 73rd St
Seattle, WA 98115-6031

SHORELINE RESIDENT
1230 NW 203rd St
Shoreline, WA 98177-2153

SHORELINE RESIDENT
15915 74th Pl W
Edmonds, WA 98026-4554

SHORELINE RESIDENT
19019 21st Ave NW
Shoreline, WA 98177-2823

SHORELINE RESIDENT
19011 21st Ave NW
Shoreline, WA 98177-2823

SHORELINE RESIDENT
3508 222nd St SW
Mountlake Terrace, WA 98043-4254

SHORELINE RESIDENT
19105 Richmond Beach Dr NW
Shoreline, WA 98177-2941

SHORELINE RESIDENT
19101 Richmond Beach Dr NW
Shoreline, WA 98177-2941

SHORELINE RESIDENT
19027 Richmond Beach Dr NW
Shoreline, WA 98177-2939

SHORELINE RESIDENT
19023 Richmond Beach Dr NW
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19015 Richmond Beach Dr NW
Shoreline, WA 98177-2939

SHORELINE RESIDENT
2502 NW 192nd Pl
Shoreline, WA 98177-2920

SHORELINE RESIDENT
2508 NW 192nd Pl
Shoreline, WA 98177-2920

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2512 NW 192nd Pl
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2528 NW 192nd Pl
Shoreline, WA 98177-2920

SHORELINE RESIDENT
2544 NW 191st Pl
Shoreline, WA 98177-2916

SHORELINE RESIDENT
19110 Richmond Beach Dr NW
Shoreline, WA 98177-2942

SHORELINE RESIDENT
19120 Richmond Beach Dr NW
Shoreline, WA 98177-2942

SHORELINE RESIDENT
2543 NW 192nd Pl
Shoreline, WA 98177-2919

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2519 NW 192nd Pl
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2515 NW 192nd Pl
Shoreline, WA 98177-2919

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2511 NW 192nd Pl
Shoreline, WA 98177-2919

SHORELINE RESIDENT
2509 NW 192nd PI
Shoreline, WA 98177-2919

SHORELINE RESIDENT
2503 NW 192nd PI
Shoreline, WA 98177-2919

SHORELINE RESIDENT
2502 NW 191st PI
Shoreline, WA 98177-2916

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2510 NW 191st PI
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2520 NW 191st PI
Shoreline, WA 98177-2916

SHORELINE RESIDENT
2530 NW 191st PI
Shoreline, WA 98177-2916

SHORELINE RESIDENT
2536 NW 191st PI
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2542 NW 191st PI
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SHORELINE RESIDENT
2517 NW 191st PI
Shoreline, WA 98177-2915

SHORELINE RESIDENT
2501 NW 191st PI
Shoreline, WA 98177-2915

SHORELINE RESIDENT
19033 22nd Ave NW
Shoreline, WA 98177-2827

SHORELINE RESIDENT
2222 NW 190th PI
Shoreline, WA 98177-2914

SHORELINE RESIDENT
2248 NW 190th PI
Shoreline, WA 98177-2914

SHORELINE RESIDENT
19008 Richmond Beach Dr NW
Shoreline, WA 98177-2940

SHORELINE RESIDENT
19012 Richmond Beach Dr NW
Shoreline, WA 98177-2940

SHORELINE RESIDENT
19000 Richmond Beach Dr NW
Shoreline, WA 98177-2940

SHORELINE RESIDENT
2231 NW 190th PI
Shoreline, WA 98177-2913

SHORELINE RESIDENT
19005 22nd Ave NW
Shoreline, WA 98177-2827

SHORELINE RESIDENT
2205 NW 190th PI
Shoreline, WA 98177-2913

SHORELINE RESIDENT
2315 NW 192nd PI
Shoreline, WA 98177-2917

SHORELINE RESIDENT
2311 NW 192nd PI
Shoreline, WA 98177-2917

SHORELINE RESIDENT
2303 NW 192nd PI
Shoreline, WA 98177-2917

SHORELINE RESIDENT
19108 25th Ave NW
Shoreline, WA 98177-2904

SHORELINE RESIDENT
17500 Midvale Ave N
Shoreline, WA 98133-4905

SHORELINE RESIDENT
19221 23rd Ave NW
Shoreline, WA 98177-2376

SHORELINE RESIDENT
2306 NW 192nd PI
Shoreline, WA 98177-2918

SHORELINE RESIDENT
2310 NW 192nd Pl
Shoreline, WA 98177-2918

SHORELINE RESIDENT
19202 25th Ave NW
Shoreline, WA 98177-2905

SHORELINE RESIDENT
19335 22nd Ave NW
Shoreline, WA 98177-2829

SHORELINE RESIDENT
19323 22nd Ave NW
Shoreline, WA 98177-2829

SHORELINE RESIDENT
19321 21st Ave NW
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SHORELINE RESIDENT
19311 21st Ave NW
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SHORELINE RESIDENT
19303 21st Ave NW
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19308 22nd Ave NW
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19314 22nd Ave NW
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19320 22nd Ave NW
Shoreline, WA 98177-2830

SHORELINE RESIDENT
19330 22nd Ave NW
Shoreline, WA 98177-2830

SHORELINE RESIDENT
19061 21st Ave NW
Shoreline, WA 98177-2823

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19055 21st Ave NW
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SHORELINE RESIDENT
19041 21st Ave NW
Shoreline, WA 98177-2823

SHORELINE RESIDENT
19040 22nd Ave NW
Shoreline, WA 98177-2828

SHORELINE RESIDENT
19045 21st Ave NW
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19035 21st Ave NW
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SHORELINE RESIDENT
19025 21st Ave NW
Shoreline, WA 98177-2823

SHORELINE RESIDENT
2108 NW 190th St
Shoreline, WA 98177-2833

SHORELINE RESIDENT
2122 NW 190th St
Shoreline, WA 98177-2833

SHORELINE RESIDENT
19018 22nd Ave NW
Shoreline, WA 98177-2828

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19038 22nd Ave NW
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19030 21st Ave NW
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19036 21st Ave NW
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19042 21st Ave NW
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SHORELINE RESIDENT
19050 21st Ave NW
Shoreline, WA 98177-2824

SHORELINE RESIDENT
19058 21st Ave NW
Shoreline, WA 98177-2824

RICHMOND BEACH COMMUNITY
ASSOCIATION
P.O. Box 60186
Richmond Beach, WA 98160-0186

RICHMOND BEACH COMMUNITY
ASSOCIATION
board@richmondbeachwa.org



Shoreline City Hall
17500 Midvale Avenue North
Shoreline, Washington 98133
(206) 801-2230

SHORELINE HEARING EXAMINER PUBLIC HEARING NOTICE

Description:

Petition to Vacate portion of 25th Avenue NW, Shoreline



The Hearing Examiner will conduct this hearing to determine whether to recommend approval of street vacation petition File No. PLN18-0009 to the City Council based on criteria in SMC 12.17 and staff recommendations. File No. PLN18-0009 is seeking to vacate a portion of 25th Avenue NW.

All interested persons are encouraged to attend the public hearing to provide oral and/or written comments. Any person with questions or wishing to comment in writing prior to the hearing, please sent to Bonita Roznos, Deputy City Clerk, at broznos@shorelinewa.gov.

Date/Time:

**Tuesday, April 17, 2018
6:00 p.m.**

Location:

**Council Chamber, Shoreline City Hall
17500 Midvale Avenue N.
Shoreline, WA 98133**

Any person requiring a disability accommodation should contact the City Clerk at 801-2231 in advance for more information. For TTY telephone service call 546-0457. Each request will be considered individually according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.

DATED this 28 day of March, 2018.


Jessica Simulcik Smith
City Clerk



17500 Midvale Avenue North
Shoreline, WA 98133-4905
(206) 801-2700

DECLARATION OF POSTING

I, Bonita Roznos, declare the following:

I am over the age of 18, a resident of Washington State and have no interest in the proposal described in the attached notice. I certify that on March 27, 2018 I caused to be posted a true and correct copy of the attached notice, by securely fastening it in the following location:

QFC
600 NW Richmond Beach Road
Shoreline, Washington 98177

and, by providing it to representatives at the following locations for posting:

Richmond Beach Library
196201 21st Avenue NW
Shoreline, Washington 98177

Rite Aid
655 NW Richmond Beach Road
Shoreline, Washington 98177

I make this declaration subject to penalty of perjury under the laws of the State of Washington.

Dated this 28th day of March, 2018 at Shoreline, Washington.



Signature



17500 Midvale Avenue North
Shoreline, WA 98133-4905
(206) 801-2700

DECLARATION OF POSTING

I, Jessica Simulauk Smith, declare the following:

I am over the age of 18, a resident of Washington State and have no interest in the proposal described in the attached notice. I certify that on 3/28/18 I caused to be posted a true and correct copy of the attached notice, by securely fastening it in the following official posting location:

City Hall Bulletin Board
17500 Midvale Ave. N.
Shoreline, Washington

I make this declaration subject to penalty of perjury under the laws of the State of Washington.

Dated this 28 day of March, 2018 at Shoreline, Washington.


Signature

The Seattle Times

RECEIVED

APR 02 2018

CITY CLERK
CITY OF SHORELINE

City Of Shoreline
City Clerk
17500 Midvale Ave N

Seattle, WA 98133-4905

Re: Advertiser Account # 103105

Agency Account #: 0

Ad #: 802948

Agency Name:

Affidavit of Publication

STATE OF WASHINGTON
Counties of King and Snohomish

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by others of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

Newspaper and Publication Date(s)	
Seattle Times	03/29/18

Agent Sharon Seligman Signature Sharon Seligman



Subscribed and sworn to before me on MARCH 29, 2018
DATE
Maureen E Duggan MAUREEN E DUGGAN

(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle

The Seattle Times

Re: Advertiser Account # 103105

Ad #: 802948

Agency Account #: 0

Agency Name:

AD TEXT

CITY OF SHORELINE
CITY OF SHORELINE PUBLIC HEARING NOTICE. The City of Shoreline Hearing Examiner will hold a Public Hearing on Tuesday, April 17, 2018 at 6:00 p.m. in the Council Chamber of Shoreline City Hall, 17500 Midvale Avenue N., Shoreline, WA 98133. The Hearing Examiner will conduct this hearing to determine whether to recommend approval of street vacation petition File No. PLN18-0009 to the City Council based on criteria in SMC 12.17 and staff recommendations. File No. PLN18-0009 is seeking to vacate a portion of 25th Avenue NW, specifically the westerly 30 feet of 25th Avenue NW abutting Lot 8, Block 4 of the Richmond Reserve Addition to Richmond Beach, and lying between the westerly line of NW 191st Place on the east and the easterly line of the alley of Block 4 of the Richmond Reserve Addition to Richmond Beach on the west, all as recorded in Volume 16, Page 48 of King County Plats.

All interested persons are encouraged to attend the public hearing to provide oral and/or written comments. Any person with questions or wishing to comment in writing prior to the hearing, please submit comments to Bonita Roznos, Deputy City Clerk, at broznos@shorelinewa.gov.

Any person requiring a disability accommodation should contact the City Clerk at 801-2231 in advance for more information. For TTY telephone services call 546-0457. Each Request will be considered individually according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.

Bonita Roznos

From: Bob Earl
Sent: Wednesday, April 11, 2018 5:04 PM
To: Bonita Roznos
Subject: FW: [EXTERNAL] Richmond Reserve

Bonita,

Please place the email below from Ms. Taibleson in the file for the Marvin Lee street vacation (PLN18-0009) as public comment.

Thanks,

Bob Earl P.E. | Engineering Manager

Public Works | City of Shoreline | 206.801.2479 D

*Supporting a sustainable and vibrant community through
stewardship of our public infrastructure and natural environment*



From: Joyce Taibleson [mailto:jmaukmd@gmail.com]
Sent: Tuesday, April 10, 2018 8:54 PM
To: Bob Earl <bearl@shorelinewa.gov>
Subject: [EXTERNAL] Richmond Reserve

Dear Mr. Earl,

We used to own the property in question and we had several architects draw up plans for a modest home for a retired couple.

In order to have room for 2-3 foot eaves, and the drive way/car turn around and reasonable width of the house, it is reasonable for the home owner to purchase half of the access property of the park.

We support having the new owners purchasing 1/2 the right of way/access and that will provide more taxes also.

Feel free to call me at 425-248-9796.

I live on 22nd street, east of the Richmond Reserve.

thank you,

Joyce Mauk Taibleson

Utility and Agency Contact Log

PLN18-0009, Marvin Lee, Vacate Portion 25th Avenue NW

Responses Due by 3/8/2018

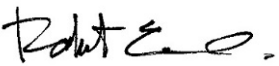
Utility/Agency Name	Date Sent	By	Date Response Rec'd	Summary of Response
Verizon	2/8/2018	RCE	None Received	No facilities mapped in this area, no response.
Puget Sound Energy	2/8/2018	RCE	None Received	No facilities mapped in this area, no response.
Shoreline Fire District	2/8/2018	RCE	None Received	No facilities mapped in this area, no response.
Seattle Public Utilities	2/8/2018	RCE	None Received	No facilities mapped in this area, no response.
Seattle City Light	2/8/2018	RCE	None Received	No facilities mapped in this area, no response.
Ronald Wastewater District	2/8/2018	RCE	2/10/2018	No facilities present in area to be vacated, not included in WW plan
Comcast	2/8/2018	RCE	3/16/2018	No facilities, no interest unless there is a new service
Shoreline Surface Water Utility	2/8/2018	RCE	2/8/2018	No facilities, not included in SW Master Plan (for main line, etc.)



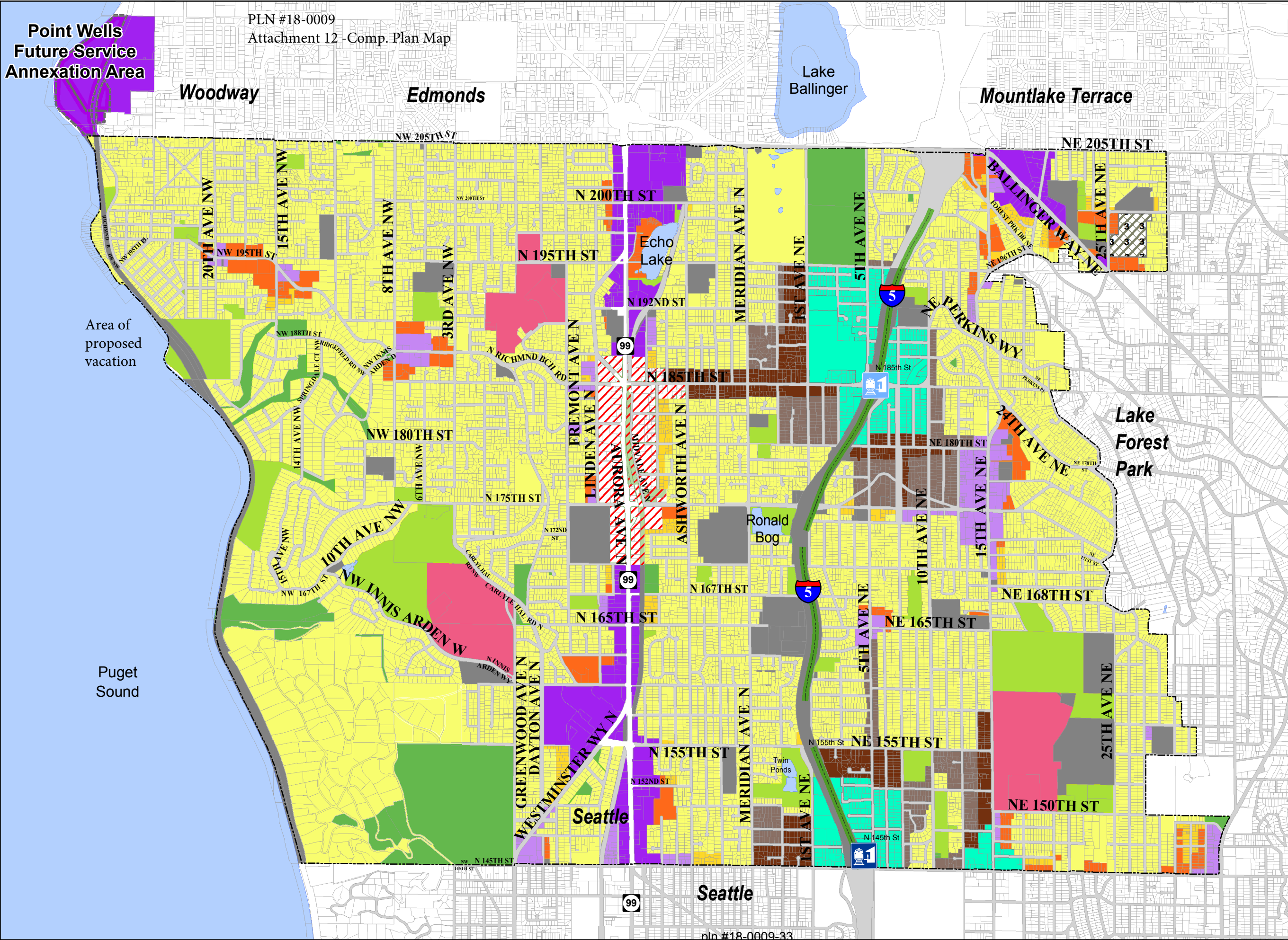
To File: PLN18-0009, M. Lee Street Vacation
From: Robert Earl, P.E. Engineering Manager

Subject: Vacation of Portion of 25th Avenue NW – Present & Future ROW Use

Based on statements and information obtained from utility providers, public safety agencies and City of Shoreline departments, I know of no existing or future public use for the undeveloped right of way of 25th Avenue NE abutting Lot 8, Block 4, Richmond Reserve Addition (King County Tax Parcel 7284900270), bounded on the east by NW 191st Place and on the west by the alley platted through Block 4, Richmond Reserve Addition.



Robert Earl, P.E.



**Point Wells
Future Service
Annexation Area**

PLN #18-0009
Attachment 12 -Comp. Plan Map



**City of Shoreline
COMPREHENSIVE PLAN**

**Comprehensive Plan
Land Use
Designations**

- Station Area 1
- Station Area 2
- Station Area 3
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institution/Campus
- Planned Area 3
- Mixed Use 2
- Mixed Use 1
- Town Center District
- Public Facility
- Public Open Space
- Private Open Space
- Future Service and Annexation Area

See LU20-LU43 for light rail station study area policies.

Potential Station Location

- 145th Station
- 185th Station
- Approximate Light Rail Alignment



This map is not an official map. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.

Land Use

Updated December, 2016

Zoning 2016

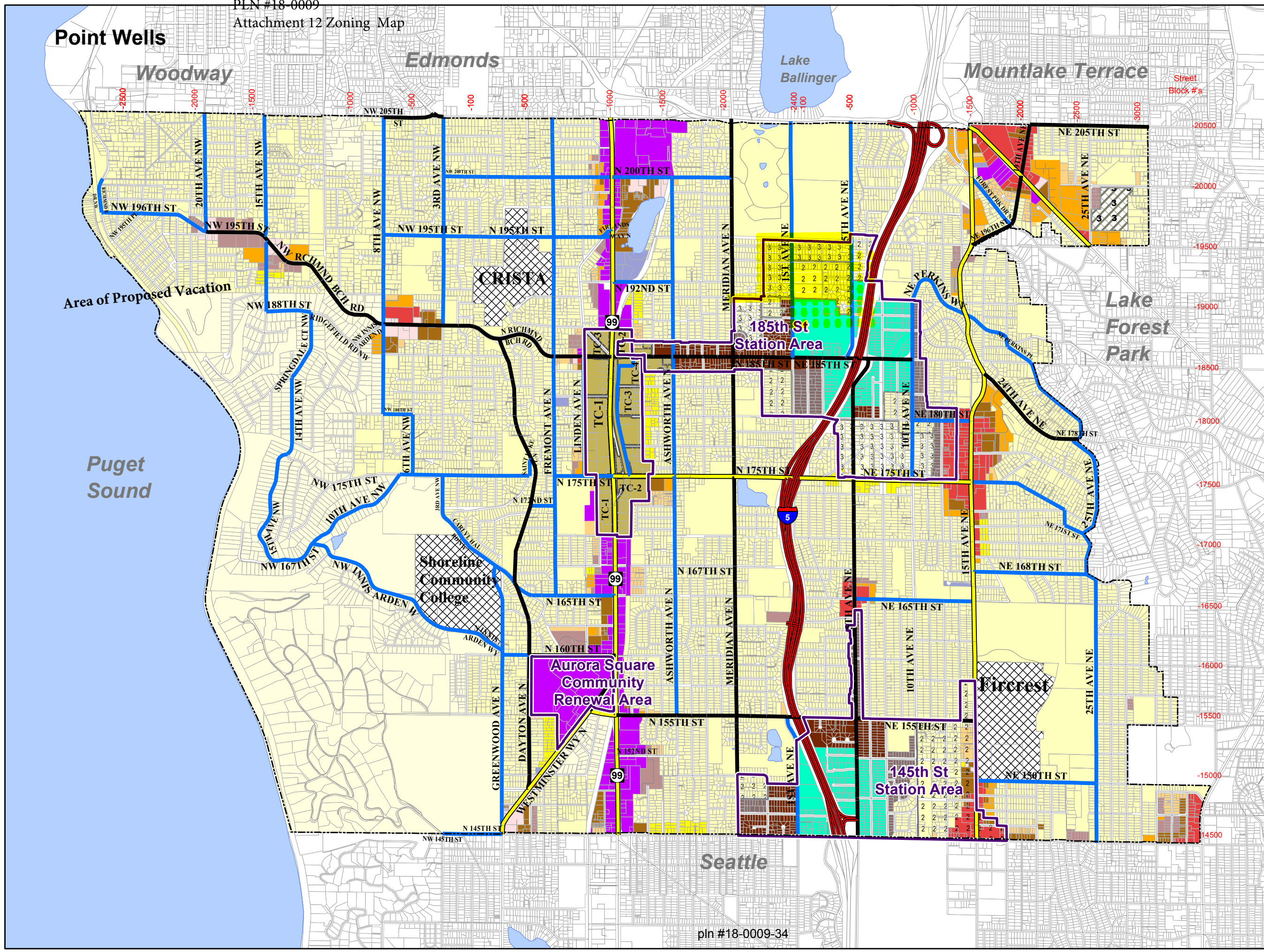
Shows amendments through
October 31, 2016.

- Zoning**
- Planned Action District
 - TC-1 to TC-4; Town Center
 - MUR-70; Mixed Use Residential (70' height)
 - MUR-45; Mixed Use Residential (45' height)
 - MUR-35; Mixed Use Residential (35' height)
 - MB; Mixed Business
 - CB; Community Business
 - NB; Neighborhood Business
 - PA 3; Planned Area 3
 - C; Campus
 - CZ; Contract Zone
 - R-48; Residential, 48 units/acre
 - R-24; Residential, 24 units/acre
 - R-18; Residential, 18 units/acre
 - R-12; Residential, 12 units/acre
 - R-8; Residential, 8 units/acre
 - R-6; Residential, 6 units/acre
 - R-4; Residential, 4 units/acre

- Zoning Phase**
- 2, Unlock 2021
 - 3, Unlock 2033

- Other Map Features**
- Outside Shoreline
 - Interstate
 - Principal Arterial
 - Minor Arterial
 - Collector Arterial
 - Neighborhood Collector
 - Local Street
 - Open Water
 - Unclassified Right of Way
 - City Boundary

No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.



Point Wells

Woodway

Edmonds

Lake Ballinger

Mountlake Terrace

Lake Forest Park

Puget Sound

Seattle

Bonita Roznos

From: chris Gildow <chrisgildow@comcast.net>
Sent: Thursday, April 12, 2018 8:52 PM
To: Bonita Roznos
Subject: [EXTERNAL] Petition to Vacate portion of 25th Ave NW ROW

Attn: Bonita Roznos, deputy city clerk, city of Shoreline.

RE: Comments for the hearing examiner and council regarding discussion file No. PLN-0009.
The request to vacate a portion of 25th Ave., Northwest.

This email letter is in opposition to the proposed vacating of a portion of the 25th Avenue NW right of way. Our Richmond Beach community has managed and nurtured this right of way for over 15 years, receiving grants and other funding to eradicate invasive plants, replant with native species and maintain the green space it provides all members of our community. The right of way is adjacent to the Richmond Reserve, an oasis of native timber and undergrowth. Together they provide critical slope stabilization, wildlife corridors and terrific open space - a valuable public asset for the entire community, part of which will be lost if the city vacates it. To vacate a portion of this right of way runs counter to what the city itself established in its comprehensive plan - to "preserve, encourage and enhance open space" (CD 19). Ceding a significant portion of this right of way to a private developer does not do that.

The developer who is petitioning the city to vacate this portion has already undermined the site by encroaching on the right-of-way - removing vegetation and grading within the space without permits. In my view they are trying to achieve an unjust advantage. This is contrary to the due process we all value as honest and fair, and to which our community looks to the city of Shoreline to uphold.

I oppose the proposed vacation of this portion of right of way. In summary:

- 1) Vacation of the right of way for private use and construction is not in accordance to the City Council PROS plan, Resolution 412.
- 2) It's part of a steep critical slope.
- 2) The city's comprehensive plan specifically states (CD 19) to "preserve and enhance views from public places of water and mountains... As valuable civic assets."
Selling it to a private developer does not do that.
- 3) The parks PROS plan - approved by the Shoreline City Council, states that they want the right-of-way to add to the Richmond Reserve park space adjacent to it.

Respectfully, keep the right-of-way as open space.

Christopher Gildow
19040 22nd AVE NW
Shoreline, WA 98177