Legislation Details (With Text)

File #:	AM No. 21-029		
Type:	Public Hearing	**Status:**	Passed
File created:	2/3/2021	**In control:**	City Council
On agenda:	2/16/2021	**Final action:**	2/16/2021
Title:	Hold a Public Hearing and Adopt an Ordinance Vacating a Portion of NE 70th Street Right-of-Way Lying West of 176th Avenue NE and East of the Western Terminus of NE 70th Street a. Ordinance No. 3034: An Ordinance of the City of Redmond, Washington, Vacating a Portion of NE 70th Street Located West of 176th Avenue NE and East of the West Terminus of NE 70th Street, Subject to Reservation of Easements; Establishing the Compensation to Be Paid for Such Vacation; Directing that a Copy of this Ordinance be Recorded with the King County Recorder's Office; and Setting an Effective Date		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Agenda Memo, 2. Attachment A: Supplemental Information, 3. Attachment B: ROW Vacation Petition, 4. Attachment C: Ordinance, 5. Attachment C, Exhibit A: Legal Description, 6. Attachment C, Exhibit B: NE 70th Street Future Dedication		

Date	Ver.	Action By	Action	Result
2/16/2021	1	City Council	approved	

TO: Members of the City Council
FROM: Mayor Angela Birney
DEPARTMENT DIRECTOR CONTACT(S):

Planning and Community Development	Carol Helland	425-556-2107
Finance	Kelley Cochran	425-556-2748

DEPARTMENT STAFF:

Planning and Community Development	Don Cairns	Transportation Planning and Engineering Manager
Planning and Community Development	Jeff Churchill	Long Range Planning Manager
Finance	Terry Marpert	Real Property Specialist

TITLE:
Hold a Public Hearing and Adopt an Ordinance Vacating a Portion of NE 70th Street Right-of-Way Lying West of 176th Avenue NE and East of the Western Terminus of NE 70th Street

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be Recorded with the King County Recorder's Office; and Setting an Effective Date

OVERVIEW STATEMENT:

As part of the Downtown Redmond Link Extension (DRLE), Sound Transit has petitioned the City to vacate a portion of NE 70th Street in Marymoor Village for the purpose of constructing the Southeast Redmond light rail station. Sound Transit will realign and reconstruct NE 70th Street in front of the station as part of the DRLE project and dedicate it to the City at project completion. Consistent with state law, the Council is required to set a public hearing date by resolution, hold a public hearing, and memorialize the vacation through adoption of an ordinance. The street vacation schedule is as follows:

- January 12, 2021: Committee of the Whole briefing *(completed)*
- January 19, 2021: Council adoption of a resolution setting the public hearing date *(completed)*
- February 16, 2021: Public hearing before the City Council and consideration of the vacation ordinance after the public hearing is concluded.

☒ **Additional Background Information/Description of Proposal Attached**

REQUESTED ACTION:

☐ **Receive Information** ☐ **Provide Direction** ☒ **Approve**

REQUEST RATIONALE:

- **Relevant Plans/Policies:**
  Marymoor Subarea Infrastructure Plan (2017); Comprehensive Plan Policies TR-10 and TR-11
- **Required:**
  Pursuant to Chapter 35.79 RCW the City Council must hold a public hearing and is the decision maker for this petition.
- **Council Request:**
  N/A
- **Other Key Facts:**
  The approach for vacating the existing street right-of-way and subsequently dedicating new street right-of-way is detailed in Letter of Concurrence 22 between the City and Sound Transit. The letter is incorporated into the DRLE Development Agreement executed on August 21, 2019.

OUTCOMES:

Vacating a portion of the existing NE 70th Street right-of-way will enable Sound Transit to construct the light rail station in Marymoor Village.

COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:

- **Timeline (previous or planned):**
  The City Council set the public hearing on the right-of-way vacation for February 16, 2021 and may consider approval after the hearing is closed.
- **Outreach Methods and Results:**
  The City posted notice of the public hearing at three conspicuous locations and at the subject location on or before January 27, 2021. The City also mailed notice of the hearing to all abutting property owners (RCW 35.79.020). Sound Transit has communicated extensively with all affected property owners during its property acquisition process.

- **Feedback Summary:**
  Key concerns among affected owners are maintenance of property and business access and provision of utility services during construction. Sound Transit has developed plans to maintain access and utility services during construction.

BUDGET IMPACT:

Total Cost:
The right-of-way vacation has no cost to the City. Sound Transit is compensating the City by reconstructing NE 70th Street in front of the light rail station and dedicating that new right-of-way to the City at the end of the DRLE project.

Approved in current biennial budget: ☒ **Yes** ☐ **No** ☒ **N/A**

Budget Offer Number:
000240 - Light Rail

Budget Priority:
Vibrant and Connected

Other budget impacts or additional costs: ☐ **Yes** ☐ **No** ☒ **N/A**
If yes, explain:
N/A

Funding source(s):
115 - Development Staffing Agreement

Budget/Funding Constraints:
DRLE Development Agreement

☐ **Additional budget details attached**

COUNCIL REVIEW:

Previous Contact(s)

Date	Meeting	Requested Action
11/17/2020	Business Meeting	Receive Information
1/12/2021	Committee of the Whole - Planning and Public Works	Receive Information
1/19/2021	Business Meeting	Approve

Proposed Upcoming Contact(s)

Date	Meeting	Requested Action
N/A	None proposed at this time	N/A

Time Constraints:
Sound Transit must take possession of the portion of NE 70th Street right-of-way to be vacated in order to complete

construction, which is scheduled to begin within the next two months.

ANTICIPATED RESULT IF NOT APPROVED:

Construction of the Southeast Redmond station parking garage begins in winter 2021. If the City Council does not approve the right-of-way vacation, the light rail station in Marymoor Village will need to be redesigned, significantly impacting both the project cost and schedule.

ATTACHMENTS:

Attachment A: NE 70th Street Right-of-Way Vacation Supplemental Information
Attachment B: NE 70th Street Right-of-Way Vacation Petition
Attachment C: Ordinance
    Exhibit A: Legal Description
    Exhibit B: NE 70th Street Future Dedication