

Ordinance No. 2239

AN ORDINANCE OF THE CITY OF KIRKLAND VACATING N.E. 65TH STREET AND N.E. 66TH STREET BETWEEN 116TH AVENUE N.E. AND 117TH AVENUE N.E. AND THE WEST HALF OF 117TH AVENUE N.E., BETWEEN N.E. 67TH STREET AND THE SOUTH LINE OF LOT 1, BLOCK 21, CORMODE AND ADSITS FIRST ADDITION TO KIRKLAND, ALL SITUATED WITHIN CORMODE AND ADSITS FIRST ADDITION TO KIRKLAND ACCORDING TO PLAT THEREOF, RECORDED IN VOLUME 6 OF PLATS, PAGE 44, RECORDS OF KING COUNTY, WASHINGTON.

WHEREAS, petition has been filed valid in form with the City of Kirkland requesting the vacation of portions of certain streets as hereinafter more specifically described, all in connection with a proposed plat to be known as Bridle Tree No. 4, and

WHEREAS, by Resolution No. 2203 adopted by the City Council of Kirkland on August 20, 1973, a date has been set for public hearing upon the proposed street vacation, and

WHEREAS, due and proper notice of said hearing was given in accordance with the law, and

WHEREAS, following said public hearing held on November 5, 1973, a vote of the Council was taken favoring said street vacation, provided that the applicant pay to the City 50% of the fair market value of those portions of street to be vacated as described in Section 1(1) and Section 1(2) hereinafter set forth less the total square footage in the proposed new dedication, and

WHEREAS, it appears desirable and to the best interests of the City, its residents and property owners abutting thereon that said streets be vacated, with such vacations to become effective only upon the filing in the manner required by law of the proposed plat known as Bridle Tree #4 with the inclusion of the new 116th Place N.E. as submitted to the appropriate officials of the City of Kirkland,

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. The following specifically described portions of streets located within Cormode and Adsit's First Addition to Kirkland according to plats thereof, recorded in Volume 6 of Plats, Page 44, records of King County, shall and hereby are declared to be vacated upon the filing with the King County Department of Elections and Records of that certain proposed plat given preliminary approval by the Kirkland City Council in regular meeting on November 5, 1973, and known as Bridle Tree No. 4 (which proposed plat includes the area within which the hereinafter described streets are situate);

- (1) All of N.E. 65th St. and N.E. 66th St. lying between the easterly right-of-way of 116th Ave. N.E. and the westerly right-of-way of 117th Ave. N.E.

- (2) The west 1/2 of 117th Avenue N.E. between the southern right-of-way of N.E. 67th St. and the south line of Lot 1, Block 21, Cormode and Adsits Addition to Kirkland.

Section 2. To the extent that the subject matter and provisions of this Ordinance are within the disapproval jurisdiction of the Houghton Community Council as created by Ordinance No. 2001, this Ordinance shall become effective, either upon approval of the Houghton Community Council, or failure of said Community Council to disapprove within 60 days from the date of passage of this Ordinance.


Section 3. Except as provided in Section 1 and 2, this Ordinance shall be in full force and effect five days from and after its passage by the Council and publication as required by law.

PASSED by the Kirkland City Council in regular meeting on the 5th day of November, 1973.



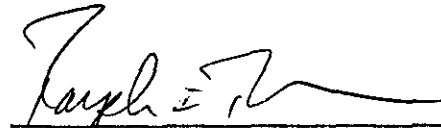
Mayor

Attest:



Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:



City Attorney

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ADMINISTRATIVE REPORT:

Bridle Tree #4 STREET VACATIONS

REPORT PREPARED: October 3, 1973 FILE NO.: V-73-35 (Finance Dept.)
 NAME: Wick Homes, Inc. HEARING BODY: PLANNING COMM.
 PROPERTY LOCATION: Portions of 17th Ave. N.E., HEARING DATE: Oct. 11, 1973
 N.E. 66th St., & N.E. 65th Street.
 SUBJECT: STREET VACATION APPLICATION - (BRIDLE TREE #4)

BACKGROUND ANALYSIS:

This Street Vacation application is requested in conjunction with the Preliminary Subdivision Application of Bridle Tree No. 4. The subject streets lie within the area between 116th Ave. N.E. and the centerline of 117th Ave. N.E., adjacent to the King County Transfer Station. The application is to vacate the westerly 30 feet of certain portions of 117th Ave. N.E. and all of N.E. 66th St. and 65th St. lying between 116th Ave. N.E. and 117th Ave. N.E., as shown on the attached map.

FINDINGS:

1. N.E. 65th and N.E. 66th Streets could serve as future access to the Transfer Station under a future development.
2. The vacation of the westerly 30 feet of 117th Ave. N.E. could affect King County's plans for the development of the Transfer Station.
3. The Park Board considered both the Street Vacations and the Subdivision proposed and made the following recommendation: To disapprove this plan or any other plan which would vacate a portion of 117th Ave. N.E. which is a potential perimeter road to the proposed park.
4. There are no utilities at the present time in any of the right-of-ways under this Vacation Application.
5. All properties to the east of 117th Ave. N.E. is in the ownership of King County Department of Sanitation. The applicant owns all properties on both sides of N.E. 65th St. and N.E. 66th St.

CONCLUSIONS:

1. Access to the Transfer Station area is available from all sides of the property. It is felt that N.E. 65th St. and N.E. 66th St. are not important for the servicing of future access to the Transfer Station.
2. A letter is on file from the King County Dept. of Public Works stating that they have no objection to the Street Vacation adjacent to the King County Transfer Station.

- 3. It is anticipated that a perimeter road will not be placed around the transfer station if it were to develop as a park for the following reasons:
 - a. It would create additional double frontage lots in the proposed subdivision.
 - b. It could become a potential noise tract around the park.
 - c. Trends in parks today are to place parking areas outside of the major activity areas and landscape them from the park and adjoining property.

(Items 3.a. through 3.c. were recommendations of the Houghton Community Council.)
- 4. The fact that no utilities are in the proposed right-of-ways to be vacated simplifies the Street Vacation.
- 5. If there are no objections from adjacent property owners, specifically King County in this case, the applicant would have the right to request Street Vacations of all streets under this application if the City of Kirkland has no use for the right-of-ways. The City of Kirkland has no plans for the use or development of any of the subject right-of-ways.

RECOMMENDATIONS:

We hereby recommend approval of the above referenced street vacations subject to the following conditions:

- 1. That the streets are to be vacated upon the filing of the final plat. At this point the subject roads would be vacated concurrently with the re-dedication of the proposed 116th Place N.E.
- 2. That the applicant is to supply the City with the total square feet in the proposed street vacations and the total square footage in the proposed 116th Pl. N.E. to be dedicated. The applicant shall be required to pay the City one-half of the fair market value of the difference in square feet of the vacated roads minus the newly proposed road. (Since the King County Assessor's office appraises at 50% of fair market value, the fair market value in this case shall be two times the assessed valuation as determined by the King County Assessor's Office.) These figures are to be submitted to the City of Kirkland and approved by the City Manager.

John Cushing
 CHAIRMAN
 KIRKLAND PLANNING COMMISSION

David Hunt
 DIRECTOR
 DEPARTMENT OF COMMUNITY DEVELOPMENT

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GFL:KS:bk

Attachment: Map