

TOWN OF EATONVILLE

Agenda Staff Report

Agenda Item No.:	_____	Meeting Date:	<u>March 25, 2019</u>
Subject:	<u>Public Hearing for Street Vacation of a</u> <u>Portion of Orchard Ave. S Adjacent to</u> <u>Larson Street W.</u>	Prepared by:	<u>Gregory A. Jacoby</u> <u>Town Attorney</u>
	_____	Atty Routing No:	<u>001-19</u>
	_____	Atty Review Date:	<u>March 20, 2019</u>

Summary: Park Place Homes, LLC and Eatonville Rentals, LLC (collectively the “Petitioners”) are seeking to vacate the south 200 feet of Orchard Ave. S adjacent to Larson Street W. Petitioners are the sole owners of the property abutting the area to be vacated.

Before the Council can take action to approve or deny the request for street vacation, EMC 12.06.040 and state law require the Council hold a public hearing.

The area to be vacated and the parcels owned by Petitioners are illustrated on the attached Exhibit A.

The Petitioners are required to tender a check in the amount of \$20,000, which represents the full appraised value of the property, before the vacation will become effective.

Recommendation: Staff recommends Council hold a public hearing on Petitioners’ request for a street vacation.

Attachments: Exhibit A: Legal Description and Figure.

**NOTICE OF PUBLIC HEARING OF
THE EATONVILLE TOWN COUNCIL ON
Monday, March 25, 2019**

NOTICE IS GIVEN that the Eatonville Town Council has scheduled a Public Hearing **for the purpose of soliciting public input to discuss the vacation of a portion of Orchard Avenue S. (that portion which extends ~200 feet north of the intersection of Larson St W and Orchard Ave S).** The hearing will be held at the Eatonville Community Center, 305 Center Street West, Eatonville, Washington, at 7:00 PM on Monday, March 25, 2019. Written comments regarding the ordinance amendments must be received at the Planning Department by 5:00 p.m. March 25, 2019 at the address below. A copy of the proposed Street Vacate is available for review at: www.eatonville-wa.gov/planningdocuments; or, at the Planning Department located at 201 Center Street W (PO Box 309), Eatonville WA 98328. Paper copies may be requested for the cost of reproduction and delivery.

Abby Gribi
Town Administrator

TOWN OF EATONVILLE

201 Center Street West PO Box 309 Eatonville Washington 98328 Phone: 360-832-3361 FAX: 360-832-3977

Date: March 22, 2019

To: Honorable Mayor Schaub and Town Council

From: Grant J. Middleton, P.E., Town Engineer

RE: Engineer's Report for Vacation of a portion of Orchard Avenue

The Town has been petitioned to vacate a portion of Orchard Avenue right-of-way beginning on the north leg of the intersection of Larson and Orchard Avenue and extending 199.9 feet north from the intersection at 60-feet wide. The total area of the proposed vacation is equal to 11,995 square feet.

The above described section of Orchard Avenue consists of a narrow-paved partial road together with concrete curb, gutter and sidewalk on the east side. The pavement width is approximately 15-feet wide and dimensionally does not meet the Towns standard for a road. The curb, gutter and sidewalk are broken in places and should be removed and/or replaced. The pavement slopes downward in a north-south direction at approximately a 17% grade and abruptly ends at the top of a steep slope.

This section of right-of-way only appears to be occasionally used for access to the immediately adjacent properties, which are the petitioners.

Findings:

- The Town has an inventory of all rights-of-way within the Town limits and this right-of-way does not abut a body of water.
- The topography is such that there is a steep slope north of the portion to be vacated making it impractical to consider connectivity to existing Town road network to the north.
- Due to the existing conditions, this right-of-way is not suitable for use as a park, public view, recreation or educational purposes.
- There are several Public utilities located within this portion of the right-of-way to be vacated and therefore it is in the best interest of the Town to maintain a Public utility easement over this area for the continued use of the existing utilities as well as the possibility for future utility extensions and ongoing maintenance purposes.

Summary and recommendation:

Taking into consideration the liabilities of maintaining substandard improvements as described above and for the lack of benefits to the public, it is my opinion that maintaining this particular portion of right-of-way is not in the public's best interest or benefit. As such I recommend the Town Council approve the requested vacation subject to the retention of a public utility easement in favor of the Town.

Attachments: Attachment A - Orchard Avenue right-of-way photo exhibits

ATTACHMENT A

