



OFFICE OF THE CITY CLERK
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3342
(509) 625-6350

October 14, 2009

City Clerk File Nos.:
ORD C34491

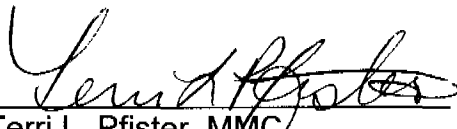
COUNCIL ACTION MEMORANDUM

RE: HEARING ON VACATION OF WISCONSIN AVENUE FROM FREYA WAY TO FREYA STREET REQUESTED BY DEAN ELKIN

During its 6:00 p.m. Legislative Session held Monday, October 12, 2009, the Spokane City Council held a hearing on the vacation of Wisconsin Avenue from Freya Way to Freya Street requested by Dean Elkin. Eldon Brown of Engineering Services provided an overview of the vacation and responded to Council inquiries. There was an opportunity for public comment, with no individuals requesting to speak on the matter. The following action was taken:

Motion by Council Member French, seconded by Council Member Apple, to approve, subject to conditions in the Engineering Services Street Vacation Report dated October 12, 2009, the vacation of Wisconsin Avenue from Freya Way to Freya Street requested by Dean Elkin; **carried unanimously (Council Member Corker absent).**

In relation to the hearing, Ordinance C34491 was read for the First Time, with further action deferred.


Terri L. Pfister, MMC
Spokane City Clerk

c: See Attached List

AGENDA SHEET FOR COUNCIL MEETING OF: October 12, 2009

RECEIVED
 OCT 01 2009
 CITY CLERK'S OFFICE
 SPOKANE, WA
 Council Sponsor
 Public Works Committee

AgSht04.25.2008



Submitting Dept.
Engineering Services

Contact Person/Phone No.
Eldon Brown/625-6305

Council Sponsor
Public Works Committee

ADMINISTRATIVE SESSION

- Contract
- Report
- Claims

LEGISLATIVE SESSION

- Emergency Ord
- Resolution
- Final Reading Ord
- First Reading Ord
- Special Consideration
- Hearing

CITY PRIORITY

- Communications
- Economic Development
- Growth Management
- Human Services
- Neighborhoods
- Public Safety
- Quality Service Delivery
- Racial Equity/Cultural Diversity
- Rebuild/Maintain Infrastructure

CLERK'S FILE _____

RENEWS _____

CROSS REF _____

ENG _____

BID _____

REQUISITION _____

(RES 2009-0077)

STANDING COMMITTEES

(Date of Notification)

- Finance _____
- Neighborhoods _____
- Planning/Community & Econ Dev _____
- Public Safety _____
- Public Works _____

Neighborhood/Commission/Committee Notified: _____

Action Taken: _____

AGENDA WORDING:

Vacation of Wisconsin Avenue from Freya Way to Freya Street requested by Dean Elkin. (Chief Garry Park Neighborhood Council)

BACKGROUND:

(Attach additional sheet if necessary)

At its legislative session held September 14, 2009, the City Council set a hearing on the above vacation for October 12, 2009. Since that time, staff has solicited responses from all concerned parties.

RECOMMENDATION:

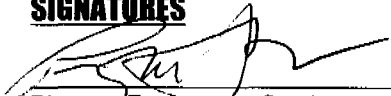
That the vacation be approved subject to the conditions contained in the Director of Engineering Services' Report and the Ordinance be read for the first time.

Fiscal Impact	o N/A	Budget Account:	o N/A
<input type="checkbox"/> Expenditure: \$		#	
<input type="checkbox"/> Revenue: \$		#	
<input type="checkbox"/> Budget Neutral			

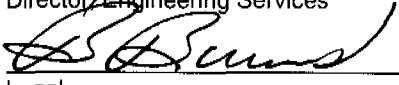
ATTACHMENTS:

Include in Packets: Map, Report, Ordinance

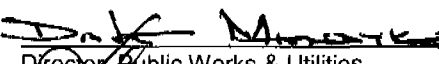
SIGNATURES



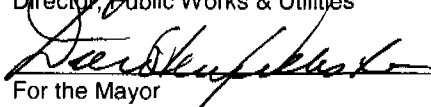
 Director, Engineering Services



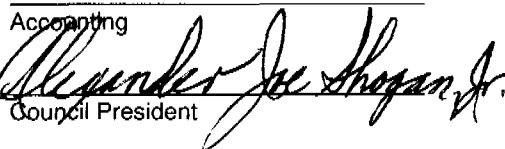
 Legal



 Director, Public Works & Utilities



 For the Mayor

Accounting _____


 Council President

DISTRIBUTION:

See attached list

Stvac\Wisconsin hrg agenda

COUNCIL ACTION:

October 12, 2009: See Council Action Memorandum dated October 14, 2009.

City of Spokane
Department of Engineering Services
808 West Spokane Falls Blvd.
Spokane, WA 99201-3343
(509) 625-6700

ORDINANCE NO. C 3 4 4 9 1

An ordinance vacating Wisconsin Avenue from Freya Way to Freya Street

WHEREAS, a petition for the vacation of Wisconsin Avenue from Freya Way to Freya Street has been filed with the City Clerk representing 94.3% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

WHEREAS, the City Council has found that the public use, benefit and welfare will best be served by the vacation of said public way; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That Wisconsin Avenue from Freya Way to Freya Street is hereby vacated. NW 1/4 S15 T25 R43. Parcel number not assigned.

Section 2. An easement is reserved and retained over and through the entire vacated area for the utility services of Avista Utilities and the City of Spokane to protect existing and future utilities.

Section 3. Adequate emergency vehicle access shall be maintained to existing and future buildings.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to Form:

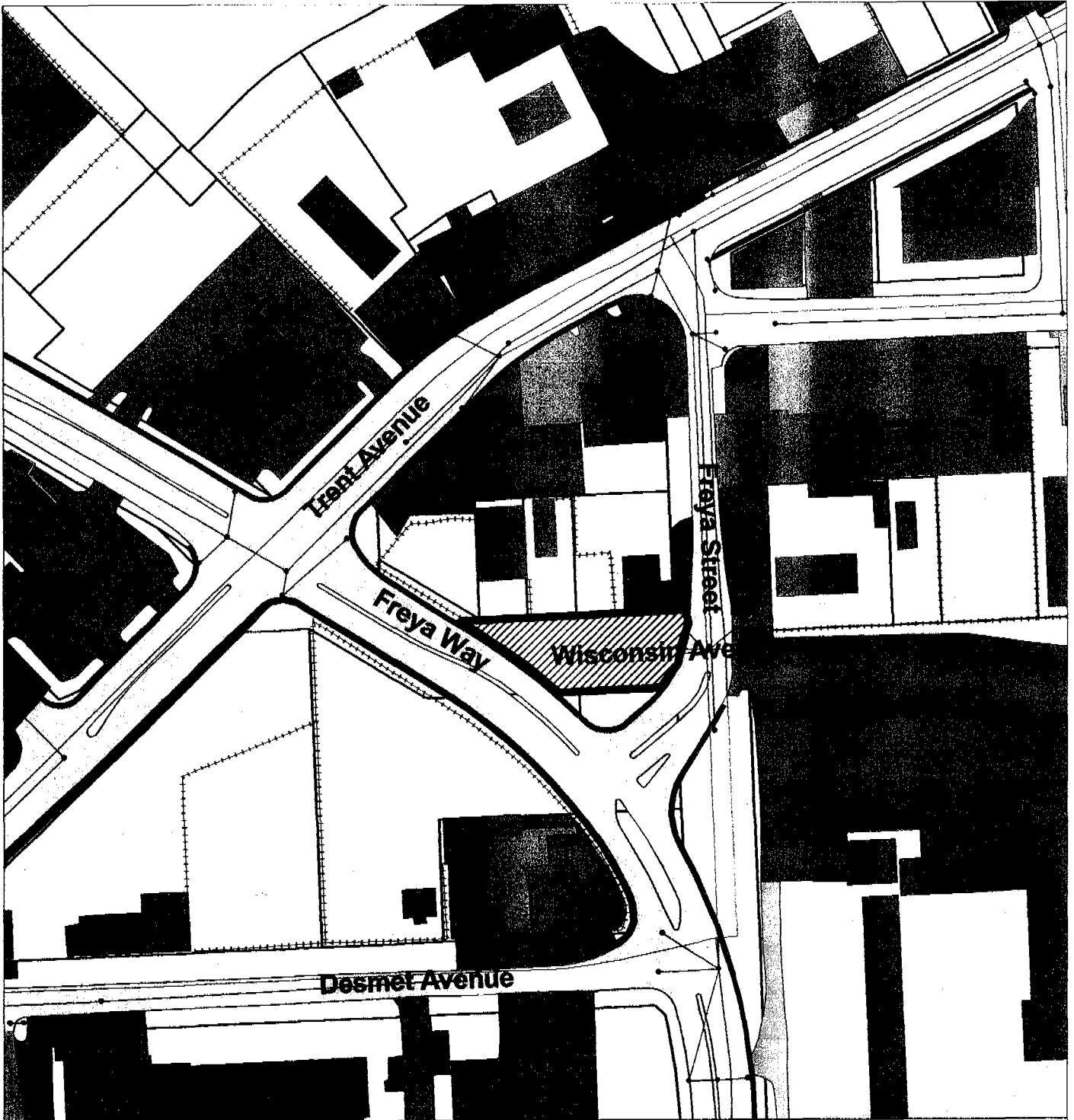


Assistant City Attorney

Mayor

Date: _____

Effective Date: _____



**VACATION OF WISCONSIN AVENUE
FROM FREYA WAY TO FREYA STREET**

City of Spokane

Geographic Information System

Engineering Services Department

This is not a legal document.

The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine location of facilities in relationship to property lines, section lines, roads, etc.

Produced: February 16, 2009





CITY OF SPOKANE
DEPARTMENT OF ENGINEERING SERVICES

808 West Spokane Falls Blvd, Spokane WA 99201-3343
(509) 625-6700 FAX (509) 625-6349

STREET VACATION REPORT
October 12, 2009

LOCATION: Wisconsin Avenue from Freya Way to Freya Street

PROPONENT: Dean Elkin

PURPOSE: To increase private property size.

HEARING: October 12, 2009

REPORTS:

AVISTA UTILITIES – No objection, retain easement.

COMCAST – No comment.

QWEST – No objection.

CAPITAL PROGRAMS – No objection, provided there are no impacts concerning Right-of-Way for the Freya Street Bridge Project. (It has been confirmed that there is no impact.) There are no concerns for the six-year programs.

ENGINEERING SERVICES – DEVELOPER SERVICES - No objection, retain easement for water line.

ENGINEERING SERVICES - TRAFFIC DESIGN – No objection.

FIRE DEPARTMENT – No objection.

NEIGHBORHOOD SERVICES – No comment.

PARKS DEPARTMENT – No comment.

PLANNING SERVICES – No concerns.

POLICE DEPARTMENT – No comment.

C 3 4 4 9 1

REAL ESTATE – No objection.

SOLID WASTE MANAGEMENT – No comment.

STREET DEPARTMENT – No comment.

WASTEWATER MANAGEMENT – No objection, provided on-site runoff remains on the site.

WATER DEPARTMENT – No objection, provided the following conditions are met:

Relocate the existing hydrant presently located on the west end of Wisconsin Avenue and Freya Way to a new location at the east end of Wisconsin Avenue and Freya Street. All costs associated with the hydrant relocation are the responsibility of the Proponent.

BICYCLE ADVISORY BOARD – No objection.

RECOMMENDATION: That the petition shall be granted and a vacating ordinance be prepared subject to the following conditions:

1. An easement as requested by Avista Utilities and the City of Spokane shall be retained to protect existing and future utilities. The easement required for the City of Spokane is for the water line in place and shall not be built on.
2. Adequate emergency vehicle access shall be maintained to existing and future buildings.
3. In lieu of a cash payment, the adjoining property owner will deed property to the City of Spokane to be dedicated for a portion of the right-of-way for the Hough Street Project as per an Exchange Agreement between the City and the property owner.
4. That the final reading of the vacation be held in abeyance until all of the above conditions are met and that the above conditions are met by March 31, 2010.



Perry "Mike" Taylor, P.E.
Director

SD/jme

\\stvac\Wisconsin report.doc

C 3 4 4 9 1

RECEIVED
OCT 29 2009
CITY CLERK'S OFFICE
SPOKANE, WA

TRANSMITTAL OF FIRST READING ORDINANCE

DATE: October 14, 2009

Clerk's File No.
ORD C34491

TO: Engineering Services Director
Engineering Services Dept.

FROM: Terri Pfister, City Clerk

RE: ORDINANCE C34491 VACATION of WISCONSIN AVENUE from FREYA
WAY to FREYA STREET: REQUESTED by DEAN ELKIN

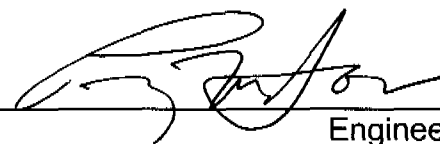
Attached is a copy of Ordinance No. C 34491 VACATION of WISCONSIN AVE from
FREYA WAY to FREYA ST: requested by DEAN ELKIN

This ordinance was read for the first time on October 12, 2009 and will be read for the
final time when the necessary conditions have been met, and when you sign, date, and
return this form as indicated below, together with the copy of Ordinance No. C34491.



CITY CLERK

Precedent conditions have been met and Ordinance No. C 34491 is hereby returned for
Final Reading.



Engineering Services Director

Dated: 10-26-09

