

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works/ Engineering & Construction/Real Property Services

DATE: February 24, 2015

REQUESTED ACTION: Accept and approve the Engineer's Report and Preliminary Order of Vacation for NE 5th Street, NE 6th Street, NE 193rd Avenue, NE 194th Place, and NE 196th Avenue all located in the Plat of Regency Place.

SR Number:

FOR APPROVAL BY: ___ BOCC ___ COUNTY MANAGER X HEARING

PUBLIC WORKS GOALS:

- Provide safe and efficient transportation systems in Clark County
- Create and maintain a vibrant system of parks, trails and green spaces
- Continue responsible stewardship of public funds
- Promote family-wage job creation and economic development to support a thriving community
- Maintain a healthy, desirable quality of life
- Increase partnerships and foster an engaged, informed community
- Cultivate a nimble, responsive work force
- Make Public Works a great place to work

BACKGROUND

Clark County received a request to vacate NE 5th Street, NE 6th Street, NE 193rd Avenue, NE 194th Place, and NE 196th Avenue all located in the Plat of Regency Place in the SW ¼ of Section 29, Township 2 North, Range 3 East, of the W.M. Said roads were dedicated to Clark County on June 30, 1995 in the Plat of Regency Place, Book "J", of Plats, Page 158, Records of Clark County, Washington. Regency Place's property boundary is just north of the current City of Vancouver limits and is within the City of Vancouver's urban growth boundary. Regency Place may be annexed into the City of Vancouver in the future. The City of Vancouver provided a letter to the county dated February 18, 2015, indicating the extension of NE 6th Street to NW Friberg-Stunk Street (Camas City Limits) is not needed for the City's future the transportation system and the City supports the proposed road vacation. The City of Camas also indicated that NE 6th Street is not needed for their transportation system. The vacation request is for 3.34 acres of improved, county maintained roads.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COUNCIL POLICY IMPLICATIONS

None.

PREVIOUS REVIEWS AND ACTIONS

The Board of County Councilors previously considered installing no parking signs in the Regency Place Subdivision. The property owners subsequently submitted a road vacation request for consideration, in lieu of no parking.



PW 15-012

COMMUNITY OUTREACH

Affected property owners, governmental agencies, and utilities were sent letters notifying them of the public hearing. Detailed communication occurred between the City of Vancouver and the City of Camas in consideration of their future transportation system needs. The Notice of Hearing was published in The Reflector two consecutive Tuesdays prior to the hearing and the site was posted 21 days prior to the hearing.

BUDGET IMPLICATIONS

Check one.

YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
	X	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

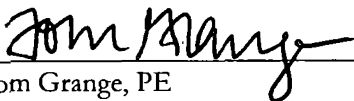
DISTRIBUTION OF BOARD STAFF REPORTS:

Distribution of staff reports is made via the Grid. <http://www.clark.wa.gov/thegrid/>
Copies are available by close of business on the Thursday after council deliberations.

DISTRIBUTION OF COUNTY MANAGER STAFF REPORTS:

Public Works Administration – Anita Temme

PUBLIC WORKS APPROVALS:



Tom Grange, PE
Engineering & Construction Division Manager



Heath H. Henderson, PE
Public Works Director/County Engineer

Attachments:

- Engineer’s Report
- Preliminary Order vacating County Road
- Notice of Hearing
- PowerPoint Presentation with Map

CC: Laura Henry Slye, Carolyn Heniges, Sue Stepan, and Greg Shafer

APPROVED: Feb. 24, 2015
CLARK COUNTY, WASHINGTON
BOARD OF COUNTY COUNCILORS

DATE: Feb. 24, 2015

SR #: _____

IN THE MATTER OF THE RESOLUTION

OF

THE BOARD OF COUNTY COUNCILORS

FOR

ENGINEER'S REPORT

THE VACATION of COUNTY ROADS

Known as constructed and county maintained roads of NE 5th Street, NE 6th Street, NE 193rd Avenue, NE 196th Avenue, and NE 194th Place.

I, THE UNDERSIGNED, COUNTY ENGINEER OF CLARK COUNTY, WASHINGTON, duly directed by the Board of County Commissioners of said County on the 9th day of, December, 2014, by Resolution No. 2014-12-16 to make an examination of NE 5th Street, NE 6th Street, NE 193rd Place, 196th Avenue, NE 194th Place sought to be vacated in the Resolution of the Board of County Councilors, on the 18th day of, February, 2015, examined the road proposed roads to be vacated in said petition, and report as follows:

FIRST:

Said portion of roads are located within SW 1/4 of Section 29, Township 2 North, Range 3 East, of the Willamette Meridian.

SECOND:

Said roads were dedicated to Clark County by plat dedication on June 30, 1995, by Regency Place, Volume "J", of Plats, page 158, records of Clark County, Washington.

THIRD:

The area of the proposed vacation is 3.34 acres.

FOURTH:

Said roads include 1.02 linear miles of improvements consisting of curb, gutter, planter strips, sidewalks, sanitary sewer, storm drains & related facilities, water mains and other utilities to serve the plat and public.

FIFTH:

An easement for the future extension of NE 6th Street to NW Friberg-Stunk Street (formally NE 202th Avenue) was required as part of the Union High School development (now in City of Vancouver jurisdiction) on July, 18, 2007 under auditor's file number 4351361.

SIXTH:

Regency Place's property boundary is just north of the current City of Vancouver limits and said plat is within the City of Vancouver's urban growth boundary. Regency Place may be annexed into the City of Vancouver in the future.

SEVENTH:

The City of Vancouver provided a letter to the county dated February 18, 2015, indicating the extension of NE 6th Street to NW Friberg-Stunk Street is not needed for the City's future transportation system and the City supports the proposed road vacation.

EIGHTH:

The City of Camas' Limits abuts the easterly line of Union High School, along NW Friberg-Stunk Street and the City has indicated NE 6th Street is not need to support their transportation system.

NINTH:

The City of Vancouver Council approved a zone change on the property immediately south of Regency Place and determined that the developer of this property will construct an 8-foot wall 3 feet south of the Regency Place property line (Page 10 - Vancouver City Council Minutes – January 5, 2015). The construction of this wall means that a full-width road on NE 5th Ave will not be constructed.

TENTH:

Access to the property immediately north of Regency Place, in the vicinity of NE 194th Place can be provided from the north, should the property develop in the future.

ELEVENTH:

The public will be benefited by the vacation of NE 5th Street, NE 6th Street, NE 193rd Avenue, NE 196th Avenue and NE 194th Place, through reduction in maintenance requirements.

TWELVETH

Petitioner's to pay all county administrative costs and expenses related to road vacation.

THIRTEENTH

If approved, a private road maintenance agreement per CCC 40.350.030 (C)(4)g) shall be required and filed with the County Auditor's prior to final road vacation.

FOURTEENTH

An easement for all existing utilities shall be held by Clark County and the utility purveyors until such time petitioners provides easements or make provisions satisfactory to the impacted utilities.

FIFTEENTH

A public easement on all existing sidewalks shall be reserved to maintain a continuous pedestrian connection and circulation to Union High School as required by RCW 58.17.110 and CCC 40.540.020.

SIXTENTH

The road vacation will not impede Vancouver Fire Department's (Fire District 5) and other emergency service provider's ability to access Regency Place with emergency vehicles and resources to provide medical emergency and fire response.

SEVENTEENTH

The County Engineer recommends that NE 5th Street, NE 6th Street, NE 193rd Avenue, 196th Avenue, and NE 194th Place be vacated.

DATED this 18TH day of FEBRUARY, 2015.



Heath H. Henderson, P.E.
Public Works Director/County Engineer

STATE OF WASHINGTON

County of Clark

In the matter of the Petition by
The Owners of the Plat of
Regency Place

PRELIMINARY
ORDER
VACATING
COUNTY ROAD

For the vacation of County roads known
as constructed portions of NE 5th Street,
NE 6th Street, NE 193rd Place, NE 196th Avenue,
NE 194th Place.

RV 15-6

IN THE MATTER OF THE VACATION OF COUNTY ROADS petitioned by the owners of
Regency Place the Board finds as follows:

FIRST: That the petition therefore was filed on the 13th day of October, 2014, and that said petition was signed by the owners of the majority of frontage of said county roads or portion thereof.

SECOND: That said petition was accompanied by a check in the sum of \$1000.00, which said check was found to be good and sufficient, and was duly approved by the Director of Public Works on the 20th day of October, 2014.

THIRD: That on the 9th day of December, 2014, the County Engineer was duly directed to examine said road and make a report in writing on the same.

FOURTH: That on the 18th day of February, 2015, the County Engineer filed in the office of the Board his report in writing, as provided by law.

FIFTH: That by an order duly passed by the former Board of County Commissioners the 9th day of December, 2014, was set for hearing the report of the Engineer, and the consideration thereof, and that the notice of the time and place where said hearing would be held as given by publication and posting as provided by law.

SIXTH: That said report of the County Engineer shows:

The applicants allege that these roads are a useless part of the general road system now and in the future and that the public will be benefited by its vacation

That said roads were dedicated to Clark County on June 30, 1995 in Regency Place, as recorded in Book J of Plats, Page 158, records of Clark County, Washington.

A Public Easement to extend NE 6th Street to NW Friberg-Stunk Street (formally NE 202th Avenue) for future traffic circulation was deeded to Clark County on July 18, 2007

Said roads include 1.02 linear miles of improvements consisting of curb, gutter, planter strips, sidewalks, sanitary sewer, storm drains & related facilities, water mains and other utilities to serve the plat and public.

Three storm drain easements that treat public surface drainage within the plat also serve the public infrastructure.

The area of the proposed vacation is 3.34 acres of improved, county maintained roads.

Regency Place's property boundary is just north of the current City of Vancouver limits and is within the City of Vancouver's urban growth boundary. Regency Place may be annexed into the City of Vancouver in the future.

The City of Vancouver provided a letter to the county dated February 18, 2015, indicating the extension of NE 6th Street to NW Friberg-Stunk Street (Camas City Limits) is not needed for the City's future the transportation system and the City supports the proposed road vacation.

The City of Camas' Limits abuts the easterly line of Union High School, along NW Friberg-Stunk Street and the City has indicated NE 6th Street is not needed to support their transportation system.

Access to the property immediately north of Regency Place, in the vicinity of NE 194th Avenue can be provided from the north, should the property develop in the future.

The road vacation will not impede Vancouver Fire Department's (Fire District 5) and other emergency service providers, ability to access Regency Place with emergency vehicles to provide emergency and fire response.

SEVENTH: That Clark County shall retain an easement for all existing utilities, including ingress and egress, until such time the petitioners provides easements or makes provisions satisfactory to the impacted utilities.

EIGHTH: A public easement on all existing sidewalks will be reserved to maintain a continuous pedestrian connection and circulation to Union High School as required by RCW 58.17.110 and CCC 40.540.020.

NINTH: That the road petitioned to be vacated to the true property owner(s).

TENTH: Petitioner's to pay all county administrative costs and expenses related to road vacation.

ELEVENTH: That a private road maintenance agreement for per CCC 40.350.030 (C)(4)g) be filed with the County Auditor's prior to final road vacation.

The Board having examined the report of the Engineer, and all other papers on file in the proceedings, and heard and considered all testimony and documentary evidence adduced for and against the vacation of the roads, and the Board being satisfied that said roads will not be useful as a part of a general road system, and that the public will be benefited by its vacation.

IT IS ORDERED BY THE BOARD, that the county roads petitioned to be vacated by the owners of Regency Place be vacated upon all conditions being met and payment of all administrative costs and expenses by the principal petitioner and upon the filing of a final order of vacation; and the County Engineer is directed to make a statement in writing of all costs and expenses incurred in the proceedings and shall proceed to collect the same.

Said Vacation shall be described as follows:

All roads with various widths of land located in the South Half, of the Northwest Quarter, of the Southwest Quarter, of Section 29, Township 2 North, Range 1 East, of the W.M., Clark County, Washington and further described as follows:

NE 5th Street, NE 6th Street, NE 193rd Avenue, NE 196th Avenue, NE 194th Place, all located within "Regency Place", according to the Plat thereof, Recorded in Volume "J", of Plats, at Page 158, Clark County, Washington, Auditor's Records.

Containing 3.34 acres more or less.

An easement for all existing utilities, including the right of ingress and egress, to be retained by Clark County. Easements shall remain in effect until at such time the petitioners records easements with all impacted utilities.

A public easement for pedestrian access and circulation to be retained by Clark County on all existing sidewalks.

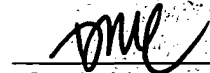
An access easement for the benefit for the Vancouver Fire District, and their assigns, along with other emergency vehicles shall remain in effect until at such time the petitioners records easements

DONE THIS 24th DAY OF February, 2015

ATTEST:


Clerk of the Board

BOARD OF COUNTY COUNCILORS
CLARK COUNTY, WASHINGTON


David Madore, Chair

Jeanne E. Stewart, Councilor

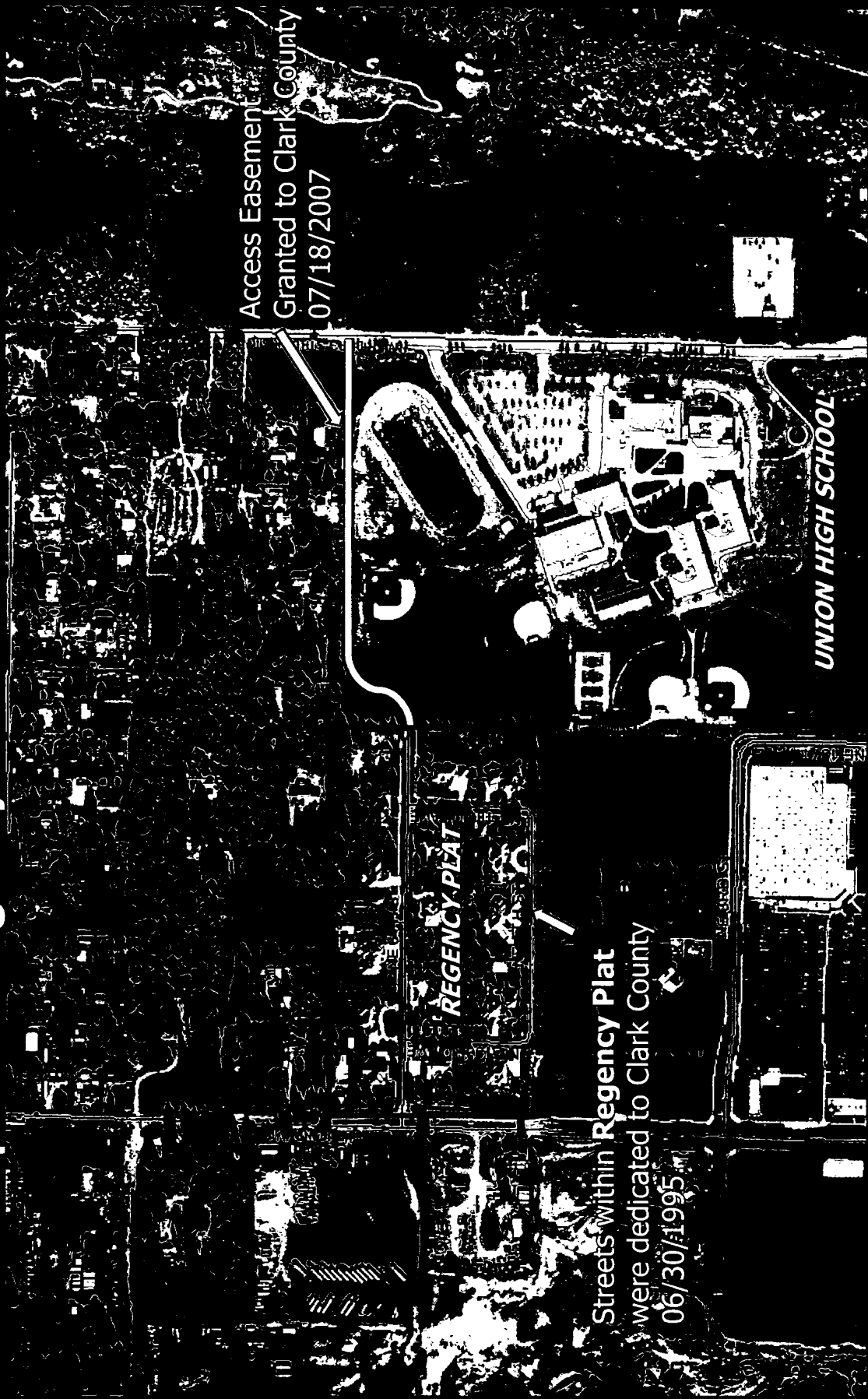
Tom Mielke, Councilor

**Public Hearing for
REGENCY PLACE
ROAD VACATION**

**NE 6th Street, NE 5th Street,
NE 193rd Avenue, NE 194th Place, NE 196th Avenue**

FEBRUARY 24, 2015

Proposed Regency Plat Road Vacation - Aerial



Access Easement
Granted to Clark County
07/18/2007

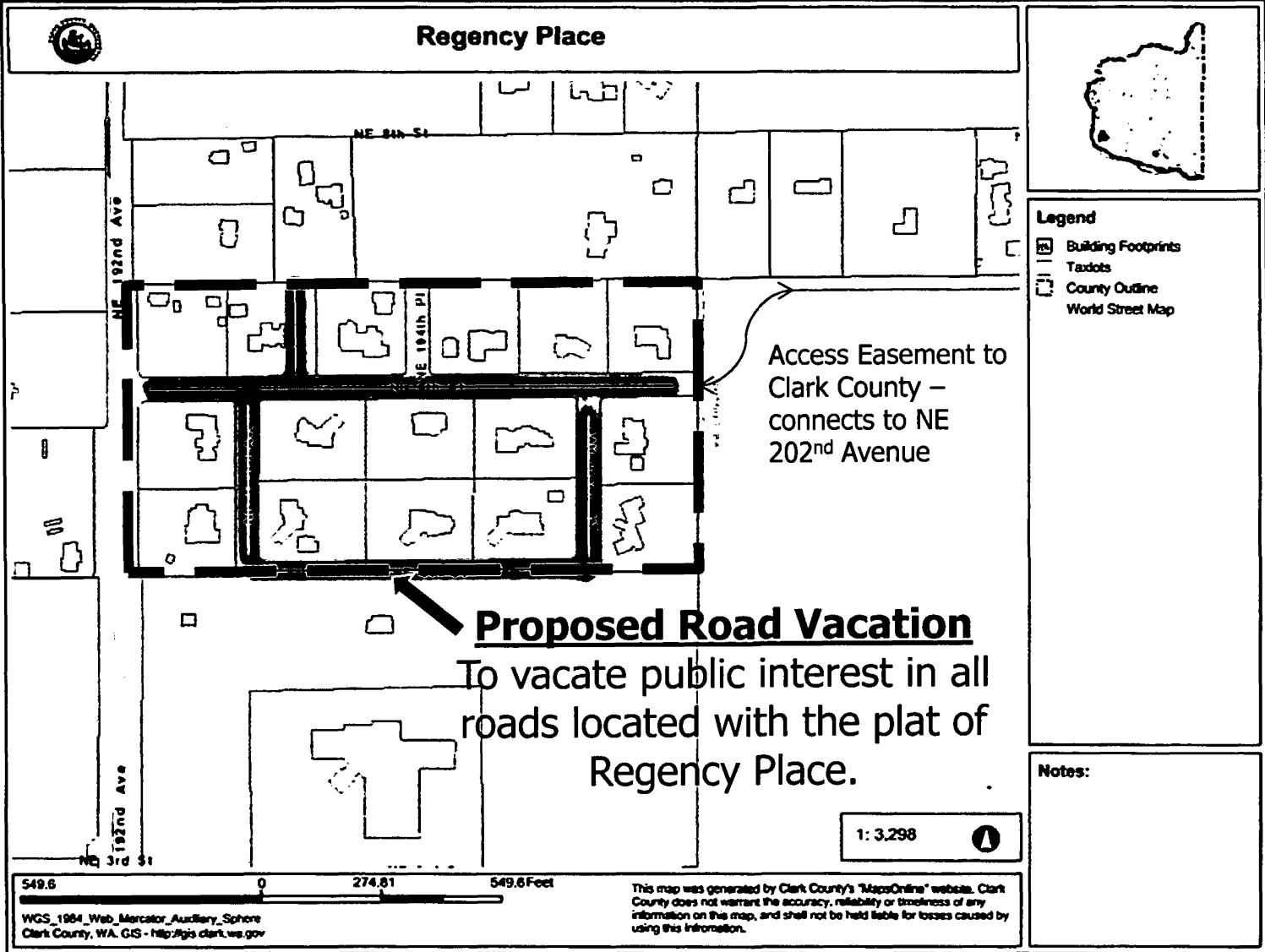
REGENCY PLAT

Streets within Regency Plat
were dedicated to Clark County
06/30/1995

UNION HIGH SCHOOL

Vacating the Public's interest would distribute
Clark County's assets as follows:

- Convey 3.34 acres of land
- 1.02 miles paved roads (2.04 lane miles)
(36 feet wide road - curb to curb)
- 1.79 miles of sidewalks
- Three public storm water facilities



Vacation Constraints

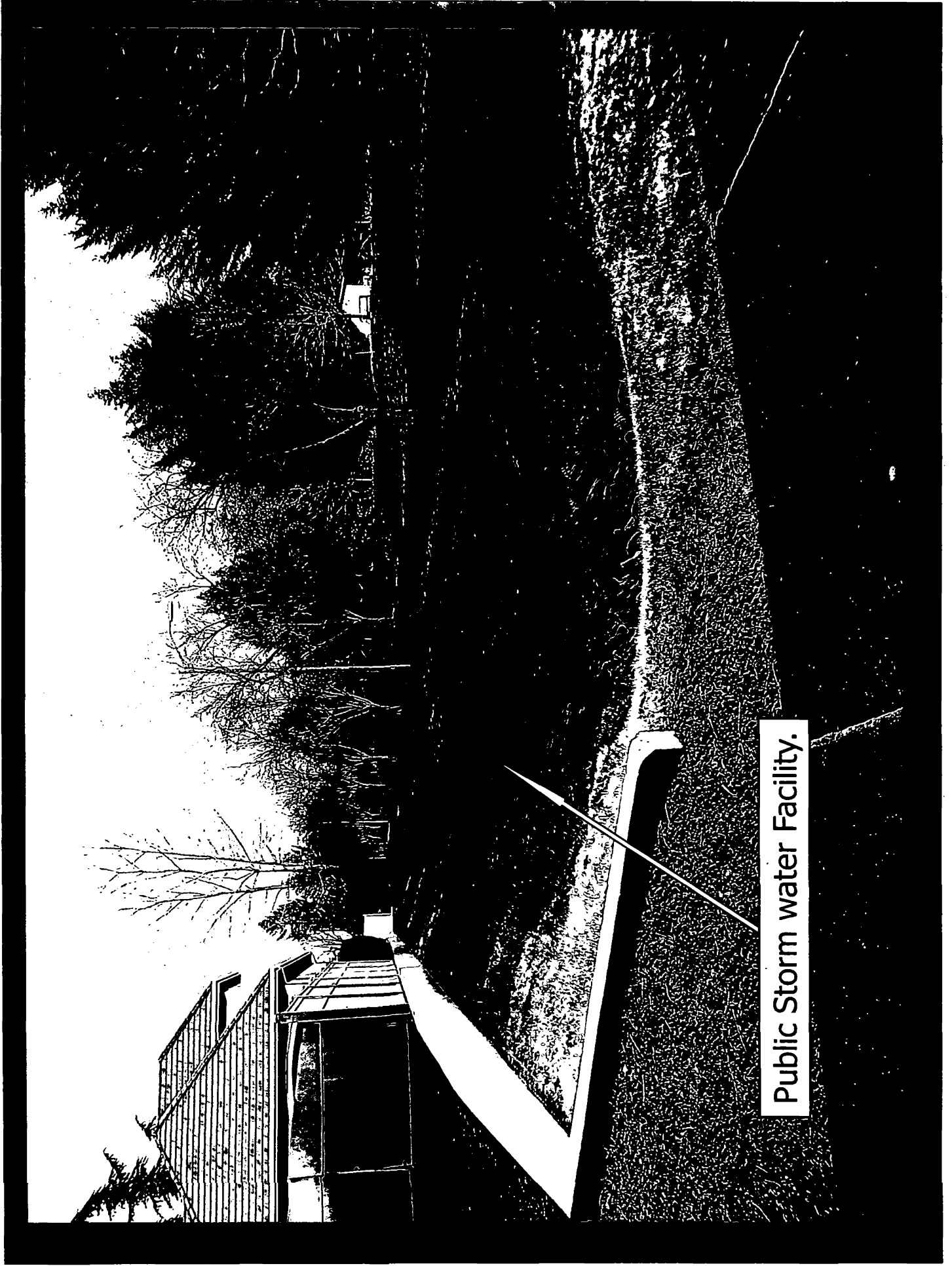
A private road maintenance agreement per CCC 40.350.030 (4)g) will be needed and filed with Auditor's Office.

Easements for all existing utilities will need to be maintained.

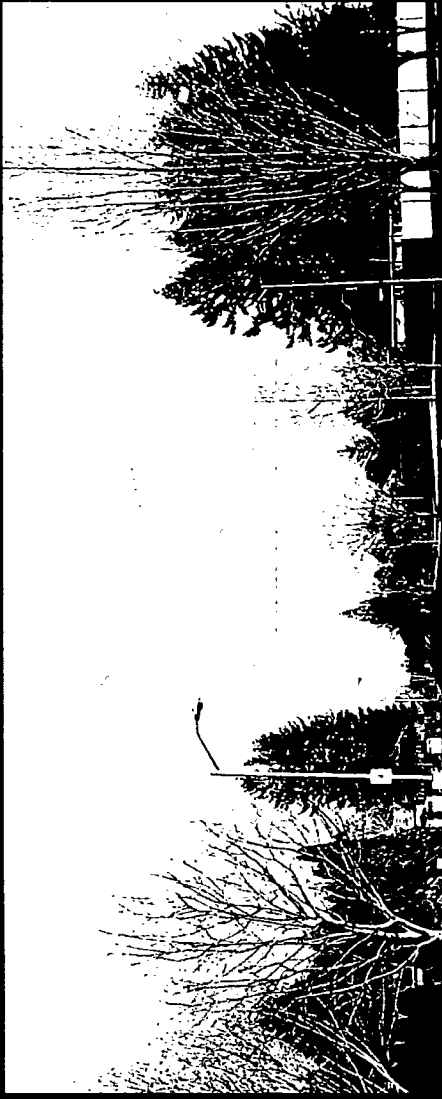
Road vacation cannot impede emergency service providers the ability to access Regency Place.

A public easement on all existing sidewalk will be required to maintain a continuous pedestrian connection and circulation to Union High School as required by RCW 58.17.110 and CCC 40.540.020

RCW 36.87.010. Council may require persons benefiting from the vacation to compensate the county as a condition precedent to the vacation thereof.



Public Storm water Facility.



REGENCY PLACE ROAD VACATION

NE 6th Street, NE 5th Street,
NE 193rd Avenue, NE 194th Place, NE 196th Avenue

FEBRUARY 24, 2015