

## CITY EXHIBIT LIST

**HEARING DATE:** Thursday, January 16, 2020, at 9:00 a.m.

**FILE NUMBER:** HEX2019-034 (SV 124.1401)

**FILE NAME:** 1351 Fawcett LLC, Petitioner

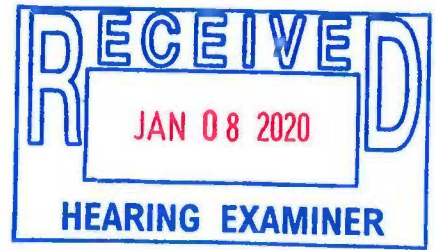
EXHIBIT NUMBER	EXHIBIT DESCRIPTION	SUBMITTED BY	A	E	W	COMMENT
EX. C-1	Preliminary Report	City of Tacoma, Real Property Services ("COT, RPS")	X			
EX. C-2	Aerial Maps (2)	COT, RPS	X			
EX. C-3	Plat Map – Replat of Point Defiance Park Addition to W.T.	COT, RPS	X			
EX. C-4	RPS (LID) – In Lieu Fee	COT, RPS	X			
EX. C-5	Tacoma Water Comments – via email	COT, RPS	X			
EX. C-6	PW Traffic Engineering Comments – via email	COT, RPS	X			
EX. C-7	Environmental Services Comments – via email	COT, RPS	X			
EX. C-8	Comast Comments – via email	COT, RPS	X			
EX. C-9	Tacoma Fire Comments – via email	COT, RPS	X			
EX. C-10	CenturyLink Comments – via email	COT, RPS	X			
EX. C-11	Puget Sound Energy (PSE) Comments – via email	COT, RPS	X			
EX. C-12	Tacoma Power/New Services Comments – via email	COT, RPS	X			
EX. C-13	Click! Network Comments – via email	COT, RPS	X			
EX. C-14		COT, RPS				
EX. C-15		COT, RPS				

### KEY

**A = Admitted**

**E = Excluded**

**W = Withdrawn**



**PRELIMINARY REPORT**

**PREPARED FOR THE HEARING EXAMINER  
BY REAL PROPERTY SERVICES**

**For the Hearing to be Held  
Thursday, January 16, 2020 at 9:00 AM**

**PETITIONER: 1351 FAWCETT, LLC**

**FILE NO. 124.1401**

**A. SUMMARY OF REQUEST:**

Real Property Services has received a petition to vacate the air rights of the north 5.66 feet of South 15<sup>th</sup> Street, abutting the parcel known as 1351 Fawcett Avenue, to extend air rights from 16.5 feet above the existing grade at the Southwest corner of another point 73.5 feet directly above, and extend 16.5 feet above the existing grade at the Southeast corner of another point 91.2 feet directly above, to facilitate future development. The area is shown on the attached map, Exhibit 2.

**B. GENERAL INFORMATION:**

**1. Legal Description of Vacation:**

The northerly 5.66 feet of that portion of South 15th Street lying adjacent to the following:

South one-half of Lot 24, and all of Lots 25 and 26, Block 1309, Map of New Tacoma, W.T., according to plat filed for record February 3, 1875 in the Office of the County Auditor; and lying between the elevations of 195.34 and 268.84 feet at the Southwest corner and between 177.66 and 268.84 feet at the Southeast corner (NGVD29 Vertical datum).

Situate in the City of Tacoma, County of Pierce, State of Washington.

**2. Notification:**

9.22.060 NOTICE OF PUBLIC HEARING The Public Works Department shall cause a 30-day notice to be given of the pendency of the petition by written notice posted in three of the most public places in the City, a like notice in a conspicuous place on the street or alley sought to be vacated, a like notice in a newspaper of general circulation in the City, and a like notice to the legal property owners of all property abutting the right of way requested for vacation as enumerated on the applicant's vacation petition, and to any other interested parties of record. In addition to posting notices of the hearing, the Public Works Department shall mail a copy of the notice to all owners and occupants of the property which lies within 300 feet of the street or alley to be vacated. The said notice shall contain



the statement that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition.

In all cases where the proceeding is initiated by the City Council without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, notice shall be sent as provided above. Failure to send notice by mail to any such property owner where the current address for such property owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed street vacation.

**C. PUBLIC NOTICE:**

Real Property Services in conjunction with the City of Tacoma Clerk's office issued the following public notice:

The Public Hearing Notices were posted on December 5 & 6, and the yellow public notice signs were posted on December 4, 2019:

1. Placed yellow public notice sign at the northeast corner of South 15<sup>th</sup> Street and Fawcett Avenue.
2. Place yellow public notice sign at the northwest corner of South 15<sup>th</sup> Street and Court D.
3. Public notice memo placed into the glass display case located on the first floor of the Municipal building abutting the Finance Department.
4. Public notice memo advertised on the City of Tacoma web site at address:  
<http://www.cityoftacoma.org/page.aspx?nid=596>
5. Public Notice advertised in the Daily Index newspaper.
6. Public Notice mailed to all parties of record within the 300 feet of vacation request.
7. Public Notice advertised on Municipal Television Channel 12.

**D. PURPOSE OF REQUEST:**

The Petitioner plans to acquire the air rights to facilitate future developments.

**E. HISTORY:**

The City acquired the South 15<sup>th</sup> Street right of way in Map of Tacoma, W.T., according to the plat filed for record February 3, 1875, records of Pierce County, Washington.

**F. PHYSICAL LAND CHARACTERISTICS:**

South 15<sup>th</sup> Street is an 80 foot wide fully built street right of way with sidewalk, curb, and gutter. At the intersection of South 15<sup>th</sup> and Fawcett Avenue, there is a downward grade from west to east with a significant elevation change.

**G. APPLICABLE SECTIONS OF THE OFFICIAL CODE OF THE CITY OF TACOMA:**

9.22.010 PETITION TO VACATE AUTHORIZED: The owners of an interest in any real estate abutting on any street or alley who may desire to vacate any street or alley, or any part thereof, shall petition to the City Council to make vacation in the manner hereafter provided in this chapter and pursuant to RCW 35.79 or the City Council may itself initiate by Resolution such vacation procedure. The City Council shall require the petitioners to compensate the City in an amount which equals one-half of the appraisal value of the area vacated; provided that if the street or alley has been a public right of way for 25 years or more, the City shall be compensated in an amount equal to the full appraised value of the area vacated; provided that when the vacation is initiated by the City or the City Council deems it to be in the best interest of the City, all or any portion of such compensation may be waived. Except as provided below, one-half of the revenue received hereunder shall be devoted to the acquisition, improvement, and maintenance of public open space land and one-half may be devoted to transportation projects and the management and maintenance of other City owned lands and unimproved rights-of-way.

In the case of vacations of rights-of-way in the tide flats area, defined as easterly of the Thea Foss Waterway (inclusive of the Murray Morgan Bridge), northerly of State Route 509 and westerly of Marine View Drive, the total revenue received hereunder shall be devoted to transportation projects in the tide flats area.

9.22.040 PUBLIC'S RIGHT TO TRAVEL – UTILITIES: Vacation of any portion of a street that is designated as an arterial under Section 11.05.490 of the Municipal Code shall be of a minor nature only and shall not unreasonably limit the public's right to travel upon said street or interfere with the ancillary right to occupy said street for utility purposes.

CRITERIA: Section 9.22.070 of the Official Code of the City of Tacoma. The following criteria have been considered:

1. That the vacation will provide a public benefit and/or will be for a public purpose.
2. That the right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole.
3. That the public need shall not be adversely affected.
4. That the right-of-way is not contemplated or needed for future public use.
5. That no abutting owner becomes landlocked or his access will not be substantially impaired; i.e., there must be an alternative mode of ingress and egress, even if less convenient.



6. That vacation of right-of-way shall not be in violation of RCW 35.79.035

**Regarding the above Criteria, Real Property Services finds the following:**

1. The vacation is a public benefit because it places the property on the tax rolls and facilitates private improvements.
2. City of Tacoma Traffic Engineering has been consulted regarding this petition and does not object.
3. The petition has been considered by City staff and outside quasi-governmental agencies and it does not adversely affect the public need; and
4. The right of way is not needed for future public use.
5. No abutting owner becomes landlocked nor will their access be substantially impaired.
6. The vacated area is not close to a body of water as contemplated under RCW 35.79.035.

**H. ADDITIONAL INFORMATION:**

The area to be vacated has not been assessed for sanitary sewers and is subject to a Connection Charge In-Lieu-of-Assessment per T.M.C. 12.08.350. Should the petitioner wish to clear this item from title, please contact Public Works Department, Real Property Services, for the assessment amount. Please note that the ordinance establishing the rate of assessment is updated every few years, and the amount quoted may increase in the future. When the petitioner has submitted a development plan, an in lieu of amount will be computed.

**I. PROJECT RECOMMENDATIONS:**

As part of the City's review process for street vacation petitions, notice of this application was mailed to various City departments as well as many outside quasi-governmental agencies. These agencies, as noted below, have provided comments and recommended conditions to the Real Property Services Division. These comments, where appropriate, have been incorporated in the "Recommended Conditions of Approval" section of this preliminary report.

Preliminary Report – Exhibit 1  
Aerial Maps (2) – Exhibit 2  
Plat Map – Exhibit 3  
Petition Map Submittal – Exhibit 4

Recommended Condition

Payment of Fees

Advisory Comments

PW/Traffic Engineering – No Objection - Exhibit 5  
Tacoma Fire– No Objection – Exhibit 6  
Environmental Services – No Objection – Exhibit 7  
Tacoma Power – No Objection – Exhibit 8  
Tacoma Water – No Objection – Exhibit 9  
Puget Sound Energy – No Objection - Exhibit 10  
Comcast – No Objection – Exhibit 11  
RPS (LID) – No Objection - Exhibit 12

Public Comment

Email from Michael Reynolds – Dated December 18, 2019 – Exhibit 13

**J. RECOMMENDED CONDITIONS OF APPROVAL:**

Should this street vacation request be approved, the Real Property Services Division recommends that the following conditions be made conditions of approval for this street vacation petition.

1. PAYMENT OF FEES

The petitioner shall compensate the City in an amount equal to the full appraised value of the area vacated. One-half of the revenue received shall be devoted to the acquisition, improvement and maintenance of public open space land and one-half may be devoted to transportation projects and /or management and maintenance of other City owned lands and unimproved rights-of-way. *TMC 9.22.010*

**K. ADVISORY COMMENTS:**

2. NO OBJECTION

No objection or additional comment was received from PW/Traffic Engineering; Tacoma Fire; Environmental Services, Science & Engineering; Tacoma Power, Tacoma Water; PSE; Comcast; and RPS (LID).

ATTACHMENT: Vacation Jacket containing all pertinent maps and papers.





**RECEIVED**  
JAN 08 2020  
HEARING EXAMINER



CITY OF TACOMA

STREET VACATION NO. 124.1401

SOUTH 15TH STREET PARTIAL AIR RIGHTS VACATION

SW 1/4 SEC. 04, T20N, R03E

NOT TO SCALE

**EXHIBIT C-2**



CITY OF TACOMA

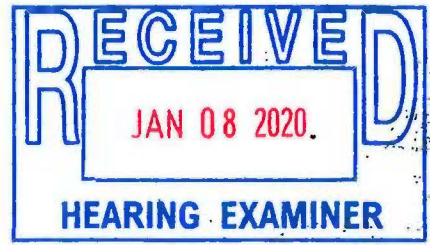
STREET VACATION NO. 124.1401

SOUTH 15<sup>TH</sup> STREET PARTIAL AIR RIGHTS VACATION

SW 1/4 SEC. 04, T20N, R3E

NOT TO SCALE





Description and explanation  
of the  
Plat of New Tacoma.



**EXHIBIT C-3**

1

# Description & explanation of the plat of New Tacoma.

The initial point of the surveys is at the point of intersection of center line of S 9<sup>th</sup> Street and the section line. The common boundary of sec 4 + 5 T 20 N R 3 E W. M.

At this initial point a stone monument marked **X** is planted, from which a stone monument marked **A** bears S 56° 22' E 50 ft distant, and a stone monument marked **B** bears N 39° 56' E 49.5 ft distant.

The section line aforesaid being assumed, as the meridian line for all purposes relating to the annexed plat.

This initial point is situated on the aforesaid section line at a point 991.6 ft south from the closing corner of said section line on the 5<sup>th</sup> standard parallel north.

From the initial point South 9<sup>th</sup> St bears N 81° 22' E and S 81° 22' W





The centre line of A St intersects the centre line of South 9<sup>th</sup> Street at a point 1085.95 ft easterly from the initial point at which intersection a stone monument marked A1x is planted, from which a stone monument marked C bears N 53° 30' 20 49 ft distant and a stone monument marked D bears S 36° 30' 20 49.5 ft as witnesses to the intersection.

The centre line of Tacoma Ave. intersects the centre line of S 9<sup>th</sup> St at a point 740.5 ft westerly from the initial point.

The following streets have a direction parallel to the direction of S 9<sup>th</sup> Street South 1<sup>st</sup> street West of Tacoma Ave

- " 2<sup>nd</sup> " " " Yakima "
- " 3<sup>rd</sup> " " " " "
- " 4<sup>th</sup> " " " " "
- " 5<sup>th</sup> " " " " "
- " 6<sup>th</sup> " " " Tacoma "
- " 7<sup>th</sup> " " " " "
- " 8<sup>th</sup> " " " " "
- " 9<sup>th</sup> " " " " "
- " 10<sup>th</sup> St
- " 11<sup>th</sup> St
- " 12<sup>th</sup> St



South 13<sup>th</sup> St West of Tacoma Ave.  
 " 14<sup>th</sup> St " " "  
 " 15<sup>th</sup> St " " "  
 " 16<sup>th</sup> St " " "  
 " 17<sup>th</sup> St " " "  
 " 18<sup>th</sup> St " " "  
 " 19<sup>th</sup> St " " "  
 " 20<sup>th</sup> St " " "  
 " 21<sup>st</sup> St " " "  
 " 22<sup>nd</sup> St " " "  
 " 23<sup>rd</sup> St " " "  
 " 24<sup>th</sup> St " " "  
 " 25<sup>th</sup> St " " "

The following streets Avenues and  
 alleys have a direction perpendicular  
 to the direction of South 9<sup>th</sup> Street  
 Cliff ave. from a point 195.36 ft  
 North of the Center line of S 12<sup>th</sup> Street  
 A. Street South of S 8<sup>th</sup> Street

Pacific Avenue South of South 7<sup>th</sup> Street  
 Railroad St. " " " " "  
 C. Street " " " " "  
 D. Street " " " " "  
 E. Street " " " " "  
 Tacoma Ave South of Division Ave.  
 G. St. South of " "  
 Yakima Ave South of " "

ARCHIVE NUMBER  
  
 0045014

J St South of Division Ave.

K St " " " "

L " " " "

M " " " "

N " " " "

O " " " "

P " " " "

Q " " " "

R " " " "

S " " " "

and all the alleys lying intermediate between the above named streets.

The direction of Division Ave is defined by a straight line which extends from a point on the center line of Tacoma Ave. 2295.83 ft Northwesterly from its intersection with the center line of South 6<sup>th</sup> Street to a point on the center line South 6<sup>th</sup> Street 4350 ft Westerly from its intersection with the center line of Tacoma Ave.

When the center line of Tacoma Ave. intersects the center line of Division Ave. the direction of Tacoma Ave changes and its direction North of Division Avenue is defined by a straight

ARCHIVE NUMBER  
0045015



line passing through a point in the center line of N 6<sup>th</sup> St 4350 ft distant from the intersection of the center lines of S 6<sup>th</sup> St and Division Ave (being the same point heretofore given as one of the points in establishing the direction of Division Ave.) the distance between the center lines of Division Ave and N 6<sup>th</sup> St measured on the center line of Tacoma Ave being 2295.83 ft. —

The direction of N 6<sup>th</sup> St is defined by a straight line extending from the point of intersection of the center lines of S 6<sup>th</sup> St and Division Ave. (being the same point heretofore given as one of the points in establishing the direction of Division Avenue.) to a point in the center line of Tacoma 2295.83 ft Northerly from its intersection with the center line of Division Ave.

The following streets have a direction parallel to the direction of N 6<sup>th</sup> Street

North 1<sup>st</sup> St  
 " 2<sup>nd</sup> "  
 " 3<sup>rd</sup> "



North 4<sup>th</sup> Street  
 " 5<sup>th</sup> Street  
 " 7<sup>th</sup> "  
 " 8<sup>th</sup> "  
 " 9<sup>th</sup> "  
 " 10<sup>th</sup> "  
 " 11<sup>th</sup> "  
 " 12<sup>th</sup> "  
 " 13<sup>th</sup> "  
 " 14<sup>th</sup> "  
 " 15<sup>th</sup> "

The following streets and Avenues  
 and alleys have a direction parallel to  
 the direction of Tacoma Ave.

R St North of Division Ave.  
 S " " " " "  
 T " " " " " "  
 U " " " " " "  
 V " " " " " "  
 W " " " " " "  
 Yakima Ave N<sup>th</sup> of " "  
 X St " " " "  
 Y " " " " "  
 Z St " " " "  
 A St " " " "  
 B " " " " "  
 C " " " " "

ARCHIVE NUMBER  
 0045017

7  
7  
D St. North of Ironson Ave  
C St. " " " "  
A " " " " "

and all alleys lying intermediate between the above named streets.

The names of the streets and avenues are noted on the plat.

The alleys are not named and include all passageways which are not designated as streets or avenues or their prolongations.

The position of the center lines of all the avenues, streets and alleys is marked by a red line and the distances in feet and hundredths of a foot on the center lines between any two consecutive points on those lines where the center lines of other streets, avenues or alleys intersect or meet them are noted in black figures placed between the points on the line the distances between which it is intended to designate, excepting, however, on the center line of 5<sup>th</sup> St. between its intersection with the center line of D St. and of the alley lying between C + D St's in which case





the distances on said center line of S 9<sup>th</sup> St. between the initial point of the survey and its intersection with the center line of D. St. and the alley above mentioned, respectively are noted (the distances being respectively 105 ft and 169.95 ft) and excepting also on that part of the center line of Pacific Ave. which extends Northerly from S 7<sup>th</sup> St. in which case the figures noted along the center line indicate the distances in feet and hundredths of a foot between two consecutive points on the said center line where the direction of the line changes.

The change of direction at the points where they occur on the said line are noted in degrees and minutes. Which degrees & minutes note the exterior angle formed by the two intersecting lines.

All the Avenues & Streets have a width of eighty (80) ft. the margins of said streets and avenues lying forty (40) ft distant on either side of their respective center lines excepting in the cases of Tacoma Ave. Yakima Ave. Division Ave. and that part of Pacific Avenue lying south of a point on the said

Pacific Ave. Marked A on the plat in which cases the Avenues have a width of one hundred (100) ft the margins of said avenues lying 50 ft on either side of the center line of said Avenue; and excepting also in the following cases.

1<sup>st</sup> In the case of that part of Pacific Ave. the center line of which lies between the points marked A and B in which case the marginal lines of the avenues extend from points on a line perpendicular to the center line of that part of the avenue lying South of point A and 50 ft distant from it on either side; through points on a line perpendicular at the point B to that part of the center line lying between the points A & B and Forty (40) feet distant from said point B.

2<sup>nd</sup> Where the margin of Jefferson Street bounds Block N 1707 in which case the common boundary of the block and street extends from the point where the western margin produced northward of that part of Jefferson St lying between S 19<sup>th</sup> & S 21<sup>st</sup> Sts intersects the Northern



ARCHIVE NUMBER

0045020



Ordinance # 23106 - VACATING PORTION OF BIK 1107  
 Ordinance # 23107 - VACATING PORTION OF BIK 1107  
 Ordinance # 23108 - VACATING PORTION OF BIK 1107  
 Ordinance # 23109 - VACATING PORTION OF BIK 1107  
 Ordinance # 23110 - VACATING PORTION OF BIK 1107  
 Ordinance # 23111 - VACATING PORTION OF BIK 1107  
 Ordinance # 23112 - VACATING PORTION OF BIK 1107  
 Ordinance # 23113 - VACATING PORTION OF BIK 1107  
 Ordinance # 23114 - VACATING PORTION OF BIK 1107  
 Ordinance # 23115 - VACATING PORTION OF BIK 1107  
 Ordinance # 23116 - VACATING PORTION OF BIK 1107  
 Ordinance # 23117 - VACATING PORTION OF BIK 1107  
 Ordinance # 23118 - VACATING PORTION OF BIK 1107  
 Ordinance # 23119 - VACATING PORTION OF BIK 1107  
 Ordinance # 23120 - VACATING PORTION OF BIK 1107

Ordinance # 23106 - VACATING PORTION OF BIK 1107  
 AF # 8902210185

Ordinance # 23322 - VACATING PORTION OF BIK 1107  
 QIR Rights of BIK 1107  
 AF # 8903040181

Ordinance # 23947 - VAC. BETWEEN BIKS 1620/1621  
 AF # 8904070485  
 RESTRICTION DOCUMENT - AF # 8711130483

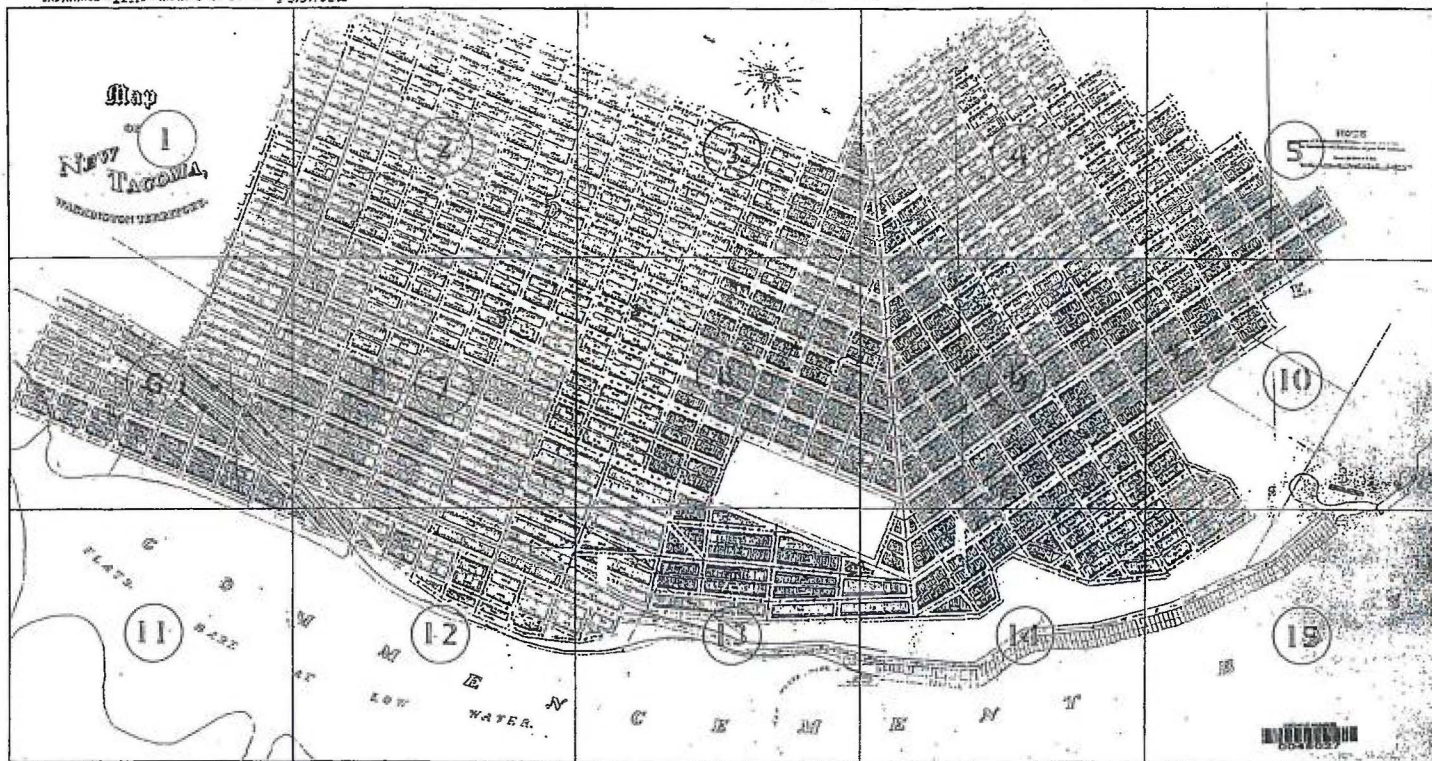
Ordinance # 23255 - VACATING PORTION OF BIK 1107  
 Ordinance # 23322 - VACATING PORTION OF BIK 1107  
 Ordinance # 23323 - VACATING PORTION OF BIK 1107  
 Ordinance # 24250 - VACATING PORTION OF BIK 1107  
 Ordinance # 24251 - VACATING PORTION OF BIK 1107  
 Ordinance # 24252 - VACATING PORTION OF BIK 1107

Ordinance # 23543  
 VACATING PORTION OF BIK 1107

Ordinance # 20861  
 VACATING PORTION OF BIK 1107  
 AF # 8905181

RESTRICTION DOCUMENT - AF # 8905181

Ordinance # 20915  
 VACATING PORTION OF BIK 1107  
 AF # 890612182





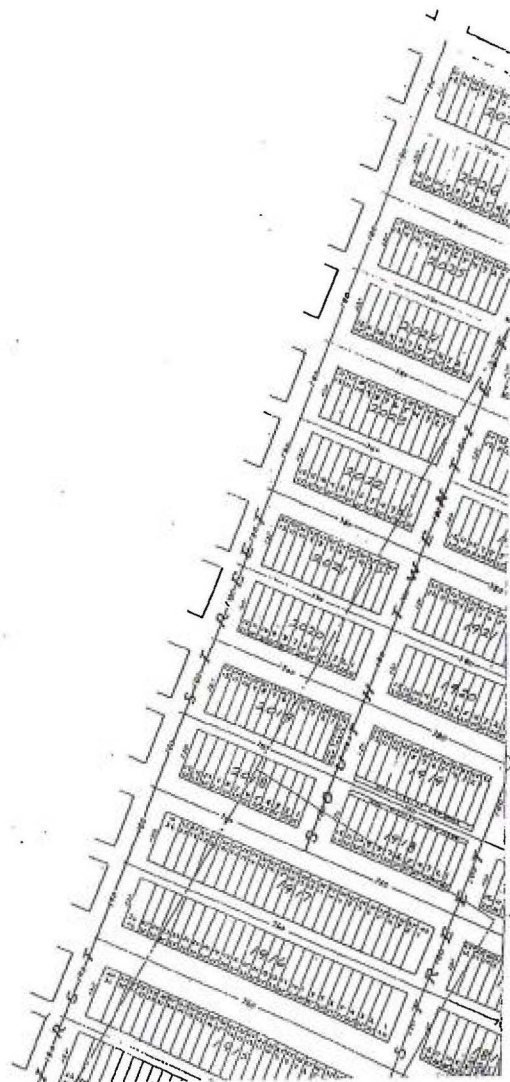
Map

OF

1

NEW  
TACOMA,

WASHINGTON TERRITORY.



004952

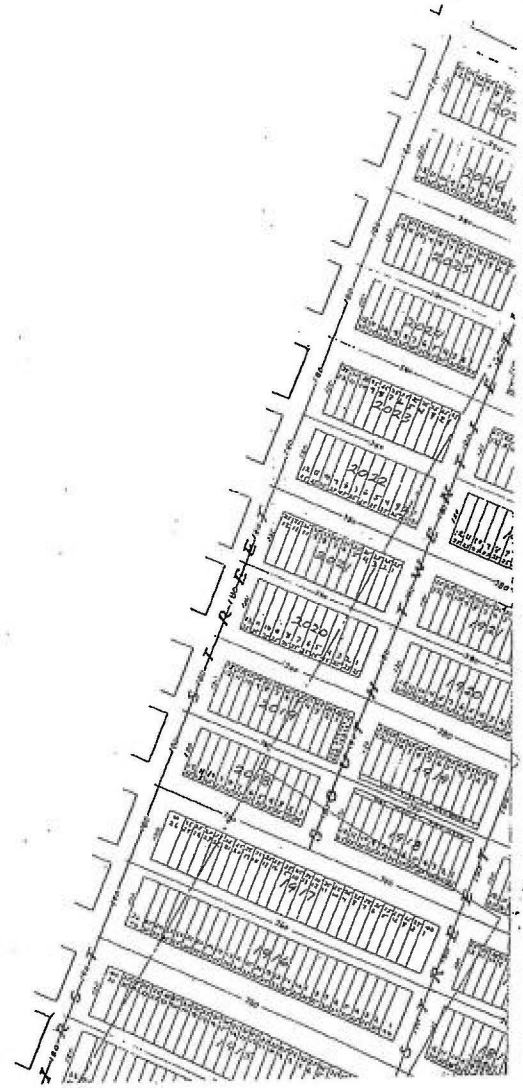
Map

OF

1

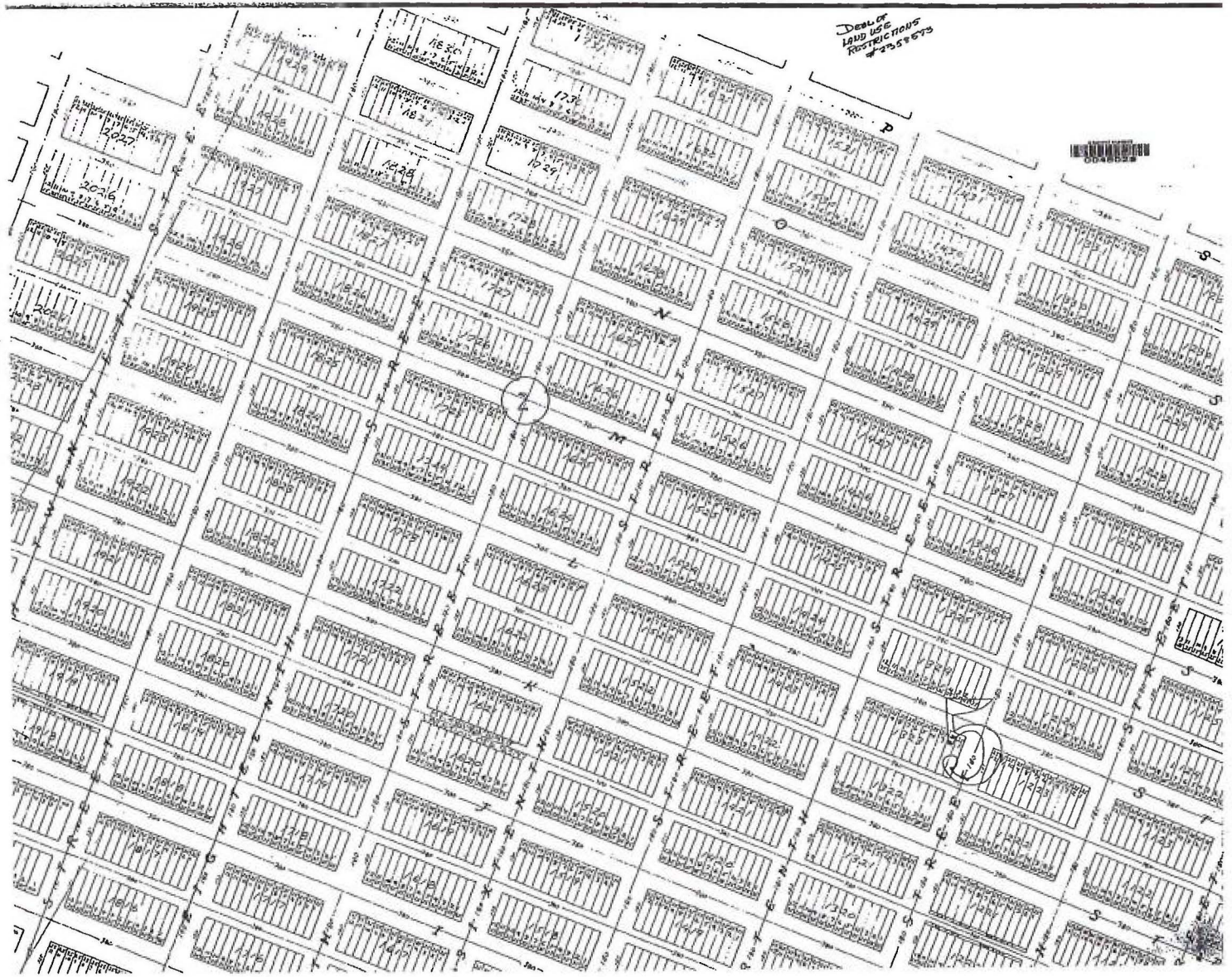
NEW  
TACOMA,

WASHINGTON TERRITORY.

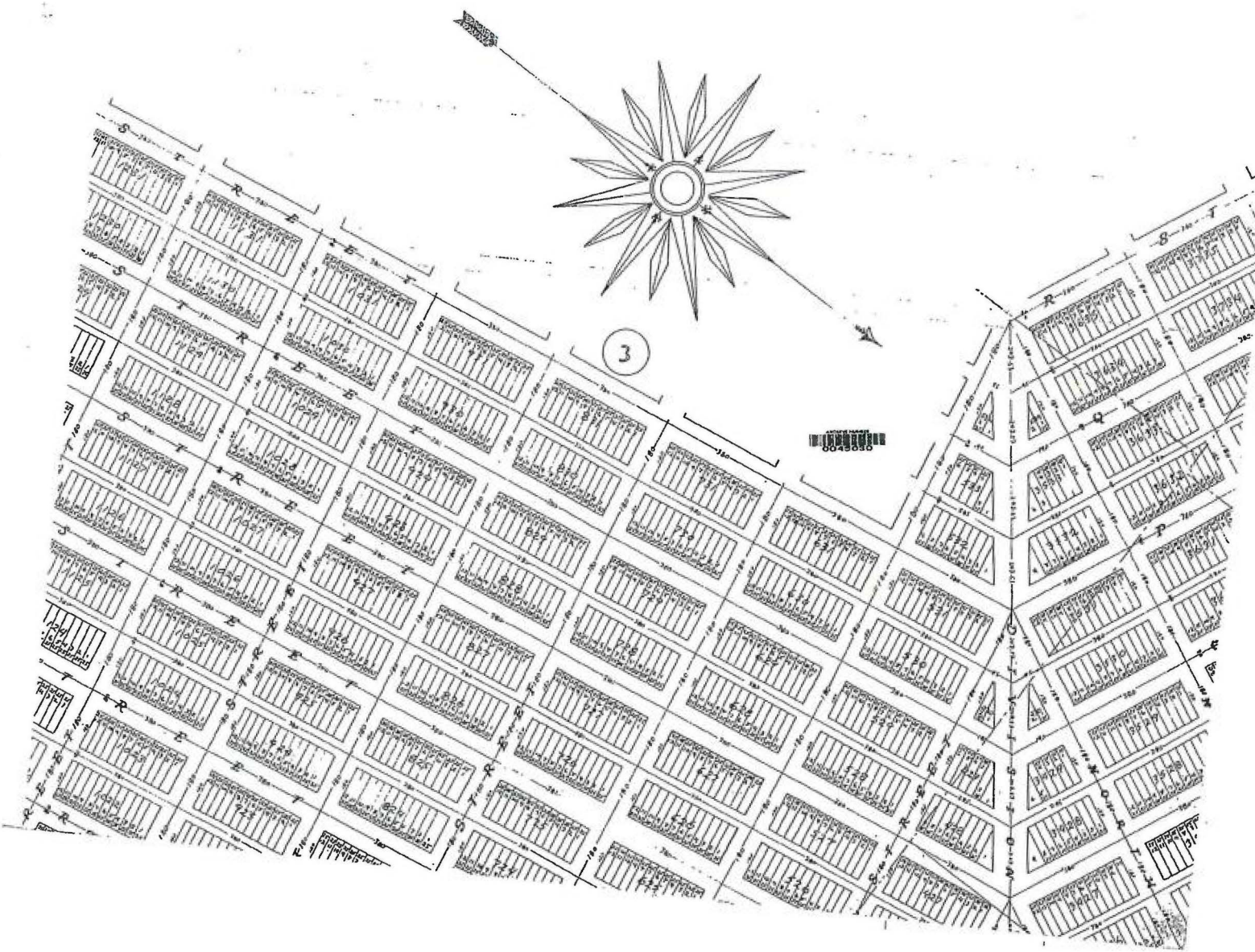




DEPT OF  
LAND USE  
RESTRICTIONS  
#2359573

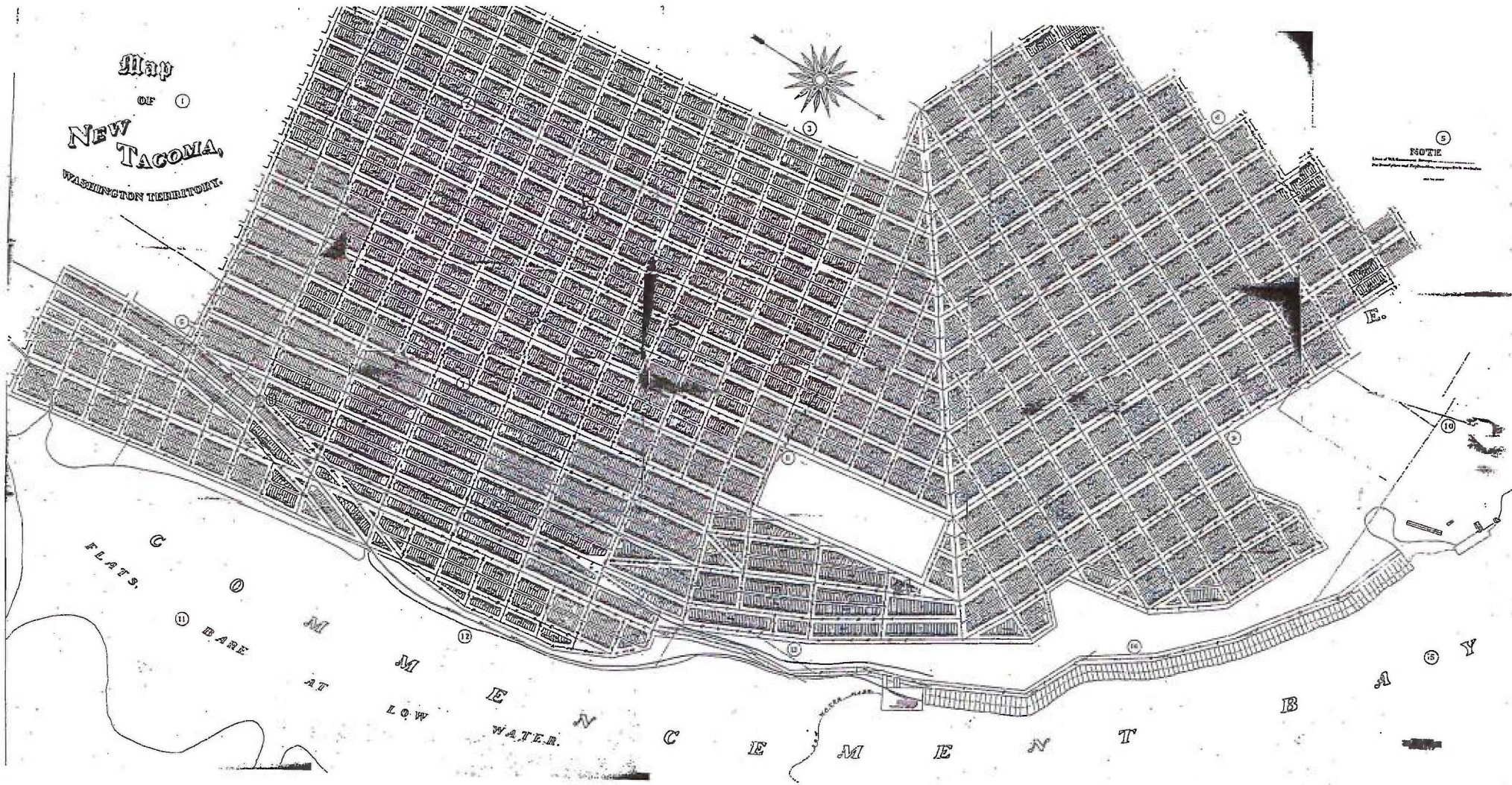








Map  
OF  
**NEW  
TACOMA,**  
WASHINGTON TERRITORY.



**NOTICE**  
Line of 1850 boundary between  
the Washington and Oregon territories.

FLATS.

BARE

AT

LOW

WATER.

C

E

M

E

N

T

B

A

Y



EXHIBIT "A"



SOUTH 15<sup>TH</sup> STREET AIR SPACE VACATION

THE NORTHERLY 5.66 FEET OF THAT PORTION OF SOUTH 15<sup>TH</sup> STREET LYING ADJACENT TO THE FOLLOWING:

SOUTH ONE-HALF OF LOT 24, AND ALL OF LOTS 25 AND 26, BLOCK 1309, MAP OF NEW TACOMA, W. T., ACCORDING TO PLAT FILED FOR RECORD FEBRUARY 3, 1875 IN THE OFFICE OF THE COUNTY AUDITOR; AND LYING BETWEEN THE ELEVATIONS OF 195.34 AND 268.84 FEET AT THE SOUTHWEST CORNER AND BETWEEN 177.66 AND 268.84 FEET AT THE SOUTHEAST CORNER.

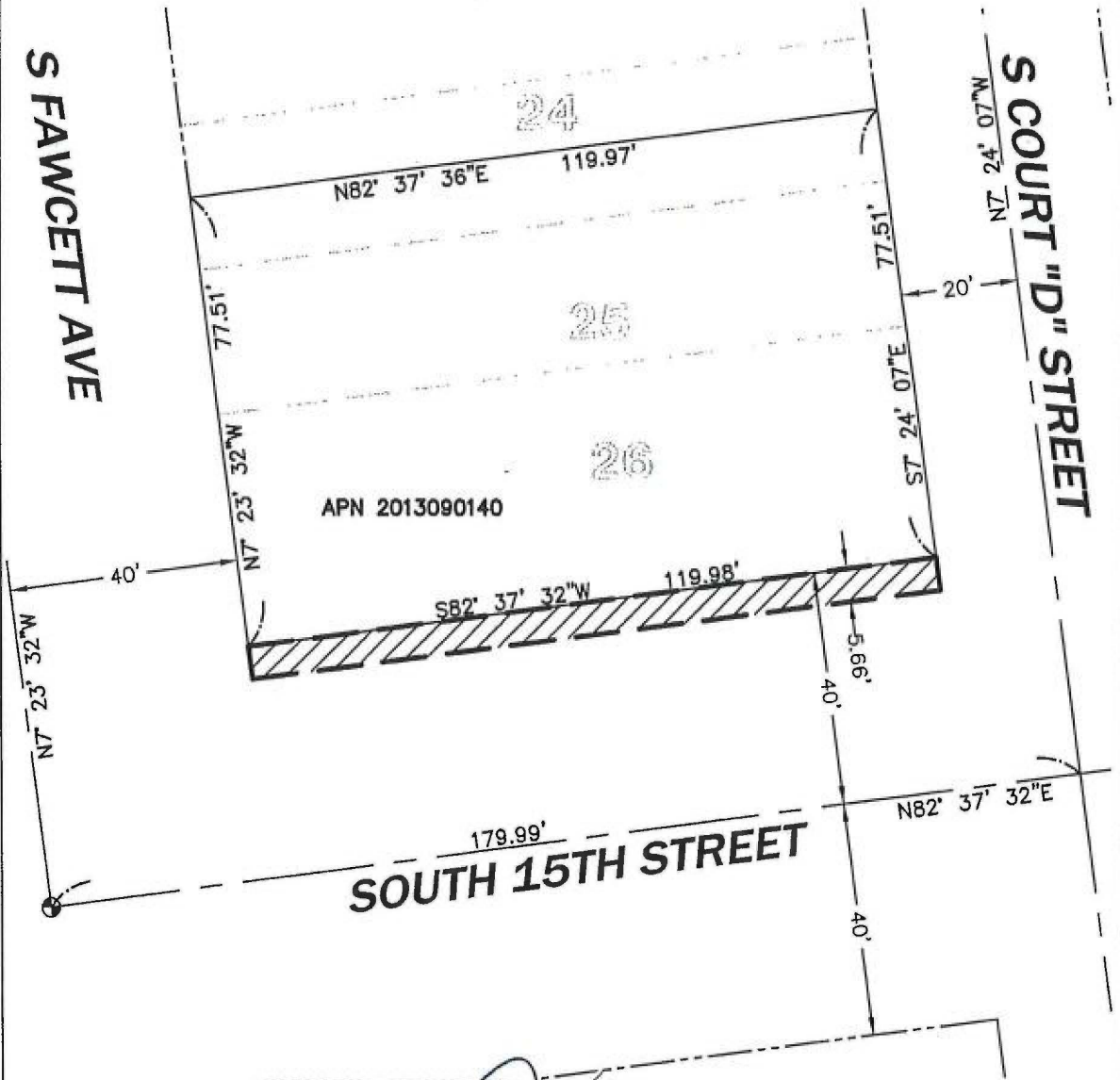
(NGVD29 VERTICAL DATUM)

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.





EXHIBIT "B"



1"=30'

JOB NO. 2181015.50

9/19/19

Air Space Exhibit

LEGAL BY: SAR EXHIBIT BY: SAR

NW 1/4, SW 1/4, S4, T20N, R3E

w:\deskproj\2018\2181015\2181015 air space vac exhibit.dwg



11-4-19



2215 North 30th Street,

Suite 300,

Tacoma, WA 98403

253.383.2422 TEL

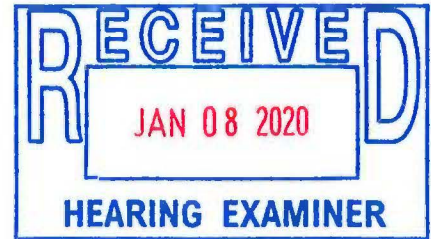
253.383.2572 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.

**Stevens, Troy**

---

**From:** Marsten, Vicki  
**Sent:** Tuesday, January 7, 2020 4:01 PM  
**To:** Stevens, Troy  
**Subject:** RE: 1351 Fawcett Street Vacation  
**Attachments:** 1351 Fawcett - Clearance Depths.pdf



Troy,

Tacoma Public Works Traffic Engineering is agreeable based on the attached information for the clearance from the curb face and 16.5' above the finished sidewalk grade which is represented in the information presented to us below.

This is what we have for a legal description:

The northerly 5.66 feet of that portion of South 15th Street lying adjacent to the following:

South one-half of Lot 24, and all of Lots 25 and 26, Block 1309, Map of New Tacoma, W.T., according to plat filed for record February 3, 1875 in the Office of the County Auditor; and lying between the elevations of 195.34 and 268.84 feet at the Southwest corner and between 177.66 and 268.84 feet at the Southeast corner (NGVD29 Vertical datum).

Situate in the City of Tacoma, County of Pierce, State of Washington;

*Thank you, Vicki*

Vicki Marsten  
City of Tacoma, Public Works  
Traffic Engineering Division  
253-591-5556

---

**From:** Stevens, Troy <tstevens@ci.tacoma.wa.us>  
**Sent:** Tuesday, January 07, 2020 3:14 PM  
**To:** Marsten, Vicki <vmarsten@ci.tacoma.wa.us>  
**Subject:** RE: 1351 Fawcett Street Vacation  
**Importance:** High

Vicki,

My report is due. I wanted to submit it today; but, I can wait until tomorrow. Thing is, Legal hasn't reviewed it yet... They should already have it. The HEX must have it tomorrow.

Please email me as soon as you can.

Thank you,

**Troy Stevens, MSML**  
City of Tacoma, Public Works

**EXHIBIT C-5**

Sr. Real Estate Specialist  
(253) 591-5535  
[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)

**From:** Stevens, Troy  
**Sent:** Tuesday, January 7, 2020 9:18 AM  
**To:** Marsten, Vicki <[vmarsten@ci.tacoma.wa.us](mailto:vmarsten@ci.tacoma.wa.us)>  
**Subject:** RE: 1351 Fawcett Street Vacation  
**Importance:** High

Morning Vicki,

Are your comments representative for all Traffic or just street lights? Please clarify.

I'm finalizing the report today. I need a separate email that encompasses all of Traffic's comments. Please make sure it stipulates whether you support or object. If you object, let me know so that I can send you an invite for the hearing. You will need to be there to discuss if there are any questions.

Thank you,

**Troy Stevens, MSML**  
City of Tacoma, Public Works  
Sr. Real Estate Specialist  
(253) 591-5535  
[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)

**From:** Marsten, Vicki <[vmarsten@ci.tacoma.wa.us](mailto:vmarsten@ci.tacoma.wa.us)>  
**Sent:** Monday, December 23, 2019 1:05 PM  
**To:** Stevens, Troy <[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)>  
**Subject:** RE: 1351 Fawcett Street Vacation

Dear Troy,

Due to the lack of dimensions on the drawings that have been provided thus far I cannot definitively acknowledge that the 5.66 feet (south of the property line on 15th) of air rights is adequate. I will accept a minimum of 6 feet clearance from the face of curb to any overhead obstruction between the elevations of 187.15 to 250.22 (based on NGVD 29 Vertical Datum)

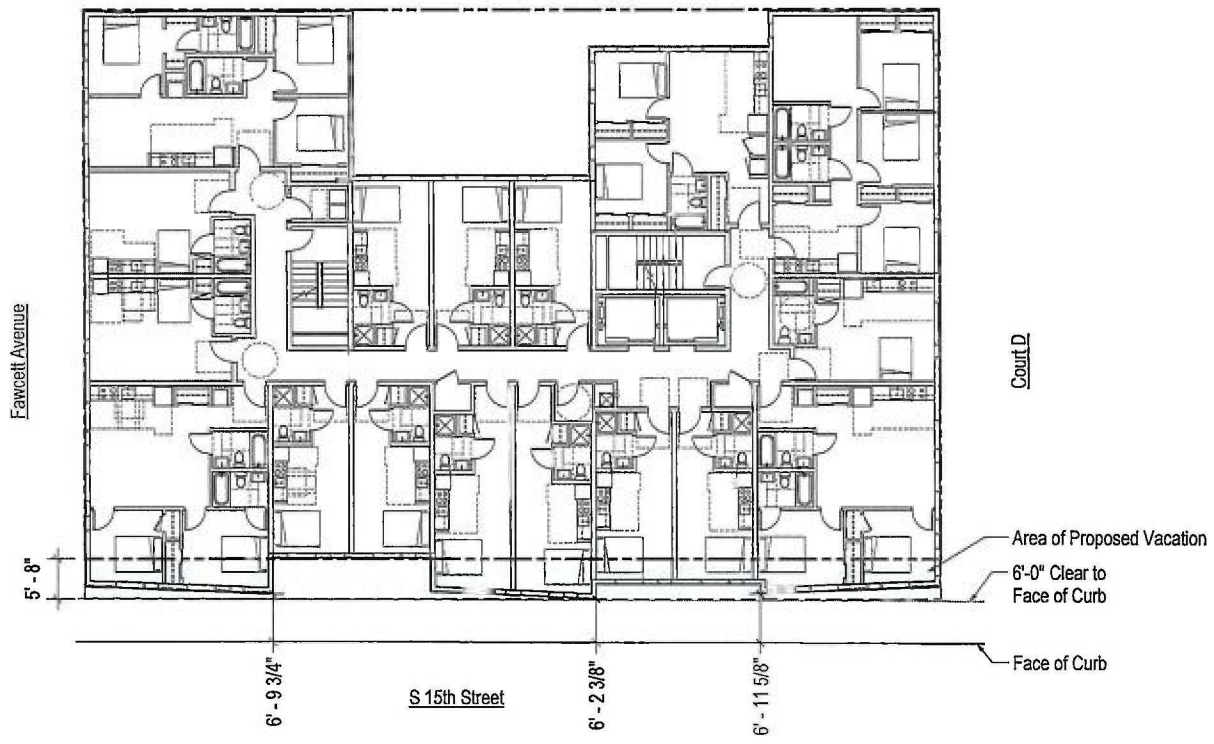
*Sincerely, Vicki Marsten*

City of Tacoma, Public Works  
Engineering Division  
Traffic Safety & Review

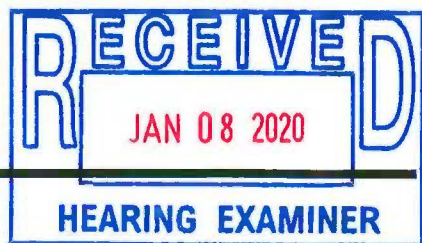
747 Market Street  
Tacoma, WA 98402  
[vmarsten@cityoftacoma.org](mailto:vmarsten@cityoftacoma.org)  
253-591-5556 office  
253-591-5027 fax

If the sidewalk is 11.66 feet wide from the face of curb to the property line then this is agreeable.





① Street Vacation - Typical Floor  
1/8" = 1'-0"



**Stevens, Troy**

**From:** Seaman, Chris  
**Sent:** Thursday, September 12, 2019 8:48 AM  
**To:** Stevens, Troy  
**Subject:** RE: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Troy,

Tacoma Fire has no objections.

Regards,  
**CHRIS SEAMAN, P.E.**  
Senior Engineer  
Tacoma Fire Department | Prevention Division  
901 Fawcett Avenue | Tacoma, WA 98402  
253.591.5503 | [cseaman@cityoftacoma.org](mailto:cseaman@cityoftacoma.org)



---

**From:** Stevens, Troy  
**Sent:** Wednesday, September 11, 2019 10:35 AM  
**To:** Atkinson, Chris; Atkinson, Stephen; Baker, Brad ([Brad.Baker@centurylink.com](mailto:Brad.Baker@centurylink.com)); Barnett, Elliott; Boudet, Brian; Brock, Stephanie; Cantrel, Aaron; CenturyLink; Cornforth, Ronda; Erickson, Ryan; Fletcher, Gloria; Himes, Gail; Holt, Megan ([megan.holt@pse.com](mailto:megan.holt@pse.com)); Johnson, Christopher; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Larson, Chris; Lynett, Kristin; Muller, Gregory; Newton, Corey; Parvey, James; [Rob.Bair@centurylink.com](mailto:Rob.Bair@centurylink.com); Russell, Lee; Seaman, Chris; Site Development; Stringer, Shawn; Tina Vaslet; Torres, Andrew; Trohimovich, Merita  
**Cc:** Stevens, Troy  
**Subject:** Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Agency Reviewer,

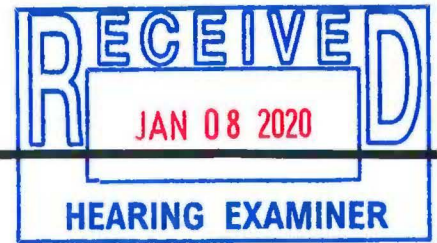
Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1401, as requested by 1351 Fawcett, LLC, and provide comments for your respective utility/agency **on or before September 27, 2019**. Responses received later than September 27, 2019 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

**Troy Stevens, MSML**  
City of Tacoma, Public Works  
Sr. Real Estate Specialist  
(253) 591-5535  
[tstevens@cl.tacoma.wa.us](mailto:tstevens@cl.tacoma.wa.us)

**EXHIBIT C-6**



**Stevens, Troy**

**From:** Rossi, Rod  
**Sent:** Wednesday, September 11, 2019 3:01 PM  
**To:** Stevens, Troy  
**Subject:** RE: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC  
**Attachments:** ES Response Street Vacation Request 124.1401.pdf

Updated response, thanks for the heads up

Rod Rossi, PMP  
City of Tacoma, Environmental Services  
Science & Engineering Division  
326 East D Street  
Tacoma, WA 98421  
253.502.2127

---

**From:** Stevens, Troy <tstevens@ci.tacoma.wa.us>  
**Sent:** Wednesday, September 11, 2019 1:38 PM  
**To:** Rossi, Rod <rrossi@ci.tacoma.wa.us>  
**Subject:** RE: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Rod,

Did you see that it's only an air-rights vacation? Just want to make sure.  
Your comments read like you think the surface and sub-surface rights are being vacated too.

Thank you,

**Troy Stevens, MSML**  
City of Tacoma, Public Works  
Sr. Real Estate Specialist  
(253) 591-5535  
[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)

---

**From:** Rossi, Rod  
**Sent:** Wednesday, September 11, 2019 12:45 PM  
**To:** Stevens, Troy  
**Subject:** RE: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Hi Troy,

ES response is attached.

Also, Merita said she has attempted to get her name off of this distribution list and have mine added instead.....doable?

Rod Rossi, PMP  
City of Tacoma, Environmental Services  
Science & Engineering Division

**EXHIBIT C-7**



326 East D Street  
Tacoma, WA 98421  
253.502.2127

**From:** Trohimovich, Merita <[MPollard@ci.tacoma.wa.us](mailto:MPollard@ci.tacoma.wa.us)>  
**Sent:** Wednesday, September 11, 2019 10:54 AM  
**To:** Rossi, Rod <[rrossi@ci.tacoma.wa.us](mailto:rrossi@ci.tacoma.wa.us)>  
**Subject:** FW: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

It doesn't look like anyone from your group gets these, so I keep sending them. Do you want to make another run at getting me off the list and you on?? I tried several times and it never worked. If you get these through another channel, let me know and I will stop sending them. I can just delete them. Merita

**From:** Stevens, Troy <[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)>  
**Sent:** Wednesday, September 11, 2019 10:35 AM  
**To:** Atkinson, Chris <[catkinson@ci.tacoma.wa.us](mailto:catkinson@ci.tacoma.wa.us)>; Atkinson, Stephen <[satkinson@ci.tacoma.wa.us](mailto:satkinson@ci.tacoma.wa.us)>; Baker, Brad (<[Brad.Baker@centurylink.com](mailto:Brad.Baker@centurylink.com)>) <[Brad.Baker@centurylink.com](mailto:Brad.Baker@centurylink.com)>; Barnett, Elliott <[elliott.barnett@ci.tacoma.wa.us](mailto:elliott.barnett@ci.tacoma.wa.us)>; Boudet, Brian <[BBOUDET@ci.tacoma.wa.us](mailto:BBOUDET@ci.tacoma.wa.us)>; Brock, Stephanie <[sbrock@ci.tacoma.wa.us](mailto:sbrock@ci.tacoma.wa.us)>; Cantrel, Aaron <[Aaron\\_Cantrel@cable.comcast.com](mailto:Aaron_Cantrel@cable.comcast.com)>; CenturyLink <[nre.easement@centurylink.com](mailto:nre.easement@centurylink.com)>; Cornforth, Ronda <[rcornforth@cityoftacoma.org](mailto:rcornforth@cityoftacoma.org)>; Erickson, Ryan <[RErickso@ci.tacoma.wa.us](mailto:RErickso@ci.tacoma.wa.us)>; Fletcher, Gloria <[GFletcher@ci.tacoma.wa.us](mailto:GFletcher@ci.tacoma.wa.us)>; Himes, Gail <[ghimes@ci.tacoma.wa.us](mailto:ghimes@ci.tacoma.wa.us)>; Holt, Megan (<[megan.holt@pse.com](mailto:megan.holt@pse.com)>) <[megan.holt@pse.com](mailto:megan.holt@pse.com)>; Johnson, Christopher <[cjohnso2@ci.tacoma.wa.us](mailto:cjohnso2@ci.tacoma.wa.us)>; Johnson, David (PDS) <[DJohnson2@ci.tacoma.wa.us](mailto:DJohnson2@ci.tacoma.wa.us)>; Kammerzell, Jennifer <[jkammerzell@ci.tacoma.wa.us](mailto:jkammerzell@ci.tacoma.wa.us)>; Kidd, Brennan <[bkidd@ci.tacoma.wa.us](mailto:bkidd@ci.tacoma.wa.us)>; Larson, Chris <[CLARSON@ci.tacoma.wa.us](mailto:CLARSON@ci.tacoma.wa.us)>; Lynett, Kristin <[kristin.lynett@cityoftacoma.org](mailto:kristin.lynett@cityoftacoma.org)>; Muller, Gregory <[GMuller@ci.tacoma.wa.us](mailto:GMuller@ci.tacoma.wa.us)>; Newton, Corey <[cnewton@ci.tacoma.wa.us](mailto:cnewton@ci.tacoma.wa.us)>; Parvey, James <[JPARVEY@ci.tacoma.wa.us](mailto:JPARVEY@ci.tacoma.wa.us)>; Rob.Bair@centurylink.com; Russell, Lee <[LRussell@ci.tacoma.wa.us](mailto:LRussell@ci.tacoma.wa.us)>; Seaman, Chris <[cseaman@ci.tacoma.wa.us](mailto:cseaman@ci.tacoma.wa.us)>; Site Development <[SiteDevelopment@ci.tacoma.wa.us](mailto:SiteDevelopment@ci.tacoma.wa.us)>; Stringer, Shawn <[SStringe@ci.tacoma.wa.us](mailto:SStringe@ci.tacoma.wa.us)>; Tina Vaslet <[tvaslet@piercetransit.org](mailto:tvaslet@piercetransit.org)>; Torres, Andrew <[ATORRES@ci.tacoma.wa.us](mailto:ATORRES@ci.tacoma.wa.us)>; Trohimovich, Merita <[MPollard@ci.tacoma.wa.us](mailto:MPollard@ci.tacoma.wa.us)>  
**Cc:** Stevens, Troy <[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)>  
**Subject:** Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1401, as requested by 1351 Fawcett, LLC, and provide comments for your respective utility/agency **on or before September 27, 2019**. Responses received later than September 27, 2019 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

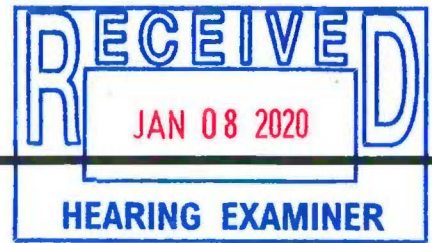
Thank you,

**Troy Stevens**, MSML  
City of Tacoma, Public Works  
Sr. Real Estate Specialist  
(253) 591-5535  
[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)



**Stevens, Troy**

---



**From:** Barrutia, Rich  
**Sent:** Monday, January 6, 2020 7:46 AM  
**To:** Stevens, Troy  
**Subject:** RE: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Troy,  
Tacoma Power currently has no systems on S. 15th St. west of Court 'D'. We accept the overhang air rights impact to S. 15<sup>th</sup> Street for the 1351 Fawcett , LLC request.

We have concerns about the overhang on Court D north of S. 15<sup>th</sup> St. because it is narrow and we have existing underground ducts and vaults in Court D. Maintaining and installing power systems there would have conflicts between excavation equipment and the overhanging structure.

**Rich Barrutia P.E. | Central Business Dist. Engineering Supervisor**

**3628 South 35th Street, Tacoma, Washington, USA 98409-3192**

**Tacoma Power | [www.tacomapower.com](http://www.tacomapower.com)**

**P: (253) 502-8541 | [rbarruti@cityoftacoma.org](mailto:rbarruti@cityoftacoma.org)**

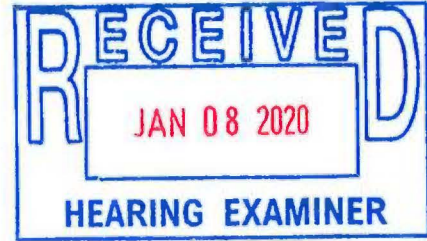
**EXHIBIT C-8**



**Stevens, Troy**

---

**From:** Shaffer, Shelly  
**Sent:** Tuesday, January 7, 2020 11:16 AM  
**To:** Stevens, Troy  
**Cc:** Hicks, Chris  
**Subject:** SV124.1401 1351 Fawcett LLC

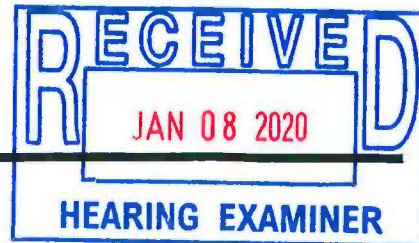


Troy,

Based on conversations with the developer, the service in question will be retired. Developer has been in contact with Chris Hicks to begin the process of retiring this water service. Therefore, Tacoma Water does not have any objections to the proposed aerial vacation.

Thanks

*Shelly Shaffer*  
LID Representative  
**Tacoma Water**  
(253)502-8740  
[sshaffer@cityoftacoma.org](mailto:sshaffer@cityoftacoma.org)



**Stevens, Troy**

**From:** Holt, Megan <megan.holt@pse.com>  
**Sent:** Monday, September 23, 2019 1:34 PM  
**To:** Stevens, Troy  
**Subject:** RE: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Hi Troy,

I have reviewed the vacate request and PSE does not maintain any gas facilities within the proposed vacate area bordering S. 15<sup>th</sup> St. and Court D.

Thank you

**Megan Holt SR/WA**  
Sr. Real Estate Representative  
**Puget Sound Energy, Inc.**  
253-476-6417 (O) | 253-495-1427 (C)

---

**From:** Stevens, Troy [<mailto:tstevens@ci.tacoma.wa.us>]  
**Sent:** Wednesday, September 11, 2019 10:35 AM  
**To:** Atkinson, Chris; Atkinson, Stephen; Baker, Brad ([Brad.Baker@centurylink.com](mailto:Brad.Baker@centurylink.com)); Barnett, Elliott; Boudet, Brian; Brock, Stephanie; Cantrel, Aaron; CenturyLink; Cornforth, Ronda; Erickson, Ryan; Fletcher, Gloria; Himes, Gail; Holt, Megan; Johnson, Christopher; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Larson, Chris; Lynett, Kristin; Muller, Gregory; Newton, Corey; Parvey, James; [Rob.Bair@centurylink.com](mailto:Rob.Bair@centurylink.com); Russell, Lee; Seaman, Chris; Site Development; Stringer, Shawn; Tina Vaslet; Torres, Andrew; Trohimovich, Merita  
**Cc:** Stevens, Troy  
**Subject:** Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

**CAUTION: This email originated from outside of the organization. Exercise extra caution when responding, opening attachments, and clicking links.**

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1401, as requested by 1351 Fawcett, LLC, and provide comments for your respective utility/agency **on or before September 27, 2019**. Responses received later than September 27, 2019 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

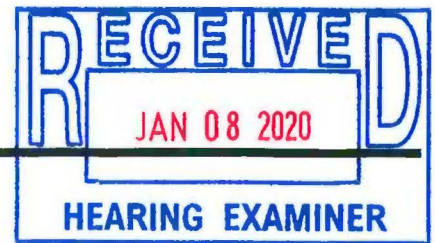
Thank you,

**Troy Stevens, MSML**  
City of Tacoma, Public Works  
Sr. Real Estate Specialist  
(253) 591-5535  
[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)

**EXHIBIT C-10**



Stevens, Troy



**From:** Cantrel, Aaron R <Aaron\_Cantrel@comcast.com>  
**Sent:** Saturday, September 14, 2019 11:24 AM  
**To:** Stevens, Troy  
**Subject:** RE: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC  
**Attachments:** SV 124.1401 - Comcast Comments.doc

Comcast comments attached

**From:** Stevens, Troy <tstevens@ci.tacoma.wa.us>  
**Sent:** Wednesday, September 11, 2019 10:35 AM  
**To:** Atkinson, Chris <catkinson@ci.tacoma.wa.us>; Atkinson, Stephen <satkinson@ci.tacoma.wa.us>; Baker, Brad (Brad.Baker@centurylink.com) <Brad.Baker@centurylink.com>; Barnett, Elliott <elliott.barnett@ci.tacoma.wa.us>; Boudet, Brian <BBOUDET@ci.tacoma.wa.us>; Brock, Stephanie <sbrock@ci.tacoma.wa.us>; Cantrel, Aaron R <Aaron\_Cantrel@cable.comcast.com>; CenturyLink <nre.easement@centurylink.com>; Cornforth, Ronda <rcornforth@cityoftacoma.org>; Erickson, Ryan <RErickso@ci.tacoma.wa.us>; Fletcher, Gloria <GFletcher@ci.tacoma.wa.us>; Himes, Gail <ghimes@ci.tacoma.wa.us>; Holt, Megan (megan.holt@pse.com) <megan.holt@pse.com>; Johnson, Christopher <cjohnso2@ci.tacoma.wa.us>; Johnson, David (PDS) <DJohnson2@ci.tacoma.wa.us>; Kammerzell, Jennifer <jkammerzell@ci.tacoma.wa.us>; Kidd, Brennan <bkidd@ci.tacoma.wa.us>; Larson, Chris <CLARSON@ci.tacoma.wa.us>; Lynett, Kristin <kristin.lynett@cityoftacoma.org>; Muller, Gregory <GMuller@ci.tacoma.wa.us>; Newton, Corey <cnewton@ci.tacoma.wa.us>; Parvey, James <JPARVEY@ci.tacoma.wa.us>; Rob.Bair@centurylink.com; Russell, Lee <LRussell@ci.tacoma.wa.us>; Seaman, Chris <cseaman@ci.tacoma.wa.us>; Site Development <SiteDevelopment@ci.tacoma.wa.us>; Stringer, Shawn <SStringe@ci.tacoma.wa.us>; Tina Vaslet <tvaslet@piercetransit.org>; Torres, Andrew <ATORRES@ci.tacoma.wa.us>; Trohimovich, Merita <MPollard@ci.tacoma.wa.us>  
**Cc:** Stevens, Troy <tstevens@ci.tacoma.wa.us>  
**Subject:** [EXTERNAL] Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1401, as requested by 1351 Fawcett, LLC, and provide comments for your respective utility/agency **on or before September 27, 2019**. Responses received later than September 27, 2019 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

**Troy Stevens, MSML**  
City of Tacoma, Public Works  
Sr. Real Estate Specialist  
(253) 591-5535  
[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)



**TO: ALL CONCERNED AGENCIES & DEPARTMENTS**

**FROM: TROY STEVENS  
PUBLIC WORKS /REAL PROPERTY SERVICES**

**SUBJECT: STREET VACATION REQUEST NO. 124.1401**

**DATE: September 11, 2019**

Real Property Services has received a petition from 1351 Fawcett, LLC to vacate the West 4 feet of the South 80 feet of Court D, and the North 6 feet of South 15th Street, each abutting the parcel known as 1351 Fawcett Avenue. Said vacation of air rights extends from 16.5 feet above existing grade to a height of 90 feet above existing grade fronting the parcel for a residential building and as shown on the vicinity maps attached to this email.

In order to be considered, your comments must be received by **Real Property Services, TMB, Room 737, by September 27, 2019**. If your comments are not received by that date, it will be understood that the office you represent has no interest in this matter.

Attachment(s)

- AT&T Broadband
- Pierce Transit
- Puget Sound Energy
- Qwest Communications
- Fire Department
- Police Department
- TPU/Power/T&D
- TPU/Water/LID
- PW/Director (3)
- PW/BLUS (2)
- PW/Construction
- PW/Engineering
- PW/Engineering/LID
- PW/Engineering/Traffic
- PW/Environmental Services
- PW/Solid Waste
- PW/Street & Grounds
- Tacoma Economic Development
- Click! Network

RESPONSE

No Objections

Comments Attached

9/14/19 Date

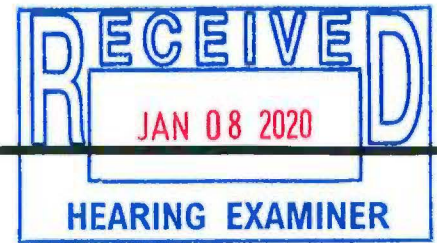
Aaron Cantrell Signature

Planning & Design Department

- Comcast has no facilities within this Vacation request



**Stevens, Troy**



**From:** Russell, Lee  
**Sent:** Tuesday, January 7, 2020 9:35 AM  
**To:** Stevens, Troy  
**Subject:** RE: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Troy,

I am not sure if I got back to you on this one, it might have fallen through the cracks. No, I will not be charging an In-lieu sewer assessment for air rights.

Thanks

**Lee Russell**

Real Estate Specialist  
City of Tacoma Real Property Services  
747 Market St. Rm 737  
Tacoma, Wa 98402  
lrussell@cityoftacoma.org  
Ph. 253-591-5277

---

**From:** Stevens, Troy <tstevens@ci.tacoma.wa.us>  
**Sent:** Tuesday, January 7, 2020 9:28 AM  
**To:** Russell, Lee <LRussell@ci.tacoma.wa.us>  
**Subject:** FW: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Lee,

Did you get back to me on this one?  
I imagine because it's for air rights, there is no In-lieu.

Thank you,

**Troy Stevens, MSML**  
City of Tacoma, Public Works  
Sr. Real Estate Specialist  
(253) 591-5535  
[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)

---

**From:** Stevens, Troy <tstevens@ci.tacoma.wa.us>  
**Sent:** Wednesday, September 11, 2019 10:35 AM  
**To:** Atkinson, Chris <catkinson@ci.tacoma.wa.us>; Atkinson, Stephen <satkinson@ci.tacoma.wa.us>; Baker, Brad (<Brad.Baker@centurylink.com>) <Brad.Baker@centurylink.com>; Barnett, Elliott <elliott.barnett@ci.tacoma.wa.us>; Boudet, Brian <BBOUDET@ci.tacoma.wa.us>; Brock, Stephanie <sbrock@ci.tacoma.wa.us>; Cantrel, Aaron <Aaron.Cantrel@cable.comcast.com>; CenturyLink <nre.easement@centurylink.com>; Cornforth, Ronda <rcornforth@cityoftacoma.org>; Erickson, Ryan <RErickso@ci.tacoma.wa.us>; Fletcher, Gloria <GFletcher@ci.tacoma.wa.us>; Himes, Gail <ghimes@ci.tacoma.wa.us>; Holt, Megan (<megan.holt@pse.com>) <megan.holt@pse.com>; Johnson, Christopher <cjohnso2@ci.tacoma.wa.us>; Johnson, David (PDS)

<DJohnson2@ci.tacoma.wa.us>; Kammerzell, Jennifer <jkammerzell@ci.tacoma.wa.us>; Kidd, Brennan <bkidd@ci.tacoma.wa.us>; Larson, Chris <CLARSON@ci.tacoma.wa.us>; Lynett, Kristin <kristin.lynett@cityoftacoma.org>; Muller, Gregory <GMuller@ci.tacoma.wa.us>; Newton, Corey <cnewton@ci.tacoma.wa.us>; Parvey, James <JPARVEY@ci.tacoma.wa.us>; Rob.Bair@centurylink.com; Russell, Lee <LRussell@ci.tacoma.wa.us>; Seaman, Chris <cseaman@ci.tacoma.wa.us>; Site Development <SiteDevelopment@ci.tacoma.wa.us>; Stringer, Shawn <SStringe@ci.tacoma.wa.us>; Tina Vaslet <tvaslet@piercetransit.org>; Torres, Andrew <ATORRES@ci.tacoma.wa.us>; Trohimovich, Merita <MPollard@ci.tacoma.wa.us>

Cc: Stevens, Troy <tstevens@ci.tacoma.wa.us>

Subject: Street Vacation 124.1401 - Comments DUE September 27, 2019 - 1351 Fawcett, LLC

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1401, as requested by 1351 Fawcett, LLC, and provide comments for your respective utility/agency **on or before September 27, 2019**. Responses received later than September 27, 2019 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

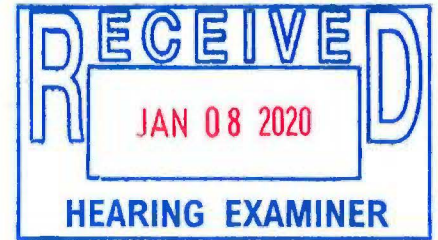
**Troy Stevens, MSML**  
City of Tacoma, Public Works  
Sr. Real Estate Specialist  
(253) 591-5535  
[tstevens@ci.tacoma.wa.us](mailto:tstevens@ci.tacoma.wa.us)



**Stevens, Troy**

---

**From:** Michael Reynolds <michaelwilliamreynolds@gmail.com>  
**Sent:** Wednesday, December 18, 2019 1:19 PM  
**To:** Stevens, Troy  
**Subject:** 1351 Fawcett



Thanks for explaining the air rights vacation proposal at this site.

And thanks for your willingness to include my written concerns in the file that will be reviewed before final approval is granted for development of this site.

A 5-over-2 building on this site will look large, as neither of the 2 buildings currently on this corner are greater than 1 story; and both of those buildings are set way back from the sidewalk.

My concern is not with scale of a 5-over-2 building.  
My concern is with the SETBACK of any building on this corner.

Tacoma, hopefully, will avoid the mistakes made by Vancouver, B.C. when that city first began to 'go seriously vertical' in the late '60s & early '70s. The footprint of tall corner buildings could come right to the sidewalk. The result? Downtown intersections seemed 'boxed-in', claustrophobic. It is my understanding that Vancouver now requires big set-backs on the corners of most buildings at most intersections. A good thing. A beautiful modern city.

I implore our City Planners to adopt a similar approach. Let's avoid "boxing-in" our newly developed downtown intersections. Let's preserve the "human scale street-level environments" that will give the city and its residents precious breathing space and a pedestrian-friendly cityscape. The best way to do that? Require generous SETBACKS at the corner of new construction at any of our downtown intersections.

Thank you for your consideration.

Michael Reynolds  
1501 Tacoma Ave So, unit 313

**PETITIONER WITNESS LIST**

**HEARING DATE:** Thursday, January 16, 2020, at 9:00 a.m.

**FILE NUMBER:** HEX2019-034 (SV 124.1401)

**FILE NAME:** *1351 Fawcett LLC, Petitioner*

WITNESS NAME	E	F	SUMMARY OF TESTIMONY
Christina West, Works Progress Architecture			
Daniel Nason, AHBL Civil Engineer			
Paul Del Vecchio, 1351 Fawcett LLC			
Erika Dinsmore, AHBL Civil Engineer			

**E=EXPERT WITNESS; F=FACT WITNESS**

**PETITIONER EXHIBIT LIST**

**HEARING DATE:** Thursday, January 16, 2020, at 9:00 a.m.

**FILE NUMBER:** HEX2019-034 (SV 124.1401)

**FILE NAME:** 1351 Fawcett LLC, Petitioner

EXHIBIT NUMBER	EXHIBIT DESCRIPTION	SUBMITTED BY	A	E	W	COMMENT
EX. P-1	Combined architectural and civil site plan.	Petitioners 1351 Fawcett LLC	X			Filed on 1/9/2020.
EX. P-2	Rendering of building from Southeast.	Petitioners 1351 Fawcett LLC	X			Filed on 1/9/2020.
EX. P-3	South elevation of building with "Exhibit A" illustrated.	Petitioners 1351 Fawcett LLC	X			Filed on 1/9/2020.
EX. P-4	Photo of similar building without air rights granted.	Petitioners 1351 Fawcett LLC	X			Filed on 1/9/2020.
EX. P-5	Rendering of sidewalk experience from East Southeast.	Petitioners 1351 Fawcett LLC	X			Filed on 1/10/2020.
EX. P-6		Petitioners 1351 Fawcett LLC				
EX. P-7		Petitioners 1351 Fawcett LLC				
EX. P-8		Petitioners 1351 Fawcett LLC				
EX. P-9		Petitioners 1351 Fawcett LLC				
EX. P-10		Petitioners 1351 Fawcett LLC				
EX. P-11		Petitioners 1351 Fawcett LLC				

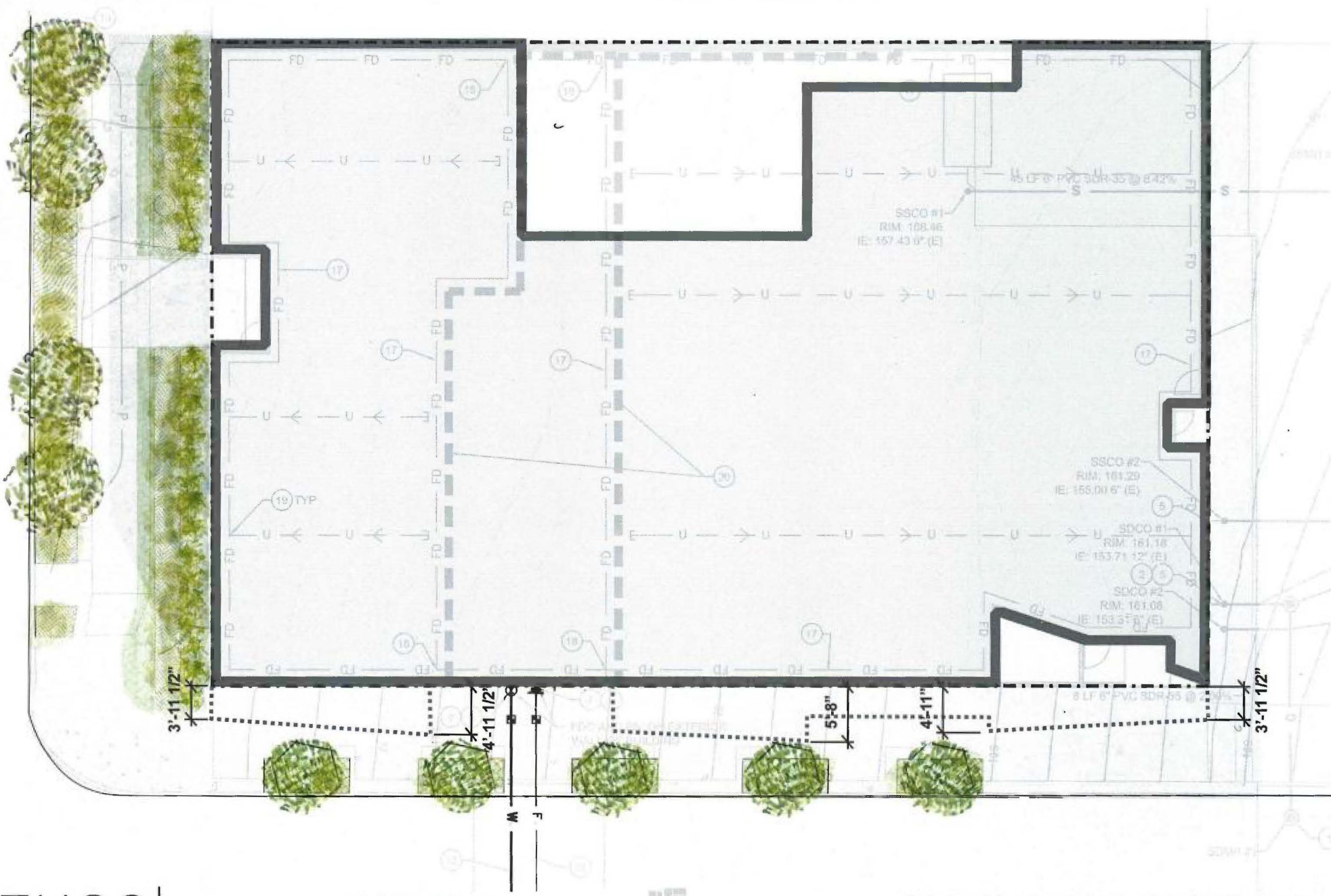
**KEY**

**A = Admitted**

**E = Excluded**

**W = Withdrawn**









ETHOS | *Development*

W.PA



**P-2: Rendering of building from southeast**  
1351 Fawcett Avenue | Tacoma







Similar building developed in Tacoma in 2019, not utilizing air rights over ROW.

Air rights over ROW will:

- Enliven street experience
- Provide pedestrians with canopy
- Enhance urban experience and create sense of place
- Break up monolithic building and help it relate in scale to lower density neighboring properties



Koz on Market, courtesy Koz Development

**P-4: Photo of similar building without air rights granted**

**For Reference Only**





ETHOS | *Development*

W.PA



**P-5: Rendering of sidewalk experience from ESE**  
1351 Fawcett Avenue | Tacoma

C. B. Brown  
1340 Fawcett Ave.  
Tacoma, WA 98402

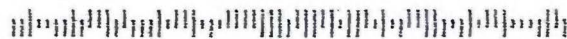
SAN FRANCISCO CA 940

06 JAN 2020 PM 9 L



Hearing Examiner  
City Council Chambers - 1st Floor  
Tacoma Municipal Bldg.  
147 Market Street  
Tacoma WA 98402

98402-376899





Jan. 5, 2020



Hearing Examiner  
City Council Chambers - 1st Floor  
Tacoma Municipal Bldg.  
747 Market Street  
Tacoma, WA. 98402

RE: Resolution No. 48489

First please excuse handwritten memo as my computer is not functioning. I shall try to be brief. Secondly I realize letter/notice stated oral comments would be heard, but I am a property owner of a house on 1300 block of Fawcett Ave., and although I am unable to attend this meeting, I deserve an opportunity to express my opinion.

Clearly the proposed changes will totally obscure our view of Mt. Rainier, a view I have known and enjoyed since 1946. Our lost view is totally unfair as we are property tax payers also, many of us for years, so it is not as if we have not been paying for this view. Of course, we would NOT wish our view blocked by some major skyscraper which is incongruous with our smaller residential units on that and adjacent blocks on Fawcett Ave. Although Tacoma states a desire to honor and maintain housing, we homeowners are not observing any follow through; in fact we are not feeling supported or even noticed, as having needs as we are small property owners.

This is especially the case when it comes to another related and very important need - PARKING. Since our parking permits were invalidated, parking along our block has been beyond difficult. Office workers now take up all street parking and do NOT move during day. This means if home owner has a morning appointment causing him to leave his spot on street, he simply cannot return home and expect to park there

again basically all day<sup>2)</sup>. Thus a homeowner leaving for a medical appointment or necessary errand at 9:00 a.m. is unable to then find a parking space on Fawcett anywhere near his house until approximately 4:00 p.m. He is locked out of returning home all day! This sounds unbelievable, but it is true. It is also amazingly punitive. Where is one to go for all those hours when you cannot return home? What if you are not feeling well and need to park your car & access your home to rest? Or go to the restroom?

The suggested solutions to this situation have failed. Nearby parking lots are full with wait lists, clearly no viable solution. Certainly three hour parking will serve only to worsen situation. The only solution fair to the homeowner taxpayers on Fawcett is to again offer exemptions via parking permits with space allotted for homeowners/residents on Fawcett as had previously.

Parking will become an even bigger problem once apartment complex erected because typically they do not provide sufficient parking for own residents/occupants. This should be a requirement given the parking problem on Fawcett, but we all knew it won't be, creating an even worse problem than we have now. If residents would need to pay for residential parking permits on a



yearly basis, we would probably support  
that although why should we  
property taxpayers pay and city office  
workers not? Let everyone who parks  
on Fawcett more than three hours have to  
pay to obtain an exempted time  
parking pass.

It is simply the only fair approach.  
yet it still does not really solve  
problem of sufficient spaces for  
homeowner residential parking.  
I see no other way than to return  
to what we had previously -  
clearly marked (by signage) areas  
for the less than one-half block  
of residential buildings/homes on  
300 block of Fawcett. I am not as  
familiar with other blocks on  
Fawcett, but certainly those still  
having some residents should be  
considered for same parking considerations.

If you would like to do so, please  
feel free to call me at (415) 420-9175.  
My name is Charlotte B. Brown. My  
property is at 1340 Fawcett. Thank you.  
cc: Tacoma Parking Division  
Mayor's Office: Honorable Victoria Woodards