



TO: T.C. Broadnax, City Manager
FROM: Phyllis Macleod, Hearing Examiner *PM*
Troy Stevens, Senior Real Estate Specialist, Public Works *TS*
City Council and City Clerk
COPY:
SUBJECT: Ordinance Request No. 15-0794 – Street Vacation – August 18, 2015
DATE: July 30, 2015

SUMMARY:

An ordinance seeking to vacate a one-foot portion of right-of-way running along Commerce Street, South 15th Street, and Pacific Avenue to cure a building foundation encroachment for the Waddell Building, previously permitted through Street Occupancy Permit No. 140.

COUNCIL SPONSORS:

N/A

STRATEGIC POLICY PRIORITY:

The proposed street vacation aligns with the following strategic priorities:

- Foster a vibrant and diverse economy with good jobs for all Tacoma residents.
- Cultivate a vibrant cultural sector that fosters a creative, cohesive community.

BACKGROUND:

During the most recent remodel of the historic Waddell Building in connection with construction of the Marriott Hotel, a survey disclosed a one-foot portion of the building foundation encroached into the adjoining right-of-way along Commerce Street, South 15th Street, and Pacific Avenue. During development of the hotel, the City and Hollander Investments, parent company of the Petitioner, entered into a Development Agreement including a Street Occupancy Permit (No. 140) to allow the foundation to remain in place in the right-of-way. The Agreement contemplated further action to cure the encroachment through the street vacation process. The hotel has been completed and has provided important economic stimulus in the downtown area. This street vacation will complete the solution to this street encroachment problem by vacating a one-foot strip along three sides of the Waddell Building. The right-of-way being vacated is not used for the travelled portion of the fully developed streets adjacent to the site. The Hearing Examiner conducted a public hearing on the street vacation on July 9, 2015. No members of the public appeared to testify against the proposed street vacation. The Hearing Examiner subsequently issued Findings of Fact, Conclusions of Law, and a Recommendation supporting approval of the requested street vacation.

ISSUE:

Whether the requested street vacation should be approved.

ALTERNATIVES:

The City Council could choose to deny the requested street vacation; however, the application appears to comply with the applicable criteria for approval of a street vacation and the action was planned during the development process for the downtown Marriott Hotel.

RECOMMENDATION:

The requested vacation petition is recommended for approval, subject to the conditions contained in the Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation.



FISCAL IMPACT:

N/A