



City of Tacoma

City Council Action Memorandum

**TO:** Elizabeth A. Pauli, City Manager  
**FROM:** Jeff H. Capell, Hearing Examiner *JAC*  
Troy Stevens, Senior Real Estate Specialist, Public Works, Real Property Services *TS*  
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance Request No. 20-0114 – Street Vacation 124.1403 – March 3, 2020  
**DATE:** February 5, 2020

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**SUMMARY AND PURPOSE:**

An ordinance to vacate a portion of North Adams Street, located at the southeast corner of North Adams Street and a public alleyway between North 27th and North 28th Streets, to facilitate new development.

**BACKGROUND:**

The Hearing Examiner's Recommendation is based on the evidence and testimony presented at a public hearing held on January 23, 2020. The Vacation Area (as defined in the Hearing Examiner's Report and Recommendation) is an approximately 17' x 20' portion of public right-of-way ("ROW") located at the southeast corner of North Adams Street and the public alleyway lying between North 27th and North 28th Streets. The Vacation Area is not being currently used for ROW purposes, nor does the City see any future need for it as ROW. Approving the vacation will not landlock any abutting property nor will it otherwise affect any existing access. Approving the vacation will be beneficial to the Petitioner by allowing it to incorporate the Vacation Area into its intended multi-family residential, and possibly mixed-use development on the abutting property.

**COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:**

A public hearing was held on this petition on January 23, 2020, at which members of the community could attend and speak to express their concerns with, and/or support for the proposed street vacation. Two members of the public appeared at the hearing to testify and two written public comments were received all expressing opposition to the vacation, but with that opposition based more on the Petitioner's intended development of the abutting real property than on the vacation itself. The street vacation will benefit the Petitioner by allowing the vacated area to be included in its proposed development. If approved, the vacation itself will have nominal benefit or effect on the community surrounding the area because the vacation is not used as a ROW presently, nor is there any need for it in the future.

**2025 STRATEGIC PRIORITIES: NA**

**ORIGINAL**



**ALTERNATIVES:**

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. The Council could approve the vacation request under conditions different than those recommended.	Any positive impacts arising from different conditions would depend on what those conditions are.	Any different conditions imposed would have to find justification outside of the City's current position, i.e., of not needing the Vacation Area for any public purpose.
2. The Council could deny the vacation petition.	The most positive impacts come from approving the vacation and allowing the vacation to facilitate the development of additional housing. Denial simply maintains the status quo. That said, some neighboring residents would likely view a denial as a positive because of their opposition to Petitioner's intended development.	The most positive impacts come from approving the vacation. Denial simply maintains the status quo, preserving the City's unused (and unneeded) ROW interest.

**EVALUATION AND FOLLOW UP:**

The recommended street vacation is subject to the conditions listed in the Hearing Examiner's Report and Recommendation, issued on January 30, 2020, including reservation of an easement for existing Tacoma Power facilities. All evaluations and follow up should be coordinated between the Petitioner and the appropriate City Departments referenced in the Report and Recommendation.

**STAFF/SPONSOR RECOMMENDATION:**

The Hearing Examiner recommends approval of the requested street vacation, subject to the conditions contained in Conclusion 9 of the Hearing Examiner's Report and Recommendation.

**FISCAL IMPACT:**

The potential fiscal impact of this street vacation is not known at this time. A fair market appraisal or market rate analysis will occur after the first reading of the ordinance. When the market information is available, the estimated revenue from the street vacation will be communicated to the City Council by the appropriate City Department. The property vacated will return to tax rolls and will also generate ongoing property tax income.

**ATTACHMENTS:**

- The Hearing Examiner's City Council Action Memorandum, dated February 5, 2020.
- The Hearing Examiner's Report and Recommendation to the City Council, entered on January 30, 2020.
- The City's Exhibit List and City Exhibits C-1 through C-17.
- Written Public Comments from Nicholas Bond and Laura Barker, and Peter and Linda Hayes.
- Verbatim electronic recording from the hearing held on January 23, 2020.