



TO: Elizabeth Pauli, City Manager
FROM: Jeff H. Capell, Hearing Examiner *JHC*
Troy Stevens, Senior Real Estate Specialist, Public Works Real Property Services
COPY: City Council and City Clerk
SUBJECT: Ordinance Request No. 18-1005 – Street Vacation 124.1390 – September 25, 2018
DATE: September 4, 2018

SUMMARY:

Request for an ordinance granting the petition to vacate that certain southerly portion of North 32nd Street, lying between North Cedar Street and North Junett Street, as legally described in the Hearing Examiner’s Report and Recommendation, to facilitate access improvements and landscaping.

COUNCIL SPONSORS:

N/A

STRATEGIC POLICY PRIORITY:

- Strengthen and support a safe city with healthy residents.
- Assure outstanding stewardship of the natural and built environment.
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

BACKGROUND:

The Petitioners, Doreen and Christopher Gavin (collectively the “Petitioners”), have petitioned for the vacation of that certain southerly portion of North 32nd Street lying between North Cedar Street and North Junett Street legally described in the Hearing Examiner’s Report and Recommendation (the “Recommendation”) in order to add access and landscaping improvements to their abutting real property at 3010 North 32nd Street. The City acquired the North 32nd Street right-of-way by plat dedication in what is probably the original plat filing for this area from 1874. The platted right-of-way is a wider-than-usual one hundred feet (100’). Improved North 32nd is currently a 28-foot wide asphalt road running through the center of this one hundred foot wide dedication. As improved, North 32nd Street between North Junett and North Cedar Streets does not currently include sidewalk, curb and gutter. City and other agency review, and the evidence from the hearing show that that the petitioned-for ten foot (10’) wide area that fronts the Petitioner’s residential property is not needed for right-of-way purposes, nor will there be any adverse impacts from the requested vacation being granted.

ISSUE:

Whether the Council should approve the proposed street vacation?

ALTERNATIVES:

The Council could (1) choose to follow the Hearing Examiner’s Recommendation and approve the requested vacation, (2) the Council could approve the requested vacation under conditions different than those recommended, or (3) the Council could deny the vacation petition.

RECOMMENDATION:

The Hearing Examiner has determined that the requested vacation meets the criteria for approval of such petitions as set forth in Chapter 9.22 of the Tacoma Municipal Code and Chapter 35.79 of the Revised Code of Washington. Therefore, the request is hereby recommended for approval, subject to the conditions contained in Conclusion of Law 6 of the Hearing Examiner’s Recommendation to the City Council.



FISCAL IMPACT:

N/A