

PRELIMINARY REPORT

PREPARED FOR THE HEARING EXAMINER BY REAL PROPERTY SERVICES

For the Hearing to be Held
Monday, August 22, 2016 at 1:30 p.m.

PETITIONER: CITY OF TACOMA

FILE NO. 124.1369

A. SUMMARY OF REQUEST:

Real Property Services has received a petition to vacate the north 10 feet of South 23rd Street lying between the westerly margin of Jefferson Avenue and the westerly margin of Fawcett Avenue, to facilitate future economic development. The area is shown on the attached map, Exhibit 2.

B. GENERAL INFORMATION:

1. Legal Description of Vacation:

That portion of the Northwest quarter of the Northwest quarter of Section 09, Township 20 North, Range 03 East, W.M. and more particularly described as follows:

The Northerly 10.00 feet of South 23rd Street lying between the westerly margin of Jefferson Avenue and the westerly margin of Fawcett Avenue

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 Notice was posted July 20 and July 22, 2016:

1. Placed yellow public notice sign at the northwest corner of the intersection of South 23rd and Jefferson Avenue.
2. Placed yellow public notice sign at the northwest corner of the intersection of South 23rd and Fawcett Avenue.
3. Public notice memo placed into the glass display case located on the second floor of the Municipal Building.
4. Public notice memo placed into the glass display case located on the first floor of the Municipal building abutting the Finance Department.
5. Public notice memo advertised on the City of Tacoma web site at address:
<http://www.cityoftacoma.org/page.aspx?nid=596>
6. Public Notice advertised in the Daily Index newspaper.
7. Public Notice mailed to all parties of record within the 300 feet of vacation request.
8. Public Notice advertised on Municipal Television Channel 12.

D. PURPOSE OF REQUEST:

The Petitioner intends to incorporate the vacated lands together with the adjoining real property to facilitate a future development known as Tacoma Town Center, and specifically to assist in the plans to make South 23rd Street more uniform from Tacoma Avenue South easterly to Jefferson Avenue.

E. HISTORY:

The City of Tacoma acquired the street right of way proposed to be vacated within the Amendatory Map of Smith and Denton's Addition Tacoma, Washington filed for record on August 21, 1888; and Replat of Spinning's Addition, and Block 2109 Am'ndy. Map of Smith and Denton's Addition Tacoma, Washington filed for record on July 26, 1915, records of Pierce County Auditor.

A portion of Fawcett Avenue, between South 21st and South 23rd Streets, was previously heard by the Hearing examiner on May 12, 2016, and a report issued on June 2, 2016, under file number HEX 2016-014 (124.1358).

F. PHYSICAL LAND CHARACTERISTICS:

The South 23rd Street right of way is 70 feet wide from the westerly edge of Fawcett Avenue and slopes downward in an easterly direction to Jefferson Avenue. Sidewalks are located along the southerly edge of the street right of way along with curb and gutter. The northerly side of the street has a rolled curb and does not include sidewalk. The properties to the north are currently unimproved, but there is a parking lot and business to the south.

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:
 - a. It will facilitate the City's plans for future economic development project for the area. The adjacent property is classified as a Tier 1, pursuant to the City's General Government Surplus Property Policy.
 - b. Once the property is developed and is no longer in City ownership or control, it will return it to the Pierce County tax rolls.
 - c. Create employment opportunities both temporary and permanent as the project is constructed out.
 - d. Increased tax benefits: property taxes, B&O taxes, sales taxes.
2. City of Tacoma Traffic Engineering / PDS - long range planning has been consulted regarding this petition and does not object to the vacation as long as conditions are put in place to satisfy non-motorized uses within the corridor, except for emergency first response vehicles.
3. The proposed street vacation will not adversely affect future need for the South 23rd Street right of way as long as non-motorized uses and retained easements are reserved for existing public infrastructure and emergency ingress.
4. A portion of the proposed vacate area is contemplated or needed for future public use as a non-motorized connection and protection of existing infrastructure. The developer shall work closely with City staff to ensure this connection is protected.
5. No abutting owner will become landlocked nor will their access be substantially impaired. Alternate access is available surrounding the site.
6. The vacate area is not close to a body of water as contemplated under RCW 35.79.035, and not applicable to this action.

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 Sue Simpson of the Public Works Department, Real Property Services, at 591-5529 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 maps (2) – Exhibit 3
Hearing Examiner's Report for SV 124.1358 (HEX 2016-014) – Exhibit 4

Recommended Conditions:

- 1) RPS/Payment of Fees – No Exhibit Necessary
- 2) City Utility Easement:
 - a. Retain emergency fire lane across Fawcett – Exhibit 5
 - b. Tacoma Water (Supply & Distribution – Exhibit 6
 - c. ES/Site Development – Exhibit 7
 - e. PDS/long range planning – Exhibit 8
 - f. Tacoma Power, retain 10' x 10' easement – Exhibit 9
- 3) Puget Sound Energy – Exhibit 10
- 4) Qwest Communications – Exhibit 11
- 5) Comcast Communications – Exhibit 12

Advisory Comments

RPS/In-Lieu – In-Lieu Assessment fee - Exhibit 13
PW/Traffic Engineering – Exhibit 14

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*

2. CITY EASEMENT RESERVATIONS:

Reservation of an easement over the vacation area for the City of Tacoma for the protection, maintenance, repair, construction, and replacement of existing and future above ground and underground utilities along with establishment of non-motorized access easement and emergency access easement. (Exhibits 5 -9)

3. PUGET SOUND ENERGY (PSE)

- a. Please contact Marilyn Danby at (253) 476-6451 regarding PSE's comments.
- b. PSE has an existing 2 inch MPE IP main located within the proposed vacate area. PSE will need to obtain an easement to cover this existing line.

4. CENTURYLINK COMMUNICATIONS

- a. Please contact Franklin Bolden at (425) 918-2516 regarding CenturyLink Communication's comments.
- b. CenturyLink indicates it has facilities are in the area and their rights must be protected by means of an easement.

5. COMCAST COMMUNICATIONS

- a. Please contact Aaron Cantrell at (253) 864-4281 regarding Comcast's comments.
- b. Comcast advises it has an aerial system attached to TPU poles running North/South in the alley between Jefferson Avenue and Fawcett Avenue. There is also a Comcast duct bank running North/South along Jefferson Avenue. Any relocation would be the responsibility of the developer.

K. ADVISORY COMMENTS:

6. RPS/IN-LIEU

- a. Please contact Sue Simpson at (253) 591-5529 regarding RPS's comments.
- b. RPS has no objection; however, an in-lieu of assessment of \$1,264.50 is due at this time or at time of development. If the petitioner chooses to wait, the amount due may increase.

7. PW/TRAFFIC ENGINEERING

- a. Please contact Josh Diekmann at (253) 591-5756 regarding Traffic's comments.
- b. The idea to vacate this portion of the South 23rd Street ROW was initiated via discussions about the need for additional ROW on 23rd between Fawcett and Tacoma. Taken together, the 10' vacation east of Fawcett (which reduces the ROW from 70' to 60') and the 8' dedication west of Fawcett (which increases the ROW from 52' to 60') provide a more uniform cross-section along 23rd between Jefferson and Tacoma.

It is likely that the ultimate cross section would look similar to the attached image, which provides for one lane of travel in each direction, on-street parking, and a wide sidewalk with an amenity/planting zone.

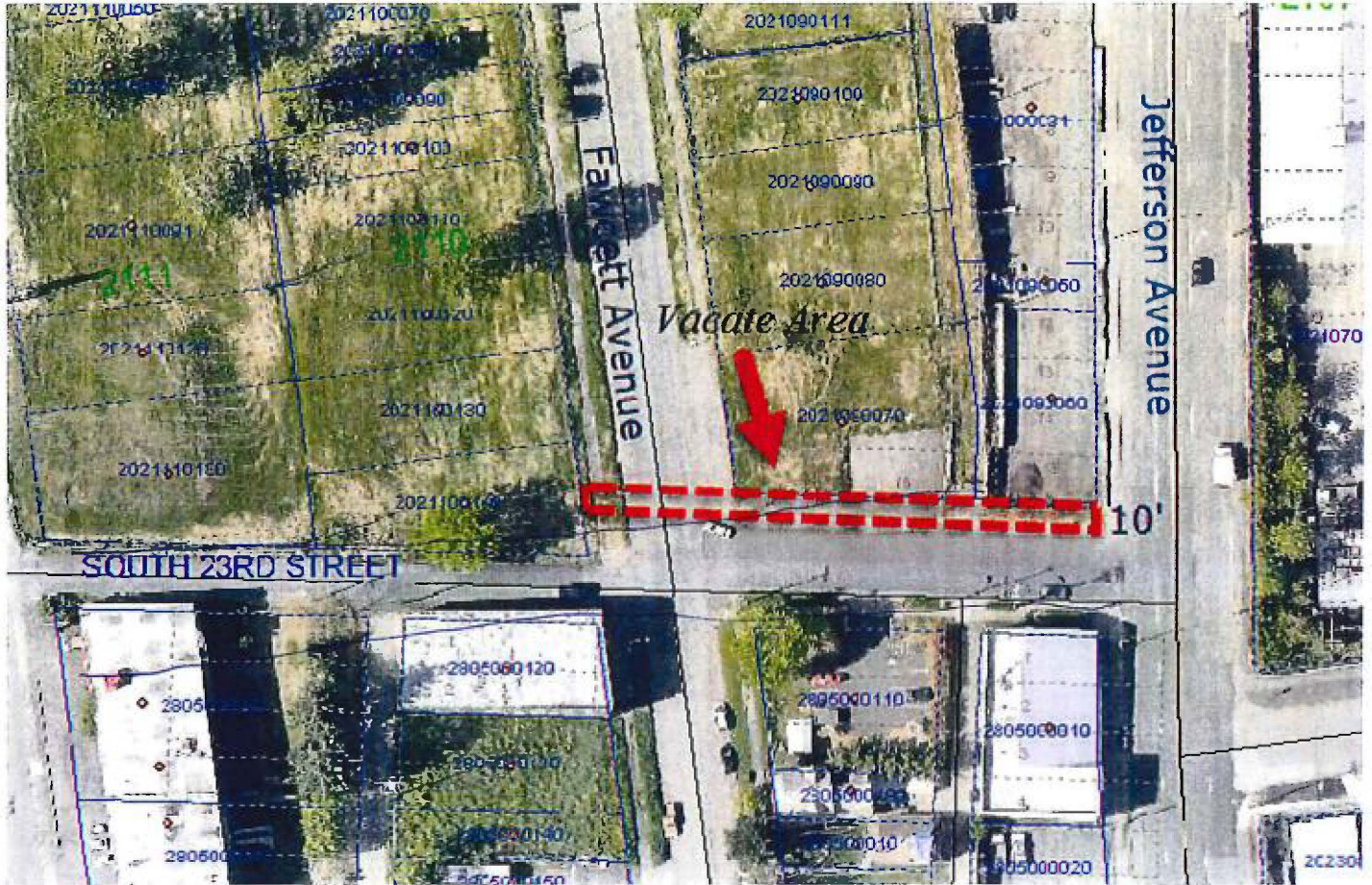
This new cross section within the new ROW will allow a design that is consistent with the comments we provided for the previously submitted application to vacate Fawcett.

In summary, the proposed vacation is consistent with the ROW needed to improve the transportation network in this area. Since the envisioned improvements are tied to the dedication west of Fawcett, it is preferred that the two actions are executed simultaneously. However, since the efficacy of the Jefferson-Fawcett segment will not be reduced without the dedication between Fawcett and Tacoma, the dedication need not be a condition of the vacation.

Note - (Traffic's Comments from SV 124.1358/ HEX 2016-014):

- i. The Transportation Master Plan delineates this vacation request area as a bicycle priority corridor. The City constructed improvements along Fawcett in 2014 making this segment a central component of a 13.1 mile corridor from south to north ends of the City.
- ii. Retaining the 40 foot easement would reduce the current right of way to half of current width. This proposal presumes non-motorized connectivity can be maintained in this smaller easement width. This would require de-emphasizing motorized travel to ensure the remaining area could safely and efficiently accommodate non-motorized traffic. The easement should reserve all existing rights for construction of public facilities, and should provide the City approval authority for anything to be located within the air rights of this retained corridor.
- iii. All design concepts within the corridor shall at a minimum adhere to the NACTO Urban Street Design Guide and be in conformance of the goals sought within the Comprehensive Plan.

ATTACHMENT: Vacation Jacket containing all pertinent maps and papers.



CITY OF TACOMA

STREET VACATION NO. 124.1369

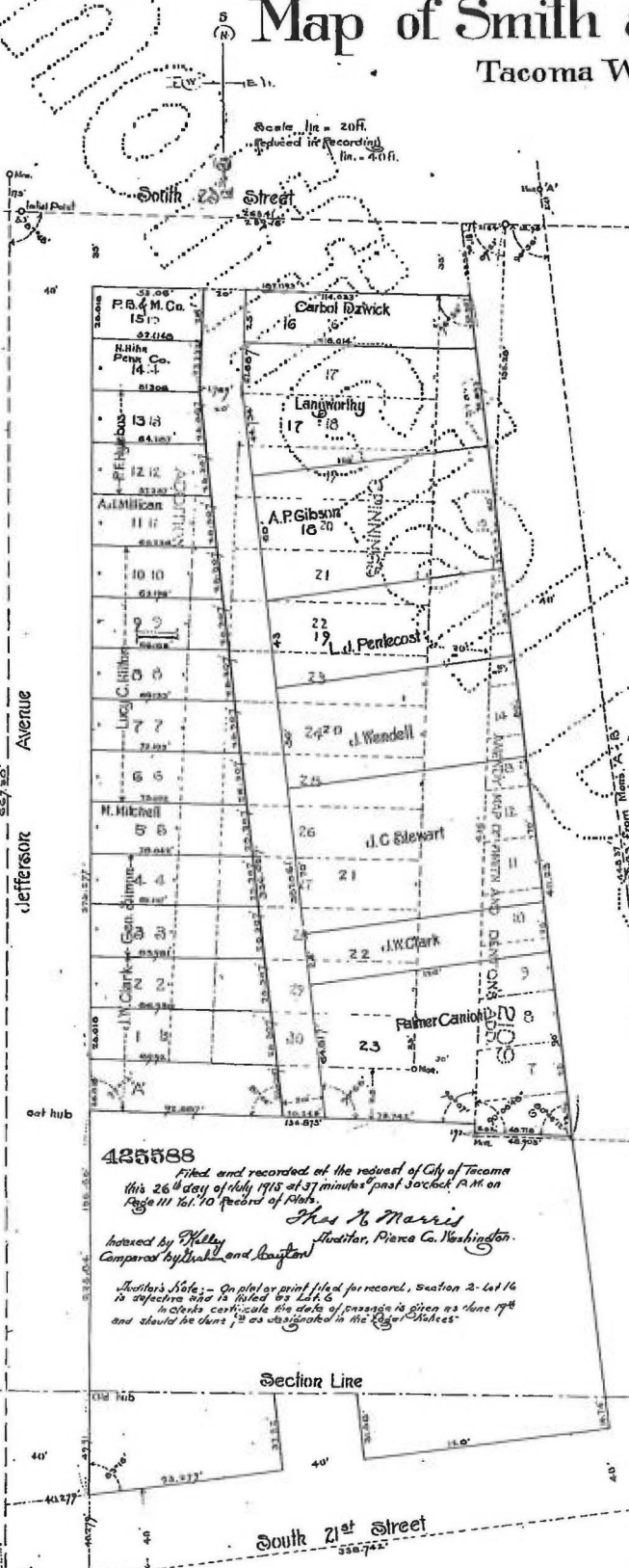
NLY 10 FEET OF SOUTH 23RD STREET LYING BETWEEN JEFFERSON AVE & FAWCETT AVE

NW 1/4 SEC. 9, T20N, R3E

NOT TO SCALE

REPLAT OF Spinning's Addition, and Block 2109 Amndy. Map of Smith and Denton's Addition Tacoma Wash.

For reference only, not for re-sale.



4255588
 Filed and recorded of the request of City of Tacoma
 this 26th day of July 1915 of 37 minutes past No. 12.00 A.M. on
 Page 111 to 161 of Record of Plats.
 This is the
 Notar, Pierce Co. Washington.
 Indexed by Kelly
 Compared by [unclear] and [unclear]
 Auditor's Note: - On plat or print filed for record, Section 2 - Lot 16
 is defective and is filed as Lot 6
 in this certificate the date of passage is given as June 17th
 and should be June 13 as indicated in the Legal Notices.

LEGAL NOTICES.

ORDINANCE NO. 6132- In ordinance to provide for the replatting of Spinning's Addition to Tacoma, W.T., and of Block 2109 in Smith and Denton's Addition to Tacoma, and for other purposes in furtherance thereof.
 WHEREAS, heretofore and on the 5th day of March, 1915, there was filed with the City Clerk a petition for the replatting of Spinning's Addition to Tacoma, W.T., and of Block 2109 of Smith and Denton's Addition to Tacoma, together with a plat showing the situation and replat proposed, drafted upon a copy of the existing plat, said petition being signed by J. M. Clark, George Simon, Maunsell Mitchell, Lucy C. Gilbert, M. Wilcox, R. F. Hylabos, The Pennsylvania Company, Pacific Brewing & Maltting Company, William R. Langworthy, Mrs. L. J. Pentecost, Jessie C. Stewart, Mrs. Caroline Carion, who were more than three-fourths in number and area of the owners of the real property within the plat proposed to be altered, to-wit: by all the said owners except Joseph Mendel and Mrs. Mendel, owners of Lots 23 and 24 in said Spinning's Addition; J. P. Gibson and Bendie Gibson, his wife, owners of Lots 19, 20 and South Half of 21 in said Spinning's Addition; and Colin D. Murdoch and Susan M. Murdoch, his wife, owners of Lots 12, 13, 14, 17 and 18, in Block 2109 of said Smith and Denton's Addition to Tacoma; and
 WHEREAS, thereupon and on the 7th day of April, 1915, W. D. Kiteaux, City Clerk, upon receiving the cost thereof, fixed Monday, the 17th day of May, 1915, at the Council Chamber at ten o'clock in the forenoon as the time and place for the hearing of said petition; and
 WHEREAS, thereafter said Clerk caused a notice to be issued under his hand and the seal of said City, stating by whom and when said petition was filed, the object thereof and when and where the same would be heard, and describing the property sought to be altered, and replatted; and
 WHEREAS, said City Clerk on the 13th day of April served said notice on said J. P. Gibson and Mrs. Bendie Gibson personally, 2007 Bayolan Avenue, North, in Seattle, King County, Washington; and on the 14th day of April served said notice personally upon M. D. Clark and Mrs. M. D. Clark his wife; Joseph Carbal and Mrs. Mary Carbal, his wife; and Joseph Mendel and Mrs. Margaret Mendel, his wife; all in Pierce County, Washington; and said Colin D. Murdoch and Mrs. Susan M. Murdoch, his wife, in writing, at the parvise of said notice.
 All of which matters concerning said notice and the service thereof fully appear from the said notice and the affidavit of service thereof and the said returns of service, which are on file; and
 WHEREAS, upon said 17th day of May, 1915, at the hour of ten o'clock the matter of the hearing upon said petition and notice came on regularly before the Council in open session and the said Joseph Mendel, only, appeared to oppose the granting of said petition; and
 WHEREAS, it is considered by the Council that notwithstanding the objections of said Mendel the said petition should be granted;
 NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TACOMA:
 Section 1. That Spinning's Addition to Tacoma, W.T., and Block 2109 of Smith and Denton's Addition to Tacoma be replatted according to the said petition of J. M. Clark and others; that the streets and alleys within said original plats be vacated and attached to the abutting real property; and that a new alley of a width of twenty feet be dedicated, as shown upon said replat.
 Section 2. That the real property within said replat be divided into lots as shown upon said replat and that from the passage of this ordinance the ownership of said lots shall be as agreed upon between the owners of the lots in said Spinning's and Smith and Denton's Additions, as shown by their agreement on file with said petition, to-wit:
 Lot 1, owner, J. M. Clark; Lot 2, owner, J. M. Clark; Lot 3 and 4, owner, George Simon; Lot 5, owner, Maunsell Mitchell; Lot 6, 7, 8, 9 and 10, owner, Lucy C. Gilbert; Lot 11, R. F. Hylabos; Lot 12 and 13, owner, R. F. Hylabos; Lot 14, owner, The Pennsylvania Company; Lot 15, owner, Pacific Brewing & Maltting Company; Lot 16, owner, Joseph Carbal and M. D. Clark; Lot 17, owner, William R. Langworthy; Lot 18, owner, J. P. Gibson; Lot 19, owner, Mrs. L. J. Pentecost; Lot 20, owner, Joseph Mendel; Lot 21, owner, Jessie C. Stewart; Lot 22, owner, M. D. Clark; Lot 23, owner, Mrs. Caroline Carion.
 Section 3. That if it appears that in order to consummate the replatting provided for by this ordinance it will be necessary that Colin D. Murdoch and Susan M. Murdoch, his wife; relinquish Lots 12, 13, 14, 17 and 18 in Block 2109 of said Smith and Denton's Addition, and that they are willing to do so upon payment to them of the sum of One Thousand Three Hundred Dollars; and that there will be other expenses to be incurred in and about the said replatting in the sum of One Hundred and twenty-five dollars.
 Section 4. That it is found and ordained that the sum of One Thousand Four Hundred and twenty-five dollars is necessary to consummate said replatting, and that said sum should be assessed upon the several lots in said replat whose owners shall be found to have been especially benefited by said replatting, and said sum is hereby assessed accordingly.
 Section 5. That the Commissioner of Public Works be authorized and directed to prepare and certify to the Council an assessment roll of the several amounts which should be assessed upon each of said lots; and that said roll shall be prepared, certified, reviewed, confirmed and collected in the same manner in which assessments for local improvements are assessed and collected under Chapter 98 of the Laws of Washington of 1911 and the Acts amendatory thereof, and the ordinances of the City of Tacoma supplementary thereto; provided, that the time to be allowed for the payment of assessments without delinquency shall be thirty days after the time fixed by the treasurer for payment.
 Section 6. That upon the final passage of this ordinance the City Clerk shall cause a copy of all plats and a copy of this ordinance to be filed for record in the office of the Auditor of Pierce County.
 Passed June 9, 1915
 A. V. FAWCETT Mayor
 W. D. NICKELUS City Clerk
 Met: June 10, 1915.

I the undersigned City Clerk of the City of Tacoma hereby certify that the foregoing are true copies of Ordinance No. 6132, providing for the replatting of Spinning's Addition and of Block 2109 in Smith & Denton's Addition to Tacoma, passed June 10, 1915, and of the said replat superimposed over the former, both of which my hand and the Seal of said City this 26th day of July 1915.
 W. D. Nickelus
 City Clerk of the City of Tacoma



DENTON'S ADDITION TO TACOMA, W.T.

This above addition to Tacoma comprises the following described tracts of land viz: - Beginning at the N.E. corner of a certain ten (10) acre tract of land sold by William and Albert Law to Jans E. Lundin, deed bearing date Sept. 18th 1869 thence South to the S.E. corner of said tract a certain distance thence east a certain distance thence north to a point east of the place of beginning thence west to the place of beginning the length of the above mentioned west course being sufficient with the other courses and distances to enclose seven and one-half acres.

Tacoma Avenue and E. street are prolongations in a right line of streets of the same name in the original townsite of Tacoma and the lots and blocks of this addition are so laid out as to conform to the system of the original townsite, excepting the alleys are twenty feet wide and the blocks are each one hundred and thirty feet deep.

Distances are as indicated on the above plat.

Monuments are placed in the ground at points indicated on the above plat by red circles.

Number of lots are in small black figures in lower left hand corner of each lot. Large black figures are numbers of blocks.

And we Andrew B. Smith and Caroline H. Smith his wife and Marion E. Denton and Mary H. Denton his wife all of Tacoma Pierce Co. W.T. and owners of the above described tract of land do hereby certify that we do hereby lay out and plat the above addition to Tacoma in accordance with the accompanying plat which is hereafter to be known as Smith and Denton's Addition to Tacoma W.T. and we do hereby donate and dedicate to the uses of the public forever all the streets and alleys laid off on this plat.

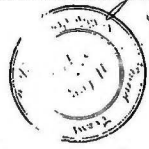
This plat is annexed to the plat of Smith and Denton's Addition to New Tacoma W.T. filed at the office of the County Auditor of Pierce Co. June 30th 1888 A.D. and is made solely and only for the purpose of correcting the description of the property intended to be described by the original plat.

Andrew B. Smith SEAL
Caroline H. Smith SEAL
Marion E. Denton SEAL
Mary H. Denton SEAL

Elwood Evans } Witnesses
J. A. Sears }

territory of Washington
County of Pierce } ss. This is to certify that on this 19th day of May A.D. 1888 Andrew B. Smith and Caroline H. Smith his wife and Marion E. Denton and Mary H. Denton his wife personally appeared before me a Notary Public in and for Pierce Co. W.T. to whom they seem to be the individuals herein described and who acknowledged to me that they executed this instrument freely and voluntarily for the uses and purposes herein set forth.

In Witness Whereof I have hereunto set my hand and official seal the day and year in this certificate above written.



Elwood Evans
Notary Public

I hereby certify that I have surveyed the above plat. That stone monuments are placed at points indicated red circles, and that the distances marked upon this plat are correct.

C. O. Bean
City Engineer

Accepted by the City Council of the City of Tacoma this 23rd day of May A.D. 1888

Henry Drum May
Wm J Meade City Clerk

Filed this 21st day of Aug. A.D. 1888 Edward Rupperts
Auditor of Pierce Co. W.T.

For reference only, not for re-sale.

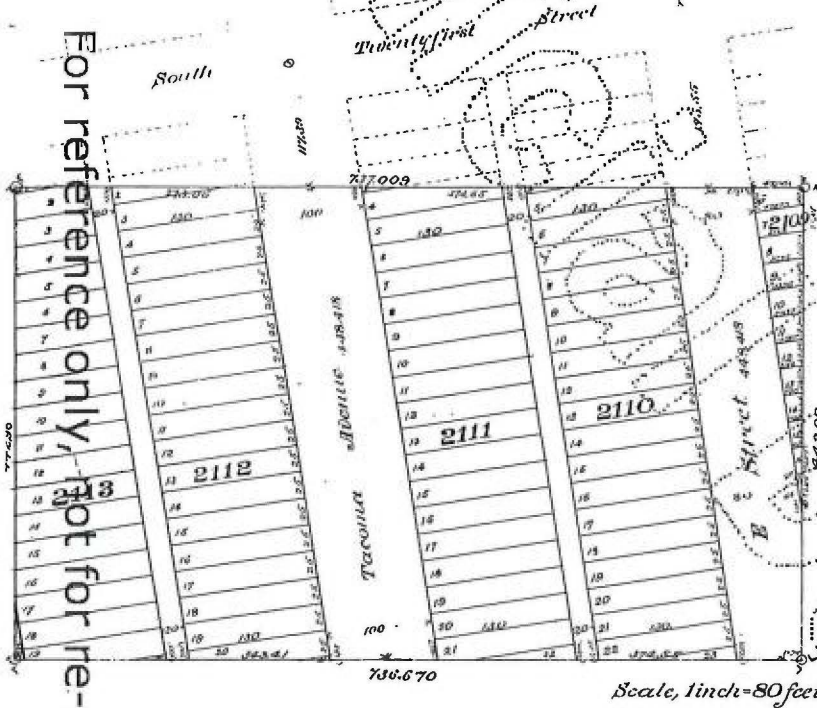
AMENDED PLAT OF SMITH &



reference only, not for re-sale

UNRECORDED

SMITH & DENTON'S ADDITION
TO
TACOMA, W. T.



For reference only, not for re-sale

The above Addition to New Tacoma comprises the following tract or parcel of land viz: Commencing at the N.E. corner of a certain ten (10) acre tract of land, sold by William and Albert Luge to Jane C. Lindenberg, dated bearing date Sept 18th 1869, thence south to the southeast corner of said ten (10) acre tract; thence west a certain distance, thence north to a point west of the place of beginning, thence east to the place of beginning; the length of the above mentioned well course being sufficient, with the other courses and distances, to enclose seven and one half acres.

Tacoma Avenue and E Street are prolongations in a right line of streets of the same name in the original townsite of New Tacoma and the lots and blocks of this addition are so laid out as to conform to the system of the original townsite excepting that the alleys are twenty feet wide and the blocks are each one hundred and thirty (130) feet wide.

Distances are indicated on the above plat in the figures. Monuments of stone are placed in the ground at points indicated on the above plat by red circles. Small black figures are numbers of lots. Large black figures are numbers of blocks. And we Andrew C. Smith and Caroline H. Smith his wife and William S. Denton (unmarried) all of the county of Columbia and State of Wisconsin, and the owners of the above described premises, hereby certify that we have and do hereby plat the said premises as an addition to New Tacoma in accordance with the above and foregoing plat and the same to be known as Smith & Denton's addition to said New Tacoma, and we hereby grant and dedicate to public use the streets and alleys as laid out and platted in the above plat, and the same to be held, used and enjoyed by the public for the purpose of public highways.

State of Wisconsin
County of Columbia ss

On this 13th day of August A.D. 1886 personally appeared before me Arthur L. Gore a Notary Public in and for said county & State, Andrew C. Smith, Caroline H. Smith, and William S. Denton, unmarried, personally known to me as the real persons above described, and who executed the foregoing instrument and they each acknowledged that they executed and delivered the same as their voluntary act and deed for the purposes therein expressed. Witness my hand & official seal the day & year aforesaid.

Arthur L. Gore
Notary Public

Territory of Washington
County of Pierce ss

On the 30th day of August A.D. 1886 personally appeared before me W. B. Kelley a County Auditor in and for said county and territory Andrew C. Smith, personally known to me as the real person above described and who executed the foregoing instrument and he acknowledged that he executed and delivered the same as his personal and deed for the purposes therein expressed.

W. B. Kelley
County Auditor

Witness my hand & official seal the day & year aforesaid.
col. 20th 1884
Edw. Ryan
City Surveyor
Tacoma W.T.

Accepted by the Common Council of the City of Tacoma Nov. 5th 1884
J. J. Meade
City Clerk

Filed and recorded Aug 30th 1886
W. B. Kelley
Auditor Pierce Co

Witness our hands and seals this 30th day of August A.D. 1886
Andrew C. Smith
Caroline H. Smith
William S. Denton
Auditor of Pierce Co

OFFICE OF THE HEARING EXAMINER

CITY OF TACOMA

REPORT AND RECOMMENDATION

TO THE CITY COUNCIL

PETITIONER: North America Asset Management, LLC

FILE NO.: HEX 2016-014 (124.1358)

SUMMARY OF REQUEST:

Real Property Services has received a petition from North America Asset Management, LLC to vacate that portion of South Fawcett Avenue lying between South 21st and South 23rd Streets, to facilitate construction of a large commercial mixed-use development.

RECOMMENDATION OF THE HEARING EXAMINER:

The request is hereby recommended for approval, subject to conditions.

PUBLIC HEARING:

After reviewing the report of the Department of Public Works (DPW), Real Property Services Division and examining available information on file with the petition, the Hearing Examiner convened a public hearing on the vacation request on May 12, 2016. The Examiner conducted a site visit prior to the hearing. At the close of the proceedings, the Hearing Examiner granted a continuance request that allowed the Petitioner to submit additional evidence regarding project design and provided the City with an opportunity to review the submittal. The hearing was continued to May 24, 2016, to hear testimony addressing the anticipated evidence. The second day of hearing was held on May 24, 2016, and the evidentiary record was closed later in the day upon receipt of a final exhibit.

Exhibit 4

COPY

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION:

FINDINGS OF FACT:

1. North America Asset Management, LLC has petitioned the City to vacate that portion of South Fawcett Avenue lying between South 21st and South 23rd Streets, to facilitate construction of a large commercial mixed use development. The property to be vacated is more particularly described below:

That portion of the Southwest quarter of the Southwest quarter of Section 04 and the Northwest quarter of the Northwest quarter of Section 09, both in Township 20 North, Range 03 East, W.M. and more particularly described as follows:

That portion of Fawcett Avenue lying southerly of the South right of way margin of South 21st Street and northerly of the westerly extended South line of the Replat of Spinning's Addition and Block 2109 of the Amendatory Map of Smith and Denton's Addition Tacoma, Washington as recorded in Volume 10 of Plats at Page 111, records of Pierce County Auditor.

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

2. The Petitioner intends to incorporate the vacated land with adjoining real property being acquired pursuant to a Development Agreement with the City of Tacoma. The combined property will be used to construct a large commercial mixed-use development referred to as the Tacoma Town Center. *Price Testimony; Ex. 1.* The Tacoma Town Center would feature a plaza area incorporating the proposed vacated South Fawcett Avenue property. The plaza would include public spaces and art installations with retail storefronts opening to the courtyard area. Vehicular traffic would be limited to a small drop-off area and emergency vehicle access off of South 21st Street. Bicycle and pedestrian use of the vacated area to traverse between South 21st and 23rd Streets would be maintained pursuant to a retained easement. *Ex. 1; Exs. 19-21.* The complex would contain residential units, commercial/retail space, office space, and parking. *Ex. 19 (Development Agreement).*

3. South Fawcett Avenue is a level 80-foot wide fully constructed right-of-way with sidewalk, curb, and gutter. As of 2006, the asphalt condition assessment rating was 56. Since that time, the surface treatment has degraded a bit more due to time and lack of general maintenance. This street is an unclassified arterial.¹ *Price Testimony; Ex. 1.* South Fawcett Avenue is identified in the Transportation Element of Tacoma's *Comprehensive Plan* as a bicycle priority corridor. The City constructed improvements along South Fawcett Avenue in 2014, making this street a central component of a 13.1 mile bicycle corridor from the south to the north ends of the City. *Barnett Testimony; Ex. 12.* Representatives of Planning and Development Services and Traffic Engineering both emphasized the need to retain the ability to travel across the vacated area for bicycles and pedestrians in order to achieve

¹ The street will have to be removed from the arterial designation under Tacoma Municipal Code (TMC) 11.05.490 prior to finalizing vacation of the area.

transportation goals now and in the future. *Barnett Testimony; Diekmann Testimony.*

4. The City of Tacoma acquired the street right-of-way proposed to be vacated within the Replat of Spinning's Addition and Block 2109 Amendatory Map of Smith and Denton's Addition Tacoma, Washington, filed for record on July 26, 1915; and Cavender's 2nd Addition to Tacoma W.T., filed for record on April 11, 1887, records of Pierce County Auditor. *Price Testimony; Ex. 1.*

5. The street segment proposed for right-of-way vacation has been reviewed by various City departments and outside quasi-governmental agencies. The reviewing entities have no objection to the project; however, some base their position on the inclusion of conditions preserving the right to utility easements, transportation installations, and emergency vehicle access in the area. *See Exs. 4-16.* The primary concern raised by Traffic Engineering and Long-Range Planning is the importance of South Fawcett Avenue as a part of the bicycle and pedestrian transportation plans in this area. South Fawcett Avenue is designated as a bicycle boulevard, and some improvements have already been installed to facilitate bicycle traffic along this street. If the street is to be vacated, Traffic Engineering and Planning can only support the vacation if an easement is retained, and a commitment is made, to assure dedicated bicycle and pedestrian ways are provided through the plaza area. A 40-foot wide easement has been recommended for reservation as a condition of the vacation that would allow for utility installations and would be the site of a designed passage for bicycles through the area. *Ex. 1.* Intersection improvements to connect bicycles to the adjacent segments of South Fawcett Avenue at South 21st and 23rd Streets would also be required. Under those conditions, the project can be implemented in a manner that retains non-vehicular circulation through the vacated right-of-way. *Diekmann Testimony.*

6. The responding City departments also brought forward the need to retain easement access for emergency vehicles needing to approach buildings fronting on the plaza area. This will require an unimpeded route of sufficient size to accommodate fire apparatus. In addition, rights in the air space above the easement must be retained sufficient to assure no structures are built that would interfere with fire truck operations, including ladder trucks. *Ex. 6; Ex. 12.*

7. The public would benefit from the proposed right-of-way vacation because the project will facilitate the City's plans for economic development in the area. This property is classified as a Tier 1 property, pursuant to the City's General Government Surplus Property Policy and is a prime location for a mixed-use development incorporating retail, commercial and residential uses with a pedestrian-friendly gathering place. Once the property is developed and is no longer in City ownership or control, it will return it to the Pierce County tax rolls. As part of the project conditions, a strip of property will be acquired by the City from the developer to allow for future reconstruction of South 23rd Street to meet the minimum design standard of 52 feet of right-of-way width. The project will create employment opportunities both during construction and during ongoing operation of businesses on the site. The project will be a catalyst for additional development and activity in the downtown area and the nearby University of Washington Tacoma campus. Operations at the project site will generate tax benefits including property taxes, B&O taxes, and sales taxes. The development will include a public gathering area that contains substantial public art installations as a required element of the design. *Anderson Testimony; Price Testimony; Ex. 1.* The Development Agreement between the developer and the City of

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND RECOMMENDATION**

Tacoma is structured to assure public benefits of the street vacation are realized, by requiring the developer to show proof the development is moving to the construction phase before the street vacation is finalized. *Price Testimony; Exs. 19 and 20.*

8. The City of Tacoma Traffic Engineering group indicates that the vacation of this portion of South Fawcett Avenue will not have a significant adverse effect on the street pattern or traffic circulation in the area. A traffic study has been prepared covering a larger geographic area referred to as the Tacoma Brewery District. *Ex. 22.* The study included analysis of traffic impacts if a development is undertaken on the parcels in question involving closure of South Fawcett Avenue from South 21st to South 23rd Streets. The study concluded that vehicular traffic on South Fawcett Avenue is light and that it could be accommodated on other streets such as Tacoma Avenue South and Jefferson Avenue. By contrast, bicycle circulation along the north-south corridor through the downtown would be negatively impacted by the closure of South Fawcett Avenue. Accordingly, bicycle circulation must be protected through retention of bicycle and pedestrian access through the proposed development on a reserved easement. Under those circumstances, Traffic Engineering supports the proposed street vacation. *Diekmann Testimony.*

9. Long-Range Planning and Traffic Engineering witnesses demonstrated that the public need for South Fawcett Avenue right-of-way would not be compromised by the street vacation if conditions are put in place to satisfy the need for non-motorized uses, the need for utility infrastructure, and the need for emergency vehicle access. Traffic studies support the feasibility of closing this segment of South Fawcett Avenue in support of a large mixed-use development at the project site. *Barnett Testimony; Diekmann Testimony; Ex. 1.*

10. The evidence indicated that the proposed street vacation will not adversely affect future public need for use of South Fawcett Avenue right-of-way as long as the contemplated easements are retained for non-motorized uses, utility infrastructure, and emergency access. *Barnett Testimony; Diekmann Testimony; Ex. 1.* The developer has committed to work closely with City staff to ensure the non-motorized connection is protected. *Blázej Testimony.* The future street improvements in the area may be benefitted by the frontage improvements and dedications included as part of development conditions for the project. *Diekmann Testimony.*

11. No abutting property or nearby property would become landlocked or have its access substantially impaired as a result of the proposed vacation of the subject segments of right-of-way. *Price Testimony; Ex. 1.*

12. The portions of right-of-way proposed for vacation do not abut a body of water and, thus, the provisions of RCW 35.79.035 are not implicated. *Ex. 1.*

13. Pursuant to WAC 197-11-800(2)(h), the vacation of streets or roads is exempt from the threshold determination and Environmental Impact Statement requirements of RCW 43.21.C, the *State Environmental Policy Act.*

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND RECOMMENDATION

14. The DPW Preliminary Report, as entered into this record as Exhibit 1, accurately describes the proposed project, general and specific facts about the site and area, and applicable codes. The report is incorporated herein by reference as though fully set forth.

15. A Public Hearing Notice for the May 12, 2016, hearing was posted at the southwest corner of the intersection of South 21st Street and South Fawcett Avenue and at the northeast corner of the intersection of South 23rd Street and South Fawcett Avenue on April 12, 2016, at least 30 days prior to the hearing, as required by Tacoma Municipal Code (TMC) 9.22.060. The Public Notice was also published in the Tacoma Daily Index and mailed to all parties of record within 300 feet of the vacation request. All required postings of notices for the hearing have been accomplished. *Ex. 1.* The continuation of the May 12, 2016, proceedings to May 24, 2016, was announced during the open hearing on May 12, 2016.

16. Any conclusion hereinafter stated which may be deemed to be properly considered a finding of fact herein is hereby adopted as such.

CONCLUSIONS OF LAW:

1. The Hearing Examiner has jurisdiction over the parties and subject matter in this proceeding. *See TMC 1.23.050.A.5 and TMC 9.22.*

2. Proceedings that involve consideration of petitions for the vacation of public rights-of-way are quasi-judicial in nature. *State v. City of Spokane, 70 Wn.2d 207, 442 P.2d 790 (1967).* The petitioner must demonstrate, by a preponderance of the evidence, that its vacation request conforms to the applicable criteria. *See TMC 1.23.070.*

3. Petitions for the vacation of public right-of-way are reviewed under the TMC for consistency with the following criteria:

1. The vacation will provide a public benefit, and/or will be for 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 the vacation of right-of-way shall not be in violation of RCW 35.79.035.

TMC 9.22.070.

4. Findings entered herein, based upon substantial evidence in the hearing record, support a conclusion that the requested South Fawcett Avenue right-of-way vacation conforms to the TMC's criteria for the vacation of street rights-of-way, provided the conditions recommended herein are imposed. The public would experience a wide variety of benefits from the requested vacation. The overall project will enhance economic development in the downtown area and will return the property to the tax rolls.² Jobs will be created during both the construction phase and the ongoing business operations. The economic activity generated by the project will increase tax revenues. The project is designed to provide a community gathering space in the plaza that will be enhanced by public art. The residential aspects of the project will increase vibrancy in the area. The requested right-of-way vacation would not landlock any abutting property and the provisions of RCW 35.79.035 are not applicable. So long as provisions for non-motorized transportation, utility infrastructure, and emergency access easements are included as required conditions, the proposed street vacation would not adversely affect the public's needs now or in the future. South Fawcett Avenue is a bicycle corridor through the downtown and the non-motorized transportation through the area to be vacated must be retained in order to meet the requirement of not adversely affecting the public need for the right-of-way. The evidence presented at the hearing demonstrated that the proposed right-of-way vacation, as conditioned, meets the criteria for approval contained in TMC 9.22.070.

5. Accordingly, the requested right-of-way vacation, covering the identified segment of property between that portion of South Fawcett Avenue lying between South 21st and South 23rd Streets, should be approved subject to the following conditions:

A. SPECIAL CONDITIONS:

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.*

² The term "public benefit" as used in the street vacation context is construed broadly and may include the enrichment of the local economy, the facilitating of the providing of goods and services to the community, and increasing property tax revenues. *Banchemo v. City Council of Seattle*, 2 Wn. App. 519, 524, 468 P.2d 724 (1970).

2. CITY EASEMENT RESERVATIONS

An easement shall be reserved over the center 40 feet of the vacation area for the City of Tacoma for the protection, maintenance, repair, construction, and replacement of existing and future above ground and underground utilities along with establishment of non-motorized access easement and emergency access easement including such interest in the air rights above the easement as necessary to assure no interference with emergency apparatus will occur.

3. PUGET SOUND ENERGY (PSE)

PSE has an existing 2-inch STW IP main located within the proposed vacate area. The Petitioner shall provide PSE with an easement to cover this existing line.

4. QWEST COMMUNICATIONS

Qwest indicates that facilities are in the area. Their rights shall be protected by means of an easement or relocation of their facilities at the developer's expense.

5. COMCAST COMMUNICATIONS

Comcast advises it has aerial system crossing South Fawcett Avenue east to west at South 21st Street. Any relocation shall be the responsibility of the developer.

B. USUAL CONDITIONS:

1. THE RECOMMENDATION SET FORTH HEREIN IS BASED UPON REPRESENTATIONS MADE AND EXHIBITS, INCLUDING DEVELOPMENT PLANS AND PROPOSALS, SUBMITTED AT THE HEARING CONDUCTED BY THE HEARING EXAMINER. ANY SUBSTANTIAL CHANGE(S) OR DEVIATION(S) IN SUCH DEVELOPMENT PLANS, PROPOSALS, OR CONDITIONS OF APPROVAL IMPOSED SHALL BE SUBJECT TO THE APPROVAL OF THE HEARING EXAMINER AND MAY REQUIRE FURTHER AND ADDITIONAL HEARINGS.
2. THE AUTHORIZATION GRANTED HEREIN IS SUBJECT TO ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, REGULATIONS, AND ORDINANCES. COMPLIANCE WITH SUCH LAWS, REGULATIONS, AND ORDINANCES IS A CONDITION PRECEDENT TO THE APPROVALS GRANTED AND IS A

CONTINUING REQUIREMENT OF SUCH APPROVALS. BY ACCEPTING THIS/THESE APPROVALS, THE PETITIONER REPRESENTS THAT THE DEVELOPMENT AND ACTIVITIES ALLOWED WILL COMPLY WITH SUCH LAWS, REGULATIONS, AND ORDINANCES. IF, DURING THE TERM OF THE APPROVAL GRANTED, THE DEVELOPMENT AND ACTIVITIES PERMITTED DO NOT COMPLY WITH SUCH LAWS, REGULATIONS, OR ORDINANCES, THE PETITIONER AGREES TO PROMPTLY BRING SUCH DEVELOPMENT OR ACTIVITIES INTO COMPLIANCE.

C. ADVISORY COMMENTS:

1. REAL PROPERTY SERVICES (RPS)/IN-LIEU

RPS has no objection; however, an in-lieu of assessment of \$1,466.66 is due at this time or at time of development. If the petitioner chooses to wait, the amount due may increase.

2. PUBLIC WORK/TRAFFIC ENGINEERING

a. The Transportation Master Plan delineates this vacation request area as a bicycle priority corridor. The City constructed improvements along South Fawcett Avenue in 2014 making this segment a central component of a 13.1 mile corridor from south to north ends of the City.

b. A 40-foot wide easement will be retained to provide non-motorized connectivity. The easement would not allow through travel for motorized vehicles to ensure the remaining area could safely and efficiently accommodate non-motorized traffic. The easement should reserve all existing rights for construction of public facilities, and should provide the City approval authority for anything to be located within the air rights of this retained corridor.

c. All design concepts within the corridor shall at a minimum, adhere to the NACTO Urban Street Design Guide and be in conformance of the goals sought within the *Comprehensive Plan*.

3. PIERCE TRANSIT

Pierce Transit advises they have bus stops in the area. Should there be a project in the future that would impact these bus stops, the project proponents should work with Pierce Transit to determine alternate locations.

4. TACOMA POWER

Tacoma Power has infrastructure in the former alleys lying on either side of South Fawcett Avenue. From the plans, it appears the project proponents want to redevelop these areas. If an agreement is not reached to relocate the infrastructure, they would request that the easements reserved in the 2002 vacation ordinance be reaffirmed at the time of property sale.

5. ENVIRONMENTAL SERVICES SCIENCE & ENGINEERING (ESSE)

ESSE provides possible relocation options for the rerouting of wastewater infrastructure and further advises that the Surface water main located within the vacation request needs to be relocated, privatized or abandoned in place.

6. NO OBJECTION

No objection or additional comment was received from Environmental Services/Solid Waste Management.

6. Based upon the facts and the governing law, the vacation petition should be granted, subject to conditions set forth in Conclusion 5 above.

7. Any finding of fact hereinbefore stated which may be deemed to be properly considered a conclusion of law herein is hereby adopted as such.

RECOMMENDATION:

The vacation requested is hereby recommended for approval, subject to the conditions contained in Conclusion 5.

DATED this 2nd day of June, 2016.



PHYLLIS K. MACLEOD, Hearing Examiner

NOTICE

RECONSIDERATION/APPEAL OF EXAMINER'S RECOMMENDATION

RECONSIDERATION:

Any aggrieved person or entity having standing under the ordinance governing the matter, or as otherwise provided by law, may file a motion with the office of the Hearing Examiner requesting reconsideration of a decision/recommendation entered by the Examiner. A motion for reconsideration must be in writing and must set forth the alleged errors of procedure, fact, or law and must be filed in the Office of the Hearing Examiner within 14 calendar days of the issuance of the Examiner's decision/recommendation, not counting the day of issuance of the decision/recommendation. If the last day for filing the motion for reconsideration falls on a weekend day or a holiday the last day for filing shall be the next working day. The requirements set forth herein regarding the time limits for filing of motions for reconsideration and contents of such motions are jurisdictional. Accordingly, motions for reconsideration that are not timely filed with the Office of the Hearing Examiner or do not set forth the alleged errors shall be dismissed by the Examiner. It shall be within the sole discretion of the Examiner to determine whether an opportunity shall be given to other parties for response to a motion for reconsideration. The Examiner, after a review of the matter, shall take such further action as he/she deems appropriate, which may include the issuance of a revised decision/recommendation. (*Tacoma Municipal Code* 1.23.140)

APPEALS TO CITY COUNCIL OF EXAMINER'S RECOMMENDATION:

Within 14 days of the issuance of the Hearing Examiner's final recommendation, any aggrieved person or entity having standing under the ordinance governing such application and feeling that the recommendation of the Examiner is based on errors of procedure, fact or law shall have the right to appeal the recommendation of the Examiner by filing written notice of appeal with the City Clerk, stating the reasons the Examiner's recommendation was in error.

Appeals shall be reviewed and acted upon by the City Council in accordance with *TMC* 1.70.

GENERAL PROCEDURES FOR APPEAL:

The Official Code of the City of Tacoma contains certain procedures for appeal, and while not listing all of these procedures here, you should be aware of the following items which are essential to your appeal. Any answers to questions on the proper procedure for appeal may be found in the City Code sections heretofore cited:

1. The written request for review shall also state where the Examiner's findings or conclusions were in error.
2. Any person who desires a copy of the electronic recording must pay the cost of reproducing the tapes. If a person desires a written transcript, he or she shall arrange for transcription and pay the cost thereof.

Notice - No Fee (7/11/00)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND RECOMMENDATION



City of Tacoma
Hearing Examiner

June 2, 2016

FIRST CLASS MAIL DELIVERY

Albert Sze
North America Asset Management, LLC
16400 Southcenter Parkway, Suite 400
Tukwila, WA 98188-3302

Rich Price, Sr. Real Estate Officer
City of Tacoma, Real Property Services
747 Market Street Room 737
Tacoma, WA 98402-3701
(Inter-office Mail Delivery)

Re: HEX2016-014 (Vacation Petition No. 124.1358)
Petitioner: North America Asset Management, LLC

To the Parties,

In regard to the above referenced matter, please find enclosed a copy of the Tacoma Hearing Examiner's Report and Recommendation to the Tacoma City Council as the result of a public hearing held on May 12 and 24, 2016.

Sincerely,

Louisa Legg
Office Administrator

Enclosure (1) – HEX Report and Recommendation

cc: See Transmittal List (page 2)

June 2, 2016

Page 2

HEX 2016-014 (124.1358 NAAM)

Transmitted via Inter-office Mail Delivery

Pierce County Assessor-Treasurer

Transmitted via First Class Mail Delivery

Jeff McInnis & Dan Wojatala, BergerABAM, 33301 9th Avenue STE 300,

Federal Way, WA 98003-2600

Radim Blažej & Thomas Eng, Caron, 2505 3rd Avenue STE 300c, Seattle, WA 98121-1558

Transmitted via Electronic Mail Delivery (June 3, 2016)

PierceTransit (Tina Vaslet)

Comcast Communications (Aaron Cantrel)

Qwest Corp. d/b/a CenturyLink (Christopher Omdahl)

Puget Sound Energy (Marilynn Danby)

Clerk's Office, City of Tacoma (Nicole Emery)

Legal (Jeff Capell)

Tacoma Power (Gregory Muller & Rich Barrutia)

Tacoma Fire Department (Chris Seaman, P.E.)

Solid Waste Management, City of Tacoma (Richard Coyne)

Tacoma Water, Water Distribution (Jesse Angel)

Public Works, City of Tacoma (Sue Simpson)

Public Works Engineering Division, City of Tacoma (Joshua Diekmann, P.E.)

Public Works Engineering Division, City of Tacoma (Brennan Kidd, P.E.)

Environmental Services Department, Science & Engineering, City of Tacoma (Merita Trohimovich)

Environmental Services Department, Science & Engineering, City of Tacoma (Rod Rossi)

Planning and Development Services Department, City of Tacoma (Lisa Spadoni)

Planning and Development Services Department, City of Tacoma (Jana Magoon)

Planning and Development Services Department, City of Tacoma (Elliott Barnett)

Planning and Development Services Department, City of Tacoma (Philip Kao)

Planning and Development Services Department, City of Tacoma (Lihuang Wung)

Stevens, Troy

From: Seaman, Chris
Sent: Friday, July 15, 2016 2:05 PM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Troy,

TFD would want to **retain emergency access (fire lane) across vacated Fawcett similar to what was done for the vacation of the larger portion of Fawcett to the north.**

Regards,

CHRIS SEAMAN, P.E.

Senior Engineer

Tacoma Fire Department | Prevention Division

901 Fawcett Avenue | Tacoma, WA 98402

253.591.5503 | cseaman@cityoftacoma.org



From: Stevens, Troy

Sent: Wednesday, June 29, 2016 10:47 AM

To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Trohimovich, Merita

Cc: Stevens, Troy

Subject: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1369, as requested by the City of Tacoma, and provide comments for your respective utility/agency **on or before July 15, 2016**. Responses received later than July 15, 2016 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works

Sr. Real Estate Specialist

(253) 591-5535

tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Angel, Jesse
Sent: Thursday, June 30, 2016 6:33 AM
To: Muller, Gregory; Vaughan, Stuart
Cc: Volkhardt, Greg
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Spell check made a mistake on my mistake.....Correct comment:

Tacoma Water has an existing 20" water main and an existing fire hydrant that are located within the proposed vacation. These facilities must remain and will need to have easements recorded as part of the street vacation.

Jesse Angel - Utility Service Specialist

Tacoma Water

3628 S. 35th St.
Tacoma, WA 98409-3192
253-502-8280 OFFICE
253-380-2614 CELL
253-502-8694 FAX
[Tacoma Water Website](#)

From: Angel, Jesse
Sent: Thursday, June 30, 2016 6:29 AM
To: Muller, Gregory; Vaughan, Stuart
Cc: Volkhardt, Greg
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Greg,

Tacoma Water has an existing 20" water main and an existing fire hydrant that are located within the proposed vacation. These facilities must remain and will need to have easements recovered as part of the street vacation.

Thanks,

Jesse Angel - Utility Service Specialist

Tacoma Water

3628 S. 35th St.
Tacoma, WA 98409-3192
253-502-8280 OFFICE
253-380-2614 CELL
253-502-8694 FAX
[Tacoma Water Website](#)

From: Muller, Gregory
Sent: Wednesday, June 29, 2016 4:38 PM
To: Van Allen, Rick; Glassy, Thad; Vaughan, Stuart; Angel, Jesse; Mounivong, Vince
Cc: Martinson, John; Volkhardt, Greg
Subject: FW: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Gentlemen,

Please see following e-mail and attachments for the street vacation request, and send your comments/questions my direction.

Thank you.

Greg Muller,
Real Estate Officer
Tacoma Public Utilities
Phone: (253) 502-8256
Fax: (253) 502-8539

From: Stevens, Troy

Sent: Wednesday, June 29, 2016 10:47 AM

To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Trohimovich, Merita

Cc: Stevens, Troy

Subject: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1369, as requested by the City of Tacoma, and provide comments for your respective utility/agency **on or before July 15, 2016**. Responses received later than July 15, 2016 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@cityof_tacoma.wa.us

Stevens, Troy

From: Vaughan, Stuart
Sent: Wednesday, June 29, 2016 9:23 PM
To: Muller, Gregory
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Water Supply has not infrastructure within the street vacation, therefore I have not comment.

Stuart

From: Muller, Gregory
Sent: Wednesday, June 29, 2016 4:38 PM
To: Van Allen, Rick; Glassy, Thad; Vaughan, Stuart; Angel, Jesse; Mounivong, Vince
Cc: Martinson, John; Volkhardt, Greg
Subject: FW: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Gentlemen,

Please see following e-mail and attachments for the street vacation request, and send your comments/questions my direction.

Thank you.

Greg Muller,
Real Estate Officer
Tacoma Public Utilities
Phone: (253) 502-8256
Fax: (253) 502-8539

From: Stevens, Troy
Sent: Wednesday, June 29, 2016 10:47 AM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1369, as requested by the City of Tacoma, and provide comments for your respective utility/agency **on or before July 15, 2016**. Responses received later than July 15, 2016 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works

Sr. Real Estate Specialist

(253) 591-5535

tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Criswell, Larry
Sent: Wednesday, July 06, 2016 10:12 AM
To: Stevens, Troy
Cc: Standley, Steven; Brock, Stephanie
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner
Attachments: 70 to 60 vacation comments.pdf

Troy,

Site Development has the following comments for the proposed vacation:

1. The 70' to 60' meets the current Design Manual requirements.
2. ROW will be limited after the vacation on the North side of 23rd.
 - A. A seven foot combination sidewalk should have enough room for buildout from the existing curb alignment.
 - B. There will be no room for street trees or any other feature to be placed in the sidewalk.
 - C. Based upon current curb alignment, there may not be a recovery area in back of the sidewalk: sidewalk will probably abut the ROW/property line.
3. If more sidewalk is needed, the existing curb alignments (N & S sides) may need to be redone to include the sidewalk realignment on the south side of 23rd St.

Larry Criswell

Construction Engineer
City of Tacoma
Site and Building Division
Planning & Development Services
253-591-5787

From: Standley, Steven
Sent: Wednesday, June 29, 2016 4:15 PM
To: Criswell, Larry; Brock, Stephanie
Subject: FW: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Please take a look at this.

From: Stevens, Troy
Sent: Wednesday, June 29, 2016 10:47 AM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Permit 124.1369, as requested by the City of Tacoma, and provide comments from your respective utility/agency **on or before July 15, 2016**. Responses received later than July 15, 2016 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works

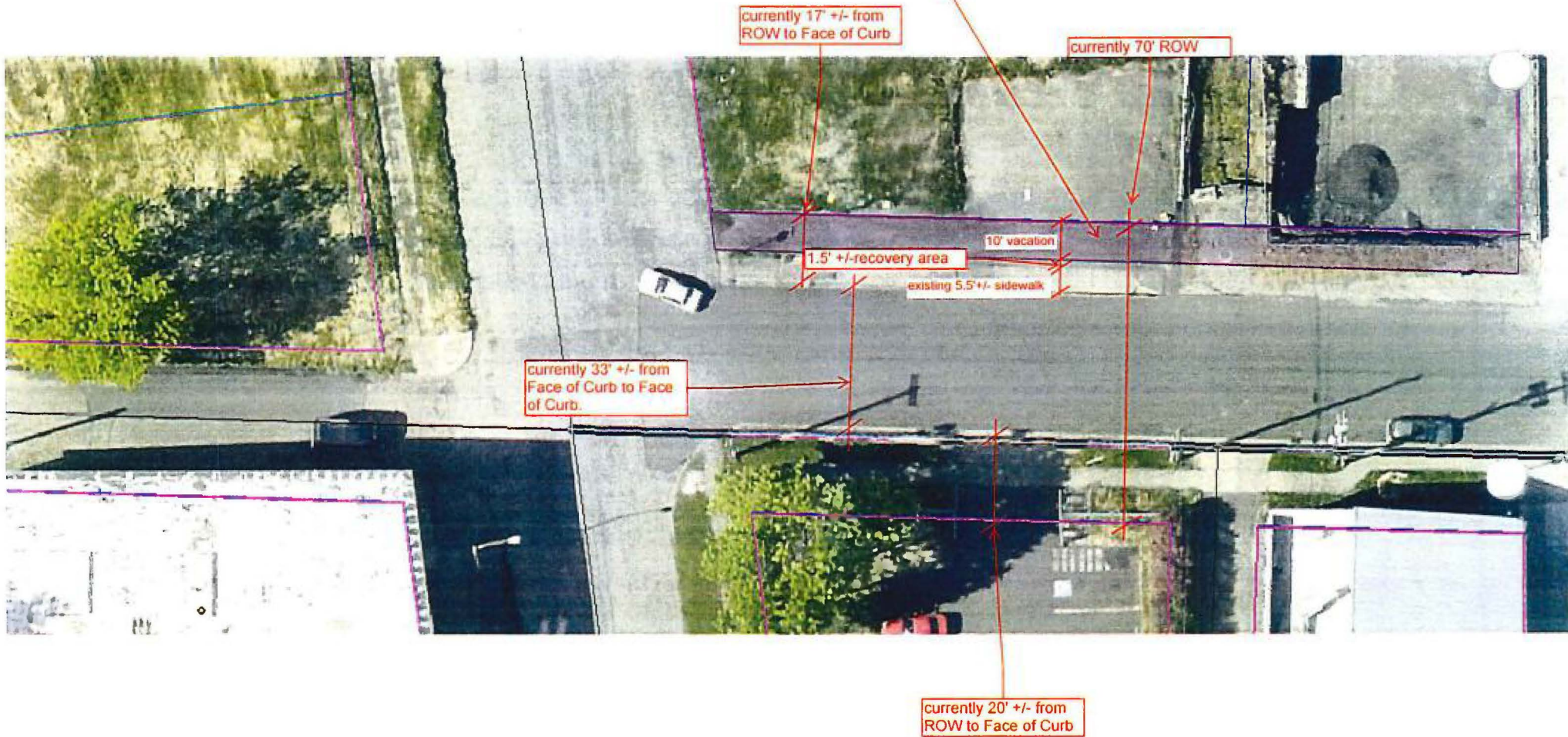
Sr. Real Estate Specialist

(253) 591-5535

tstevens@ci.tacoma.wa.us

Site Development 7/6/2016

A 10' vacation would leave enough for a 32' street build out and a 7' combination sidewalk. There would be no room for any other feature to encroach into the sidewalk.



Stevens, Troy

From: Price, Richard
Sent: Thursday, June 30, 2016 10:36 AM
To: Stevens, Troy
Subject: FW: Property Exchange along S. 23rd

Put this [with the other agency comments](#)

From: Barnett, Elliott
Sent: Thursday, June 30, 2016 9:14 AM
To: Price, Richard; Diekmann, Joshua
Subject: RE: Property Exchange along S. 23rd

Hi Rich,

I just wanted to formally say I have no objections to the vacation request. In fact I am supportive of it as it will provide adequate space for a wider sidewalk design to create this link of the pedestrian corridor called for in the S Downtown Subarea Plan on S 23rd Street. This is great.

Thanks for all the hard work.
Elliott

Elliott Barnett, Planner

City of Tacoma PDS
(253) 591-5389

From: Price, Richard
Sent: Wednesday, June 29, 2016 11:16 AM
To: Diekmann, Joshua; Barnett, Elliott
Subject: FW: Property Exchange along S. 23rd

FYI...this will resolve the concerns raised during the public hearing to create a 60' wide corridor.

From: Price, Richard
Sent: Wednesday, June 29, 2016 11:13 AM
To: Brock, Stephanie; Standley, Steven
Subject: FW: Property Exchange along S. 23rd

FYI

From: Price, Richard
Sent: Tuesday, June 28, 2016 4:55 PM
To: paulsorensen@caronarchitecture.com; Thomas Eng (thomaseng@caronarchitecture.com); 'Albert Sze'
Cc: Kao, Philip; Anderson, Martha
Subject: Property Exchange along S. 23rd

Paul / Tom:

Pursuant to our conversation last week regarding a possible land swap, Albert and I spoke and we will be moving forward with a City initiated vacation for the northerly 10' feet of South 23rd Street and require an additional 8'

dedication of right of way to make the entire corridor between Tacoma Avenue and Jefferson 60' feet in width to accomplish the "property exchange".

I've attached an exhibit and revised legal descriptions.

schedule for the street vacation:

July 19th – City Council Resolution – setting public hearing date –

August 22nd – Public Hearing - @ 1:30pm in Room TMBN16.

Please let us know if there are any outstanding questions. Also, I have not seen the access agreement come back my way for processing. I know you were wanting to move forward with the Survey work.

Richard A. Price, SR/WA
Senior Real Estate Officer
*Public Works/Facilities Management/
Real Property Services*
(253) 591-5515 Office
(253) 594-7941 Fax

Stevens, Troy

From: Muller, Gregory
Sent: Wednesday, July 13, 2016 10:26 AM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner
Attachments: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner;
RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner;
RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Troy,

Attached are the responses I received to the street vacation comment request. As a follow-up to Rick Van Allen, I spoke with him and John Martinson, and they would like to reserve 10' x 10' for Power and Click!; this should be the easterly 10' from the southerly 10' extension of the west line of the alley lying between Fawcett and Jefferson avenues and S 21st and 23rd streets as vacated by CoT ordinance #26780. This should cover both O/H and U/G infrastructure.

Greg
#8256

From: Stevens, Troy
Sent: Wednesday, June 29, 2016 10:47 AM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

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Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Danby, Marilyn M <marilynn.danby@pse.com>
Sent: Wednesday, June 29, 2016 12:49 PM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

PSE has an existing 2" MPE IP gas main located along the north right of way area of S 23 st. Please provide legal description so I can prepare the easement.

thanks

Marilynn

Marilynn M. Danby SR/WA
Senior Real Estate Representative
Puget Sound Energy
3130 South 38th Street
Tacoma, Wa 98409
Work: 253/476-6451
Work Cell: 253/905-4668
e-mail: marilynn.danby@pse.com

From: Stevens, Troy [<mailto:tstevens@ci.tacoma.wa.us>]
Sent: Wednesday, June 29, 2016 10:47 AM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn M; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Trohimovich, Merita
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Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Bolden, Franklin <Franklin.Bolden@centurylink.com>
Sent: Monday, July 25, 2016 2:34 PM
To: Stevens, Troy
Subject: Vacate 124.1369

Troy,

Please be advised that, Qwest Corporation dba CenturyLink QC currently has underground facilities in the area of the vacate and requests to retain an easement for its facilities. Qwest Corporation dba CenturyLink QC has no objections to the vacate so long as accommodations are made for this easement.

Regards,

Franklin Bolden
CenturyLink ROW Agent
425-918-2516
1208 NE 64th St 4th Floor
Seattle, WA 98115

This communication is the property of CenturyLink and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

Stevens, Troy

From: Cantrel, Aaron R <Aaron_Cantrel@comcast.com>
Sent: Friday, July 01, 2016 11:42 AM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner
Attachments: Comcast Comments-SV 124 1369.doc

Attached are Comcast's comments. Have a great 4th.

From: Stevens, Troy [<mailto:tstevens@ci.tacoma.wa.us>]
Sent: Wednesday, June 29, 2016 10:47 AM
To: Atkinson, Chris <catkinson@ci.tacoma.wa.us>; Atkinson, Stephen <satkinson@ci.tacoma.wa.us>; Barnett, Elliott <elliott.barnett@ci.tacoma.wa.us>; Ben Han <bhan@piercettransit.org>; Spencer, William <WSpencer@ci.tacoma.wa.us>; Boudet, Brian <BBOUDET@ci.tacoma.wa.us>; Cantrel, Aaron R <Aaron_Cantrel@cable.comcast.com>; Cornforth, Ronda <rcornforth@cityoftacoma.org>; Coyne, Richard <RCOYNE@ci.tacoma.wa.us>; Danby, Marilyn <marilyn.danby@pse.com>; Erickson, Ryan <RErickso@ci.tacoma.wa.us>; Fields, Donni (Donni.J.Fields@centurylink.com) <Donni.J.Fields@centurylink.com>; Howatson, James <JHOWATSO@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>; Kristen McIvor <kristenm@piercecountycd.org>; Larson, Chris <CLARSON@ci.tacoma.wa.us>; Lynett, Kristin <kristin.lynett@cityoftacoma.org>; Muller, Gregory <GMuller@ci.tacoma.wa.us>; Parvey, James <JPARVEY@ci.tacoma.wa.us>; Reynolds, Tanara <tvreyno@qwest.com>; Seaman, Chris <cseaman@ci.tacoma.wa.us>; Simpson, Sue <SSIMPSON@ci.tacoma.wa.us>; Site Development <SiteDevelopment@ci.tacoma.wa.us>; Standley, Steven <ssandle@ci.tacoma.wa.us>; Trohimovich, Merita <MPollard@ci.tacoma.wa.us>
Cc: Stevens, Troy <tstevens@ci.tacoma.wa.us>
Subject: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Agency Reviewer,

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Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

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

SUBJECT: STREET VACATION REQUEST NO. 124.1369

DATE: June 29, 2016

The City of Tacoma is petitioning to vacate a 10 ft. portion of South 23rd Street between Jefferson Avenue and Fawcett Avenue, 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 July 15, 2016**. 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

RESPONSE

No Objections

Comments Attached

7/1/16 _____ Date

Aaron Cantrell _____ Signature

Planning & Design _____ Department

- Comcast has aerial system attached to TPU Poles running North –South in the alley between Jefferson Ave & Fawcett Ave. There is also a Comcast duct bank running North-South along Jefferson Ave. Any relocation of these facilities will be at the owner / developer’s expense.

- PW/Solid Waste
- PW/Street & Grounds
- Tacoma Economic Development
- Click! Network

Stevens, Troy

From: Simpson, Sue
Sent: Thursday, August 11, 2016 11:42 AM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner
Attachments: 124.1369 S 23rd & Fawcett.pdf

Please find attached the Connection Charge In Lieu of Assessment response

From: Stevens, Troy
Sent: Wednesday, June 29, 2016 10:47 AM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

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Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us



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- 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

_____ 8/11/16 _____ Date

_____ *Troy Stevens* _____ Signature

_____ PW/RPS _____ Department

Right of Way to be vacated has not been assessed for sanitary sewer.
 Connection Charge In Lieu of amount is \$1,264.50



CITY OF TACOMA

STREET VACATION NO. 124.1369

NLY 10 FEET OF SOUTH 23RD STREET LYING BETWEEN JEFFERSON AVE & FAWCETT AVE

NW 1/4 SEC. 09, T20N, R3E

NOT TO SCALE

Stevens, Troy

From: Diekmann, Joshua
Sent: Thursday, August 11, 2016 2:25 PM
To: Stevens, Troy
Cc: Kammerzell, Jennifer; Kidd, Brennan; Barnett, Elliott
Subject: RE: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner
Attachments: s-23rd-st-60-ft-width-1 (2).png

Troy,

Thank you for the opportunity to comment. The idea to vacate this portion of the South 23rd Street ROW was initiated via discussions about the need for additional ROW on 23rd between Fawcett and Tacoma. Taken together, the 10' vacation east of Fawcett (which reduces the ROW from 70' to 60') and the 8' dedication west of Fawcett (which increases the ROW from 52' to 60') provide a more uniform cross-section along 23rd between Jefferson and Tacoma.

It is likely that the ultimate cross section would look similar to the attached image, which provides for one lane of travel in each direction, on-street parking, and a wide sidewalk with an amenity/planting zone.

This new cross section within the new ROW will allow a design that is consistent with the comments we provided for the previously submitted application to vacate Fawcett.

In summary, the proposed vacation is consistent with the ROW needed to improve the transportation network in this area. Since the envisioned improvements are tied to the dedication west of Fawcett, it is preferred that the two actions are executed simultaneously. However, since the efficacy of the Jefferson-Fawcett segment will not be reduced without the dedication between Fawcett and Tacoma, the dedication need not be a condition of the vacation. Please contact me with any questions or concerns.

Josh

From: Stevens, Troy
Sent: Thursday, August 11, 2016 11:49 AM
To: Kammerzell, Jennifer; Diekmann, Joshua; Kidd, Brennan
Subject: FW: Street Vacation 124.1369 - Comments DUE July 15, 2016 - City of Tacoma Petitioner

Hi guys,

I don't believe I heard from you on this one (SV124.1369). Please provide comment as soon as possible. I need to submit the report later today. We did receive the following on this file's sister project (SV 124.1358):

1. PW/TRAFFIC ENGINEERING
 - a. Please contact Josh Diekmann at (253) 591-5756 regarding Traffic's comments.
 - b. The Transportation Master Plan delineates this vacation request area as a bicycle priority corridor. The City constructed improvements along Fawcett in 2014 making this segment a central component of a 13.1 mile corridor from south to north ends of the City.
 - c. Retaining the 40 foot easement would reduce the current right of way to half of current width. This proposal presumes non-motorized connectivity can be maintained in this smaller easement width. This would require de-emphasizing motorized travel to ensure the remaining area could safely and efficiently accommodate non-motorized traffic. The easement should

- reserve all existing rights for construction of public facilities, and should provide the City approval authority for anything to be located within the air rights of this retained corridor.
- d. All design concepts within the corridor shall at a minimum adhere to the NACTO Urban Street Design Guide and be in conformance of the goals sought within the Comprehensive Plan.

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

From: Stevens, Troy

Sent: Wednesday, June 29, 2016 10:47 AM

To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Trohimovich, Merita

Cc: Stevens, Troy

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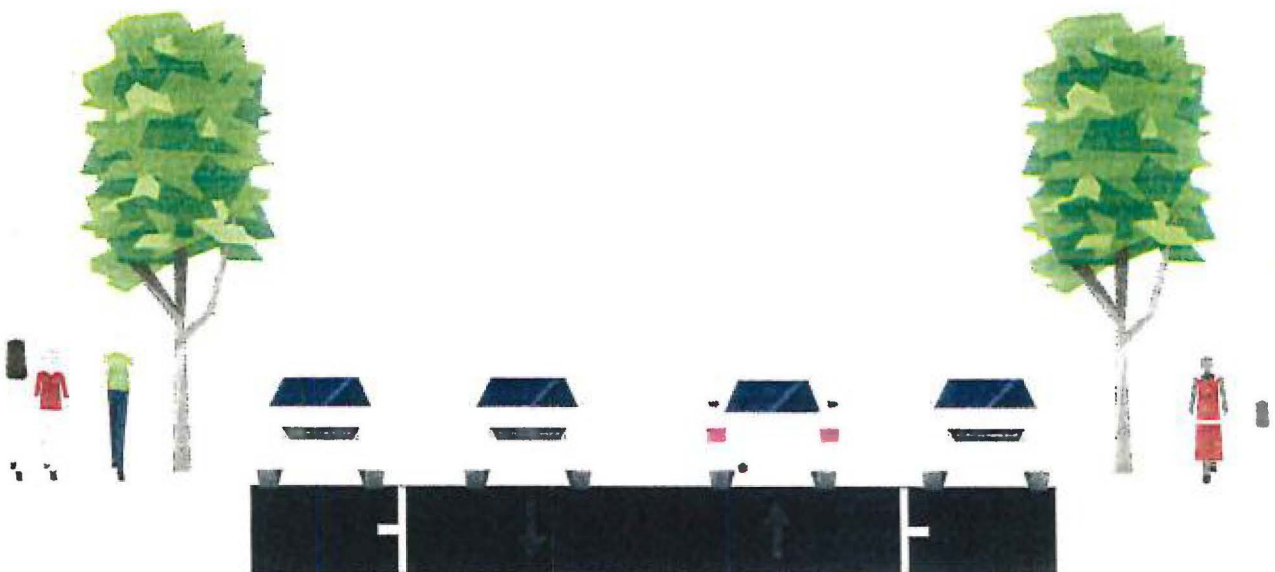
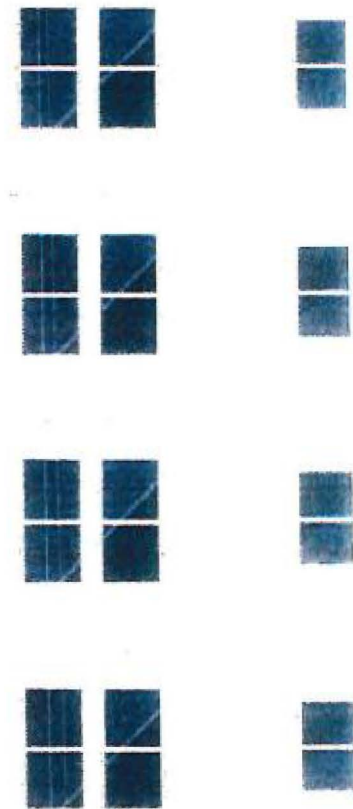
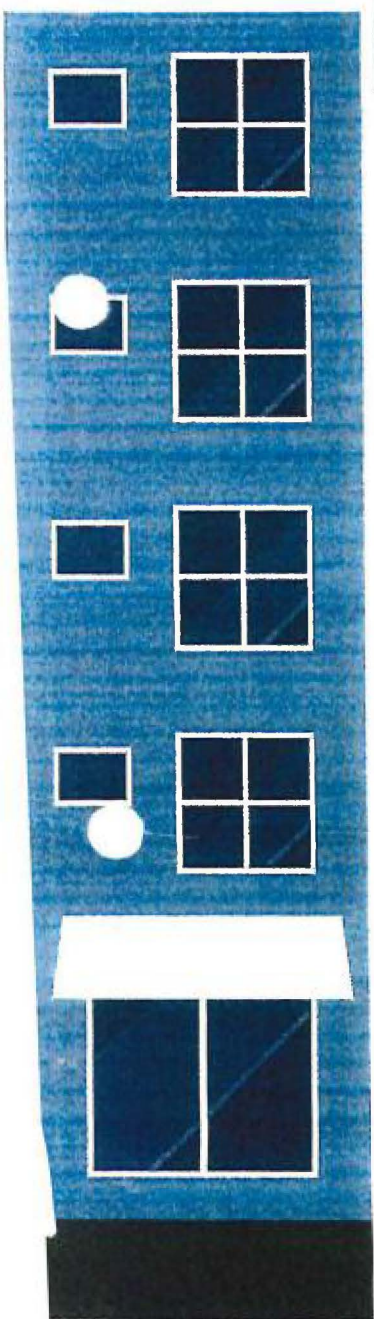
Please email me with any questions you may have.

Thank you,

Troy Stevens

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tstevens@ci.tacoma.wa.us

S 23rd St - 60 ft width 1



6'
Sidewalk

2' 2'

7'
Parking lane

11'
Drive lane

11'
Drive lane

7'
Parking lane

2' 2'

8'
Sidewalk

21.43

21.43
21.43
21.43
21.43
21.43

21.43