



**TO:** Elizabeth Pauli, City Manager  
**FROM:** Jeff H. Capell, Hearing Examiner *JHC*  
Ronda Cornforth, Senior Real Estate Specialist, Public Works Real Property Services *RC*  
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance Request No. 18-0471 – Street Vacation 124.1385 – May 22, 2018  
**DATE:** May 7, 2018

**SUMMARY:**

An ordinance granting the petition of the record owner of abutting residential real property at 7517 North 10<sup>th</sup> Street, Tacoma, Washington, to vacate that certain portion of North 10<sup>th</sup> Street right-of-way lying westerly of Jackson Avenue in the City of Tacoma, Washington.

**COUNCIL SPONSORS:**

N/A

**STRATEGIC POLICY PRIORITY:**

- 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:**

Petitioner and underlying property owner, Buckets Johnson, LLC, is a Georgia domestic limited liability company that has petitioned for the vacation of a portion of North 10<sup>th</sup> Street, adjacent to Petitioner’s residential real property at 7517 North 10<sup>th</sup> Street. The City’s present right-of-way interest came from the State via quit claim deed in 1987 as part of a “turnback” agreement stemming from the State’s SR 16 project.

The petitioned-for right-of-way area is not used, at present, for right-of-way purposes, nor is it contemplated for future use as right-of-way. It is sloped and vegetated and is not being used for public traversal in any way. If vacated, Petitioner plans to include the area into its plans for redevelopment and expansion of residential yard space.

Conditions precedent to finalizing this right-of-way vacation include only payment of statutory compensation and restructuring of an existing shared driveway to meet current City code requirements.

**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. 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.



**RECOMMENDATION:**

The request is hereby recommended for approval, subject to conditions contained in Conclusion 6 of the Hearing Examiner's Report and Recommendation to the City Council.

**FISCAL IMPACT:**

N/A