



City of Tacoma

City Council Action Memorandum

TO: Elizabeth A. Pauli, City Manager
FROM: Jeff H. Capell, Hearing Examiner *JHC*
Ronda Van Allen, Senior Real Estate Specialist *RVA*
COPY: City Council and City Clerk
SUBJECT: Ordinance Request No. 20-0122 - Street Vacation 124.1406 - March 3, 2020
DATE: February 12, 2020

SUMMARY AND PURPOSE:

An ordinance to vacate all those portions of publicly dedicated right-of-way ("ROW"), lying between East 48th Street and the northerly margin of East 52nd Street, within the Swan Creek Park boundaries. If approved, the vacated areas of ROW will be able to be incorporated more fully into the park property for recreational enhancements and improvements free of the City's ROW interests.

BACKGROUND:

The Hearing Examiner's recommendation is based on the evidence and testimony presented at a public hearing held on January 30, 2020. The ROW areas included within the defined Vacation Area were dedicated by plat filings circa 1905 and 1956, but none has ever been opened and improved as public ROW. Instead the Vacation Area has been more or less incorporated into Swan Creek Park. The Petitioner, the Metropolitan Park District of Tacoma, would like to more fully incorporate the Vacation Area into the recreational offerings of the park free from the City's inchoate ROW interest. Given that the Vacation Area is located entirely within Swan Creek Park, approving the vacation does not affect current traffic patterns or future needs, and no access is affected by approving the vacation. The vacation benefits the public by better allowing the Vacation Area to be used for park recreational purposes.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

A public hearing was held on this petition on January 30, 2020, at which members of the community could attend and speak to express their concerns with, and/or support for the proposed ROW vacation. No members of the public appeared. The requested vacation will benefit the Petitioner by allowing incorporation of the Vacation Area more fully into the park property for recreational enhancements and improvements free of the City's ROW interest.

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. Denial simply maintains the status quo.	The most positive impacts come from approving the vacation. Denial subject Metro Parks to ongoing uncertainty as to the viability of its use of the Vacation Area.

EVALUATION AND FOLLOW UP:

The recommendation is made subject to the conditions listed in the Hearing Examiner's Report and Recommendation, issued on February 5, 2020. 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 8 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.

ATTACHMENTS:

List attachments using bullet points.

- The Hearing Examiner's City Council Action Memorandum, dated February 12, 2020.
- The Hearing Examiner's Report and Recommendation to the City Council, entered on February 5, 2020.
- The City's Exhibit List and City Exhibits C-1 through C-6.
- The verbatim electronic recording from the hearing held on January 30, 2020.