



TO: Elizabeth A. Pauli, City Manager
FROM: Jeff H. Capell, Hearing Examiner *JHC*
 Troy Stevens, Senior Real Estate Specialist, Public Works Real Property Services *tas*
COPY: City Council and City Clerk
SUBJECT: Ordinance No.: 24-1099 – Street Vacation 124.1453 – October 29, 2024
DATE: October 11, 2024

SUMMARY AND PURPOSE:

An ordinance vacating a 16-foot-wide alley lying southerly of vacated South 30th Street and northerly of South Tacoma Way and lying between South Wilkeson Street and vacated South Ash Street with the intention of addressing and eliminating existing building and industrial storage use encroachments.

BACKGROUND:

The Hearing Examiner’s recommendation is based on the evidence and testimony presented as part of a public hearing held on August 22, 2024. The Vacation Area (as defined by the Hearing Examiner’s Report and Recommendation) is a 16-foot-wide alley lying southerly of vacated South 30th Street and northerly of South Tacoma Way, and lying between South Wilkeson Street and vacated South Ash Street. Petitioner, Bradken, Inc., requested the vacation intending to address and eliminate existing building and industrial storage use encroachments. Given the accompanying privatization of an existing sewer line in the Vacation Area, and the isolated location, the Vacation Area is not contemplated or needed for future public use.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

A public hearing was held on this petition on August 22, 2024, at which members of the community could attend and speak to express their concerns, opposition, and/or support for the proposed vacation. No members of the public were in attendance. The vacation will benefit the Petitioner by allowing the Vacation Area to be used for existing building and industrial storage. There are no foreseeable negative effects on the community related to the requested vacation.

2025 STRATEGIC PRIORITIES:

Economy/Workforce: *Equity Index Score:* Moderate Opportunity

Increase the number of diverse livable wage jobs. This will occur through the vacation enhancing a local business.

ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. The Council could approve the vacation petition under conditions different than those recommended.	Any positive impacts arising from different conditions would depend on what those conditions are.	Different conditions could require an additional hearing with different findings and conclusions than are present now to support them.
2. The Council could deny the vacation petition.	The most positive impacts come from approving the vacation. Denial simply maintains the status quo of having an unneeded/unused right-of-way area with encroachments.	The most positive impacts come from approving the vacation. Denial simply maintains the status quo, preserving the City’s unneeded right-of-way interest.



EVALUATION AND FOLLOW UP:

The recommended vacation is subject to the conditions listed in Conclusion 8 of the Hearing Examiner's Report and Recommendation, issued on September 18, 2024. 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 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. If the vacation is approved, a fair market appraisal or a market rate analysis for the area to be vacated will be conducted after first reading of the ordinance. The Petitioner will be required to pay the City such market value amount as a condition to the right-of-way vacation being finalized. In addition, if the vacation is finalized, the vacated area will be added to the taxable square-footage of the abutting real property, thereby possibly generating additional ongoing property tax income.

ATTACHMENTS:

- The Hearing Examiner's City Council Action Memorandum, dated October 11, 2024.
- The Hearing Examiner's Report and Recommendation to the City Council, issued on September 18, 2024.
- City Exhibit List and Exhibits C-1 through C-19.
- The verbatim electronic recording from the hearing held on August 22, 2024.