



**TO:** T.C. Broadnax, City Manager  
**FROM:** Phyllis Macleod, Hearing Examiner *PKM*  
Ronda Cornforth, Senior Real Estate Specialist *RC*  
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance Request No. 15-0792 – Street Vacation – August 18, 2015  
**DATE:** July 28, 2015

**SUMMARY:**

An ordinance vacating a portion of South Proctor Street right-of-way lying southerly of South 19<sup>th</sup> Street, for future development.

**COUNCIL SPONSORS:**

N/A

**STRATEGIC POLICY PRIORITY:**

The street vacation will support the following strategic policy priority:

- Foster a vibrant and diverse economy with good jobs for all Tacoma residents.

**BACKGROUND:**

The Petitioner Jemstone, LLC is preparing property adjacent to the proposed street vacation site for future development of an office/medical center with small retail component that will be undertaken consistent with the terms of a Concomitant Agreement entered into with the City of Tacoma in June 2008. The street vacation was initially proposed in 2007 and a public hearing on the matter was conducted by the Hearing Examiner. The proponent did not proceed with the planned project in 2008, due to the economic downturn. As a result, the Hearing Examiner's Recommendation to approve the street vacation was not submitted to the City Council. The Petitioner is now interested in moving forward with the proposed project and the street vacation has been reinstated. A public hearing on the street vacation was conducted by the Hearing Examiner on January 8, 2015. Findings of Fact, Conclusions of Law, and a Recommendation were issued by the Hearing Examiner on January 12, 2015. At the request of the parties, the matter was not forwarded to the City Council in January to accommodate discussions regarding the form of utility easement reservations. On July 15, 2015, the Hearing Examiner's Office received notice that the reservation issue had been resolved. Accordingly, the record was closed and the matter is now being brought forward to the Council. No members of the public appeared at the hearing opposing the proposed street vacation. The right-of-way in question is unimproved and does not contain curbs, gutter or sidewalks. The right-of-way does not connect to another street and does not meet the minimum width requirement for a residential street. It is currently being used as a private driveway and is not part of general traffic circulation in the area. The proposed vacation is part of a project that would increase economic development and return unused property to the tax rolls. The request is consistent with the criteria for approving a street vacation and the Hearing Examiner is recommending approval.

**ISSUE:**

Whether the proposed street vacation should be approved.

**ALTERNATIVES:**

The City Council could choose to deny the requested street vacation, however, the proposal appears to meet the established criteria for street vacation approval.



**RECOMMENDATION:**

The vacation request is hereby recommended for approval, subject to the conditions contained in the Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation.

**FISCAL IMPACT:**

N/A.