



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 Request No. 21-0831 – Street Vacation 124.1416 – September 14, 2021
DATE: August 26, 2021

SUMMARY AND PURPOSE:

An ordinance to vacate a portion of the North Narrows Drive right-of-way at North 26th Street to facilitate future residential development on abutting, undeveloped real property.

BACKGROUND:

The Hearing Examiner’s recommendation is based on the evidence and testimony presented at a public hearing held on July 22, 2021. The Vacation Area (as defined in the Hearing Examiner’s Report and Recommendation) is an irregular triangle-like area that abuts the 100-foot wide Cushman transmission right-of-way at the northwest corner of North Narrows Drive and North 26th Street. Petitioners, Paul and Deidra Miller, requested the vacation to facilitate construction of an intended future residential development. The Vacation Area is not being used currently for any material surface right-of-way purpose, nor does the City see any future need for it as right-of-way. Easements should be retained for underground utility facilities, however.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

A public hearing was held on this petition on July 22, 2021, at which members of the community could attend and speak to express their concerns with, opposition to, and/or support for, the proposed vacation. One member of the public asked questions via Zoom chat. General sentiment seemed more concerned with the Petitioners’ intended development rather than about the vacation *per se*. If approved, the vacation itself will have nominal benefit in facilitating the overall development project. There are no negative effects on the community surrounding the area because the Vacation Area is not used for any surface (publically accessible) right-of-way purpose presently, nor is there any need for it in the future.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility:

The primary positive impact on equity, equality, diversity or inclusion that could result from approving this street vacation would be the eventual increase to the available housing supply in the Tacoma market, making housing more readily available for all Tacomans.

Economy/Workforce: Equity Index Score: Moderate Opportunity

Increase the percentage of people relocating to the city and affordability of housing compared to neighboring jurisdictions.

Livability: Equity Index Score: Low Opportunity

Increase the number of Complete Compact Communities/ 20-Minute Neighborhoods throughout the city.

Explain how your legislation will affect the selected indicator(s).

If approved, the vacation will allow the Petitioners to complete the intended development eventually resulting in an increase to the City’s housing supply.



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 right-of-way 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 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 condition(s) set forth in the Hearing Examiner's Report and Recommendation, issued on August 23, 2021. 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 condition(s) 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 market rate analysis will occur after first reading of the ordinance. When the market information is available, the estimated revenue from the vacation will be communicated to the City Council by the appropriate City Department. The Vacation Area will be added to the taxable square footage of the abutting real property, thereby possibly generating some additional ongoing property tax income.

ATTACHMENTS:

List attachments using bullet points.

- The Hearing Examiner's City Council Action Memorandum, dated August 26, 2021.
- The Hearing Examiner's Report and Recommendation to the City Council, issued on August 23, 2021.
- The City's Exhibit List and Exhibits C-1 through C-17.
- The verbatim electronic recording from the hearing held on July 22, 2021.