



TO: T.C. Broadnax, City Manager
FROM: Phyllis K. Macleod, Hearing Examiner *PKM*
Troy Stevens, Senior Real Estate Specialist, Public Works Real Property Services *TS*
COPY: City Council and City Clerk
SUBJECT: Ordinance Request No. 16-1198 – Street Vacation – January 10, 2017
DATE: December 1, 2016

SUMMARY:

An ordinance to vacate the easterly six feet of South Yakima Avenue, adjacent to St. Nicholas Greek Orthodox Church, for approximately 150 feet of the block between South 15th and South 16th Streets.

COUNCIL SPONSORS:

N/A

STRATEGIC POLICY PRIORITY:

The proposed action would be aligned with the following strategic policy priorities:

- Strengthen and support a safe city with healthy residents.
- Ensure all Tacoma residents are valued and have access to resources to meet their needs.
- Encourage thriving residents with abundant opportunities for life-long learning.
- Cultivate a vibrant cultural sector that fosters a creative, cohesive community.

BACKGROUND:

St. Nicholas Greek Orthodox Church has long been located on the east side of South Yakima Avenue in Tacoma, Washington. The main entrance to the church fronts on South Yakima Avenue and includes a stairway and ramp that have encroached a small distance onto the right-of-way for many years. In connection with a project to improve the access to its church entrance, the Petitioner is seeking a limited street vacation to cure the existing encroachment. The original request for street vacation included a strip of right-of-way eight feet in width extending for the length of a block. The City of Tacoma, Traffic Engineering, initially opposed the requested street vacation because it would impair the goal of achieving a future street design that could accommodate all transportation uses.

As a result of Traffic Engineering’s opposition to the initial petition, the evidentiary record on the street vacation was held open to allow Traffic Engineering and the Petitioner to explore possible solutions. The parties were able to develop a design that will accommodate anticipated future public use of South Yakima Avenue, while allowing the Petitioner to cure the existing encroachments. Accordingly, the proposed vacation was reduced to a vacate width of six feet and limited to the southerly 150 feet of the block.

No members of the public appeared at the hearing to oppose the requested street vacation. Based upon the scaled-back request agreed to by the City and the Petitioner, the Hearing Examiner is recommending approval of the proposed street vacation.

ISSUE:

Whether the Council should approve the proposed street vacation?



ALTERNATIVES:

The Council could choose to uphold the Hearing Examiner's Recommendation to approve the requested street vacation or the Council could deny the street vacation request. The proposed street vacation appears to meet the standards for approval of such requests contained in the Tacoma Municipal Code.

RECOMMENDATION:

The street vacation request, as modified, is hereby recommended for approval, subject to the conditions contained in Conclusion 5 of the Hearing Examiner's Report and Recommendation to the City Council.

FISCAL IMPACT:

N/A