



TO: T.C. Broadnax, City Manager
FROM: Kurtis D. Kingsolver, P.E., Public Works Director/City Engineer *KDK*
Justin E. Davis, Division Manager, Facilities Management
Troy Stevens, Senior Real Estate Specialist, Real Property Services
COPY: City Council and City Clerk
SUBJECT: Resolution – Setting Public Hearing – February 14, 2017
Street Vacation 124.1376 – Napoleon Group, LLC
DATE: January 9, 2017

SUMMARY:

A resolution setting Thursday, March 23, 2017, at 1:30 p.m., as the date and time for a hearing before the Hearing Examiner on Napoleon Group, LLC's request to vacate a portion of the air rights of Court E, lying between South 15th and South 17th streets, for balconies in an apartment development.

STRATEGIC POLICY PRIORITY:

- Assure outstanding stewardship of the natural and built environment.

Vacation of the air rights will allow the developer to maximize their apartment development and provide balconies.

BACKGROUND:

The street right-of-way was dedicated in the Map of New Tacoma, W.T., on February 3, 1875.

ISSUE:

Pursuant to RCW 35.79 and TMC 9.22 the Public Works Department is requesting the City Council set a date to consider this request for this street vacation to be heard by the Hearing Examiner and report the findings of fact, conclusions of law, and recommendation to the City Council for their consideration.

ALTERNATIVES:

City Council could decide not to approve the resolution setting the hearing date. If that happened, the developer would have to redesign the building. Per code, permanently occupied space must be on private property.

RECOMMENDATION:

The Public Works Department recommends City Council approval of this request to set the Hearing Examiner's public hearing date for Thursday, March 23, 2017, at 1:30 p.m.

FISCAL IMPACT:

This action only sets the date of the hearing before the Hearing Examiner. The City will receive market value compensation for the vacated right-of-way. The proceeds will be deposited in accordance with TMC 9.22.