



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. 23-0200 – Street Vacation Nos. 124.1432 and 124.1442 – March 21, 2023
DATE: March 1, 2023

SUMMARY AND PURPOSE:

An ordinance vacating a portion of South Madison Street, lying southerly of South 40th Street and a portion of South 50th Street, lying westerly of South Madison Street.

BACKGROUND:

The Hearing Examiner’s recommendation is based on the evidence and testimony presented at public hearings held on January 12, 2023, and January 19, 2023. The Vacation Areas (as defined by the Hearing Examiner’s Report and Recommendation) are a portion of South Madison Street, lying southerly of South 40th Street and a portion of South 50th Street, lying westerly of South Madison Street. Petitioner, Bridge Point Tacoma, LLC, requested the vacations to facilitate development of an industrial park and associated storm ponds, utility extensions, and parking facilities. The Vacation Areas are not contemplated or needed for future public use and are presently unopened and unimproved for any public right-of-way purpose.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

A public hearing was held on January 12, 2023, for the South Madison Street petition and a second public hearing was held on January 19, 2023, for the South 50th Street petition. The opportunity was provided at both public hearings for members of the community to attend and speak to express their concerns with, opposition to, and/or support for the proposed vacations. Many members of the community submitted written comments and spoke at the hearing to express their uniform concerns and opposition to the Petitioner’s intended project which led them to oppose the vacations being approved. The comments were not directed at the vacations, except insofar as the vacations are seen as an initial step to the Petitioner’s intended development of an industrial park in and around the Vacation Areas. There are no foreseeable negative effects on the community related to the approval of the requested vacations themselves, however.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility:

The primary positive impact on equity, equality, diversity, or inclusion that could result from approving these street vacations would be the resulting increase to the available employment opportunities within the City upon completion of the Petitioner’s intended development of an industrial park.

Economy/Workforce: *Equity Index Score:* Moderate Opportunity
Increase the number of diverse livable wage jobs.

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

If approved the proposed street vacation will facilitate the Petitioner’s intention to develop an industrial park, the result of which may end up creating employment opportunities that do not exist at present, both during development, and with the resulting business. Without the later development, there is not much to point to here, but regardless, these right-of-way areas continue to serve no purpose as right-of-way as they continue to be unused after significantly long time periods.



ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. The Council could approve the requested vacations under conditions different than those recommended.	Any positive impacts arising from different conditions would depend on what those conditions are.	Different conditions could require additional hearings with different findings and conclusions than are present now to support them.
2. The Council could deny the vacation petitions.	The most positive impacts come from approving the vacations. Denial simply maintains the status quo.	The most positive impacts come from approving the vacations. Denial simply maintains the status quo, preserving the City’s long-dormant, unneeded right-of-way interests.

EVALUATION AND FOLLOW UP:

The recommended vacations are subject to the conditions listed in Conclusion 22 of the Hearing Examiner’s Consolidated Report and Recommendation, issued on February 6, 2023. 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 vacations subject to the conditions contained in Conclusion 22 of the Hearing Examiner’s Consolidated Report and Recommendation.

FISCAL IMPACT:

The potential fiscal impact of these street vacations is not known at this time. If the vacations are approved, a fair market appraisal or a market rate analysis for the areas to be vacated will be conducted after first reading of the ordinance. The Petitioner will be required to pay the City such market value amounts as a condition to the street vacations being finalized. In addition, if the street vacations are finalized, the vacated areas will be added to the taxable square-footage of the abutting real properties, thereby possibly generating additional ongoing property tax income.

ATTACHMENTS:

- The Hearing Examiner’s City Council Action Memorandum, dated March 1, 2023.
- The Hearing Examiner’s Consolidated Report and Recommendation to the City Council, issued on February 6, 2023.
- Petitioner Witness List, Petitioner Exhibit List, Petitioner Exhibits P-1 through P-9, City Exhibit List, City Exhibits C-1 through C-15, all for HEX2022-023 (Street Vacation 124.1442).
- Public written comments for HEX2022-023 (Street Vacation 124.1442).
- Verbatim electronic recording from the hearing held on January 19, 2023.
- City Exhibit List, City Exhibits C-1 through C-17, Petitioner Witness List, Petitioner Exhibit List, Petitioner Exhibits P-1 through P-4 & P-10, all for HEX2022-022 (Street Vacation 124.1432).
- Public written comments for HEX2022-022 (Street Vacation 124.1432).
- Verbatim electronic recording from the hearing held on January 12, 2023.