



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. 21-0306 – Street Vacation 124.1420 – April 13, 2021
DATE: March 26, 2021

SUMMARY AND PURPOSE:

An ordinance to vacate a 10-foot wide “planting strip” within the southerly portion of the 6th Avenue right-of-way lying between South Howard Street and South Rochester Street to facilitate construction of a seven-story apartment building.

BACKGROUND:

The Hearing Examiner’s recommendation is based on the evidence and testimony presented at a public hearing held on March 11, 2021. The Vacation Area (as defined in the Hearing Examiner’s Report and Recommendation) is a 10-foot wide right-of-way strip on the south side of the 6th Avenue right-of-way, lying between South Howard Street and South Rochester Street. The Petitioner, 6902 6th Ave LLP, requested the vacation to facilitate construction of a seven-story apartment building. The Vacation Area is not being used currently for any material right-of-way system purpose, nor does the City see any future need for it as right-of-way.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

A public hearing was held on this petition on March 11, 2021, at which members of the community could attend and express their concerns with and/or support for the proposed right-of-way vacation. Several members of the public joined the hearing, but did not opt to testify. The vacation will benefit the Petitioner by allowing the Vacation Area to be incorporated into its intended residential construction project. Public benefit is realized by facilitating the development of much needed housing, and through the Vacation Area being added to the taxable square-footage of the abutting property for potential increased City revenue.

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 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.

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

If approved, the vacation will allow the Petitioner to complete its 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 March 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:

The following documents can be found in Legistar:

- The Hearing Examiner's City Council Action Memorandum, dated March 26, 2021.
- The Hearing Examiner's Report and Recommendation to the City Council, issued on March 23, 2021.
- The City Exhibit List and Exhibits C-1 through C-14.
- The verbatim electronic recording from the hearing held on March 11, 2021.