



**TO:** Elizabeth A. Pauli, City Manager  
**FROM:** Jeff H. Capell, Hearing Examiner<sup>J#C</sup>  
Troy Stevens, Senior Real Estate Specialist, Public Works, Real Property Services *SR*  
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance Request No. 20-0489 - Street Vacation 124.1399 – August 18, 2020  
**DATE:** August 3, 2020

---

**SUMMARY AND PURPOSE:**

An ordinance vacating a portion of South 4th Street, lying between Broadway and Court C, to facilitate development of an affordable family housing project.

**BACKGROUND:**

The Hearing Examiner’s Recommendation is based on the evidence and testimony presented at a public hearing held on July 23, 2020. The vacation area (as defined in the Hearing Examiner’s Report and Recommendation) is a portion of South 4th Street, lying between Broadway and Court C (the “Vacation Area”). The Petitioner, YWCA Home at Last LLC (“Petitioner”), requested vacation of the right-of-way (“ROW”) strip comprising the Vacation Area to facilitate construction of “54 units of permanent affordable housing adjacent to the [Petitioner’s] main program building and emergency shelter.” The Petitioner has requested waiver of the market value payment by City Council because the Petitioner will be providing affordable family housing. Approving the vacation will not landlock any abutting property nor will it otherwise affect any existing access or traffic need because the Vacation Area is not being used as part of the improved ROW of South 4<sup>th</sup> Street. In addition, the City does not see any future need for it as ROW. It has been determined that the petition meets the vacation criteria set forth in Tacoma Municipal Code 9.22.070 and is not in violation of RCW 35.79.035 regarding proximity to bodies of water.

**COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:**

A public hearing was held for this petition on July 23, 2020, at which members of the community could attend and speak to express their concerns with, and/or support for the proposed street vacation. No members of the public appeared. The street vacation will benefit the Petitioner by allowing the realization of its plan for an affordable housing project. If approved, and upon completion of the Petitioner’s affordable housing project, the vacation will benefit the surrounding community by offering much needed affordable housing. Also, the Petitioner’s proposed improvement to part of the Vacation Area with “a stair or hill climb along South 4th Street” [will] make travel along the steep slope between Court C and Broadway safer and more usable for pedestrians,” and will provide added value to the community.

**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 resulting increase to available affordable housing within the City upon completion of the Petitioner’s intended affordable housing project. As the City Council is acutely aware, affordable housing is in short supply in the Tacoma market.

**Economy/Workforce: Equity Index Score: Low Opportunity [Limited]**

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



**Livability: Equity Index Score: Moderate Opportunity**

Decrease the percentage of individuals who are spending more than 45% of income on housing and transportation costs.

Improve access and proximity by residents to diverse income levels and race/ethnicity to community facilities, services, infrastructure, and employment.

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

If approved the proposed street vacation will allow the Petitioner to complete its intended development, the result of which will end up increasing affordable housing in the City by the creation of 54 units of permanent affordable housing.

**ALTERNATIVES:**

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. The Council could approve the vacation request under conditions different than those recommended, and/or deny the request to waive compensation.	Any positive impact arising from different conditions would depend on what those conditions are.	Any difference in conditions imposed would have to find justification outside of the City's current position, i.e., of not needing the Vacation Area for any public purpose and being supportive of the waiver.
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 unused (and unneeded) ROW interests.

**EVALUATION AND FOLLOW UP:**

The recommended street vacation petition is subject to the conditions listed in the Hearing Examiner's Report and Recommendation to the City Council, issued on July 28, 2020. 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 street vacation, subject to the conditions contained in Conclusion 8 of the Hearing Examiner's Report and Recommendation, which includes granting the Petitioner's request for a waiver of payment of compensation for the street vacation.

**FISCAL IMPACT:**

The potential fiscal impact of this street vacation is not known at this time. If the City Council concurs with the Examiner's Report and Recommendation and the Petitioner's requested waiver is approved there would be a slight loss in revenue from foregoing the collection of the usual compensation for the vacation.



**City of Tacoma**

**City Council Action Memorandum**

**ATTACHMENTS:**

- The Hearing Examiner's City Council Action Memorandum, dated August 3, 2020.
- The Hearing Examiner's Report and Recommendation to the City Council, issued on July 28, 2020.
- The City's Exhibit List and Exhibits C-1 through C-14.
- Verbatim electronic recording from the hearing held on July 23, 2020.