



TO: Elizabeth A. Pauli, City Manager  
 FROM: Jeff H. Capell, Hearing Examiner *JHC*  
 Ronda Van Allen, Senior Real Estate Specialist, Public Works, Real Property Services *RVA*  
 COPY: City Council and City Clerk  
 SUBJECT: Ordinance Request No. 20-0082 – Street Vacation 124.1404 – February 11, 2020  
 DATE: January 27, 2020

**SUMMARY AND PURPOSE:**

An ordinance to vacate a portion of South 66th Street right-of-way (“ROW”), lying between South Adams Street and the Central Puget Sound Regional Transit Authority (Sound Transit) railroad corridor lying westerly of South Tacoma Way. The vacated area of ROW will be incorporated into the southerly abutting two parcels for business expansion and related commercial use.

**BACKGROUND:**

The Hearing Examiner’s recommendation is based on the evidence and testimony presented at the public hearing held on January 9, 2020. The Vacation Area (as defined in the Hearing Examiner’s Report and Recommendation) is approximately the southerly 60 feet of an existing 153 feet in width ROW. The Vacation Area is not being currently used for ROW purposes, nor does the City see any future need for it as ROW. Approving the vacation will not landlock any abutting property nor will it otherwise affect any existing access. Approving the vacation will be beneficial to the Petitioners by allowing them to use the Vacation Area to enhance their business free of the City’s inchoate ROW interest.

**COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:**

A public hearing was held for this petition on January 9, 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 enhancement and expansion of their business. If approved, the vacation will have nominal benefit or effect on the community surrounding the area because the vacation area is not used as a ROW presently, nor is there any need for it in the future.

**2025 STRATEGIC PRIORITIES: NA**

**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 public 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 unused (and unneeded) ROW interest.

**ORIGINAL**



**EVALUATION AND FOLLOW UP:**

The recommended street vacation is subject to the conditions listed in the Hearing Examiner's Report and Recommendation, issued on January 16, 2020. All evaluations and follow up should be coordinated between the petitioners 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.

**FISCAL IMPACT:**

The potential fiscal impact of this street vacation is not known at this time. A fair market appraisal or market rate analysis will occur after the first reading of the ordinance. When the market information is available, the estimated revenue from the street vacation will be communicated with City Council.

**ATTACHMENTS:**

The following attachments can be found in Legistar:

- The Hearing Examiner's City Council Action Memorandum, dated January 27, 2020.
- The Hearing Examiner's Report and Recommendation to the City Council, entered on January 16, 2020.
- The City's Exhibit List and City Exhibits C-1 through C-15.