



TO: Elizabeth Pauli, City Manager
FROM: Jeff H. Capell, Hearing Examiner
Teague Pasco, Senior Real Estate Specialist, Public Works Real Property Services *TP*
COPY: City Council and City Clerk
SUBJECT: Ordinance Request No. 19-0544 – Street Vacation 124.1395 – June 4, 2019
DATE: May 17, 2019

SUMMARY:

An ordinance granting a request to vacate an area of alley right-of-way lying between North 15th and North 16th Streets, beginning at a private section of former North Lawrence Street running in an easterly direction.

COUNCIL SPONSORS:

N/A

STRATEGIC POLICY PRIORITY:

- Foster a vibrant and diverse economy with good jobs for all Tacoma residents.
- Assure outstanding stewardship of the natural and built environment.
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

BACKGROUND:

The University of Puget Sound (“Petitioner”) has requested the vacation of an alley right-of-way segment lying between North 15th and North 16th Streets, beginning at a private section of former North Lawrence Street and running easterly into the campus (the “Vacation Area”), in order to facilitate the development of the Vacation Area as a gateway to a new Welcome Center for the University. The Vacation Area does not currently connect to any public right-of-way, and is essentially bounded by property owned by the Petitioner on all sides. As such, it serves no material function in the City’s right-of-way system other than as access into Petitioner’s campus, which function will remain after vacation. During a prior round of vacations in 2006, both the City and the Petitioner thought the Vacation Area had already been vacated. The Petitioner has requested a waiver of the usual requirement to pay compensation for release of the City’s right-of-way interest.

ISSUE:

Whether the Council should approve the requested street vacation, and if so what conditions should be imposed, including whether the City Council should approve Petitioner’s requested compensation waiver?

ALTERNATIVES:

The Council could (1) choose to follow the Hearing Examiner’s Recommendation and approve the requested vacation and compensation waiver, (2) the Council could approve the requested vacation under conditions different than those recommended, or (3) the Council could deny the vacation petition.

RECOMMENDATION:

The Hearing Examiner has determined that the requested vacation meets the criteria for approval of such petitions as set forth in Chapter 9.22 of the Tacoma Municipal Code and Chapter 35.79 of the Revised Code of Washington. Therefore, the request is hereby recommended for approval, subject to conditions contained in Conclusion 10 of the Hearing Examiner’s Report and Recommendation to the City Council.

ORIGINAL



The Examiner did find grounds upon which the City Council could approve the Petitioner's requested compensation waiver.

FISCAL IMPACT:

Potential fiscal impact here would come from foregoing collection of the usual compensation for the vacation if the Petitioner's requested waiver is approved.