



TO: Elizabeth A. Pauli, City Manager
FROM: Jeff H. Capell, Hearing Examiner^{JHC}
 Ronda Van Allen, Senior Real Estate Specialist^{RVA}
COPY: City Council and City Clerk
SUBJECT: Ordinance Request No. 20-0447 - Street Vacation 124.1412 - July 28, 2020
DATE: July 10, 2020

SUMMARY AND PURPOSE:

An ordinance vacating a dead-end segment of East “T” Street, also referenced as East “R” Street and formerly known as Dayton Street, lying southerly of the existing driveway to Lister Elementary School.

BACKGROUND:

The Hearing Examiner’s recommendation is based on the evidence and testimony presented at a public hearing held on June 25, 2020. The Vacation Area (as defined in the Hearing Examiner’s Report and Recommendation) is a dead-end segment of East “T” Street, also referenced as East “R” Street and formerly known as Dayton Street, lying southerly of the existing driveway to Lister Elementary School. If granted, Petitioner Metropolitan Park District of Tacoma (the “Petitioner”) intends to incorporate the Vacation Area into the adjacent park property as a private entrance and for other use with park enhancements and improvements. Approving the vacation will not landlock any abutting property nor will it otherwise affect any existing access or traffic need. The Vacation Area is not being used currently for any material right-of-way (“ROW”) purposes, nor does the City see any future need for it as ROW.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

A public hearing was held for this petition, at which members of the community could attend and express their concerns with, and/or support for the proposed street vacation. No members of the public appeared. The street vacation benefits the Petitioner by allowing incorporation of the Vacation Area into the adjacent park property as a private entrance and for other use with park enhancements and improvements to the Petitioner’s operation providing public park/recreation services. If approved, the vacation presents public benefit in the form of reduced City maintenance obligations and related savings, as well as in providing enhancements to the Petitioner’s overall function of providing parks and recreation opportunities to the public at this location.

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 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 right-of-way related purpose.



2. City Council could deny the vacation petition.	The most positive impacts come from approving the vacation. Denial simply maintains the status quo, making Petitioner’s right to use the Vacation Area less certain.	The most positive impacts come from approving the vacation. Denial simply maintains the City’s unneeded right-of-way interest.
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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 1, 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.

FISCAL IMPACT:

The potential fiscal impact of this street vacation is not known at this time. The street vacation will provide a slight return in the form of reduced City maintenance obligations and related savings. 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 to the City Council by the appropriate City Department.

ATTACHMENTS:

- The Hearing Examiner’s City Council Action Memorandum, dated July 10, 2020.
- The Hearing Examiner’s Report and Recommendation to the City Council, issued on July 1, 2020.
- The City’s Exhibit List and City Exhibits C1-C9.
- Verbatim electronic recording from the hearing held on June 25, 2020.