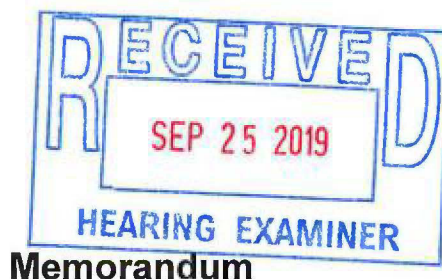




City of Tacoma



## Memorandum

**TO:** Jeff H. Capell, Hearing Examiner

**FROM:** Ralph K. Rodriguez, L.I.D. Administrator *RKR*

**SUBJECT:** L.I.D. 7731 – Response to Duras request for reconsideration

**DATE:** September 25, 2019

The properties within the boundaries of Local Improvement District 7731 have been identified by the City as receiving a special benefit from this Local Improvement District (RCW 35.44.010). Special benefit is the difference between the fair market value of the property immediately before and immediately after the improvement. The City used a modified zone and termini method of assessment to calculate the estimated assessments. The zone & termini method allows the assessments to be proportionate with each other and takes into account the location and configuration of the property with respect to the improvement. The modification allows a weighting factor to be applied to the zone & termini calculation, the weighting factor used has been developed over the last twenty years, in consultation with appraisers with an M.A.I. designation, to adjust the assessable units of frontage from the zone and termini calculation when working with view sensitive properties. State statutes allow for other methods or combination of methods to compute assessments which may be deemed to more fairly reflect the special benefits to the properties being assessed (RCW 35.44.047).

Parcels not included within the assessment district receive only a general benefit, defined as slight increase of value from the improvement which is not measurable. The parcels mentioned in the reconsideration and legally described below are burdened with the following constraints:

Lots 1 thru 10, Block 11, **Mason's Water Front Addition to Tacoma W.T.** and Parcel 6, BLA 201808060019, described as Lots 1 thru 6, Lots 8 thru 12, Block 1, **Hill's Addition to the City of Tacoma, Pierce County, W.T.** lying easterly & north of a tract of Land condemned by the City of Tacoma for Street Purposes, together with a portion of vacated streets and alleys adjoining and abutting thereon which upon vacation attach to said premises by operation of law.

The parcels are approximately 40 feet above Waterview Street Right-of-Way, as shown on Exhibit 1. Lots 1 & 2, Block 11, **Mason's Water Front Addition to Tacoma W.T.** could access Waterview Street through the North 44<sup>th</sup> Street Right-of-Way, making the grade of the street greater than allowable by the Street Design Manual. Development and access to Lots 3 thru 10, Block 11 and Lots 1 thru 6 & Lots 8 thru 12, Block 1, **Hill's Addition to the City of Tacoma, Pierce County, W.T.** as currently configured would have constraints to overcome. The development would have to comply with critical area requirements dealing with the grade to access the lots, surface water leaching from the hillside, and stabilization of the hillside. The Street Design Manual currently states that grade of the street or access way exceeding 15% requires a special engineered street / access way design dealing with overall safety utilizing special construction techniques and materials for the driving surface. Our office calculated the existing grades to be greater than 25%, therefore requiring the approval by the City Engineer to deviate from the design manual.

Formation of Local Improvement Districts are governed by state statutes, case law and by the LID Policy adopted by Resolution No. 37956. The LID policy, section C.10 states "level of support is determined by the sum total of the estimated assessments indicating interest and dividing that sum total by the sum total of the assessments for the requested improvement and is generally shown, but is not limited to, property owners signing and returning a Neighborhood Advisory Survey" less properties owned by local government. For calculation purposes, not including the property owned by local government removes the influence of the local government on the LID.

The utility lines abutting the Duras parcel within the North 43<sup>rd</sup> Street Right of Way contain lines owned by Tacoma Power (distribution lines), Comcast (Cable-TV), CenturyLink (telecommunications), and Click (Cable-TV) and were not originally included in the proposed project. The City will continue the discussion with various utilities, to determine the feasibility and cost to bury the lines or to relocate the cable loops further up the hill to remove them from Mr. Duras sight line. The accompanying map identifies which poles would be removed as part of the project. The utility pole on the waterside of Waterview Street with the aerial lines crossing the railroad tracks will remain. The northerly views of the Duris property will be greatly enhanced by the project providing unobstructed views to Maury Island, Vashon Island, Point Dalco and the Dalco passage (Exhibit 3).

The Duras property is correctly included in the LID, what is to be determined is the amount of special benefit the parcel receives. The final assessments will be based on the special benefit study as determined by an appraiser with an M.A.I. designation. If the lines within the 43<sup>rd</sup> Street Right of Way remain without modification, the special benefit to the Duras property would be reduced from the estimated assessments.

For reference exhibit 2, notes that the LID included parcels 1 thru 5, BLA 201808060019 (Waterview Point). Parcel 6 of BLA 201808060019 (as noted above) was deemed not to receive a special benefit.

Attached:     Exhibit 1  
                 Exhibit 2  
                 Exhibit 3

File: LID 7731









Date: Sept. 2014

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of historic information and data located in various City and County files and other sources, affecting the area shown and is to be used for reference purposes only. The City of Tacoma is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact this office at 564-7550.





LID 7731 - Duras Property - Exhibit 3

Scale 1" = 80'

Date: Sept. 2017

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing is a compilation of existing information and data located in various City and County offices and other sources, affecting the area shown and is to be used for reference purposes only. The City of Tucson is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact this office at 594-7831.