



Legislation Details (With Text)

File #: ORD-26670 **Version:** 1 **Name:** Vacating North Adams Street
Type: Ordinance **Status:** Passed
File created: 9/12/2000 **In control:** City Council
On agenda: 9/12/2000 **Final action:** 9/12/2000
Title: Ordinance No. 26670
Sponsors:
Indexes:
Code sections:
Attachments: 1. ORD-26670.pdf

Date	Ver.	Action By	Action	Result
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ORDINANCE NO. 26670

1 AN ORDINANCE vacating the easterly 17 feet of Adams Street lying
2 adjacent to and abutting Block 13 AMENDED MAP OF SECOND
3 SCHOOL LAND ADDITION TO THE CITY OF TACOMA,
4 according to the plat thereof recorded in Volume 7 of Plats at
page 76, records of Pierce County, Washington.

5 Retaining and reserving therein an easement for public utilities
6 specifically for Tacoma Power for the north 10 feet of the area to
be vacated, for existing electrical facilities on North Adams Street.

7
8 WHEREAS all steps and proceedings required by law and by
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10 resolution of the City Council to vacate the portion of the street
11 hereinafter named have been duly taken and performed; Now,
12 Therefore,

13 BE IT ORDAINED BY THE CITY OF TACOMA:

14 Section 1. That the City Council hereby adopts the Hearing
15 Examiner's Findings, Conclusions, and Recommendations as contained
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19 Ord8108.doc-KJC1tmh -1- Req. #8108

in the Hearing Examiner's Report and Recommendation to the City

2
3 Council bearing File No. 124.1119, and dated June 26, 2000, which
4 Report is on file in the office of the City Clerk.

5 Section 2. That the easterly 17 feet of North Adams Street
6 northerly of North 27th Street, and more particularly described as
7 follows..

8 The easterly 17 feet of Adams Street lying adjacent to and
9 abutting Block 13 AMENDED MAP OF SECOND SCHOOL LAND
10 ADDITION TO THE CITY OF TACOMA, according to the plat
11 thereof recorded in Volume 7 of Plats at page 76, records of
Pierce County, Washington.
12 is hereby vacated, and the land so vacated is hereby surrendered and
13 attached to the property bordering thereon, respectively, as a part
14 thereof, and all right or title of the City of Tacoma in and to the portion of
15 the streets so vacated does hereby vest in the owners of the property
16 abutting thereon, all in the manner provided by law- provided however,
17 1
18 that there is hereby retained and reserved, pursuant to statutes of the
19 State of Washington, the following easements, to wit:
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2 Retaining and reserving therein an easement for public utilities
3 specifically for Tacoma Power for the north 10 feet of the area to
be vacated, for existing electrical facilities on North Adams Street.

4 Passed SEP 12 2000

5
6 Mayor

7 Attest- City Clerk

8 Location: Easterly 17 feet of North Adams Street northerly of
9 North 27th Street
10 Petitioner: Robert H. Cooper
11 Vacation Request #1 24.1119

12 Approved as to form and legality- Property description approved:
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15 "Grney
Assistant City A Chief Sur' or
16 Public Works Department
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OFFICE OF THE HEARING EXAMINER
CITY OF TACOMA
REPORT AND RECOMMENDATION TO THE CITY COUNCIL
PETITIONER: Robert H. Cooper FILE NO: 124.1119

SUMMARY OF REQUEST:

A petition to vacate the easterly 17 feet of North Adams Street northerly of North 27th Street.

RECOMMENDATION OF THE HEARING EXAMINER:

The request is hereby recommended for approval, subject to conditions.

PUBLIC HEARING:

After reviewing the report of the General Services Department, Asset Management Division, examining available information on file with the application, and visiting the subject site and the surrounding area, the Hearing Examiner conducted a public hearing on the application on June 20, 2000.

FINDINGS, CONCLUSIONS, AND RECOMMENDATION:

FINDINGS:

1. Robert H. Cooper (hereinafter "petitioner") is requesting the vacation of the easterly 17 feet of North Adams Street northerly of North 27th Street and more particularly described as follows:

The easterly 17 feet of Adams Street lying adjacent to and abutting Block 13 AMENDED MAP OF SECOND SCHOOL LAND ADDITION TO THE CITY OF TACOMA, according to the plat thereof recorded in Volume 7 of plats at page 76, records of Pierce County, Washington.

2. The petitioner owns and operates an auto body repair business that is located on the east side of North Adams Street north of North 27th Street. Currently, the portion of the right-of-way here sought to be vacated is a paved area beyond the edge of the improved portion of Adams Street, which is used by the petitioner to park vehicles which are being repaired at petitioner's facility. The petitioner intends to modernize and upgrade his building to make it more efficient in terms of operation and to enhance its appearance. The vacation of the 17-foot strip of Adams Street right-of-way abutting petitioner's property is necessary to provide sufficient land area for the building, remodeling.

3. The vacation petition has been signed by the owners of two properties abutting the right-of-way proposed to be vacated.

4. The portion of North Adams Street, which is the subject of these proceedings, was dedicated for public street purposes in July 1903 when the SECOND SCHOOL LAND plat was filed for record.

5. Adams Street north of North 27h Street is paved and has a right-of-way width of 80 feet. This right-of-way compares to a typical non-arterial right-of-way width of 60 feet. Vacation of the requested 17 feet of right-of-way would still leave 63 feet of right-of-way width. Adams Street dead ends at an improved east-west alley located one-half block north of North 27th Street. Thus, Adams Street only provides access to the two abutting properties and the alley to the north.

6. The improved or paved portion of Adams Street is located on the east portion of the right-of-way. Typically, street improvements are centered within the right-of-way. Thus, it is likely that, if any widening of Adams Street was to occur in the future, it would be done within the westerly portion of the right-of-way.

7. Adams Street is not a major or arterial street as depicted on the City's Major Street Plan and is not even a through street. In accordance with long-standing City policy and practice, any improvements to non-arterial streets are accomplished at the instigation and expense of the abutting and nearby property owners. Thus, the City has no plans to widen or otherwise improve Adams Street north of North 27th Street.

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8. A post office facility is situated on the west side of Adams Street north of North 27h Street. On-street, perpendicular parking serving the post office is located within the westerly portion of the Adams Street right-of-way. At times, this area is congested as a result of the volume of persons using the postal facility. Moreover, this area is located on the northerly edge of the Proctor Street business district. On-street parking on North 27th and other area streets and traffic associated with nearby businesses and an elementary school add to the traffic and parking congestion in the neighborhood.

9. There has been no showing that the vacation of the easterly 17 feet of Adams Street would, in any way, add to the congestion in the area or hinder any efforts to address such problems. The area sought to be vacated has not been used for on-street parking or other street purposes, and greater than a typical width non-arterial right-of-way would remain after vacation of the 17 feet requested here.

10. The petitioner's auto body repair business is a non-conforming use under applicable zoning regulations. See Exhibit 1, electronic mail memoranda between Bill Bailey and Bob Gower. A Special Development Permit would be required before the petitioner's development plans could proceed. Id. Issues relative to the impacts of the improvements proposed by the petitioner to his property would be evaluated and considered as a part of the special development permit review process. See Tacoma Municipal Code (hereinafter "TMC") 13.06.370.

11. Since the vacation involves right-of-way that has not been and is unlikely in the future to be used for street purposes, given the excess width of the Adams Street right-of-way and the fact that it is not a through street, the proposed vacation would not affect the street pattern in the area and the public need would not be adversely affected.

12. The public would benefit from the vacation of the subject right-of-way to the extent that it would return this long-unused street right-of-way to the tax rolls of Pierce County.

13. No abutting property would become landlocked or have its access substantially impaired as a result of the vacation of the subject right-of-way.

14. The right-of-way proposed for vacation does not abut upon nor is it adjacent to a body of water. Thus, the provisions of RCW 3 5.79.03 5 are not applicable.

15. The subject vacation request has been reviewed by a number of governmental agencies, including the City's Traffic Engineering Office, and utility providers. No adverse comments were received. Asset Management advises that pursuant to TMC 9.27.010 the petitioner is required to compensate the City in an amount equal to one-half appraised value of the vacated area to the Open Space Acquisition Fund and that an "in-lieu-of-assessment charge" must be paid by the petitioner for the vacated right-of-way.

16. The petitioner has not objected to the conditions or comments presented by the reviewing agencies and utility providers.

17. Appearing and testifying at hearing was an owner and resident of a home located east of petitioner's property. Said owner raised concerns regarding parking and traffic congestion in the area, particularly as such conditions relate to the postal facility located on the west side of Adams Street north of North 27th Street and suggested that the City should not vacate any street right-of-way in the area. It was acknowledged by the witness that his property does not abut Adams Street and that the vacation of the easterly 17 feet of Adams Street right-of-way would not substantially impair access to his property.

18. Pursuant to WAC 197-11-800(2)(h), the vacation of streets or roads is exempt from the threshold determination and Environmental Impact Statement requirements of RCW 43.21.C, the State Environmental Policy Act (SEPA).

19. All property owners of record and adjacent to the proposed vacation have been notified of the hearing date at least 30 days prior to the hearing, as required by TMC 9.22.060.

20. The Asset Management Preliminary Report, as entered into this record as Exhibit 1, accurately describes the proposed project, general and specific facts about the site and area, and applicable codes. The report is incorporated herein by reference as though fully set forth.

21. Any conclusion hereinafter stated which may be deemed to be a finding herein is hereby adopted as such.

CONCLUSIONS:

1. The Hearing Examiner has jurisdiction over the parties and subject matter in this proceeding. See TMC 1.23.050A.5 and 9.22.

2. Petitions for the vacation of public right-of-way are reviewed for consistency with the following criteria:

1. The vacation will provide a public benefit, and/or will be for public purpose.
2. That the right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole.
3. That the public need shall not be adversely affected.
4. That the right-of-way is not contemplated or needed for future public use.

5. That no abutting owner becomes land-locked or his access will not be substantially impaired; i.e., there must be an alternative mode of ingress and egress, even if less convenient.

6. That the vacation of right-of-way shall not be in violation of RCW 35.79.035.

7MC 9.22.070.

The petitioner must demonstrate by a preponderance of the evidence that its vacation request conforms to the foregoing criteria. See 7MC 1.23.070.

3. Proceedings involved in the consideration of petitions for the vacation of public street rights-of-way are quasi judicial in nature. State v. City of Spokane, 70 Wn.2d 207, 442 P.2d 790 (1967).

4. It has been a long-standing rule in Washington that only those property

owners whose properties abut on the street or alley right-of-way sought to be vacated or who can show that their access would be substantially impaired have standing to challenge a proposed street vacation. Greater Harbor 2, 000 v. Seattle, 132 Wn.2d 267, 937 P.2d 1082 (1997); State v. Wineberg, 74 Wn.2d 372, 375, 444 P.2d 787 (1968); Mackie v. Seattle, 19 Wn. App. 464, 576 P.2d 414 (1978)- Hoskins v. Kirkland, 7 Wn-App. 957, 503 P.2d 11 17 (1972). To be considered an abutting owner, the vacation must be directly in front of his or her property. State v. Wineberg at 375; see also Kemp v. Seattle, 149 Wash. 197, 201, 270 Pac. 431 (1928) (when property abuts a street, the lot line and street line are in common). The owner of the property east of the petitioner's property has not demonstrated standing to contest the vacation here being sought.

5. Findings have been entered, based on substantial evidence in the record, that support a conclusion that the vacation request conforms to applicable criteria for the granting of the same, provided the conditions recommended herein are imposed and complied with by the petitioner.

6. Accordingly, the requested street vacation should be granted subject to the following conditions and subject to the payment of one-half the appraised value charge required by 7MC 9.22.010:

SPECIAL CONDITIONS:

- A. An in-lieu-of-assessment charge shall be paid for the sanitary sewer.
- B. An easement shall be granted to Tacoma Power for the north 10 feet of the area to be vacated for existing electrical facilities on Adams Street.

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USUAL CONDMONS

- A. THE RECOMMENDATION SET FORTH HEREIN IS BASED UPON REPRESENTATIONS MADE AND EXHIBITS, INCLUDING DEVELOPMENT PLANS AND PROPOSALS, SUBMITTED AT THE HEARING CONDUCTED BY THE BEARING EXAMINER. ANY SUBSTANTIAL CHANGE(S) OR DEVIATION(S) IN SUCH DEVELOPMENT PLANS, PROPOSALS, OR CONDITIONS OF APPROVAL IMPOSED SHALL BE SUBJECT TO THE APPROVAL OF THE BEARING EXAMINER AND MAY REQUIRE FURTHER AND ADDITIONAL HEARINGS.
- B. THE AUTHORIZATION GRANTED HEREIN IS SUBJECT TO ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, REGULATIONS, AND ORDINANCES. COMPLIANCE WITH SUCH LAWS, REGULATIONS, AND ORDINANCES IS A CONDITION PRECEDENT TO THE APPROVALS GRANTED AND IS A CONTINUING REQUIREMENT OF SUCH APPROVALS. BY ACCEPTING THIS/THESE APPROVALS, THE APPLICANT REPRESENTS THAT THE DEVELOPMENT AND ACTIVITIES ALLOWED WILL COMPLY WITH SUCH LAWS, REGULATIONS, AND ORDINANCES. IF, DURING THE TERM OF THE APPROVAL GRANTED, THE DEVELOPMENT AND ACTIVITIES PERMITTED DO NOT COMPLY WITH SUCH LAWS, REGULATIONS, OR ORDINANCES, THE APPLICANT AGREES TO PROMPTLY BRING SUCH DEVELOPMENT OR ACTIVITIES INTO COMPLIANCE.

7. Any finding hereinbefore stated which may be deemed to be a conclusion herein is hereby adopted as such.

RECOMMENDATION:

The vacation request is hereby recommended for approval, subject to

conditions.

DATED this 26th day of June, 2000

@RSLAKE, Hearing Examiner

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NOTICE

RECONSIDERATION/APPEAL OF EXAMINER'S RECOMMENDATION

RECONSIDERATION:

Any aggrieved person or entity having standing under the ordinance governing the matter, or as otherwise provided by law, may file a motion with the office of the Hearing Examiner requesting reconsideration of a decision/recommendation entered by the Examiner. A motion for reconsideration must be in writing and must set forth the alleged errors of procedure, fact, or law and must be filed in the Office of the Hearing Examiner within fourteen (14) calendar days of the issuance of the Examiner's decision/recommendation, not counting the day of issuance of the decision/recommendation. If the last day for filing the motion for reconsideration falls on a weekend day or a holiday the last day for filing shall be the next working day. The requirements set forth herein regarding the time limits for filing of motions for reconsideration and contents of such motions are jurisdictional. Accordingly, motions for reconsideration that are not timely filed with the Office of the Hearing Examiner or do not set forth the alleged errors shall be dismissed by the Examiner. It shall be within the sole discretion of the Examiner to determine whether an opportunity shall be given to other parties for response to a motion for reconsideration. The Examiner, after a review of the matter, shall take such further action as he/she deems appropriate, which may include the issuance of a revised decision/recommendation. (Tacoma Municipal Code 1.23.140)

APPEALS TO CITY COUNCIL OF EXAMINER'S RECOMMENDATION:

Within fourteen (14) days of the issuance of the Hearing Examiner's final recommendation, any aggrieved person or entity having standing under the ordinance governing such application and feeling that the recommendation of the Examiner is based on errors of procedure, fact or law shall have the right to appeal the recommendation of the Examiner by filing written notice of appeal with the City Clerk, stating the reasons the Examiner's recommendation was in error.

APPEALS SHALL BE REVIEWED AND ACTED UPON BY THE CITY COUNCIL IN ACCORDANCE WITH TMC 1.70.

GENERAL PROCEDURES FOR APPEAL:

The Official Code of the City of Tacoma contains certain procedures for appeal, and while not listing all of these procedures here, you should be aware of the following items which are essential to your appeal. Any answers to questions on the proper procedure for appeal may be found in the City Code sections heretofore cited:

1. The written request for review shall also state where the Examiner's findings or conclusions were in error.
2. Any person who desires a copy of the electronic recording must pay the cost of reproducing the tapes. If a person desires a written transcript, he or she shall arrange for transcription and pay the cost thereof

Notice - No Fee
4/1/96

Tacom City of Ibcoma
Hearing Examiner

June 26, 2000

Robert H. Cooper
2709 North Adams Street
Tacoma, WA 98407

RE: Petitioner: Robert H. Cooper
File No. 124.1119

Attached herewith is the Hearing Examiners Report and Recommendation in the above-captioned matter as a result of a hearing on June 20, 2000.

This is the Final Order for the purposes of appeal, pursuant to Tacoma Municipal Code 1.23.160.

RODNEY NC KERSL
Hearing Examiner

/ck

Enclosure

cc: Dana G. Anderson, 2230 East 52 dAve., Apt. 1, Anchorage, AK 99507
Morris Stafford, Architect, 4504 66th Avenue W., University Place, WA 98467
Mark and Gilda Oliver, P. O. Box 11628, Tacoma, WA 98411
Carol Sloman, North End Neighborhood Council, 2914 North Union, Tacoma, WA, 98407
City Clerk, City of Tacoma
General Services, Asset Management (S. Williams)
General Services, Asset Management (B. Gower)
Department of Public Works, City of Tacoma (LUA/Katich)
Department of Public Works, City of Tacoma (BLUS/Bailey)
Department of Public Works, City of Tacoma (Utility Services Engineering Division/R. Erickson)
TEDD, City of Tacoma (Bob Arleth)
TEDD, City of Tacoma (S. Ell/ 10 th)
Tacoma Power, City of Tacoma (T&D/N. Rushton)

747 Market Street, Room 720 1 'Tacoma, Washington 98402-3768 1 (253) 591-5195 6k

PRELIMINARY REPORT

PREPARED FOR THE HEARING EXAMINER
BY ASSET MANAGEMENT

For the Hearing to be Held
Tuesday, June 20, 2000, at 9:00 a.m.

APPLICANT: Robert H. Cooper

FILE NO. 124.1119

A. SUMMARY OF REQUEST:

Asset Management has received a petition to vacate the easterly 17 feet of North Adams Street northerly of North 27 th Street as shown on the attached vicinity map.

B. GENERAL INFORMATION:

1. Legal Description of Vacation:

The easterly 17 feet of Adams Street lying adjacent to and abutting Block 13

Amended Map of Second School lands Addition to the City of Tacoma, according to the plat thereof recorded in Volume 7 of plats at page 76, records of Pierce County, Washington.

2. Notification:

All property owners of record and adjacent to the proposed vacation have been notified of the hearing date at least 30 days prior to the hearing as required by Section 9.22.060 of the Official Code of the City of Tacoma-

C. PURPOSE OF REQUEST:

The petitioner is requesting the vacation to have sufficient area to construct a new office addition to his existing auto body repair shop.

D. HISTORY:

The City of Tacoma acquired the right of way proposed to be vacated when the Second School Land plat was recorded in July 1903.

E. PHYSICAL LAND CHARACTERISTICS:

The portion of the right of way petitioned to be vacated is covered with asphalt and concrete and lies behind the improved Adams Street fight of way.

C:\Nrlly Documents\reportTdoc7/22/99

Page1 of3

F. APPLICABLE SECTIONS OF THE OFFICIAL CODE OF THE CITY OF TACOMA:

- I 9.22.010 PETITION TO VACATE AUTHORIZED: The owners of an interest in any real estate abutting on any street or alley who may desire to vacate any street or alley, or any part thereof, shall petition to the City Council to make vacation in the manner hereafter provided in this chapter and pursuant to RCW 3 5.79 or the City Council may itself initiate by Resolution such vacation procedure. The City Council shall require the petitioners to compensate the City of Tacoma in an amount which equals one-half of the appraisal value to the area vacated provided that when the vacation is initiated by the City of Tacoma or the City Council deems it to be in the best interest of the City of Tacoma, all or any portion of such compensation may be waived. The sums received thereunder shall be devoted to the acquisition, improvement and maintenance of public open space land within the City of Tacoma as approved by the City Council upon recommendation of the Director of Planning.
2. 9.22.040 MAJOR STREET PLAN. Vacation of any portion, or portions, of a street indicated on the City of Tacoma's Major Street Plan shall be of a minor nature only and shall not unreasonably limit the public's right to travel upon said street or interfere with the ancillary right to occupy said street for utility purposes. This chapter is intended to protect the paramount rights of way for travel and to protect the safety of the traveling public and other public purposes.
3. CRITERIA: Section 9.22.070 of the Official Code of the City of Tacoma. The following criteria have been considered:
 - a. Property will be returned to the tax rolls.
 - b. The vacation does not affect the street pattern and has no impact upon a street on the City of Tacoma's Major Street Plan.
 - C. The public need will not be adversely affected.
 - d. The right of way is not needed for future public use.
 - e. No abutting owners will be landlocked or have their access impaired.
 - f The vacation of right of way is not in violation of RCW 35.79.035.

G. ADDITIONAL INFORMATION:

H. THE DEPARTMENTAL RECOMMENDATIONS ARE AS FOLLOWS:

Building & Land Use Services - See attached memo.

City Engineer - No objections.

Public Works Construction Division - No objections.

Puget Sound Energy - No objections.

Solid Waste Utility - No objection.

Tacoma Water - No objections.

Tacoma Power - No objections.

Utility Services Engineering - See attached memo.

Tacoma Economic Development - No objections.

Asset Management recommends approval of the vacations subject to the following conditions.

1. The petitioner be required to pay one half the appraised value of the vacated Area to the Open Space Acquisition Fund.
2. That an in lieu of sewer assessment be paid.

CITY OF TACOMA
INTER-DEPARTMENTAL COMMUNICATION

TO: All Agencies Concerned FROM: Steve Williams
General Services/Asset Management

SUBJECT: Street Vacation Request No. 124.1119 DATE: May 3, 2000
Robert H. Cooper

Asset Management has received a petition to vacate the easterly 17 feet of Adams Street northerly of North 27th Street as shown on the attached vicinity map.

The applicant desires the vacation to have sufficient property to construct an office for the existing auto body repair shop.

If you have any comments regarding this proposed vacation, please return your response to Bob Gower, PropeM@Nght of Way, Room 444, Tacoma Municipal Building by May 24, 2000. Agencies not responding by that date will be considered as not having any comments or objections.

Attachment

cc: TrafficEngineering
Maintenance Division
Refuse Utility
Utility Services Engineering
Building and Land services (2)
L.I.D. Section
Construction Division
Public Utilities, Water & Light
Fire Department
Police Department
TEDD
TCI Cablevision
Puget Sound Energy
U.S. West Communications
Public Works Director
City Engineer

RESPONSE
No Objections
Comments Attached
S K,,nature

File: Street Vacation

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City of Tacoma
Public Works Department

Memorandum

TO: Bob Gower, Property/ Right of Way

FROM: Ryan Erickson, Utility Services Engineering Division

SUBJECT: Street Vacation Request No. 124.1119
Easterly 17-feet of Adams Street northerly of North 27" Street

DATE: May 24, 2000

The Utility Services Engineering Division has the following comments on the subject street vacation:

I .All new buildings that may be built as a result of the vacation shall be connected to the City sanitary sewer at the building construction stage. Also, all storm drainage shall be collected on-site and conveyed to the City storm sewer at the building construction stage using methods and materials acceptable to the Public Works Department. All necessary permits for the utility work shall be obtained.

RFE:re.(VAC124.1119)

File: Utility Services Engineering

From: Bailey, William(BillJ %'-:;,";,:;`
Sent: Friday, May 05, 2000 9:16 AM
To: Gower, Bob
Subject: RE: Street Vacation 124.1119 Cooper's Collision

It will all depend upon how big the addition is-whether or not it will be an intensification of use not in keeping with the surrounding neighborhood. I wouldn't fail to notify him, since a head's up is always helpful. The permit fee is \$3000 and does take about 5 months. Have him call me if he has questions. 591-5389.
Bill Bailey

-----Original Message-----

Sent: Friday, May 05, 2000 8:53
To: Bailey, William (Bill)
Subject: RE: Street Vacation 124.1119 Cooper's Collision

Thanks for the info. Do-think there is a pretty good chance that the permit would be approved? If not I should let the petitioner know. Gower 5505

-----Original Message-----
V 18i

liew:N iw@ 11)
Sent: Thursday, May 04, 2000 4:26 PM
To: Gower, Bob
Cc: Dolan, Tom
Subject: Street Vacation 124.1119 Cooper's Collision

A correction or additional information on the zoning for this vacation. The area is zoned NCX and the recently revised X-District lists auto repair as not a permitted use. As such the body shop is a nonconforming use. Chapter 13.06.370 requires approval of a Special Development Permit prior to expansion.
Bill Bailey

CITY CLERK USE

REQUEST FOR ORDINANCE

Request#-.

OR RESOLUTION

Ordinance it.

Resolution

1. DATE: June 27, 2000

2. REQUESTING DEPARTMENT/DMSION/PROGP-AM 3. CONTACT PERSON (for questions): PHONE/EXTENSION

HEARING EXAMINER Sue Evans 5196

4. PREPARATIOn OF ORDINANCE IS REQUESTED FOR THE Crry COUNCIL MEETING OF TUESDAY, AUGUST 1, 2000.

5. SUMMLARY TTILE/RECOMMENDATION: (A concise sentence, as it will appear on the Council Agenda)

Petitioner: Robert H. Cooper File No. 124.1119

A petition to vacate the easterly 17 feet of North Adams Street northerly of North 27th Street.

6. BACKGROUND INFORMATiON/GENERAL DisCUSSION: (Why is this request necessary? Are there legal requirements? What are the viable alternatives? Who has been involved in the process?)

7. FINANCLAL IMPACT: (Future impact on the budget.)

8. LISTALLMATERI[ALAVAHABLEASBACKUPINFORMATIONFORTBEREQUESTANDINDICATEWBEREFILED:

Source Documents/Backup Material	Location of Document
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Hearing Examiner's Report & Recommendation	Attached
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Departmental Report	Attached
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9. FUNDING SOURCE: (Enter amount of funding from each source)

Fund Number & Name:	State	city \$	Other \$	Total Amount
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If an expenditure, is it budgeted?	D Yes	D No	Where? Org	Acct
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10. ATTORNEY CONTACT: (Enter Name of Attorney that you've been working with)

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Approved as to Availability of Funds

11. Depwim leat DirectorfUtility Division Approval Director of Finance

Uti1ities Approval

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(01199)

CITY OF TACOMA

INTER-DEPARTMENTAL COMMUNICATION

TO: Doris Sorum, City Clerk

FROM: Kyle J. Crews, Assistant City Attorney

DATE: August 28, 2000

SUBJECT: Street Vacation File No. 124.1119
Applicant- Robert Cooper

Please place Ordinance No. 26670 on the Council agenda of September 12, 2000, for second reading.

The Hearing Examiner will cover the second reading. As of the date of this memo, the jacket is located in the Legal Department.

KJC/jld

cc: Sue Evans, Hearing Examiner's Office
Steve Williams, Asset Management, General Services
Bob Gower, Asset Management, General Services

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Ordinance No. 2,6670

AUG
First Reading of Ordinance: 1 2

Final Reading of Ordinance: SEP 12 2000

Passed:- SEP 12 2000

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
---------	------	------	---------	--------

Mr. Crowley

Mr. De Forrest

Mr. Evans

Mr. Kirby

Dr. McGavick

Mr. Miller

Ms. Moss

Mr. Phelps

Mayor Ebersole

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
---------	------	------	---------	--------

Mr. Crowley

Mr. De Forrest

Mr. Evans

Mr. Kirby

Dr. McGavick

Mr. Miller

Ms. Moss

Mr. Phelps

Mayor Ebersole

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