



## City Council

### Agenda Item: Consideration of a Vacation Request for a Portion of an Unopened Alley Right-of-Way Adjacent to 516 Eastside Street NE

**Agenda Date:** 3/12/2013  
**Agenda Item Number:** 4.G  
**File Number:** 13-0018

---

**Type:** ordinance   **Version:** 2   **Status:** Passed

---

#### Agenda Item:

Consideration of a Vacation Request for a Portion of an Unopened Alley Right-of-Way Adjacent to 516 Eastside Street NE

#### Issue:

A public hearing is required before acting on a right-of-way vacation request.

#### City Manager's Recommendation:

Conduct the Public Hearing. If, after closing the Public Hearing, you feel you have sufficient information to take action, move to approve on first reading and forward to second reading the ordinance for vacation request of the alley adjacent to 516 Eastside Street NE.

#### Staff Contact:

Tom Hill, Building Official, Department of Community Planning and Development, 360.753.8486

#### Presenter(s):

Tom Hill, City of Olympia Building Official

#### Background and Analysis:

At the January 15, 2013 City Council Meeting, Council passed a resolution establishing a Public Hearing be held March 5, 2013, to receive public comment regarding vacating the alley right-of-way abutting 516 Eastside Street NE.

The property owner has requested that the City vacate the unopened alley to the east of Eastside Street NE which is the rear of an existing single family home. On the site of the single family property there exists an accessory dwelling unit which currently encroaches over the platted alley.

To achieve a complete and comprehensive assessment of this right-of-way vacation petition, we sent requests for comments to the various cities and outside agencies responsible for water, sewer, and storm utilities, traffic engineering, fire department, police department and solid waste. Franchise utilities also had an opportunity to comment.

Each agency reviewed the request against the criteria for approval outlined in Section 12.16.100 of the

Olympia Municipal Code to determine whether there was a demonstration of public benefit. The criteria are as follows:

*A. This alley is not needed to provide access to other properties.*

The proposed vacation will not be materially detrimental to other properties in the vicinity, nor will it endanger public health, safety or welfare. Typical detriments or endangerments include, but are not limited to, depriving property of reasonable and convenient access, increasing traffic safety hazards, or decreasing transportation levels.

*B. This alley does not provide, nor allow for, any connections of long-term comprehensive needs.*

The subject right-of-way is not needed for general access, emergency services, utility facilities, or other similar public purposes, nor is it necessary as part of a long-range circulation plan, pedestrian/bicycle pathway plan, or street improvement plan. Providing easements, relocating facilities or implementing other similar alternatives equal or superior to the existing or planned facilities may cause the petition to comply with these criteria.

*C. The proposed alley vacation action would not be inconsistent with the Council's priorities or goal.*

The subject vacation is consistent with the adopted Olympia Comprehensive Plan and all other related land use and circulation regulations and policies including, but not limited to, the Olympia Development Standards, Subdivision Standards, and Zoning Standards of the Olympia Municipal Code.

*D. The vacation of this alley does not have a negative impact on this area.*

The subject vacation would not directly or indirectly result in an adverse impact on historical or cultural resources, the natural environment, or otherwise negatively affect an environmentally sensitive area as defined by the Olympia Municipal Code.

Comments received from City staff favor vacating this alley segment.

**Neighborhood/Community Interests (if known):**

None

**Options:**

- Option 1: Hold Public Hearing, and move to approve vacation request. Implications:
1. Allows for the sale of the property to go forward and the encroachment of the existing accessory dwelling unit would be resolved.
- Option 2: Hold Public Hearing. Continue to accept written testimony to a date certain. Do not take action tonight.
- Option 3: Hold Public Hearing, and reject vacation request. Implications:
1. Alley right-of-way stays in place as is and the existing accessory dwelling unit would continue to be an encroachment into the unopened alley.

**Financial Impact:**

None, unless the vacation request is approved. The compensation would be due the City from the adjacent property owners pursuant to City Code and State law.