



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

City Council

Approval of an Ordinance Vacating a Portion of Unopened Right-of-Way Adjacent to 606 Kaiser Road SW

Agenda Date: 10/24/2017

Agenda Item Number: 4.F

File Number: 17-0900

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

Title

Approval of an Ordinance Vacating a Portion of Unopened Right-of-Way Adjacent to 606 Kaiser Road SW

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve on second reading an ordinance to vacate a portion of unopened right-of-way adjacent to 606 Kaiser Road SW.

Report

Issue:

Whether the City Council should pass an ordinance vacating a portion of unopened right-of-way adjacent to 606 Kaiser Road SW.

Staff Contact:

Ladd F. Cluff, PLS, City Surveyor, Public Works Engineering, 360.753.8389

Presenter(s):

Ladd F. Cluff, PLS, City Surveyor, Public Works.

Background and Analysis:

Background and analysis has not changed from first to second reading.

The majority of property owners, (MPH Holdings, M-Five Family Limited Partnership and Bowen Properties) adjacent to the unopened right-of-way north of Block 3, Pacific Addition to Olympia, petitioned the City to vacate a twenty (20) foot wide street right-of-way perpendicular to Kaiser Road SW. On September 19, 2017, Council adopted a resolution to set the date of October 17, 2017, for a Public Hearing to hear public comment regarding the request.

MPH Holdings entered into a Development Agreement with the City on the adjacent properties.

Earlier this year Ordinance No. 6631 (attached) amended that Development Agreement.

The unopened right-of-way is a twenty-foot wide remnant from a historic plat that is not usable. Its current alignment and intersection with Kaiser Road does not align with 5th Way or Greenwood Drive. Vacation will allow the adjacent parcels to develop in a consistent and thoughtful manner. Future east-west street connections will be defined through the development process and consistent with the City of Olympia Engineering Design and Development Standards.

City and franchise utility staff reviewed and commented on the petition using criteria outlined in Olympia Municipal Code Section 12.16.100. The City does not have current or future plans for the use of this unopened right-of-way. Franchise utilities responded and had no comments or request for easement reservation.

Staff recommends approving the vacation with the condition to pay the City one-half of the appraised value.

Neighborhood/Community Interests (if known):

The public hearing will provide an opportunity for Council to hear comments from the community regarding the requested vacation.

Options:

1. Hold a Public Hearing. If, after closing the Public Hearing, Council finds sufficient information to take action, move to approve on first reading and forward to second reading an ordinance to vacate a portion of unopened right-of-way adjacent to 606 Kaiser Rd SW, and require payment to the City of one-half the appraised value. This option allows the vacation to occur. Both public and private ownership needs are met.
2. Continue the Public Hearing and receive written testimony to a date certain. This option delays the decision until Council has enough information to make a decision.
3. Close the Public Hearing, then, reject the vacation request. This option leaves the right-of-way as is. Development of the site will require revision.

Financial Impact:

None

Attachments:

Ordinance
Petition
Exhibits
Development Agreement
Vicinity Map