



City Council

Approval of an Ordinance Amending Ordinance No. 4638, Which Vacated a Portion of an Alley Between State Avenue and 4th Avenue

Agenda Date: 8/10/2021
Agenda Item Number: 4.G
File Number:21-0687

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

Title

Approval of an Ordinance Amending Ordinance No. 4638, Which Vacated a Portion of an Alley Between State Avenue and 4th Avenue

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve an Ordinance amending Ordinance No.4638, which vacated a portion of an alley but retained an easement for potential future use on second reading.

Report

Issue:

Whether to amend Ordinance No. 4638 (adopted in 1985) to rescind easements that had been retained for possible future use for public or private utilities and emergency access. Ordinance No. 4638 vacated the northern portion of an alley connecting State Avenue and 4th Avenue, between Capitol Way and Water Street. Staff have determined there are no utilities nor access needs for this easement.

Staff Contact:

Leonard Bauer, Director, Community Planning and Development, 360.753.8206

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

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

In 1985, the Olympia City Council adopted Ordinance No. 4638, which vacated the northern portion of an alley connecting State Avenue and 4th Avenue, between Capitol Way and Water Street. The Ordinance retained easements within the vacated alley for possible future use by the City, by including the following conditions:

- a. Easements for public and private utilities be retained across the entire length and width of the alley.*
- b. Access to and through the alley for emergency services be made possible by the use of gates at the North and South ends of the pedestrian mall.*

As part of review of a development proposal for the property, City planning, engineering and survey staff have reviewed the easements and determined there have not been public or private utilities constructed, nor is there a need for utilities at this location. There is also no need for emergency access because a pedestrian mall was not constructed.

Based on its review, staff recommends Ordinance No. 4638 be amended to remove the language retaining the easements, because the anticipated uses for the easements have not occurred and they are no longer needed.

Neighborhood/Community Interests (if known):

No interest is known or has been expressed.

Options:

1. Approve the Ordinance amending Ordinance No.4638 on second reading.
2. Do not approve the Ordinance amending Ordinance No.4638.
3. Make specific revisions to the Ordinance amending Ordinance No.4638.

Financial Impact:

The easement rights that were retained by Ordinance No. 4638 may have a nominal value, for which obtaining an appraisal would not be practicable.

Attachments:

Ordinance

Ordinance No. 4638