

## CITY OF PULLMAN

## Public Works and Planning Departments

325 S.E. Paradise Street, Pullman, WA 99163 (509) 338-3220 or (509) 338-3213 Fax (509) 338-3282 www.pullman-wa.gov

September 11, 2006

MEMORANDUM TO:

**Pullman Planning Commission** 

FROM:

Erin Schau, Assistant Planner

FOR:

Meeting of September 27, 2006

SUBJECT:

Proposed McKenzie Street Vacation

Staff Report No. 06-13

On August 30, 2006, David Hagelganz, Cheryl Hagelganz, and Paradise Downtown LLC submitted to the Pullman Finance Director a petition to vacate real property in order to begin vacation procedures for an 80-foot-wide portion of McKenzie Street located between High Street and the centerline of Jordan Road (See Attachment A, Petition to Vacate; and Attachment B, Location Map). According to Zoning Code Subsection 17.20.070 (13), when the City receives a request to vacate a public way, the Planning Commission must review the proposal and recommend to the City Council whether said proposal is consistent with the Pullman Comprehensive Plan. The Comprehensive Plan includes several guidelines which should be considered when vacation proposals are submitted for review. The pertinent standards are cited below.

GOAL T1: Provide facilities, access and circulation for all land uses to ensure free and

safe movement of people and goods.

Policy T1.1: Promote safe, energy-efficient methods of transportation.

GOAL T2: Maintain and enhance the nonmotorized transportation system consistent

with the city's approved pedestrian/bicycle circulation plan.

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Policy T2.6: Disallow proposed street vacations unless adequate provision is made to ensure continuity of the pedestrian and/or bicycle network.

The area proposed for vacation has never been developed as a city street. The McKenzie Street vacation property is 80 feet in width, extending from High Street to the centerline of Jordan Road. There is approximately 40 feet of grade change between High Street and Jordan Road (undeveloped) at this location. The result is a steep slope down gradient from High Street to Jordan Road. While this extreme topography severely limits the use of the vacation area for a roadway, there is strong evidence of existing use as a pedestrian pathway connecting the High Street neighborhood with South Grand Avenue.

During Planning staff's site visit, tall grasses, scattered woody vegetation, and trees were observed at the subject property. There was strong evidence that pedestrians use this corridor to gain access between South Grand Avenue and High Street. This informal pedestrian pathway, with steep grades noted at the west and east portions of the street vacation area, appears well-traveled, necessitating consideration of a pedestrian easement within the proposed street vacation.

Pullman's Pedestrian/Bicycle Circulation Plan contains policies and implementation strategies applicable to the proposed street vacation. The inclusion of a pedestrian easement allows for consistency with the Pullman Pedestrian/Bicycle Circulation Plan, as well as for potential future improvements to this informal pedestrian pathway. The following policies and implementation strategies should be considered:

Policy 2A: Provide a safe, continuous, efficient network of pedestrian routes that links major activity centers in the community.

- **2.A.1:** Secure improvements consistent with the Pedestrian/Bicycle Circulation Plan in the development review process where it can be shown through documented findings that there is a legitimate relationship between the improvements required and the public need generated by a proposed development and that the improvements required are not excessive in light of the perceived impacts.
- 2. A.3: Establish or maintain linkages to existing designated pedestrian/bicycle paths.

Policy 2B: Provide sufficient access for non-motorized transportation within neighborhoods and districts.

- **2.B.6:** Give serious attention to the design of each path so as to minimize potential problems such as decreased privacy for adjacent residents and security concerns for users of the path.
- **2.B.7:** Require commercial businesses, industrial developments, institutions, apartment complexes of five or more units, planned residential developments, and manufactured home parks to install an on-site path that leads to a public walkway.

Access to a public right-of-way for all platted lots is always a concern in reviewing a street vacation proposal. Future access to Lot 1, Block 42, Original Town of Pullman (O.T.P.), currently accessed from High Street, would not be affected by this street vacation. Lot 4, Block 5, O.T.P. is

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currently accessed via High Street and the alley between Lots 4 and 5; future access to development of this lot could be provided from Grand Avenue and High Street.

Planning staff feels that the vacation of the subject property would impact pedestrian circulation between High Street and Grand Avenue. The Commission is instructed to examine the vacation of the subject right-of-way. Planning staff suggests that the Commission recommend to the City Council that the proposed vacation is consistent with the Comprehensive Plan if provisions are made to include a pedestrian easement as part of the McKenzie Street vacation between High Street and Jordan Road. In addition, Public Works staff requests approval for inclusion of a utility easement between High and Jordan.

## **ATTACHMENTS**

"A" Petition to Vacate

"B" Location Map

\$200 Fee Receipt No. 40288 Receipt Date 8-30-06

## **PETITION TO VACATE**

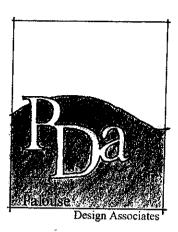
(A MAP OF THE AREA TO BE VACATED MUST BE ATTACHED TO THIS PETITION)

TO THE CITY COUNCIL OF THE CITY OF PULLMAN, WASHINGTON - ATTN: CITY CLERK:

COMES NOW, the undersigned petitioners and pursuant to RCW 35.79 and 35A.47.020 and City Code Chapter 11.52 respectfully show:

Chapter 11.52 respectfully show:			a services and only code
1. The undersigned petitioners request to street/alley in the City of Pullman be STREET TO BE VACATED): PORTION (	vacated pursuant to Re	CW 35A.47.020 and	35.79 (DESCRIPTION OF APEA OF
2. Each of the undersigned petitioners is	s the owner of an intere	est in real estate abut	ting on the above-described area
3 persons or ent	ities own property abu	tting on said area.	
4. The names and addresses of the owner NAME	ers of property abutting		follows: ADDRESS
DAVID HAGELGANZ		325 S.E. HIGH ST. , PULLMAN, WA	
CHERYL HAGELGANZ		325 S.E. HIGH ST. PULLMAN, WA	
PARADISE DOWNTOWN LLC		252 B. MAIN ST., PULLMAN, WA	
-			
5. Undersigned petitioners are owners of	more than two-thirds	(2/3) of said abutting	g property.
6. The petitioners understand that, as a coproperty abutting upon that portion of (100) of the appraised value of the area	ine street or allev vaca	e City Council may r ted make payment to	require that the owners of the City of up to one hundred
WHEREFORE, petitioners pray a			
1. That the City Council adopt a resolvacation.	ution fixing the time	and place for public	c hearing upon this petition for
<ol><li>That upon said public hearing, the Ci alley sought to be vacated.</li></ol>	ty Council adopt an o	rdinance vacating th	at portion of the above street or
)   NAME	DATE		<u>ADDRESS</u>
1 dh	8/29/06	352 2E	High st
(Hazdynz *	8/29/06	325 SE Hi	gn St. Pullman
Land Pro	8/21/06	Po Box 446	Pullman, WA 99163
Leve Drew	8/29/06	P.O. Brx 446	Pellnon un 99163
WARNING: Every person who signs this	s petition with any oth		/
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one of these petitions, or signs a petition when he is not otherwise qualified to sign, or who makes herein any false statements, shall be guilty of a misdemeanor. + See attached letter addressing 325 10+ measurements



August 29, 2006

Mr. Mark Workman, PE Public Works Director City of Pullman 325 SE Paradise St. Pullman, WA 99163

Paradise & High Development McKenzie Street Vacation

Dear Mr. Workman:

On behalf of Paradise Downtown, LLC and David and Cheryl Hagelganz, find attached the Petition to Vacate form, application fee (\$200.00) and supporting documentation for the vacation of a portion of McKenzie Street between Grand Avenue and High Street. Attachment 'A' defines the proposed portions of McKenzie St. requested to be vacated by each petitioner. The proposed vacation of McKenzie Street is requested as it represents a significant portion of the proposed development of the Paradise and High site as previously discussed with you and members of your staff.

We have also included Attachment 'B' identifying two 10' wide strips running the length of the proposed vacated areas which on some city maps we have reviewed, are indicated as being previously vacated. Your assistance in determining the actual status of these areas as they relate to the proposed vacation would be greatly appreciated.

Thank you for your assistance in the review of the petition. If you have any questions regarding any of the submitted materials, please call me at 432 6652.

Sincerely.

Craig Beaumont
Principal Architect

Encl.

Architecture • Planning • Project Management

Palouse Design Associates • 1005 SW Crestview Pullman, WA 99163 • 509.432.6652

