



**Right of Way Vacation
LEVEL VI Review Staff Report
File# VAC-20-0001**

I. GENERAL INFORMATION:

- Application Date:** August 27, 2020
- Applicant(s):** Ian Winterbourne, 422 S. First Ave, Walla Walla, WA
- Description:** The applicant is requesting to vacate the right of way of the alley adjacent to 422 and 422 ½ South 1st Avenue from the west line of S. 1st to the north line of the properties located at 422 and 422 ½ S. 1st in the City of Walla Walla.
- Proposed Location:** Between 422 and 422 ½ South First Avenue.
- Zoning and Land Use:** Walla Walla Urban Area Comprehensive Plan Land Use designation of Residential. Neighborhood Residential and Multiple Family Residential zoning.

II. ENVIRONMENTAL REVIEW

Under WAC 197-11-800(2)(i) right-of-way vacations are exempt from review under the Washington State Environmental Policy Act.

III. FINDINGS OF FACT

1. A petition has been filed to vacate the right of way of the alley adjacent to 422 and 422 ½ South 1st Ave in Block 31 of Robert's Addition to the City of Walla Walla.
2. The subject right of way is shown on the attached map.
3. A City of Walla Walla Site Plan Review Committee (SPRC) notice was issued on September 1, 2020, with comments due on September 18, 2020. Request for comment was sent to utility providers on September 18, 2020 with comments due on September 24, 2020.
4. Comments were received from Pacific Power and Cascade Natural Gas regarding the need for continued utility access in the alley. City of Walla Walla Fire indicated they had no objection and would be able to continue to provide service.

5. City of Walla Walla Engineering gave comments that indicated concern for the property to the south of the alley as they also use the alley. Access to this property is also available from Whitman Street.
6. Street vacation petitions shall be reviewed by the Site Plan Review Committee and the Planning Commission before they are brought to the City Council for consideration. The SPRC shall review the proposed street vacation for its impact on the city's current and future traffic circulation and utility facility planning.
7. At a public meeting, the Planning Commission shall consider the recommendation of the Site Plan Review Committee and make a recommendation to the City Council.
8. Staff proposes Findings of Fact relating to the goals of the Transportation Element of the Walla Walla Comprehensive Plan Update 2018.

Transportation Policy 2.1. Improve the efficiency, safety, access, capacity, and reliability of the freight system.

Transportation Policy 2.2. Establish stable and diverse revenue sources to meet transportation investment needs of the City.

Transportation Policy 6.2. Develop new and preserve existing arterial and collector corridors to provide alternative routes to US 12 and SR 125 for local traffic.

Transportation Policy 6.4. Manage roadway access to support mobility and safety. To meet adopted access spacing standards, or where necessary to alleviate safety or traffic operations concerns, require consolidated and joint access as part of development.

9. The City Council is required by State Statute (RCW 35A.63.080) to review the vacation of any street or public right-of-way only after the "the location, character, extent and effect thereof shall have been considered by the planning agency (Planning Commission) with reference to the Comprehensive Plan."
10. Petitions to vacate public right-of-way are processed under Level VI review per Walla Walla Municipal Code 20.30, RCW 35A.47.020, and Chapter 35.79RCW.

IV. CONCLUSIONS:

Staff review of the application resulted in the following conclusions.

1. Notice of the vacation request has been circulated to the Site Plan Review Committee and area utility service providers.
2. The Site Plan Review Committee reviewed the petition and recommends approval. Vacation of the subject right of way will allow the property owner to secure his property from vandalism and will not negatively affect traffic circulation.

3. The Site Plan Review Committee concluded that the request is consistent with the Transportation Element of the Comprehensive Plan, and that it is in the public interest to vacate this right-of-way.

V. SUMMARY PROCEDURE:

Following presentation of the above staff report, the following procedure is outlined for Planning Commission action:

- DISCUSSION of Findings and Conclusions and Recommendations with Staff.
- RECOMMENDATION to City Council.

VI. STAFF RECOMMENDATION:

Staff recommends the Planning Commission forward a recommendation of approval of the proposed request, File Number VAC-20-0001, to City Council.

Prepared by Melissa Shumake, Planner: 

VII. EXHIBIT 1: STAFF REPORT WITH ATTACHMENTS

- A. Application/Petition
- B. SPRC Street Vacation Request Notice



Development Services Department
permits@wallawalla.gov
(509) 524-4710

STREET/RIGHT OF WAY VACATION

Application fee of \$370.00 due upon submittal

Applicant: Ian Winterbourne

Site Address/Description: 422 and 422 1/2 S. First Avenue

Mailing Address: P.O. Box 455

Cell Phone: 509-520-5320

E-Mail Address: turisen@gmail.com

City: Walla Walla

State: WA

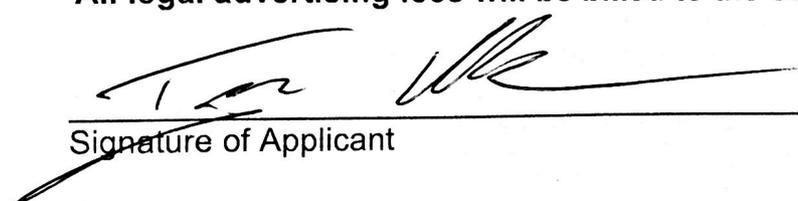
Zip: 99362

Provide explanation of proposed right-of-way to be vacated:

*Attach Petition & Legal Description in addition.

Vacate alley adjacent to 422 and 422 1/2 South 1st Avenue from the west line of S. 1st Avenue to the north line of the properties located at 422 and 422 1/2 S. 1st.

All legal advertising fees will be billed to the owner directly by the Union-Bulletin.


Signature of Applicant

Date:

Note: Vacation requests are reviewed by the City's Site Plan Review Committee prior to being forwarded to the Planning Commission which makes a recommendation to the City Council. The Planning Commission hears the request at a public meeting and then the City Council holds a public hearing.

If City Council approves the request then the applicant(s) will be directed to obtain and submit an appraisal (RCW 35.79.030). Then once the appraisal is accepted and funds for the right-of-way to be vacated are transmitted to the City, an ordinance is taken to the City Council for action.

Upon completion of the vacation process the land being vacated is assigned back to the property it was dedicated from. This action is outside the City's vacation process and is administered by the Walla Walla County Auditor's office.

PETITION

TO: WALLA WALLA CITY COUNCIL
WALLA WALLA, WASHINGTON

Council Members:

We the undersigned, being owners of more than 2/3 of the property abutting upon the following street or alley:

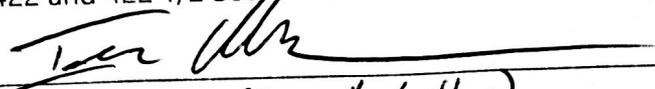
The undedicated alley running from the West side of South First Avenue to the South side of Newell Street, in the City and County of Walla Walla, Washington. Said alley appears to have been created by an approximate 12-foot gap in the adjoining deeds. The portion of the adjoining alley being more particularly described as follows:

Beginning at the Southeast corner of Block 31 of Robert's Addition to Walla Walla, as per the Plat thereof recorded in Book "A" of Plats, Page 21; thence S64°59'19"W, along the South line of said Block 31, a distance of 132.00 feet to the Southeast corner of that parcel of land conveyed to Ian Sutton and Christina Winterbourne by deed recorded February 12, 2018 as Auditor's file number 2018-01186 records of Walla Walla County, Washington; thence N29°50'06"W, along the East line of said parcel, a distance of 61.93 feet to the Northeast corner thereof; thence N64°57'37"E a distance of 11.99 feet to the Northwest corner of that parcel of land conveyed to Ian Sutton and Christina Winterbourne by deed recorded August 22, 2017 as Auditor's file number 2017-06515 records of Walla Walla County; thence along the west and south lines of said parcel by the following courses, S29°50'06"E a distance of 40.00 feet; thence S72°26'15"E a distance of 14.72 feet; thence N64°57'37"E a distance of 110.00 feet to the West line of South First Avenue; thence S29°50'06"E, along the West line of said South First Avenue, a distance of 12.00 feet to the point of beginning.

Having an area of 2,222 square feet, 0.05 acres, more or less.

Do hereby petition you to vacate the aforementioned street or alley in accordance with the applicable portion of RCW 35.79.010

422 and 422 1/2 South First Avenue



Ian Winterbourne (Formerly Sutton)



Christina Winterbourne

FILED _____
DATE

CITY CLERK, CITY OF WALLA WALLA

DATE



**RIGHT OF WAY (STREET / ALLEY) VACATION REQUEST
File# VAC-20-0001**

**Robert's (Parcel 1 Survey 2018-02163) Tax 6 Block 31 and Robert's
(Parcel 2 Survey 2018-02163) Tax 11 Block 31
Alley Accessing S 1st Ave and Newell St Between S 1st Ave and S
2nd Ave**

Date: September 1, 2020

TO WHOM IT MAY CONCERN:

The City of Walla Walla Development Services has received a request to vacate a public alley right-of-way within the City of Walla Walla. The proposed right-of-way to be vacated is the alley adjacent to 422 and 422 ½ South 1st Avenue from the west line of South 1st Avenue to the north line of the properties located at 422 and 422 ½ South 1st Avenue.

The right-of-way is adjacent to 422 and 422 ½ South 1st Avenue in Block 31 of Robert's Addition to the City of Walla Walla, as shown on the attached map.

Requests to vacate public right-of-way are legislative. The City of Walla Walla Planning Commission considers staff recommendations in making its own recommendation to City Council. City Council holds a public hearing and approval, if applicable, is by City Ordinance.

We ask that you review the request and indicate any additions, changes, or alterations that may be required by your agency or department and return to Development Services, 55 E. Moore Street, Walla Walla, WA 99362 by 5:00 p.m. on September 18, 2020.

Comments and questions can be directed to Melissa Shumake, Planner at (509) 524-4717 or via email: mshumake@wallawalla.gov

Attachments: Vicinity Map
 Survey

VAC-20-0001 S First Ave and Newell St Alley ROW



