



Bicycle Advisory Board

Tuesday April 18, 2023 – 6:00 PM to 7:30 PM

HYBRID – TELECONFERENCE AND IN-PERSON

VIRTUAL LOCATION:

MS Teams ([Link Here](#) and at Bottom of Agenda)

IN-PERSON LOCATION:

City Council Briefing Center, Spokane City Hall - Basement
808 W. Spokane Falls Blvd.
Spokane, WA 99201



Staff Liaisons: Ryan Shea (509) 625-6087 rshea@spokanecity.org
Inga Note (509) 625-6331 inote@spokanecity.org

6:00 – 6:15 Board Briefing Session:

- 1) [Approve March 21, 2023 minutes](#)
- 2) Liaison Reports
- 3) Chair Report
- 4) Staff Liaison Updates

6:15 – 7:30 Informational, Discussion and/or Action Items:

- 1) Post Street Bridge Replacement Input, Presentation by Staff
- 2) [Pacific Avenue Right-of-way Vacation Request, Presentation by Staff](#)
- 3) Continued Planning for Bike Everywhere Month
 - Energizer Station
 - Mobile meeting (Route #2 selected as preferred route)
- 4) Motion to Recommend New BAB Member

Next BAB meeting is scheduled for Tuesday May 16, 2023 at 6pm

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 226 841 513 352

Passcode: obejUV

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+1 424-566-7556,,879594573# United States, Los Angeles

Phone Conference ID: 879 594 573#

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Bicycle Advisory Board - Draft Minutes

March 21, 2023

City Council Briefing Center

Meeting Minutes: Meeting called to order at 6:00 PM by Grant Shipley

Attendance:

- *Board Members Present* Grant Shipley (Chair), Aren Murcar, Christina Ramirez, Charles Greenwood, Pablo Monsivais, Taylor Stevens, Satish Shrestha, Lauren Pangborn
- *Board Members Not Present:*
- *Quorum Present:* yes
- *Staff Members Present:* Ryan Shea

Public Comment:

None

Briefing Session:

Minutes from the February 21, 2023 meeting approved unanimously with edits. Seconded by Lauren Pangborn.

1. **Liaison Report -**

- Grant Shipley reported that the Citizen Transportation Advisory Board (CTAB) will meet in the month of April.
- Rhonda Young reported the Plan Commission Transportation Subcommittee (PCTS) needs a new BAB representative. The PCTS meets once a month and discusses the upcoming transportation projects and the priority scoring matrix. BAB members are encouraged to volunteer.

2. **Chair Report -**

- Grant Shipley encouraged everyone to ride their bikes and advised everyone to watch out for mud puddles.

3. **Staff Report -**

- Ryan Shea and Colin Quinn-Hurst presented Rhonda Young with a Certificate of Appreciation for her time spent as a Bicycle Advisory Board member.
- Ryan Shea reported that staff will meet with the City of Spokane legal team to discuss the procedure to increase the amount of members of the Bicycle Advisory Board (BAB),
- Ryan Shea reported that the Post Street Bridge update will be presented by engineering staff at a future BAB meeting.
- The Spokane Bike Swap and Expo. will happen April 22nd, the BAB will have a table at the Expo. and BAB members are encouraged to sign up for a time slot at the table.

Workshops:

1. Spokane County Bicycle Master Plan

- Presentation provided by Jami Hayes, Spokane County Senior Project Manager for Public Works
- Questions asked and answered
- Discussion ensued

Note: Minutes are summarized by staff. A recording of the meeting is on file with Planning Services.

2. Coordinating Bike Everywhere Month
 - Presentation provided by Samantha Hennessy, Spokane Regional Health District
 - Questions asked and answered
 - Discussion ensued
3. Bike Everywhere Month - Continued Planning
 - Presentation provided by BAB, Sally Phillips of the Spokane Bike Club
 - Questions asked and answered
 - Discussion ensued
4. Pedestrian Route for Magnolia Street Bridge Removal
 - Presentation provided by BAB
 - Questions asked and answered
 - Discussion ensued
5. Vacation of right-of-way request
 - Presentation provided by BAB
 - Questions asked and answered
 - Discussion ensued
 - Motion
 - Grant Shipley motioned that the Bicycle Advisory Board opposed the vacation of Cannon Street right-of-way. Lauren Pangborn seconded. Motion carried unanimously.
6. Motion to Recommend New BAB Member
 - Presentation provided by BAB
 - Questions asked and answered
 - Discussion ensued
 - Motion:
 - Grant Shipley motioned to recommend Anthony Hardwick to fill the vacant position on the Bicycle Advisory Board. Motion seconded by Lauren Pangborn. Motion carried unanimously.

Meeting Adjourned at 7:40 PM

Next Bicycle Advisory Board Meeting scheduled for Tuesday, April 18, 2023



STAFF REPORT

PLANNING AND ECONOMIC DEVELOPMENT SERVICES DEPARTMENT

To:	Bicycle Advisory Board
Subject:	Pacific Avenue Right-of-way Vacation, #P2301367VACA
Staff Contact:	Ryan Shea, Planner II
Report Date:	April 11, 2023
Hearing Date:	TBD for City Council. BAB Consideration at their April 18 th Regular Meeting

I. SUMMARY

The City of Spokane has received an application for the vacation of right-of-way that has potential to impact bike/ped pathways and connectivity. Staff requests comments from the Bicycle Advisory Board.

II. RECOMMENDED ACTION

To review the staff report and attached comments and provide a recommendation that staff can include with the application prior to a public hearing.

III. BACKGROUND

Planning Services staff received a request on April 4th from the Development Services Center (DSC) for any comments on the right-of-way vacation request. The request is slated to go before City Council at a time TBD. Comments are required to be into the DSC by April 20.

IV. PROCESS

ROLE OF THE BICYCLE ADVISORY BOARD

The BAB is tasked with a variety of functions within Spokane Municipal Code [SMC 04.16.030](#). Function B. states that it is BAB's responsibility "to review proposals and plans for spot improvements and bikeways and provide timely comments to affected agencies." To that end, for this meeting, staff requests that the BAB make a motion to provide a recommendation of denial, approval, or approval with conditions. This is not a public hearing.

THE PROCESS FOR VACATING STREETS, ALLEYS, AND OTHER PUBLIC RIGHTS-OF-WAY

1. Application: An application is filed with the city at the Development Services Center (DSC). Application must be signed by the property owners representing at least 66 2/3% of the frontage bordering the right-of-way to be vacated. 100% is recommended.

2. Proposal is reviewed by the DSC and sent out to all concerned City departments and private utilities requesting comments.
3. Public Hearing: After all comments are received a date for a hearing is set for a public hearing before the City Council.
4. Payment for Land.
5. City Council Action: The adoption of an ordinance to finalize the process. Land goes to the adjoining property owners on each side of the vacation.

COMMENTS RECEIVED THUS FAR

PRIVATE UTILITY COMPANIES

AVISTA UTILITIES – No comments.

COMCAST – Does not look like Comcast has plant in that marked up area.

EXTENET – No comments.

INLAND POWER – Inland Power & Light has no facilities within the proposed vacation area.

LIGHT SPEED NETWORKS – No comments.

LUMEN – Lumen has no objections to the proposed vacation of Pacific Ave east of Scott. We don't have any facilities in the proposed vacation.

PORT OF WHITMAN – No comments.

TDS TELECOM - No comments.

VERIZON/MCI Metro - No comments.

WHOLESALE NETWORKS – No comments.

ZAYO COMMUNICATIONS – No comments.

CITY DEPARTMENTS & E911

ADDRESSING - No comments.

BICYCLE ADVISORY BOARD – TBD.

DEVELOPER SERVICES – CURRENT PLANNING – No concern.

DEVELOPER SERVICES - TRAFFIC – No comments.

FIRE DEPARTMENT - No comments.

INTEGRATED CAPITAL MANAGEMENT – ICM and Planning are working on a study of the Pacific Avenue corridor through the east part of downtown, and this proposed vacation is part of it. We are considering it for a bridge, ramp, stairway or some other kind of non-motorized connection to Sprague

Way, and then continuing east to the other side of the Hamilton ramps. It's on our bike plan and we have state and federal transportation funding to build the west end of the greenway corridor.

This part of Pacific should not be considered for vacation at this time.

NEIGHBORHOOD SERVICES – No comments.

PARKS DEPARTMENT - No comments.

PLANNING & ECONOMIC DEVELOPMENT – Regarding the Right of Way Vacation Request for the section of Pacific Avenue East of Scott Street, please consider the following comments from the City of Spokane Planning and Economic Development Services Department:

- Planning Services and Integrated Capital Management are conducting a study to assess the feasibility and design options for construction a Neighborhood Greenway, also known as a bicycle boulevard, along this portion of Pacific Avenue and connecting east to Sprague Way and under the Hamilton Street overpass.

- The goal of this study is to provide a safe bicycling route parallel to Sprague Avenue, connecting the South University District under the Hamilton Street overpass to the Ben Burr Trail and the Sprague Union Business District.

- Staff is preparing a Request for Qualifications to select a consultant to assist the City of Spokane in conducting detailed analysis of route options including this section of Pacific Avenue.

- The inclusion of this portion of Pacific Avenue in the study is the result of more than four years of ongoing discussions and negotiations between City Council, the Mayor's Office, state legislators, and Planning and Public Works staff to identify a preferred alignment for construction of a safe and comfortable bike route to between the south landing of the South University District Gateway Bridge and the Sprague Union Business District.

- In past discussions of this project, the City of Spokane Bicycle Advisory Board has voiced support for aligning the bikeway along Pacific Avenue to connect with Sprague Way to the east. Comments from the Bicycle Advisory Board on this vacation request will be submitted separately.

Based on these considerations, we recommend denial of this vacation request at this time.

POLICE DEPARTMENT - No comments.

SOLID WASTE MANAGEMENT – Solid Waste has no concerns about this vacation.

SPOKANE REGIONAL EMERGENCY COMMUNICATIONS – There is one address associated with this proposed vacation, 903 E Pacific Ave, which looks to be the applicant. This segment of Pacific actually covers 2 hundred blocks, from 800-1000.

As long as Pacific will continue to have a range that covers 903 after the vacation, no address issues are present. If the intent would be to eliminate the 900-1000 block of Pacific and leave only the 800-900 block, the 903 address would need to be reassigned to fit the new street range with an 8xx address.

STREET DEPARTMENT - No comments.

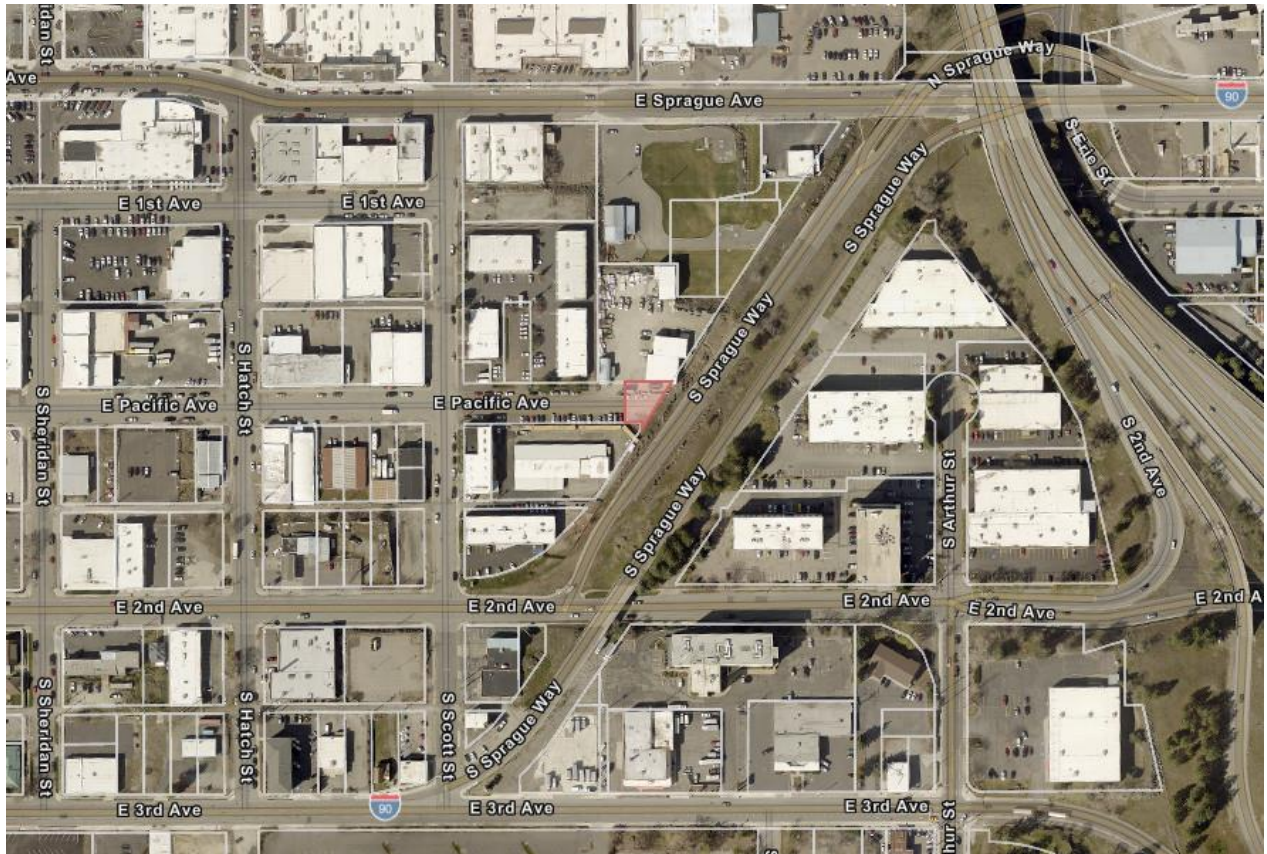
WASTEWATER MANAGEMENT - No comments.

WATER DEPARTMENT - No comments.

V. ANALYSIS

PROPOSAL DESCRIPTION

The applicant is requesting the vacation of the east end of Pacific Avenue where it terminates at South Sprague Way. According to the applicant, the dimensions of the requested vacation are flexible, but they are roughly shown in the below images. Pacific Avenue is a 75' wide right-of-way.

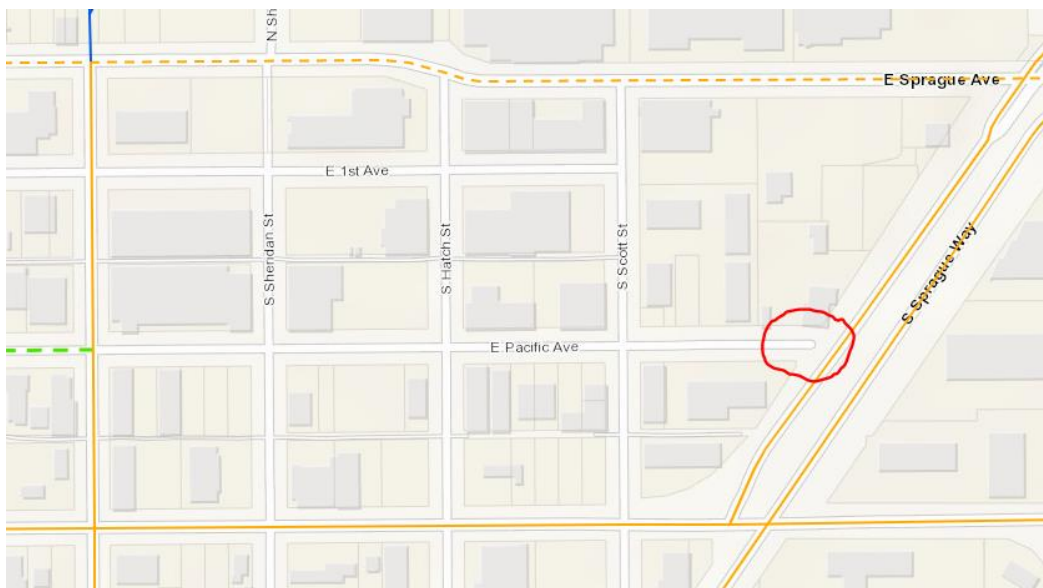




Source: City of Spokane GIS

PLANNING CONTEXT

The City's Bicycle Master Plan and its associated map do not identify the stretch of Pacific Avenue between Sherman St and Sprague Way as a bike route. However, Pacific Ave west of Sherman St is designated as a Neighborhood Greenway which has created a gap east of Sherman. Planning and Integrated Capital Management have begun a study to assess the feasibility of creating a Greenway along Pacific that connects it with Sprague Way and ultimately connects to the Ben Burr trail further east.



Source: City of Spokane GIS. Bike/Ped Master Plan Routes with proposed vacation site circled in red.

[The Bicycle Master Plan](#) has several relevant goals and objectives applicable to this vacation request:

- Chapter 3: Land Use - Goal 4 – Transportation, Policy LU 4.6 Transit-Supported Development
- Chapter 4: Transportation - Goal TR B – Provide Transportation Choices
- Chapter 4: Transportation - Goal TR C – Accommodate Access to Daily Needs and Priority Destinations
- Chapter 4: Transportation - Goal TR F – Enhance Public Health and Safety
- Chapter 4: Transportation – Policy TR 1 – Transportation Network for All Users
- Chapter 4: Transportation - Policy TR 5 – Active Transportation
- Chapter 4: Transportation - Policy TR 6 – Commercial Center Access
- Chapter 4: Transportation – Policy TR 9 – Promote Economic Opportunity
- Chapter 4: Transportation - Policy TR 20 – Bicycle/Pedestrian Coordination
- Bicycle Master Plan Policy BMP 1: Continually increase the bicycle mode share for all trips
- Policy BMP 2: Complete and maintain connected bikeways that provide safe transportation for Spokane cyclists throughout the City.

Since 2003, eight planning efforts have occurred in the South University District. The latest effort completed by the City was done to help focus the significant amounts of public and private investment going into the district, resulting in the *South University District Subarea Plan* and amendments to the land use and zoning maps and overlay zones. Notable bicycle policies from this plan include:

LU-3 Pedestrian Friendly Development:

- Work with the University District Public Development Authority (PDA) to explore opportunities for public/private partnerships facilitating desired pedestrian-oriented and bicycle-friendly developments in strategic locations.

CT-1 District Connections:

- Enhance bicycle access through the district and connections to downtown, the university campuses, the Ben Burr and Centennial Trails, and South Hill medical uses.

The University District Public Development Authority has also completed studies which includes the *Transit Oriented Development Study: Pine Street Station Area and Sprague-Sherman Corridor* completed February 8, 2022. This study identified Pacific Avenue as a “neighborhood access route” as shown below.



DISTRICT DEVELOPMENT FRAMEWORK



Source: Transit Oriented Development Study, Pine Street Station Area and Sprague-Sherman Corridor

VI. ATTACHMENTS

- **Attachment 1:** Vacation of Right-of-way Application Materials



Vacating Streets, Alleys and Other Public Right-of-Ways



For both residential and commercial property owners, vacating an unused or unneeded street, alley or other public right-of-way can be a valuable option. If your property is adjacent to an unused street, you might consider a street vacation.

The below list of required items can be submitted in person on the 3rd floor of City Hall or can be mailed to the address listed at the bottom of this page.

(Applications must be for the entire block. Appropriate justification must be submitted with this application in order to deviate from this standard.)

- Completed Vacation Application**
The vacation application must be filled out and signed by the adjacent land owners.
- Application Fee**
The application fee for a right-of-way vacation is \$400.00.
- Site Plan**
A dimensioned site plan showing the conceptual layout of the vacated right-of-way after it has been vacated and developed. If the right-of-way is to remain the same after being vacated please indicate this on the site plan. If the vacation area abuts other right-of-ways, the site plan must show how the vacated right-of-way will be closed and how it will interact with the remaining right-of-way.
- Written Narrative**
A written narrative describing the purpose or reason for the proposed right-of-way vacation, a description of what is proposed for the vacated area, and a description of how the vacation is a benefit to the public.
- Responses to the Below Questions**
 - Is the right-of-way no longer required for public use or access?
 - How will the use of the right-of-way change after it becomes private property.
 - Will the vacation result in any parcel of land being denied sole access to a public right-of-way?
 - Are there any utilities in the right-of-way and if so do you plan to relocate them? If the utilities are not relocated, the City will retain no-build easements in the final vacation ordinance for the purveyors.

Development Services Center

808 W. Spokane Falls Blvd, Spokane, WA 99201-3336
my.SpokaneCity.org • Phone: 509.625.6300 • Fax: 509.625.6822

1. The Application

An application requesting the vacation of a street, alley or other public right-of-way should be filed with the City of Spokane, Development Services Center on the Third Floor of City Hall (see application on back). The Development Services Center may be contacted at (509) 625-6300.

The application must be signed by the property owners representing at least 66 2/3% of the frontage bordering the right-of-way to be vacated. However, we recommend that you obtain 100% of the bordering property owners' signatures.

When the application is filed, a non-refundable fee of \$400.00 must also be paid to the City of Spokane.

2. Proposal Review

When the application is filed, the Development Services Center will review the vacation proposal and verify ownership. Copies of the application will be sent to all concerned City departments and private utilities requesting comments.

3. Public Hearing

After all comments are received and reviewed the Spokane City Council will set a date for a public hearing on the vacation request and notify property owners by mail. The applicant will need to post notices on the site of the proposed vacation.

Prior to the hearing, the Development Services Center will make a recommendation as to the vacation's feasibility to the City Council. The recommendation will include the specific requirements of the vacation, such as drainage, street closure and necessary easements.

The property owner is responsible for paying for the expense of closing the right-of-way. The cost may include removal and replacement of concrete, asphalt, and other items.

4. Payment for Land

Payment for vacated land falls into two categories: for right-of-way that was dedicated less than 25 years ago, the City of Spokane charges one-half the assessed value; for right-of-way that was dedicated more than 25 years ago, the full assessed value will be charged. The value will be based on the unimproved land value of the adjoining property(s), as determined by the Spokane County Assessor's Office.

5. City Council Action

If the City Council approves the vacation application at the public hearing, the Development Services Center will submit an ordinance to the Council for approval which outlines the terms and conditions of the vacation. The ordinance may retain easements for the construction, repair, and maintenance of public and private utilities and services.

When the applicant completes all conditions, final reading of the ordinance will be made.

The City does not determine ownership of the vacated area. It is determined by the original platting of the right-of-way. Typically this would mean that the property would go one-half to the adjoining properties on each side of the vacated area.

This process will take three to six months, possibly more, depending on the circumstances.



Date 03/09/2023

I hereby make application for the vacation of The dead end of 903 E Pacific Ave
from the gated entrance of 903 E Pacific to the edge cliff drop off at the end of the street

The dead end in question is not a safe area and we are constantly having vehicles and our shops broken into. This area is used a footpath and parking spot for illicit activity at night as well. We constantly find needles, used condoms, trash, alcohol bottles, etc. In addition, the area is being used as a make-shift camp by the homeless and we have had to chase people off the property countless times when arriving to work in the morning. It is an unsafe area for our employees and customers.

Public benefits to be derived from the vacation are: if allowed the vacation we would completely fence off this area which would prevent people from using it for the above mentioned problems. In addition, the end of the road terminates in a large drop off to the street below which is a hazard to anyone walking the street. We have seen several people slip and fall on the rocks. Any major fall would cause serious injury and probably expose the city to some liability. If granted the vacation this area would be fenced preventing anyone from using the area and thereby preventing potential injury and criminal activity.

Property Owner 1 Parcel Number 35201.4217
 Proponent's (Record Owner's) Signature
 Print Name Benjamin Pyper
 Email Ben@allstarfencespokane.com Phone Number 509-919-6481
 Office Use Lot _____ Block _____ Addition _____

Property Owner 2 Parcel Number 35201.1301
 Proponent's (Record Owner's) Signature March 09, 2023
 Print Name Steven Cade
 Email steven.cade@gmail.com Phone Number 509-869-8830
 Office Use Lot _____ Block _____ Addition _____

Property Owner 3 Parcel Number _____
 Proponent's (Record Owner's) Signature _____
 Print Name _____
 Email _____ Phone Number _____
 Office Use Lot _____ Block _____ Addition _____

Property Owner 4 Parcel Number _____
 Proponent's (Record Owner's) Signature _____
 Print Name _____
 Email _____ Phone Number _____
 Office Use Lot _____ Block _____ Addition _____

Return completed application to:
City of Spokane, Development Services Center, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3343



Date 03/09/2023

I hereby make application for the vacation of The dead end at 903 e Pacific Ave.
from the gated entrance of 903 e Pacific to the edge cliff drop off at the end of the street.

The reasons for the vacation are: The dead end in question is not a safe area and we are constantly having vehicles and our shops broken into. This area is used a footpath and parking spot for illicit activity at night as well. We constantly find needles, used condoms, trash, alcohol bottles, etc. In addition, the area is being used as a make-shift camp by homeless and we have had to chase people off the property countless times when arriving to work in the morning. It is an unsafe area for our employees and customers.

Public benefits to be derived from the vacation are: If allowed the vacation we would completely fence off this area which would prevent people from using it for the above mentioned problems. In addition, the end of the road terminates in a large drop off to the street below which is a hazard to anyone walking the street. We have seen several people slip and fall on the rocks. Any major fall would cause serious injury and probably expose the city to some liability. If granted the vacation this are would be fenced preventing anyone from using the area and thereby preventing potential injury and criminal activity.

Property Owner 1	Parcel Number <u>35201.4217</u>
	Proponent's (Record Owner's) Signature _____
	Print Name <u>Benjamin Pyper</u>
	Email <u>ben@allstarfencespokane.com</u> Phone Number <u>509-919-6481</u>
Office Use	Lot _____ Block _____ Addition _____

Property Owner 2	Parcel Number _____
	Proponent's (Record Owner's) Signature _____
	Print Name _____
	Email _____ Phone Number _____
Office Use	Lot _____ Block _____ Addition _____

Property Owner 3	Parcel Number _____
	Proponent's (Record Owner's) Signature _____
	Print Name _____
	Email _____ Phone Number _____
Office Use	Lot _____ Block _____ Addition _____

Property Owner 4	Parcel Number _____
	Proponent's (Record Owner's) Signature _____
	Print Name _____
	Email _____ Phone Number _____
Office Use	Lot _____ Block _____ Addition _____

Return completed application to:
City of Spokane, Development Services Center, 808 West Spokane Falls Boulevard, Spokane, WA 99201-3343

March 22, 2023

Dear Councilmembers,

My name is Ben Pyper and I am the owner of All Star Fence Company and Pyper Holdings, LLC in Spokane. First, let me say thanks for taking the time to read this and consider my situation. I know you all have a lot on your plate so I truly appreciate your time.

Our fence company is located at 903 e Pacific Ave, Spokane WA 99202. Our real estate company, Pyper Holdings owns the land that the fence company is on. I am requesting a vacation of the property at the end of the street where we are located. The area in question is an unpaved and unlit dead end with a significant drop off to the street below and poses several risks to our business as well the general public. Due to the secluded and unlighted nature of the dead end we are constantly being broken into and have lost several thousand dollars worth of the tools over the three years we have been here. Our neighbor to the South who has also signed off on the vacation experiences the same thing frequently. Between him and I we represent 100% of the bordering property owners.

Our security cameras go off several times a night due to the activity at the end of the street. People are using the area for dumping garbage, abandoning cars, drug use, prostitution, and more. We spend several hours each week cleaning up garbage, beer bottles, cans, used condoms, used syringes, and human waste. This causes an obvious risk to our employees and customers alike. And that is not all.

A few years ago an employee's truck was lit on fire and completely burnt to the ground. We have found people sleeping under our work trucks in the morning when we open the yard as they have found a way under the fence at the end of the road. I personally ran over the leg of someone who had passed out drunk under my truck in the dead end (no injuries luckily). We have had people camping in the dead end for days on end. We have had countless truck windows broken in and all tools in sight stolen. This dead end is a hazard to us, our customers, and to the city. At the end of the road there is a significant drop off of about 20' to the ground below and there is no fence in place to keep people from falling over the edge which would be a great liability to the city.

I am asking if the city would be willing to vacate the dead end to us in order to make the area more secure. As a fence company the first thing we would do is fence off the dead end so people will be deterred from using it as thoroughfare and location for devious behavior. We would also install security lights and cameras in this area thereby deterring the aforementioned problems. We would use and maintain the fenced off space for storage but more importantly more secure parking for our employees and customers.

The attached site plans of the area in question will show that this piece of land is completely unusable by the city and would certainly limit the city's liability somewhat due to injury from a fall off the drop off. If the dimensions or size of the area needs to be changed in any way to satisfy the city I am very flexible in this.

I would be happy to meet and discuss this matter at your convenience if that would help as well. Thank you again for your time and consideration.

Sincerely,

Ben Pyper
All Star Fence, LLC
903 e Pacific Ave, Spokane WA 99202
Cell: 509-919-6481
Email: ben@allstarfencespokane.com

Responses to Questions from Application

- Is the right-of-way no longer required for public use or access?

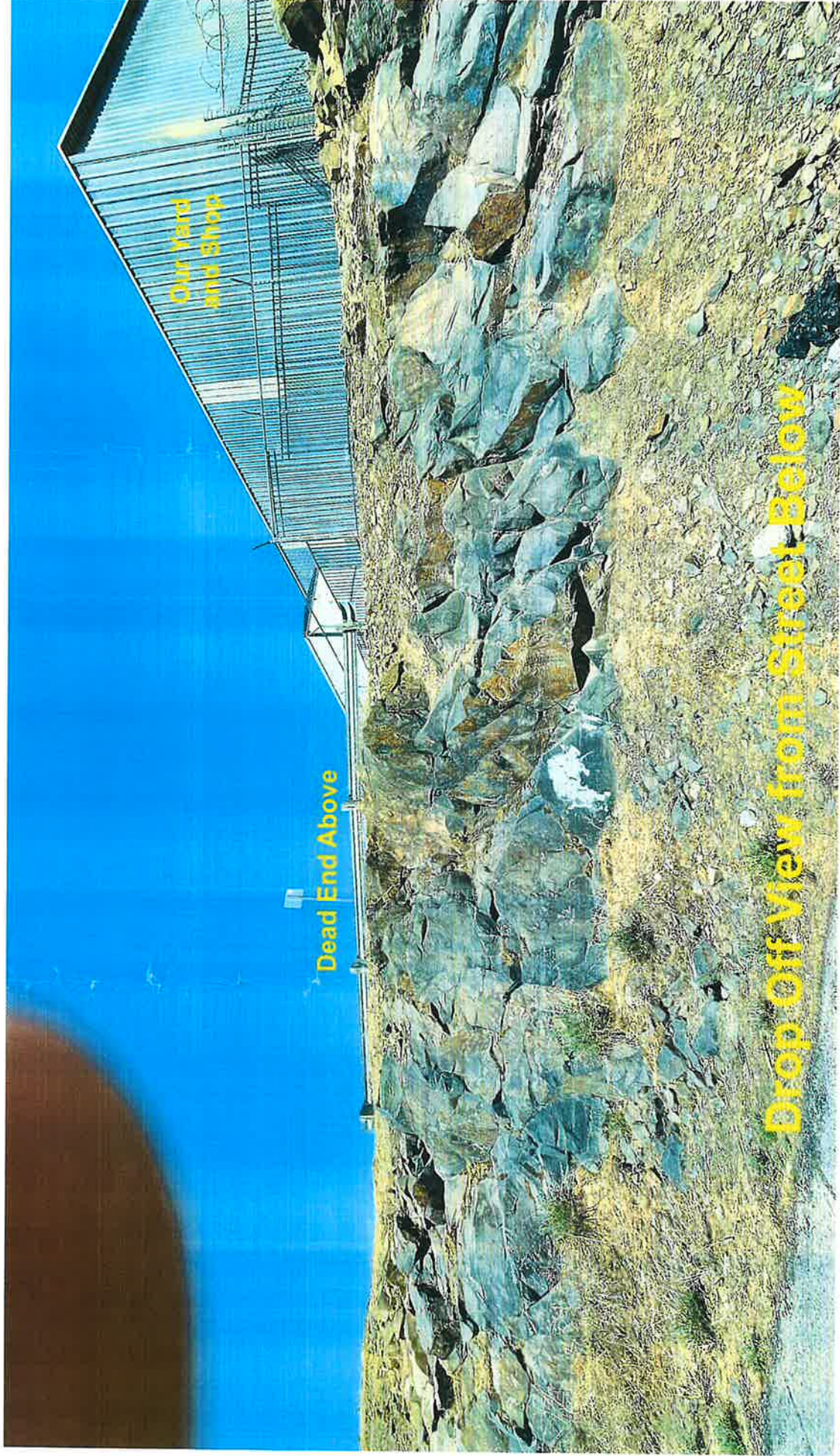
No, the area in question is a dead end that has a severe drop off the street below.

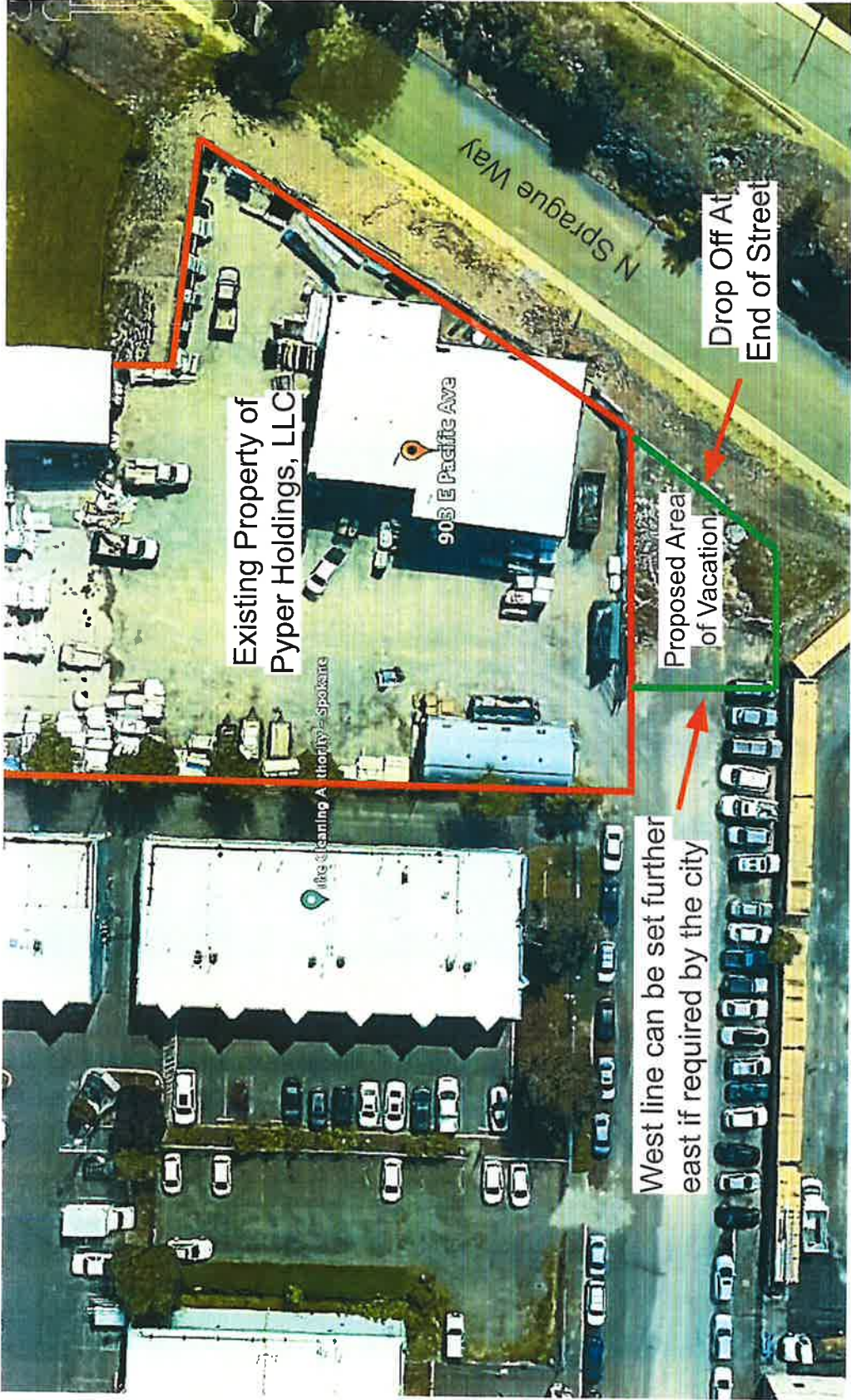
- How will the use of the right-of-way change after it becomes private Property.

We would fence and secure the area and use it mainly for parking and storage.

- Are there any utilities in the right-of-way and if so do you plan to relocate them? If the utilities are not relocated, the City will retain no-build easements in the final vacation ordinance for the purveyors.

There is a water line in a small portion of the area that the city would have access to at any time and we will recognize the no-build easement if enforced by the city.





Existing Property of
Pyper Holdings, LLC

908 E Pacific Ave

Maple

West line can be set further
east if required by the city

Proposed Area
of Vacation

Drop Off At
End of Street

N Sprague Way

