



ORDINANCE NO. 28455

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3 AN ORDINANCE relating to zoning; requesting a rezone of three parcels that
4 front South Orchard Street, from an R-2 Single-Family Residential
5 District to an R-4-L Low-Density Multiple-Family Dwelling District; and
6 requesting the modification of a previous rezone of three adjacent/
nearby parcels, to facilitate multi-family development of the overall site,
with a primary site address of 1410 South Orchard Street.

7 WHEREAS Orchard Street Acquisition, LLC, and Orchard Street
8 Investors, LLC, propose to develop 169 dwelling units and 321 parking stalls,
9 with recreational amenities and associated landscaping, on a 7.49 acre site on
10 South Orchard Street, and
11 South Orchard Street, and
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13 WHEREAS in order to develop the project, Orchard Street Acquisition,
14 LLC, and Orchard Street Investors, LLC are requesting the rezone of three
15 parcels within the site, and the modification of a prior rezone of three other
16 parcels within the site, and
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WHEREAS Orchard Street Acquisition, LLC, is requesting a rezone of three parcels (Tax Parcel Nos. 4475000140, 4475000150, and 4475000370, collectively, the “Rezone Parcels”) on South Orchard Street, with a primary site address of 1410 South Orchard Street, from their current designation of R-2 Single-Family Dwelling District to R-4-L Low-Density Multiple Family Dwelling District, and

WHEREAS Orchard Street Investors, LLC, is requesting the modification of a previous rezone of three adjacent/nearby parcels (Tax Parcel Nos. 4475000390, 4475000380, and 4475000733, collectively the “Modification Parcels”) approved on February 1, 2015, pursuant to Ordinance No. 28248, for the purpose of facilitating multi-family development and site work on the Modification Parcels, and

WHEREAS the Modification Parcels are currently approved for 121 apartments and 234 parking stalls, and

WHEREAS the proposed modification request would allow for the relocation of a stormwater detention pond, proposed as part of the development, to the Rezone Parcels, and allow for 12 additional apartment units to be added to the overall development, and



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WHEREAS the proposed rezone request would allow the remaining area of the Rezone Parcels to be developed with an additional 36 apartment units, as well as associated parking and landscaping, and

WHEREAS both the Rezone Parcels and Modification Parcels are proposed to share a common vehicular and pedestrian access to South Orchard Street, a relocated storm detention pond, and will have a common architectural style and appearance, and

WHEREAS the location of the access and off-site improvements, i.e., utilities and street improvements, have already been approved in the Prior Rezone and are not proposed to change, and

WHEREAS recommended conditions include traffic transportation improvements required in the Prior Rezone, which are already underway; site access controls, in order to not impede traffic on South Orchard Street; and compliance with the requirements of Tacoma Municipal Code 1.39, Affordable Housing Incentives and Bonuses Administrative Code, and

WHEREAS the recorded Concomitant Zoning Agreement for the previous rezone (REZ2014-40000223041) and the full decision and conditions contained therein, except where expressly modified by this current proposal, remain in place, and



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WHEREAS the Hearing Examiner is recommending that the proposed rezone and its accompanying modification request be approved, subject to the conditions contained in the Recommended Conditions of Approval and Usual Conditions sections of the Hearing Examiner's Report and Recommendation to the City Council; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendations contained in the Hearing Examiner's Report dated August 29, 2017, bearing File No. LU17-0074, which Report is on file in the office of the City Clerk.

Section 2. That the request of Orchard Street Acquisition, LLC, to rezone the parcels of property located at the primary site address of 1410 South Orchard Street, as more fully described in the attached Exhibit "A," from an R-2 Single-Family Residential District to an R-4-L Low-Density Multiple-Family Dwelling District, subject to the conditions contained in the Hearing Examiner's Recommendation, is hereby approved.

Section 3. That the request of Orchard Street Investors, LLC, to modify the previous rezone of three adjacent/nearby parcels (Tax Parcel



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Nos. 4475000390, 4475000380, and 4475000733) approved on February 1, 2015, pursuant to Ordinance No. 28248, to allow for the relocation of a stormwater detention pond to the Rezone Parcels and allow for 12 additional apartment units to be added to the overall development, subject to the conditions contained in the Hearing Examiner’s Recommendation, is hereby approved.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: 1410 South Orchard Street
Petitioner: Orchard Street Acquisition, LLC; Orchard Street Investors, LLC
Request No.: LU17-0074



EXHIBIT "A"

LEGAL DESCRIPTIONS

Tax Parcel No. 4475000140

That portion of the Northeast Quarter of the Southeast Quarter of Section 02, Township 20 North, Range 02 East of the W.M., more particularly described as follows:

Lots 1 through 9, inclusive, Block 17, Highlands Park Addition to Tacoma, W.T., according to plat recorded in Volume 2 of Plats, pages 88 and 89, records of Pierce County, Washington;

Together with the east half of the vacated alley lying between Blocks 17 and 18 abutting thereon, which attached to said premises by operation of law, as described in Substitute Ordinance No. 25496 of the City of Tacoma, recorded under Recording Number 9410170183, records of the Pierce County Auditor.

Situate in the City of Tacoma, County of Pierce, State of Washington.

Tax Parcel No. 4475000150

That portion of the Northeast Quarter of the Southeast Quarter of Section 02, Township 20 North, Range 02 East of the W.M., more particularly described as follows:

Lots 10 through 12, inclusive, Block 17, Highlands Park Addition to Tacoma, W.T., according to plat recorded in Volume 2 of Plats, pages 88 and 89, records of Pierce County, Washington;

Together with the east half of the vacated alley lying between Blocks 17 and 18 abutting thereon which attached to said premises by operation of law, as described in Substitute Ordinance No. 25496 of the City of Tacoma, recorded under



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Recording Number 9410170183, records of the Pierce County Auditor.

Also together with the north half of vacated South 14th Street abutting said Block 17 per said Substitute Ordinance.

All situate in the City of Tacoma, County of Pierce, State of Washington.

Tax Parcel No. 4475000370

That portion of the Northeast Quarter of the Southeast Quarter of Section 02, Township 20 North, Range 02 East of the W.M., more particularly described as follows:

Lots 1 through 12, inclusive, Block 33, Highlands Park Addition to Tacoma, W.T., according to plat recorded in Volume 2 of Plats, pages 88 and 89, records of Pierce County, Washington;

Together with the east half of the alley lying between Blocks 34 and 33 and abutting thereon, which attached to said premises by operation of law, as described in Substitute Ordinance No. 25496 of the City of Tacoma, recorded under Recording Number 9410170183, records of the Pierce County Auditor. Also together with the south half of vacated South 14th Street abutting said Block 33 per said Substitute Ordinance;

Also together with the north half of vacated South 15th Street, abutting said Block 33 per said Substitute Ordinance;

All situate in the City of Tacoma, County of Pierce, State of Washington.