



**TO:** Elizabeth Pauli, Interim City Manager  
**FROM:** Phyllis K. Macleod, Hearing Examiner *PKM*  
Shirley Schultz, Principal Planner, Planning and Development Services *SSS*  
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance Request No. 17-0331 – Finalization of Rezone - April 11, 2017  
**DATE:** March 23, 2017

**SUMMARY:**

Requested is a first and second reading of an ordinance finalizing the rezone of a portion of parcel 0220133049, addressed as 4601 South Orchard Street, from “R-2” Single-Family Dwelling District to “M-1” Light Industrial, following rezone action REZ2013-40000199731.

**STRATEGIC POLICY PRIORITY:**

The purpose of the rezone and redevelopment of the site is to support the following policy priority:

- Strengthen and support a safe city with healthy residents.
- Foster a vibrant and diverse economy with good jobs for all Tacoma residents.

**BACKGROUND:**

In 2013, H&P Tacoma Acquisition, LLC (HPA) purchased the former Hanson Pipe site located near South 46<sup>th</sup> Street and South Orchard Street (adjacent to the Tacoma Transfer facility). In order to redevelop the site, HPA requested rezone of the portion of the site that remained Single-Family so that parking and storm water facilities for the development could be located there. The rezone was recommended for approval by the Hearing Examiner, but HPA appealed the imposition of certain conditions regarding commercial vehicle access before the City Council. The Hearing Examiner recommendation and the Applicant’s appeal were heard before the Council on October 1, 2013, pursuant to TMC 1.70 with legal counsel representing both the Hearing Examiner’s recommendation and HPA. After the hearing and deliberation by the Council, the Council voted to follow the Hearing Examiner’s recommendation approving the rezone as conditioned. It appears from the record that there was no legislation accompanying the appeal. Thereafter, due to changes in ownership of the site, among other things, the rezone request was not returned to Council for final approval with an accompanying ordinance.

The sale of the site has been completed and development is underway; the Concomitant Zoning Agreement (CZA) is ready for recording and an ordinance finalizing the rezone needs to be passed in accordance with the 2013 Council vote.

**ISSUE:**

The CZA is fully executed and ready for recording. The approved rezone needs to be completed as well.

**ALTERNATIVES:**

The only alternative to finalizing approval of the rezone, as voted on previously by the City Council, would require Council to abrogate its prior vote. Additionally, the project could not be pursued as designed.

**RECOMMENDATION:**

The rezone should be approved subject to conditions. First and second readings of the rezone ordinance should be scheduled as soon as feasible.



**FISCAL IMPACT:**

There is no fiscal impact to finalizing the rezone.