



ORDINANCE NO. 28436

AN ORDINANCE relating to zoning, in which the applicant is seeking a rezone of two parcels of property, located at 3925 South Tyler Street and 3931 South Tyler Street, from an R-2SRD Residential Special Review District and R-3 Two-Family Dwelling District to an R-4-L Low-Density Multiple-Family Dwelling District, to allow for the development of a multi-family apartment complex containing approximately 46 units and 72 associated parking stalls.

WHEREAS Contour Engineering, LLC, on behalf of Michael Musica, is seeking the rezone of two parcels of property, located at 3925 South Tyler Street and 3931 South Tyler Street, from an R-2SRD Residential Special Review District and R-3 Two-Family Dwelling District to an R-4-L Low-Density Multiple-Family Dwelling District, to allow for the development of a multi-family apartment complex containing approximately 46 units and 72 associated parking stalls, and

WHEREAS the property is located on South Tyler Street, near its intersection with South 40th Street, and



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2 WHEREAS the parcel located at 3925 South Tyler Street is developed
3 with a single-family residence, and designated as Multi-Family (Low-Density) in
4 the Comprehensive Plan, and
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6 WHEREAS the parcel located at 3931 South Tyler Street is undeveloped
7 and designated as Parks and Open Space in the Comprehensive Plan;
8 however, the City removed the Property from the Open Space Inventory in
9 2014, and sold the property to the current owner in 2016 with the expectation
10 that it would be developed, and
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13 WHEREAS the area surrounding the site contains a range of residential,
14 commercial, and industrial zoning, as well as a variety of residential and
15 commercial/office development, and
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17 WHEREAS the project's traffic impacts were evaluated, resulting in a
18 rezone condition requiring the installation of pedestrian activated beacons at
19 the South 40th Street and South Tyler Street crosswalk, and
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21 WHEREAS the proposed rezone would be consistent with the District
22 Establishment Statement for the R-4-L zone, which focuses on low-density,
23 multiple-family housing, and
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2 WHEREAS the project includes a component of either affordable
3 housing or payment of an in-lieu fee in compliance with Tacoma Municipal
4 Code 1.39 and 13.06.650.H, and
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6 WHEREAS the proposed apartment complex will provide housing
7 options for citizens while utilizing development standards that will ensure the
8 project is consist with the public interest, and
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10 WHEREAS the Hearing Examiner concluded that the project would be
11 a benefit to the public, and is recommending approval of the rezone with
12 conditions as set forth in the Hearing Examiner's Recommendation; Now,
13 Therefore,
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15 BE IT ORDAINED BY THE CITY OF TACOMA:
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17 Section 1. That the City Council hereby adopts the Hearing Examiner's
18 Findings, Conclusions, and Recommendations contained in the Hearing
19 Examiner's Report dated May 4, 2017, bearing File No. LU16-0288, which
20 Report is on file in the office of the City Clerk.
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22 Section 2. That the request to rezone the following property located at
23 3925 South Tyler Street and 3931 South Tyler Street, from an R-2SRD
24 Residential Special Review District and R-3 Two-Family Dwelling District to
25 an R-4-L Low-Density Multiple-Family Dwelling District, to allow for the
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development of a multi-family apartment complex containing approximately 46 units and 72 associated parking stalls, subject to conditions contained in the Hearing Examiner's Recommendation, is hereby approved:

3925 South Tyler Street (Parcel No. 0220131009)

Beginning on the East line of the West half of the Southwest quarter of the Northeast quarter of Section 13, Township 20 North, Range 2 East of the Willamette Meridian, at a point 100 feet North of the Southeast corner of said subdivision; thence parallel with the South line of said subdivision West 358.12 feet to a line parallel with and 40 feet East of the center line of the right-of-way of Pacific Traction Company; thence on said parallel line North 100 feet; thence parallel with said South line East 358.04 feet to said East line; thence on said East line South 100 feet to the Place of Beginning, in Tacoma, Pierce County, Washington. Situate in the City of Tacoma, County of Pierce, State of Washington.

and

3931 South Tyler Street (Parcel No. 0220131120)

All that certain tract of land conveyed to the City of Tacoma by Warranty Deed dated February 25, 1981 and recorded August 26, 1981 under Auditor's File Number 8108260145, records of Pierce County, Washington, described as follows:

Commencing at a point on the South line of the Southwest Quarter of the Northeast Quarter of Section 13, Township 20 North, Range 02 East of the W.M., 40 feet East of the centerline of the Pacific Traction Company right of way, and the True Point of Beginning; thence East, along the South line of said subdivision 563.4 feet to the West line of the Oregon & Washington Railroad Company right of way; thence North, along the line of said right of way, 100 feet; thence West, parallel with the South line of said subdivision,



563.02 feet to a point 40 feet East of the centerline of the Pacific Traction Company right of way; thence South 100 feet to the Point of Beginning.

EXCEPTING therefrom the Easterly 223.1 feet, as measured along the North line.

All situate in the Southwest Quarter of the Northeast Quarter of Section 13, Township 20 North, Range 02 East, W.T; within the City of Tacoma, County of Pierce, State of Washington.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Property description approved:

Chief Deputy City Attorney

Chief Surveyor
Public Works Department

Location: 3925 South Tyler Street and 3931 South Tyler Street
Petitioner: Contour Engineering, LLC / Michael Musica
Request No.: LU16-0288