



Legislation Passed June 22, 2021

The Tacoma City Council, at its regular City Council meeting of June 22, 2021, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 40803

A resolution authorizing the execution of a Multi Family Housing Eight Year Limited Property Tax Exemption Agreement with 1555 Tacoma Ave S LLC, for the development of 86 multi family market rate rental housing units, located at 1555 Tacoma Avenue South, in the Downtown Regional Growth Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40804

A resolution authorizing the execution of a Multi Family Housing 12 Year Limited Property Tax Exemption Agreement with CJG LLC, for the development of 20 multi family market rate and affordable rental housing units, located at 4329 South Puget Sound Avenue, in the Tacoma Mall Mixed Use Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40805

A resolution authorizing the execution of a Multi Family Housing 12 Year Limited Property Tax Exemption Agreement with 4312 S Puget Sound Ave, LLC, for the development of 20 multi family market rate and affordable rental housing units, located at 4312 South Puget Sound Avenue, in the Tacoma Mall Mixed Use Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40806

A resolution authorizing the execution of a Purchase and Sale Agreement and a Development Agreement, with Foss Harbor, LLC, in the total amount of \$1,979,000, for Sites 9 and 10 on the Foss Waterway; to supersede prior agreements, update terms, and remove a previously approved and recorded covenant on Site 9.

[Jennifer Hines, Assistant Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works; Pat Beard, Business Development Manager; Jeff Robinson, Director, Community and Economic Development]



RESOLUTION NO. 40803

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing Eight-Year Limited
 3 Property Tax Exemption Agreement with 1555 Tacoma Ave S LLC, for the
 4 development of 86 multi-family market-rate rental housing units to be located
 5 at 1555 Tacoma Avenue South in the Downtown Regional Growth Center.

6 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
 7 Washington, designated several Residential Target Areas for the allowance of a
 8 limited property tax exemption for new multi-family residential housing, and

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program
 10 whereby property owners in Residential Target Areas may qualify for a Final
 11 Certificate of Tax Exemption which certifies to the Pierce County
 12 Assessor-Treasurer that the owner is eligible to receive a limited property tax
 13 exemption, and

14 WHEREAS 1555 Tacoma Ave S LLC, is proposing to develop 86
 15 market-rate rental units to consist of:

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
49	Studio	350 Square Feet	\$1,211
16	One bedroom, one bath	850 Square Feet	\$1,600
21	Two bedroom, one bath	1,200 Square Feet	\$2,300

16 as well as four on-site residential parking stalls, and

17 WHEREAS the Director of Community and Economic Development has
 18 reviewed the proposed property tax exemption and recommends that a conditional
 19 property tax exemption be awarded for the property located at 1555 Tacoma
 20 Avenue South in the Downtown Regional Growth Center, as more particularly
 21 described in the attached Exhibit "A"; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of eight years, to 1555 Tacoma Ave S LLC, for the property located at 1555 Tacoma Avenue South in the Downtown Regional Growth Center, as more particularly described in the attached Exhibit "A."

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with 1555 Tacoma Ave S LLC, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Legal description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel: 2015110-150 & -160

Legal Description:

That portion of the Northeast Quarter of the Southeast Quarter of Section 05, Township 20 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

Lots 24, 25 and 26, Block 1511, Map of New Tacoma, Washington Territory, according to the plat thereof filed for record February 3, 1875 in the Office of the County Auditor, in Tacoma, Pierce County, Washington.

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



RESOLUTION NO. 40804

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited
 3 Property Tax Exemption Agreement with CJG LLC, for the development of
 4 20 multi-family market-rate and affordable rental housing units to be located
 5 at 4329 South Puget Sound Avenue in the Tacoma Mall Mixed-Use Center.

6 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
 7 Washington, designated several Residential Target Areas for the allowance of a
 8 limited property tax exemption for new multi-family residential housing, and

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program
 10 whereby property owners in Residential Target Areas may qualify for a Final
 11 Certificate of Tax Exemption which certifies to the Pierce County
 12 Assessor-Treasurer that the owner is eligible to receive a limited property tax
 13 exemption, and

14 WHEREAS CJG LLC, is proposing to develop 20 new market-rate and
 15 affordable rental housing units to consist of:

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
1	Studio	400 Square Feet	\$1,250
15	One bedroom, one bath	400 Square Feet	\$1,385
Affordable Rate			
4	One bedroom, one bath	400 Square Feet	\$1,454 (including utilities)

16 as well as one on-site residential parking stall, and

17 WHEREAS the Director of Community and Economic Development has
 18 reviewed the proposed property tax exemption and recommends that a conditional
 19 property tax exemption be awarded for the property located at 4329 South Puget
 20 Sound Avenue in the Tacoma Mall Mixed-Use Center, as more particularly
 21 described in the attached Exhibit "A"; Now, Therefore,



BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of 12 years, to CJG LLC, for the property located at 4329 South Puget Sound Avenue in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit "A."

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with CJG LLC, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Legal description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel: 2890001010

Legal Description:

That portion of the Northwest Quarter of the Southwest Quarter of Section 18, Township 20 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

Lots 15 and 16, Block 21, Cascade Park Addition to Tacoma, Washington Territory, according to the plat thereof recorded in Book 1 of Plats, Page 120, records of the Pierce County Auditor.

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



RESOLUTION NO. 40805

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property
 3 Tax Exemption Agreement with 4312 S Puget Sound Ave, LLC, for the
 4 development of 20 multi-family market-rate and affordable rental housing
 units to be located at 4312 South Puget Sound Avenue in the Tacoma Mall
 Mixed-Use Center.

5 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
 6 Washington, designated several Residential Target Areas for the allowance of a
 7 limited property tax exemption for new multi-family residential housing, and
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9 WHEREAS the City has, through Ordinance No. 25789, enacted a program
 10 whereby property owners in Residential Target Areas may qualify for a Final
 11 Certificate of Tax Exemption which certifies to the Pierce County
 12 Assessor-Treasurer that the owner is eligible to receive a limited property tax
 13 exemption, and
 14

15 WHEREAS 4312 S Puget Sound Ave, LLC, is proposing to develop 20 new
 16 market-rate and affordable rental housing units to consist of:

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
1	Studio	400 Square Feet	\$1,150
15	One bedroom, one bath	400 Square Feet	\$1,385
Affordable Rate			
4	One bedroom, one bath	400 Square Feet	\$1,454 (including utilities)

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21 as well as one on-site residential parking stall, and

22 WHEREAS the Director of Community and Economic Development has
 23 reviewed the proposed property tax exemption and recommends that a conditional
 24 property tax exemption be awarded for the property located at 4312 South Puget
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Sound Avenue in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit "A"; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of 12 years, to 4312 S Puget Sound Ave, LLC, for the property located at 4312 South Puget Sound Avenue in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit "A."

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with 4312 S Puget Sound Ave, LLC, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Legal description approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel: 2890000840

Legal Description:

That portion of the Northwest Quarter of the Southwest Quarter of Section 18, Township 20 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

Lots 5 and 6, Block 20, Cascade Park Addition to Tacoma, Washington Territory, according to the plat thereof recorded in Book 1 of Plats, Page 120, records of the Pierce County Auditor.

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



RESOLUTION NO. 40806

1 A RESOLUTION relating to the Thea Foss Waterway; authorizing the execution
2 of a Purchase and Sale Agreement and a Development Agreement with
3 Foss Harbor, LLC, in the total amount of \$1,979,000, for Sites 9 and 10
4 on the Foss Waterway, to supersede prior agreements, update terms as
appropriate, and remove a previously approved and recorded covenant
on Site 9.

5 WHEREAS, on January 25, 2000, pursuant to Resolution No. 34654, the
6 City Council approved the sale of Foss Waterway Site 11 and a lease agreement
7 and option to purchase Site 10 with related entities now named Foss Harbor,
8 LLC ("Foss Harbor"), and
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10 WHEREAS Foss Harbor owns and operates a 416-slip marina that abuts
11 Site 8, Site 9, the Municipal Dock, Site 10, and Site 11, and

12 WHEREAS, on December 3, 2015, the Foss Waterway Development
13 Authority ("FWDA") issued a competitive Request for Proposals ("RFP") for Site 8,
14 Site 9, the Municipal Dock, and Site 10; the RFP provided that in the event the
15 selected proposer did not move forward with a project, the FWDA could select an
16 alternative proposer from the 2015 RFP and was not required to issue a new
17 solicitation, and
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19 WHEREAS Foss Harbor responded to the RFP, but was not the selected
20 proposer for the project, and
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22 WHEREAS, subsequently, the selected developer withdrew its plans for a
23 project, and Foss Harbor renewed its efforts to design a project for Site 10 and 11
24 and, later, a concept design for a mixed-use project on Site 9, and
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WHEREAS the FWDA engaged in negotiations with Foss Harbor for the sale and development of Sites 9 and 10 in conjunction with Site 11, and over a period of years established most material terms of the transaction, and

WHEREAS the FWDA's operations ceased on December 31, 2020, following concept approval by the Authority's Board of Directors of Foss Harbor's proposed project "The Village at Foss Harbor" on Sites 10 and 11, and authority and responsibility to complete the transaction transitioned to the City, and

WHEREAS, in coordination with the City Attorney's Office and Real Property Services Division of the Public Works Department, the Community and Economic Development Department completed negotiation and drafting of the Purchase and Sale and Development Agreements, and

WHEREAS the proposed Purchase and Sale and Development Agreements will replace and supersede all prior agreements, update terms as appropriate, and remove a previously approved and recorded restrictive covenant on Site 9, and

WHEREAS the terms of the Development Agreement call for mixed-use development of "The Village at Foss Harbor" and another, smaller, project on Site 9; Sites 10 and 11 could be developed in one or two phases, to include approximately 330 market-rate residential units, 563 parking stalls, 145 parking stalls for the marina, 18,060 square feet of commercial space, residential amenity space, enhanced view corridors, and waterfront esplanade consistent with the Design Guidelines for the Foss Waterway, and



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WHEREAS Sites 10 and 11 will be developed by an experienced, third-party developer as approved by the City, and can only be sold with prior approval of and with certain conditions established by the City, and

WHEREAS the developer has prepared a conceptual plan for a three-story mixed-use townhouse development on Site 9, and will be solely responsible for constructing the waterfront esplanade required on all Foss Waterway sites; the City will construct a necessary seawall replacement, funded in the current Capital Improvement Program and scheduled for 2022, and

WHEREAS the developer has an option, after a 120-day feasibility period, to solely purchase Site 10 if it determines Site 9 development is unfeasible, and Foss Harbor will release its covenant restricting certain development of Site 9 regardless of whether it moves forward in acquiring that property, and

WHEREAS the proposed Purchase and Sale Agreement provides that Site 10 will be sold for \$1,034,000, the amount approved in prior action of the City Council, and that Site 9 will be sold for \$945,000, the current fair market value as agreed-upon by the parties, and

WHEREAS the City will receive \$1,979,000 from the sale of Sites 9 and 10, which will be applied toward the Foss Waterway Development Authority's outstanding General Fund loan of \$2,456,525, and the developer will commence paying annual assessments for the properties, currently paid by the City, to the Foss Waterway Owners Association; additionally, at closing, the City will no longer receive current lease revenues for Sites 9 and 10, and



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WHEREAS a schedule for performance is included in the Agreements, allowing the City to repurchase the sites at the approved prices above for non-performance, and the City will closely monitor milestones required in the Purchase and Sale Agreement and accompanying Development Agreement to ensure compliance with all terms, and

WHEREAS, the City's administration recommends approval of the proposed Purchase and Sale Agreement and a Development Agreement with Foss Harbor for Sites 9 and 10 and development of Site 11, which are consistent with City and Shoreline requirements and the Foss Redevelopment Plan; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the proper officers of the City are hereby authorized to execute a Purchase and Sale Agreement and a Development Agreement with Foss Harbor, LLC, in the total amount of \$1,979,000, for Sites 9 and 10 on the Foss Waterway, to supersede prior agreements, update terms as appropriate, and remove a previously approved and recorded covenant on Site 9, said documents to be substantially in the form of those on file in the office of the City Clerk.

Section 2. That the City Manager, or designee, is hereby authorized to take and execute any additional measures or documents that may be necessary



1 to complete this transaction which are consistent with the approved form of
2 documents referenced by this Resolution, and the intent of this Resolution.

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4 Adopted _____

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Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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Deputy City Attorney

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