

1 **BEFORE THE DIRECTOR OF PLANNING AND DEVELOPMENT**  
2 **SERVICES**  
3 **CITY OF TACOMA**  
4

5 **In the Matter of:** )  
6 **Conditional Use Permit Application** ) **ORDER DENYING REQUEST FOR**  
7 **File Number** ) **RECONSIDERATION AND**  
8 **South Tacoma Business District** ) **AFFIRMING DECISION**  
9 )  
10 )  
11 )

12 On January 5, 2017, the Director of Planning and Development Services (Director)  
13 approved a Conditional Use Permit under File No. LU16-0270, to allow a  
14 daytime drop-in center for youth and young adults ages 12-24 years; and an  
15 overnight shelter for young adults ages 18-24 years. The decision is marked  
16 as Exhibit "A"<sup>1</sup>. The subject property is located at 5401 South Tacoma Way.  
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18 On January 18, 2017, Brenda Valentine on behalf of the South Tacoma Business  
19 District (hereinafter "District"), timely filed a request for reconsideration. The  
20 request is attached as Exhibit "B"<sup>2</sup>.  
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22 In summary, the District asserts that the decision is in error because the proposed  
23 facility will put the District in peril and places the youth at risk. To this end, the  
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26 <sup>1</sup> Exhibit "A" is contained in Planning and Development Services File No. LU16-0270. It is referenced and incorporated  
herein as though fully set forth.

27 <sup>2</sup> Ibid

1 Decision is not consistent with the criteria in TMC 13.06.640 and is inconsistent  
2 with the Comprehensive Plan.

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4 Having considered the issues brought forth in the request, and being otherwise  
5 advised, the Director finds as follows regarding the request for reconsideration:

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7 The District continues to assert harm based on what might happen if the  
8 Conditional Use Permit is approved, without presenting any new information.  
9 Though the applicant has submitted an Operation Plan, the District does not  
10 believe it is adequate. The District asserts that the Decision is contrary to the  
11 Comprehensive Plan without giving any specifics about how it is inconsistent.  
12 This District asserts that the neighborhood is dangerous for the youth without  
13 submitting any new information to dispute what is in the Decision. The District  
14 takes exception with a condition to maintain retail frontage on South Tacoma  
15 Way on the basis that such retail frontage is a requirement. And the District  
16 asserts that the condition, requiring the property owner/operator to meet with  
17 the Business District at least four times a year, is too little too late.

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19 The new information that the District has presented is that, due to the approved  
20 Conditional Use Permit, businesses have chosen to withdraw support for Local  
21 Improvement District, which would have resulted in upwards of 10 million  
22 dollars in streetscape improvements. Though this is sad news indeed, the  
23 withdrawal is again based on perception and not on the record. The Director is  
24 not in a position to reverse his decision based on perception.

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26 Based upon the above, the Director concludes that no errors in findings of fact or  
27 conclusions of law have been demonstrated by the party requesting

1 reconsideration and, therefore, respectively denies the request and affirms the  
2 decision approving Conditional Use Permit.

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4 **RECONSIDERED DECISION:**

5 Based upon the above findings, the Director hereby denies the request for  
6 reconsideration and affirms his decision dated January 5, 2017.

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8 DATED this 10<sup>th</sup> day of APRIL, 2017.

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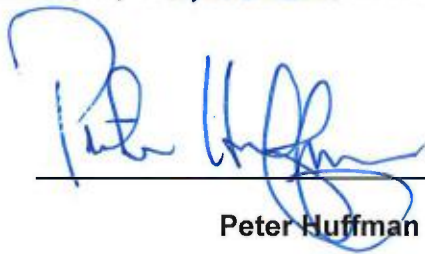
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**Peter Huffman**  
**DIRECTOR**

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TRANSMITTED this 10<sup>th</sup> day of APRIL, 2017, by first class mail to  
parties of record:

Brenda Valentine, South Tacoma Business District Association, PO Box 9445, Tacoma,  
WA 98490-0445

Nadia Chandler Hardy, City of Tacoma, Neighborhood and Community Services, 747  
Market Street, Room 737, Tacoma, WA 98402

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**APPEAL PROCEDURE FOR  
RECONSIDERED DECISION OF THE  
LAND USE DIRECTOR**

The applicant, property owner, or owners of property entitled to receive a copy of the decision of the Director shall have the right, within seven (7) days of the date of issuance of the Director's decision on a reconsideration, to appeal the decision to the Hearing Examiner.

An appeal to the Hearing Examiner is initiated by filing a Notice of Appeal accompanied by the required filing fee. Filing of the appeal shall not be complete until both the Notice of Appeal and required filing fee have been received. The Notice of Appeal must be in writing and shall contain the following:

- (1) A brief statement showing how the appellant is aggrieved or adversely affected.
- (2) A statement of the grounds for the appeal, explaining why the appellant believes the administrative decision is wrong.
- (3) The requested relief, such as reversal or modification of the decision.
- (4) The signature, mailing address and telephone number of the appellant and any representative of the appellant.

An APPEAL of the Director's decision in this matter must be filed with the Hearing Examiner's Office, Seventh Floor, Tacoma Municipal Building, on or before APRIL 17, 2017, together with a fee of **\$325.26**. THE FEE SHALL BE REFUNDED TO THE APPELLANT SHOULD APPELLANT PREVAIL.