

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

..title

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 16 of the Official Land Use Map to rezone property located at 10711 8th Avenue NE from Neighborhood Commercial 3-40 (NC3-40) to Neighborhood Commercial 3-65 (NC3-65), and accepting a Property Use and Development Agreement as a condition of rezone approval. (Petition by Kevin Cleary, Baylis Architects, C.F. 314287, DPD Project 3018442)

..body

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. This ordinance affects the following legally described property (collectively, the "Property"), which consists of real property separately owned by three owners (collectively, the "Owners"; individually, "Owner"):

<u>Property Owned by Wallace Properties – Northgate Eighth LLC</u>	<u>PARCEL B OF CITY OF SEATTLE SHORT SUBDIVISION NO. 8705410 RECORDED MAY 20, 1988 UNDER RECORDING NO. 8805200974, IN KING COUNTY WASHINGTON.</u>
<u>Property Owned by Wallace GT – Northgate II LLC</u>	<u>THE NORTH 24.00 FEET OF THE E ½ OF THE S ½ OF THE NW ¼ OF THE SW ¼ OF THE SE ¼ OF SECTION 29, TOWNSHIP 26N, RANGE 4E, W.M., KING COUNTY, WASHINGTON. EXCEPT THE E 30.00 FEET THEREOF.</u> <u>AND</u> <u>PORTION OF THE E ½ OF THE S ½ OF THE NW ¼ OF THE SW ¼ OF THE SE ¼ OF SECTION 29, TOWNSHIP 26N, RANGE 4E, W.M., KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING 24.00 FEET S OF THE NE CORNER OF SAID SUBDIVISION; THENCE W 160.00 FEET, THENCE S 55.00 FEET, THENCE E 160.00 FEET.</u>
<u>Property Owned by GRE/NOP Northgate LLC</u>	<u>PARCEL A AND PARCEL C OF CITY OF SEATTLE SHORT SUBDIVISION NO. 8705410.</u>

Section 2. Contingent on Section 3 of this ordinance, the Official Land Use Map zone classification for the Property, shown on page 16 of the Official Land Use Map, is amended to rezone the portion of the Property currently zoned Neighborhood Commercial 3 with a 40 foot

1 height limit to Neighborhood Commercial 3 with a 65 foot height limit, all as shown in Exhibit A
2 to this ordinance.

3 Section 3. If any Owner fails to execute the Property Use and Development Agreement,
4 attached to this ordinance as Exhibit B (“Agreement”), before 30 days after passage and approval
5 of this ordinance by the City Council, the rezone of the property owned by that Owner will not
6 take effect. To the extent the rezone takes effect, the rezone is conditioned upon compliance with
7 the Agreement.

8 Section 4. The Agreement, to the extent executed, is hereby approved and accepted.

9 Section 5. To the extent this rezone becomes effective, this rezone shall not expire and
10 shall remain in full force and effect until changed by future Council action.

11 Section 6. No sooner than the 31st day following passage and approval of this ordinance
12 by the City Council, and only if the Agreement is executed by at least one Owner, the City Clerk
13 is hereby authorized and directed to file the Agreement at the King County Records and
14 Elections Division; to file, upon return of the recorded agreement from the King County Records
15 and Elections Division, the original of said Agreement with this ordinance at the City Clerk's
16 Office; and to deliver copies of the same to the Director of the Department of Construction and
17 Inspections and to the King County Assessor's Office.

18 ~~Section 1. This ordinance rezones the following legally described lots (“the Property”)~~
19 ~~commonly known as 10711 8th Avenue NE:~~

20 ~~Parcel B of City of Seattle Short Subdivision No. 8705410 recorded May 20, 1988 under~~
21 ~~Recording No. 8805200974, in King County Washington.~~

22 ~~The north 24.00 feet of the E ½ of the S ½ of the NW ¼ of the SW ¼ of the SE ¼ of~~
23 ~~Section 29, Township 26N, Range 4E, W.M., King County, Washington. Except the E~~
24 ~~30.00 feet thereof.~~

25 ~~Portion of the E ½ of the S ½ of the NW ¼ of the SW ¼ of the SE ¼ of Section 29,~~
26 ~~Township 26N, Range 4E, W.M., King County, Washington, described as follows:~~

1 ~~beginning 24.00 feet S of the NE corner of said subdivision; thence W 160.00 feet, thence~~
2 ~~S 55.00 feet, thence E 160.00 feet.~~

3 ~~Parcel A and Parcel C of City of Seattle Short Subdivision No. 8705410.~~

4 ~~Section 2. Page 16 of the Official Land Use Map, Seattle Municipal Code Section~~
5 ~~23.32.016, is amended to rezone the Property described above and shown in Exhibit A to this~~
6 ~~ordinance from Neighborhood Commercial 3 with a 40-foot height limit (NC3-40), to~~
7 ~~Neighborhood Commercial 3 with a 65-foot height limit (NC3-65). Approval of this rezone is~~
8 ~~conditioned upon compliance with the Property Use and Development Agreement (PUDA)~~
9 ~~approved in Section 4 of this ordinance.~~

10 ~~Section 3. The zoning designation established by Section 2 of this ordinance shall remain~~
11 ~~in effect until the Property is rezoned by subsequent Council action.~~

12 ~~Section 4. The PUDA attached to this ordinance as Exhibit B is approved and accepted.~~

13 ~~Section 5. The City Clerk is authorized and directed to file said PUDA at the King~~
14 ~~County Records and Elections Division; to file, upon return of the recorded agreement from the~~
15 ~~King County Records and Elections Division, the original of said PUDA with this ordinance at~~
16 ~~the City Clerk's Office; and to deliver copies of the same to the Director of the Seattle~~
17 ~~Department of Construction and Inspections and to the King County Assessor's Office.~~

