

Permit Number:

3020677



CITY OF SEATTLE

Land Use Permit

Department of Planning and Development
 700 Fifth Ave., Suite 2000
 P.O. Box 34019
 Seattle, WA 98124-4019
 (206) 684-8600

APN #: 170290-1220	Site Address: 3902 S FERDINAND ST, SEATTLE, WA Building ID(s): NONE Location: Legal Description: LTS 230 THRU 234, BLK 10, COLUMBIA, ADDITION. Records Filed At: 3902 S FERDINAND ST
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<p style="text-align: center;">OWNER</p> SACHIN KUKREJA 418 30TH AV S SEATTLE, WA 98144 Ph: (206) 412-6130	<p style="text-align: center;">APPLICANT</p> LEAH MARTIN 1429 12TH AVE SUITE C SEATTLE, WA 98122 Ph: (206) 383-7274 Fax: (206) 374-2379 <p style="text-align: center;">Primary Applicant</p>	Application Date: 05/20/2015 Approved for Issuance: Issued Date: Expiration Date: 08/17/2015 Fees Paid: \$1,070.00 As of Print Date: 05/21/2015
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Description of Project: Council Land Use Action to allow an amendment to Property Use and Development Agreement (PUDA) to extend expiration date of August 17, 2015, CF 311662, Ordinance 123923.

Permit Remarks:

Use: N TRAO Applies: N Land Use Conditions: N Decision Type: I	<table border="1"> <thead> <tr> <th>Approved Uses</th> <th>Location</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	Approved Uses	Location											<p>Zoning/Overlays:</p> Lowrise-3 Landfill Southeast Seattle Reinvestment Single Family 5000 Additional Information on File
Approved Uses	Location													

Component Type	Component Detail	Outcome
COUNCIL ACTION	MINOR AMENDMENT TO PUDA	

A/P#	Related Cases/Permits	Project Contacts	Name	Phone
3011960	Discretionary Land Use Action	LU Planner	MICHAEL DORCY	(206) 615-1393

Applicant Signature: _____ **Date:** _____

This Land Use Permit authorizes the use of the property and/or work described above. Permission is hereby given to develop the site address shown, according to the conditions hereon and according to the specification pertaining thereto, subject to compliance with the Ordinances of the City of Seattle.

Subsequent Demolition, Construction, Site Work, or Mechanical work may require additional permits and may not begin without the appropriate approval. Additional information may be obtained from the Department of Planning and Development at (206) 684-8169.

Parent: 3011960 Related AP: Build ID: 3020678

City of Seattle



Department of Planning and Development
Applicant Services Center
700 - 5th Avenue, Suite 2000
P. O. Box 34019
Seattle, WA 98124-4019

RECEIVED
MAY 20 2015
City of Seattle
Dept. of Planning and Development

REQUEST TO REVISE A MASTER USE PERMIT

(To be filled out by the applicant)

REVISE Master Use Permit # 3011960 JKO 5/21/2015 ~~3008629~~ Expiration date of original permit: 5/26/2015

Was a Shoreline approval required? Yes No

Property Address: 3902 S Ferdinand Street
Describe Revision: (attach additional pages if needed) See attached

Is there a related issued construction permit? Yes No *If Yes: Building Permit # _____*
Has construction work commenced and is it currently underway? Yes No

Please check if owners/contact information has changed from original MUP : Yes No

Forms to provide include: (follow this link to [DPD forms](#))

- Financially Responsible Party form
- Letter of Authorization

Contact Person Leah Martin Day Phone #: 206 383-7274

Mailing Address

City: Allied8
1429 12th Ave Seattle State WA Zip Code: 98122
E-Mail: leah@allied8.com

I UNDERSTAND THAT THIS DOES NOT CONSTITUTE A PERMIT

Applicant's signature: Sachin Kukreja, owner

Please Print Name: Sachin Kukreja



3902 S Ferdiand St

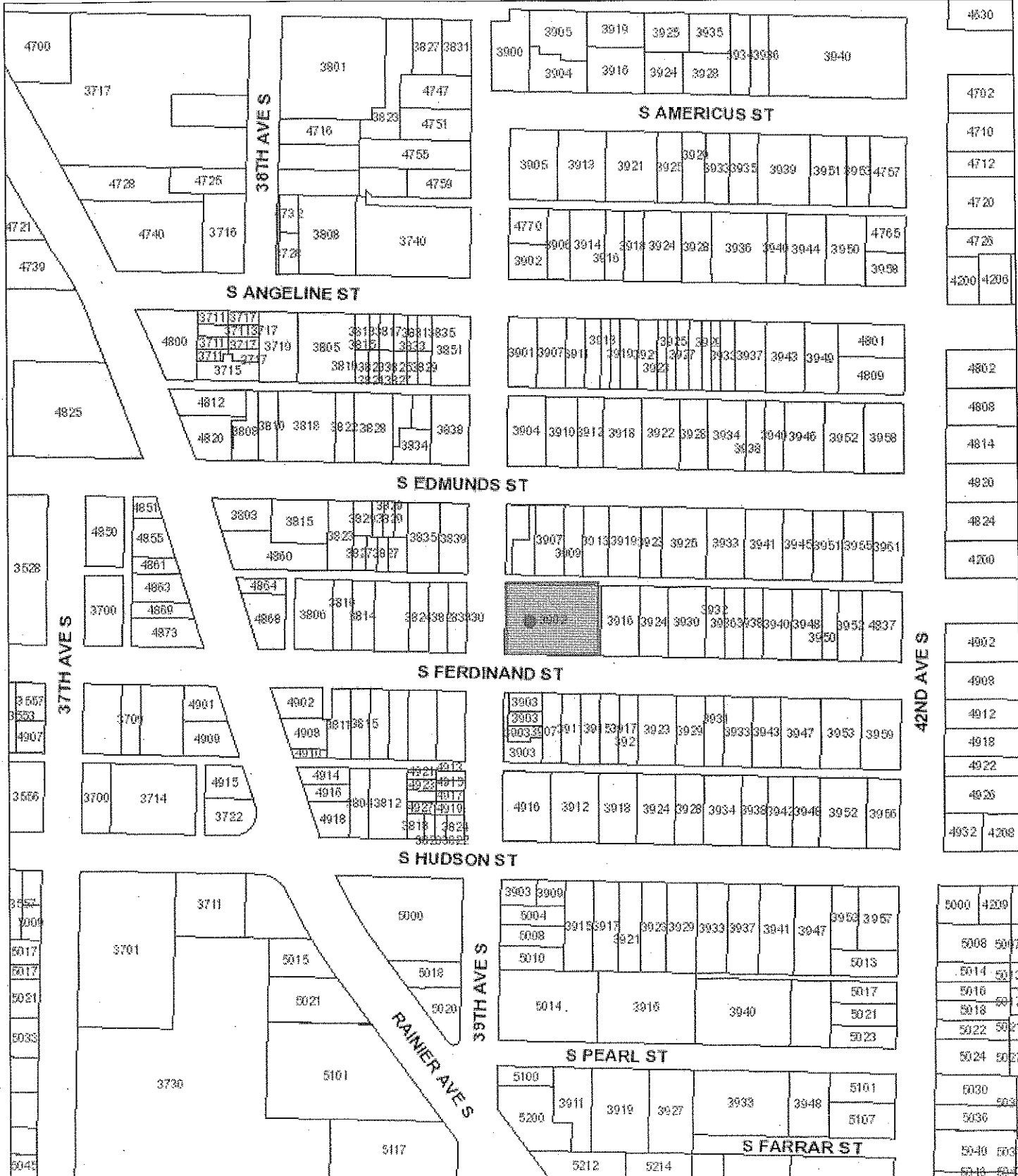
PUDA Amendment



Feet

0

200





This database contains legislation that has already been acted on by Council (passed, retired, etc.). Legislation currently in process can be found here :

Current Legislation. Please visit our FAQ page for additional information.

City of Seattle Legislative Information Service

Information retrieved on May 28, 2015 3:30 PM

Council Bill Number: 117517

Ordinance Number: 123923

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 159 of the Official Land Use Map to rezone property located at 3902 S. Ferdinand Street from Lowrise 3 (LR3) and Single Family 5000 (SF 5000) to Lowrise 3 with a Residential- Commercial overlay zone (LR3-RC) and SF 5000 (Application of Kevin Broderick , C.F. 311662, Project No. 3011960, Type IV).

Status: Passed

Date passed by Full Council: July 23, 2012

Vote: 8-0 (Excused: Clark)

Date filed with the City Clerk: July 23, 2012

Date of Mayor's signature:

(about the signature date)

Date introduced/referred to committee: July 9, 2012

Committee: Full Council

Sponsor: CONLIN

Committee Recommendation:

Date of Committee Recommendation:

Committee Vote:

Index Terms: ZONING, LAND-USE-CODE, CONTRACT-REZONES, COLUMBIA-CITY

References/Related Documents: Related: [Clerk File 311662](#)

Fiscal Note: [Fiscal Note to Council Bill No. 117517](#)

Electronic Copy: [PDF scan of Ordinance No. 123923](#)

Text

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 159 of the Official Land Use Map to rezone property located at 3902 S. Ferdinand Street from Lowrise 3 (LR3) and Single Family 5000 (SF 5000) to Lowrise 3 with a Residential-Commercial overlay zone (LR3-RC) and SF 5000 (Application of Kevin Broderick , C.F. 311662, Project No. 3011960, Type IV).

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. This Ordinance affects the following legally described lots ("the Property") commonly known as 3902 S. Ferdinand Street:

LOTS 230 TO 234, BLOCK 10, COLUMBIA ADDITION

Section 2. The Official Land Use Map zone classification for the Property, established on page 159 of the Official Land Use Map, and adopted by Ordinance 110381 and last modified by Ordinance 123853, is amended to rezone the Property from Lowrise 3 (LR3) and Single Family 5000 (SF 5000) to Lowrise 3 with a Residential-Commercial overlay zone (LR3-RC) and SF 5000, as shown in Exhibit A of this ordinance. Approval of this rezone is conditioned upon

performance and continued compliance with the conditions of the Property Use and Development Agreement referenced in Section 3 of this ordinance.

Section 3. The Property Use and Development Agreement attached to this Ordinance as Exhibit B is hereby approved and accepted.

Section 4. The rezone approval of the Property expires, pursuant to Section 23.76.060 B of the Seattle Municipal Code, two (2) years from the effective date of approval, unless, within the two (2) year period, an application is filed for a Master Use Permit, which permit is subsequently issued. If the permit is subsequently issued, the rezone remains in effect for the life of the use authorized under the Master Use Permit, unless revoked pursuant to Section 23.34.004.

Section 5. The City Clerk is hereby authorized and directed to file said Property Use and Development Agreement, attached to this ordinance as Exhibit B, at the King County Records and Elections Division; to file, upon return of the recorded agreement from the King County Records and Elections Division, the original of said Property Use and Development Agreement with this Ordinance at the City Clerk's Office; and to deliver copies of the same to the Director of the Department of Planning and Development and to the King County Assessor's Office.

Section 6. This Ordinance, effectuating a quasi-judicial decision of the City Council and not subject to mayoral approval or disapproval, shall take effect and be in force thirty (30) days from and after its passage and approval by the City Council.

Passed by the City Council the ____ day of _____, 2012, and signed by me in open session in authentication of its passage this

____ day of _____, 2012.

President _____ of the City Council

Filed by me this ____ day of _____, 2012.

Monica Martinez Simmons, City Clerk

(Seal)

Exhibit A: Rezone Map

Exhibit B: Property Use and Development Agreement

Michael Jenkins LEG 3902 S. Ferdinand Street June 27, 2012 Version #2a

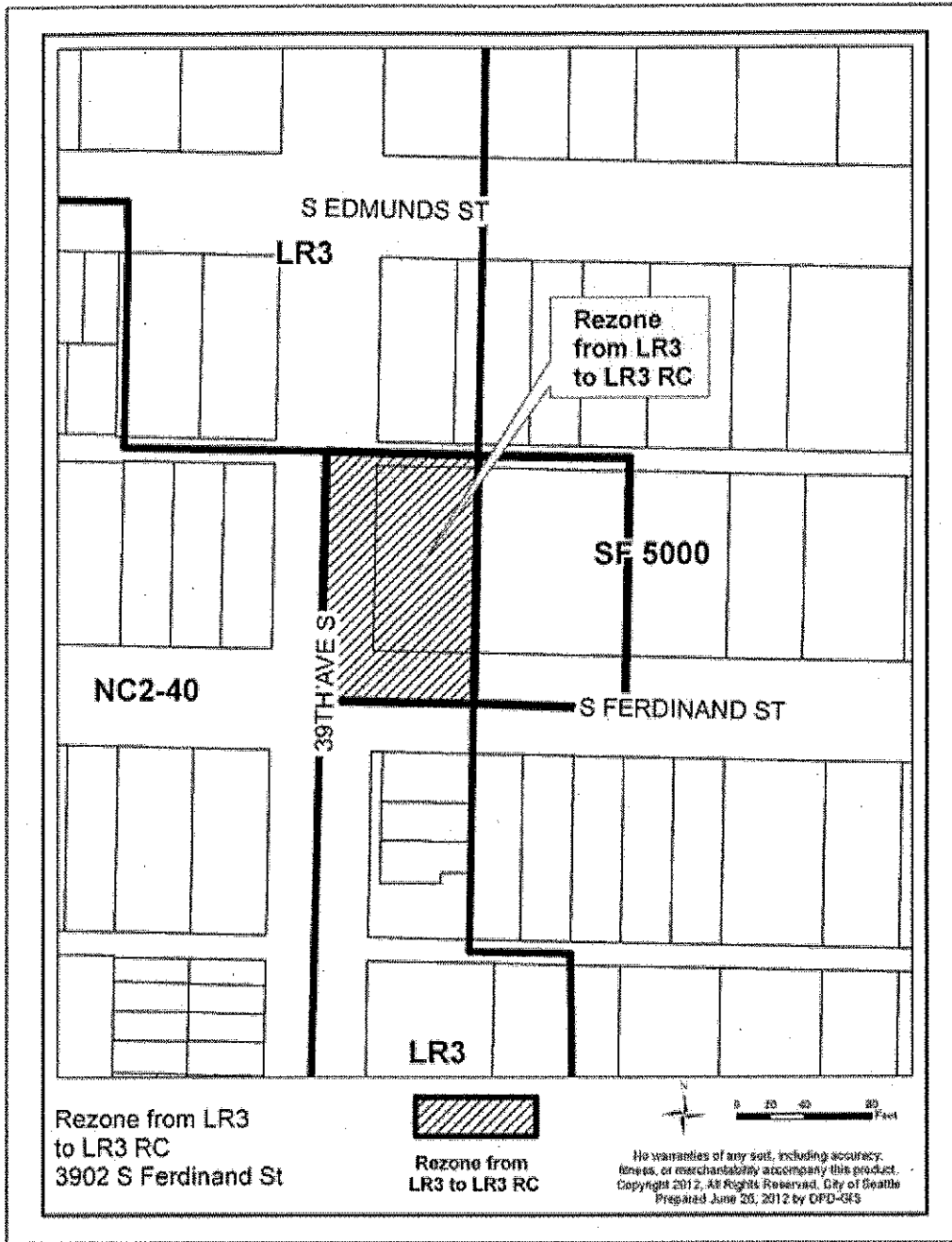


Exhibit A: Rezone Map

EXHIBIT B - PROPERTY USE AND DEVELOPMENT AGREEMENT



23.76.060 - Expiration and extension of Council land use decisions

- A. Decisions granted under Title 24. The expiration of Council land use decisions granted under Title 24 is governed by the applicable provisions of Section 23.04.010, Transition to the Land Use Code.
- B. Council conditional uses and public projects.
 1. Approvals of Council conditional uses and public projects expire three years from the effective date of approval unless:
 - a. Within the three year period, an application is filed for a Master Use Permit, that is subsequently issued; or
 - b. Another time for expiration is specified in the Council's decision.
 2. If a Master Use Permit is issued for a project permitted by Council approval of a Council conditional use or a public project, the Council's approval of the Council conditional use or public project remains in effect until the date that the Master Use Permit expires pursuant to the provisions of Section 23.76.032, or until the date specified by the Council, whichever is later. If a Master Use Permit is issued for a project permitted by Council approval of a Council conditional use or Council approval of a public project, a building permit is issued for the project, and the project is constructed pursuant to the building permit, conditions required by the Council's approval of the Council conditional use or the Council's approval of the public project shall remain in effect, notwithstanding expiration of the Council's approval of the Council conditional use or the Council's approval of the public project, until the project is demolished or until an earlier date on which:
 - a. the condition by its terms expires;
 - b. the condition is removed through a permitting decision; or
 - c. if the condition was imposed as to a specific use within the project, that use is terminated.
- C. Contract Rezones.
 1. The provisions of this section 23.76.060.C.1 apply except as otherwise provided in the Council decision on a contract rezone.
 - a. A zoning designation established by a contract rezone shall expire three years after the date of the Council action approving the rezone, except as follows:
 - 1) If, prior to the end of the three year period, a complete application is filed for a Master Use Permit to establish a use on the rezoned property, the zoning designation shall not expire pursuant to this Section 23.76.060 as to the lot or lots for which the application is made so long as that application remains pending. The zoning designation shall expire immediately upon any cancellation of the application that occurs after the end of the three year period, unless another such application filed before the end of that period is pending at the time of such cancellation;
 - 2) If a Master Use Permit is issued based on an application that is sufficient to extend the three year period under subsection 23.76.060.C.1.a.1), then the zoning designation shall not expire pursuant to this Section 23.76.060 as to the lot or lots for which the permit is issued unless and until the Master Use Permit expires without a certificate of occupancy having been issued for any structure constructed or altered for a use authorized by any such Master Use Permit, and then shall immediately expire. If such a certificate of occupancy is issued, then the zoning designation shall not expire pursuant to this Section 23.76.060 for that lot or lots;
 - 3) If only a portion of the rezoned property is the subject of a particular application or

Master Use Permit, then the zoning designation shall expire as to the other portions of the rezoned property at the same time as if that application had not been made or that permit not issued, as the case may be.

2. When a contract rezone expires, the Official Land Use Map is automatically amended so the zoning designation in effect immediately prior to the contract rezone applies to the subject property, except to the extent otherwise expressly provided by ordinance. The Director shall file a notice of expiration with the City Clerk and with the King County Recorder and shall cause the reversion to the former designation to be shown on published land use maps, but the expiration shall be effective notwithstanding any failure to make such filing or to reflect such expiration in any published information. Unless expressly stated otherwise in any property use and development agreement (PUDA) recorded in connection with a rezone, if the zoning designation expires as to all property subject to the PUDA, then all restrictions and requirements in the PUDA shall terminate.
 3. Regardless of whether the time period for expiration has elapsed or a certificate of occupancy has been issued as described in subsection 23.76.060.C.1.a.2), the zoning designation established by a contract rezone shall no longer be in effect upon the effective date of a subsequent rezoning by the Council of the subject property, either through a site-specific rezone or as part of an area-wide rezone. Effective on or after the effective date of such subsequent rezoning of all property subject to a PUDA recorded in connection with the prior rezone, some or all of that property may be released from some or all of the conditions of the PUDA if the release is authorized by ordinance. Such release may be authorized without following the PUDA amendment procedures in 23.76.058, except that notice and a comment period shall be provided pursuant to 23.76.058.C.3. In making the decision whether to release all or part of the PUDA, the Council shall consider factors such as:
 - a. whether any of the property subject to the PUDA has been or may still be developed in a manner that was permitted under the designation established by the contract rezone and would not be permitted under the subsequent rezoning; and
 - b. the extent to which any terms of the PUDA as applied to the subsequently rezoned property are relevant to the impacts of any development of that property occurring subsequent to the PUDA.
- D. Variances. Variances granted as part of a Council land use decision shall remain in effect for the same period as the land use decision granted, except those variances granted as part of a rezone, which shall expire on the date the rezone expires or the effective date of any text amendment making more stringent the development standard from which the variance was granted, whichever is sooner.
- E. Extensions. The Council may extend the time limits on Type IV land use decisions for no more than two years, upon an applicant's filing an application to the Department at least 120 days before the approval's expiration. The Council may request a recommendation on the extension application from the Director, but the Hearing Examiner hearing and recommendation requirements of Section 23.76.052 do not apply. Notice of applications for extensions of Type IV land use decisions and an opportunity to comment shall be provided pursuant to subsections 23.76.012.B.1 or B.2, and subsection 23.76.012.B.3, and notice and an opportunity to comment shall also be provided to the parties of record in the Council's original Type IV land use proceeding and to those persons who were provided written notice of the Hearing Examiner's recommendation on the original Type IV application to the extent reasonably practicable.

1. The Council may not extend the time limit for a Type IV land use decision for a project that is not in conformance with applicable regulations, including land use and environmentally critical areas regulations, in effect at the time application for an extension is made.
2. In deciding whether to grant an extension, the Council shall consider:
 - a. The reason or basis for the application for the extension and whether it is reasonable under the circumstances;
 - b. Whether changed circumstances in the area support an extension;
 - c. Whether additional time is reasonably necessary to comply with a condition of approval adopted by the Council that is required to be fulfilled prior to expiration of the Council land use decision.

(Ord. 123913, § 33, 2012; Ord. 123046, § 59, 2009; Ord. 122497, § 13, 2007; Ord. 122054 § 87, 2006; Ord. 118012 § 51, 1996; Ord. 114473 § 4, 1989; Ord. 112522 § 2(part), 1985.)

Part 3 Legislative Decisions (Type V)

Michael Jenkins
LEG 3902 S. Ferdinand Street
June 27, 2012
Version #2a

CITY OF SEATTLE
ORDINANCE 123923
COUNCIL BILL 117517

1
2
3
4 AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle
5 Municipal Code at page 159 of the Official Land Use Map to rezone property located at
6 3902 S. Ferdinand Street from Lowrise 3 (LR3) and Single Family 5000 (SF 5000) to
7 Lowrise 3 with a Residential-Commercial overlay zone (LR3-RC) and SF 5000
8 (Application of Kevin Broderick , C.F. 311662, Project No. 3011960, Type IV).

9
10
11 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

12
13
14 Section 1. This Ordinance affects the following legally described lots ("the Property")
15 commonly known as 3902 S. Ferdinand Street:

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17
18 **LOTS 230 TO 234, BLOCK 10, COLUMBIA ADDITION**

19
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21 Section 2. The Official Land Use Map zone classification for the Property, established
22 on page 159 of the Official Land Use Map, and adopted by Ordinance 110381 and last modified
23 by Ordinance 123853, is amended to rezone the Property from Lowrise 3 (LR3) and Single
24 Family 5000 (SF 5000) to Lowrise 3 with a Residential-Commercial overlay zone (LR3-RC) and
25 SF 5000, as shown in Exhibit A of this ordinance. Approval of this rezone is conditioned upon
26 performance and continued compliance with the conditions of the Property Use and
27 Development Agreement referenced in Section 3 of this ordinance.

28
29
30 Section 3. The Property Use and Development Agreement attached to this Ordinance
31 as Exhibit B is hereby approved and accepted.



Michael Jenkins
LEG 3902 S. Ferdinand Street
June 27, 2012
Version #2a

1 Section 4. The rezone approval of the Property expires, pursuant to Section 23.76.060
2 B of the Seattle Municipal Code, two (2) years from the effective date of approval, unless, within
3 the two (2) year period, an application is filed for a Master Use Permit, which permit is
4 subsequently issued. If the permit is subsequently issued, the rezone remains in effect for the life
5 of the use authorized under the Master Use Permit, unless revoked pursuant to Section
6 23.34.004.
7

8 Section 5. The City Clerk is hereby authorized and directed to file said Property Use
9 and Development Agreement, attached to this ordinance as Exhibit B, at the King County
10 Records and Elections Division; to file, upon return of the recorded agreement from the King
11 County Records and Elections Division, the original of said Property Use and Development
12 Agreement with this Ordinance at the City Clerk's Office; and to deliver copies of the same to
13 the Director of the Department of Planning and Development and to the King County Assessor's
14 Office.
15

16 Section 6. This Ordinance, effectuating a quasi-judicial decision of the City Council and
17 not subject to mayoral approval or disapproval, shall take effect and be in force thirty (30) days
18 from and after its passage and approval by the City Council.
19

20 Passed by the City Council the 23rd day of July, 2012, and
21 signed by me in open session in authentication of its passage this


22 23rd day of July, 2012.
23

24 Sally Bagshaw
25 President pro tem of the City Council
26



Michael Jenkins
LEG 3902 S. Ferdinand Street
June 27, 2012
Version #2a

Filed by me this 23rd day of July, 2012.



Monica Martinez Simmons, City Clerk

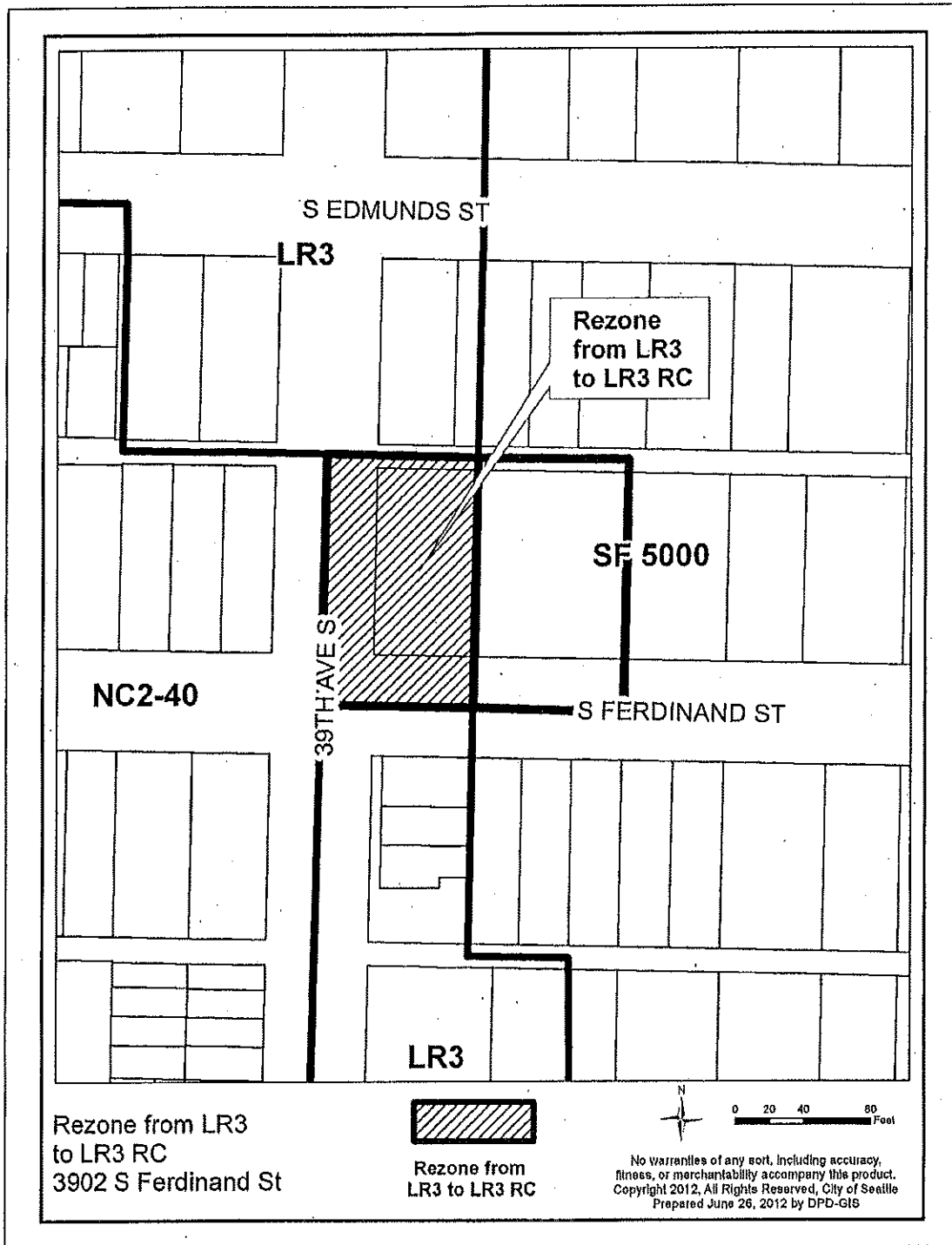
(Seal)

Exhibit A: Rezone Map

Exhibit B: Property Use and Development Agreement



EXHIBIT A – REZONE ORDINANCE – 3902 S. FERDINAND



FILED
CITY OF SEATTLE

2012 JUL 18 PM 4:39

CITY CLERK

When Recorded, Return to:
THE SEATTLE CITY CLERK
600 Fourth Ave, Floor 3
PO Box 94728
Seattle, WA 98124-4728

PROPERTY USE AND DEVELOPMENT AGREEMENT

Grantors: LR Columbus LLC

Grantee: The City of Seattle

Legal Description:

LOTS 230 TO 234, BLOCK 10, COLUMBIA ADDITION, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 97, IN KING COUNTY WASHINGTON.

Assessor's Tax Parcel ID#: 1702901220

THIS PROPERTY USE AND DEVELOPMENT AGREEMENT ("Agreement") is executed as of this 16th day of July, 2012, in favor to the CITY OF SEATTLE, a Washington municipal corporation (the "City"), by LR COLUMBUS LLC (the "Owner").

RECITALS

A. LR Columbus LLC is the owner of that certain real property legally described as Lots 230 to 234, Block 10, Columbia Addition, according to the plat thereof recorded in volume 7 of plats, page 97, in King County, Washington (the "Property"). The Property is located in the City of Seattle and is zoned Lowrise 3 (LR3). Exhibit 1 to this Agreement shows the location of the Property and the area to be rezoned.

B. On or around July 8, 2011, the Owner submitted to the City a request to rezone a portion of the Property from LR3 to Lowrise 3 with a Residential-Commercial overlay zone (LR3-RC), as authorized under Seattle Municipal Code (SMC) Section 23.34 (the "Rezone"). The Rezone would allow proposed development at the Property that includes the conversion of an existing religious facility into a mixed use structure containing 5 dwelling units above 3 commercial spaces located at ground level, as reflected in the decision for Master Use Permit No. 3011960.

C. Seattle Municipal Code (SMC) Section 23.34.004 allows the City to approve a contract rezone subject to "self-imposed restrictions upon the use and development of the

property in order to ameliorate adverse impacts that could occur from unrestricted use and development permitted by development regulations otherwise applicable after the rezone.”

NOW, THEREFORE, in consideration of the mutual agreements contained herein, the parties agree as follows:

1. **Agreement.** Pursuant to SMC 23.34.004, the Owner hereby covenants, bargains and agrees, on behalf of itself and its successors and assigns, that it will comply with the following limitation and condition in consideration of the Rezone:

Future development of the Property is restricted to modification and reuse of an existing structure in substantial conformance with the final approved Master Use Permit decision with related plans dated July 6, 2011 (MUP #3011960), authorizing a change of use of a structure with 8 dwelling units to a structure with 5 dwelling units above 3 commercial spaces. The commercial spaces will be available for retail/commercial or live/work uses. Two of the entries to the commercial spaces are along 39th Avenue South, with a third entry from South Ferdinand Street.

2. **Agreement Runs with the Land.** This Agreement shall be recorded in the real property records of King County. The covenants hereof shall be deemed to attach to and run with the Property and shall be binding upon the Owner, its heirs, successors and assigns, and shall apply to after-acquired title of the Owner in the Property.

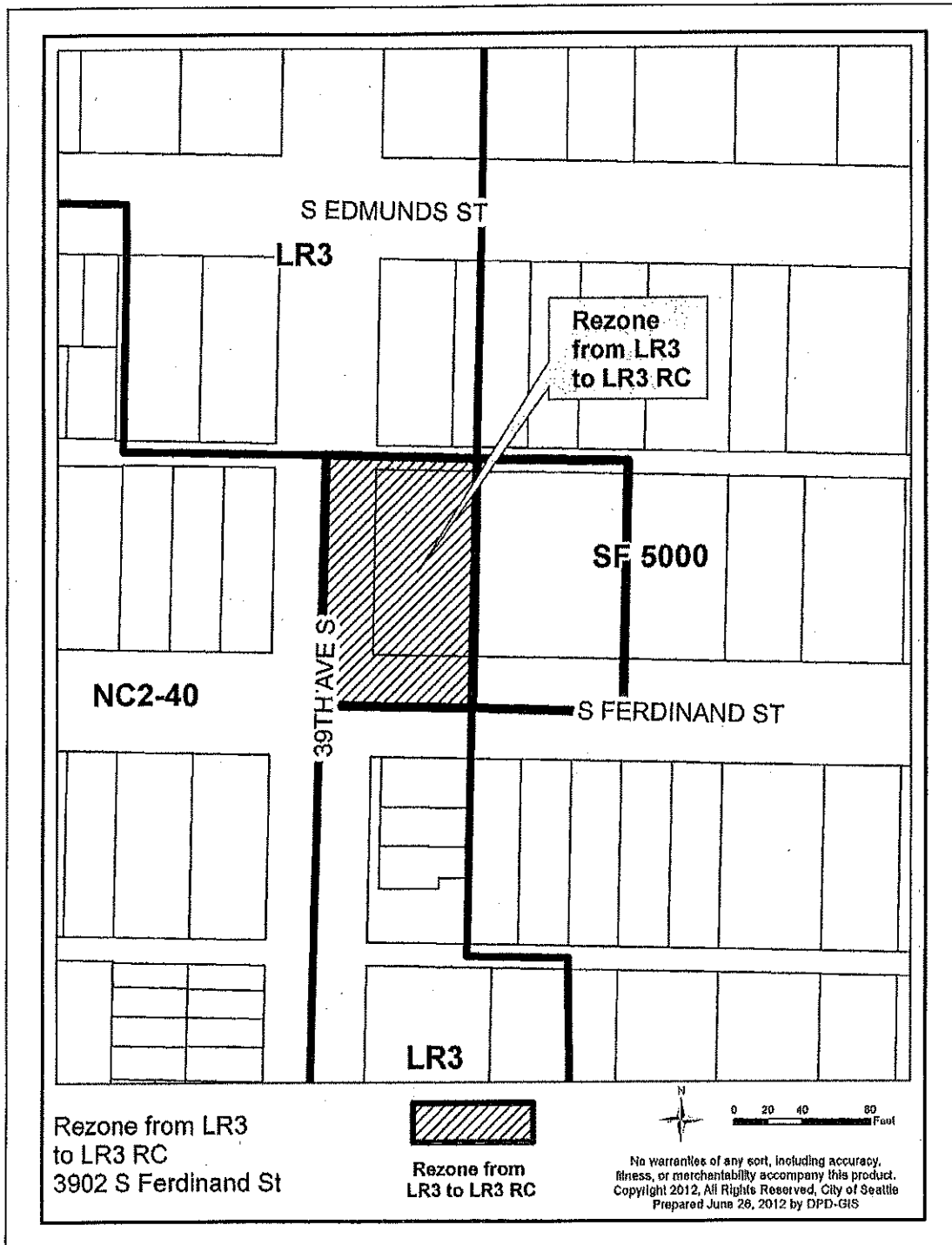
3. **Termination.** The covenants herein shall expire at such time as the Rezone expires or is revoked pursuant to SMC 23.34.004. If a Master Use Permit is issued pursuant to the final approved Master Use Permit decision with related plans dated July 6, 2011 (MUP #3011960), the covenants herein shall remain in effect until the Council changes the zoning designation for the Property, or amends development standards that apply to the LR3-RC zone, and a certificate of occupancy is issued for a new development of the Property that conforms to the zone designation and development standards that then apply to the Property and replaces the development described in Section 1.

4. **Amendment.** This Agreement may be amended or modified by agreement between Owner and the City; provided, such amendment shall be approved by the legislative authority of the City by ordinance.

5. **Exercise of Police Power.** Nothing in this Agreement prevents the City Council from making such further amendments to the Seattle Municipal Code or Land Use Code as it may deem necessary in the public interest.

6. **No Precedent.** The conditions contained in this Agreement are based on the unique circumstances applicable to this Property and this Agreement is not intended to establish precedent for other rezones in the surrounding area.

EXHIBIT 1 - PUDA - 3902 S. FERDINAND



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Michael Jenkins, 5-1674	NA

Legislation Title:

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 159 of the Official Land Use Map to rezone property located at 3902 S. Ferdinand Street from Lowrise 3 (LR3) and Single Family 5000 (SF 5000) to Lowrise 3 with a Residential-Commercial overlay zone (LR3-RC) and SF 5000 (Application of Kevin Broderick, C.F. 311662, Project No. 3011960, Type IV)

Summary of the Legislation:

This legislation rezones a site located at 3902 S. Ferdinand Street, in the Columbia City neighborhood of Southeast Seattle. The rezone would change the existing zoning at the site from Lowrise 3 (LR 3) and Single Family 5000 (SF 5000) to Lowrise 3 with a Residential Commercial overlay (LR3-RC) and SF 5000.

Background:

This bill approves a petitioner-generated rezone subject to the Council's rules for quasi-judicial decisions. The original petition, Department of Planning and Development recommendation, Hearing Examiner's Findings and Recommendation, record established by the Hearing Examiner and Council's Findings, Conclusions and Decision are contained in Clerk's File 311662.

Rezone conditions are contained in the Findings, Conclusions and Decision. The conditions would be recorded in a consolidated Property Use and Development Agreement for the rezone. The rezone petitioner anticipates development of a mixed use project on the site.

- *Please check one of the following:*

X This legislation does not have any financial implications.





20120823000167

SEATTLE CITY CLERK 66.00
PAGE-001 OF 005
08/23/2012 10:20
KING COUNTY, WA

When Recorded, Return to:
THE SEATTLE CITY CLERK
600 Fourth Ave, Floor 3
PO Box 94728
Seattle, WA 98124-4728

2012 JUL 18 PM 4:39

CITY CLERK

PROPERTY USE AND DEVELOPMENT AGREEMENT

Grantors: LR Columbus LLC

Grantee: The City of Seattle

Legal Description:

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FILED
13 FEB 13 AM 10:25
CITY CLERK

Assessor's Tax Parcel ID#: 1702901220

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B. On or around July 8, 2011, the Owner submitted to the City a request to rezone a portion of the Property from LR3 to Lowrise 3 with a Residential-Commercial overlay zone (LR3-RC), as authorized under Seattle Municipal Code (SMC) Section 23.34 (the "Rezone"). The Rezone would allow proposed development at the Property that includes the conversion of an existing religious facility into a mixed use structure containing 5 dwelling units above 3 commercial spaces located at ground level, as reflected in the decision for Master Use Permit No. 3011960.

C. Seattle Municipal Code (SMC) Section 23.34.004 allows the City to approve a contract rezone subject to "self-imposed restrictions upon the use and development of the

property in order to ameliorate adverse impacts that could occur from unrestricted use and development permitted by development regulations otherwise applicable after the rezone.”

NOW, THEREFORE, in consideration of the mutual agreements contained herein, the parties agree as follows:

1. Agreement. Pursuant to SMC 23.34.004, the Owner hereby covenants, bargains and agrees, on behalf of itself and its successors and assigns, that it will comply with the following limitation and condition in consideration of the Rezone:

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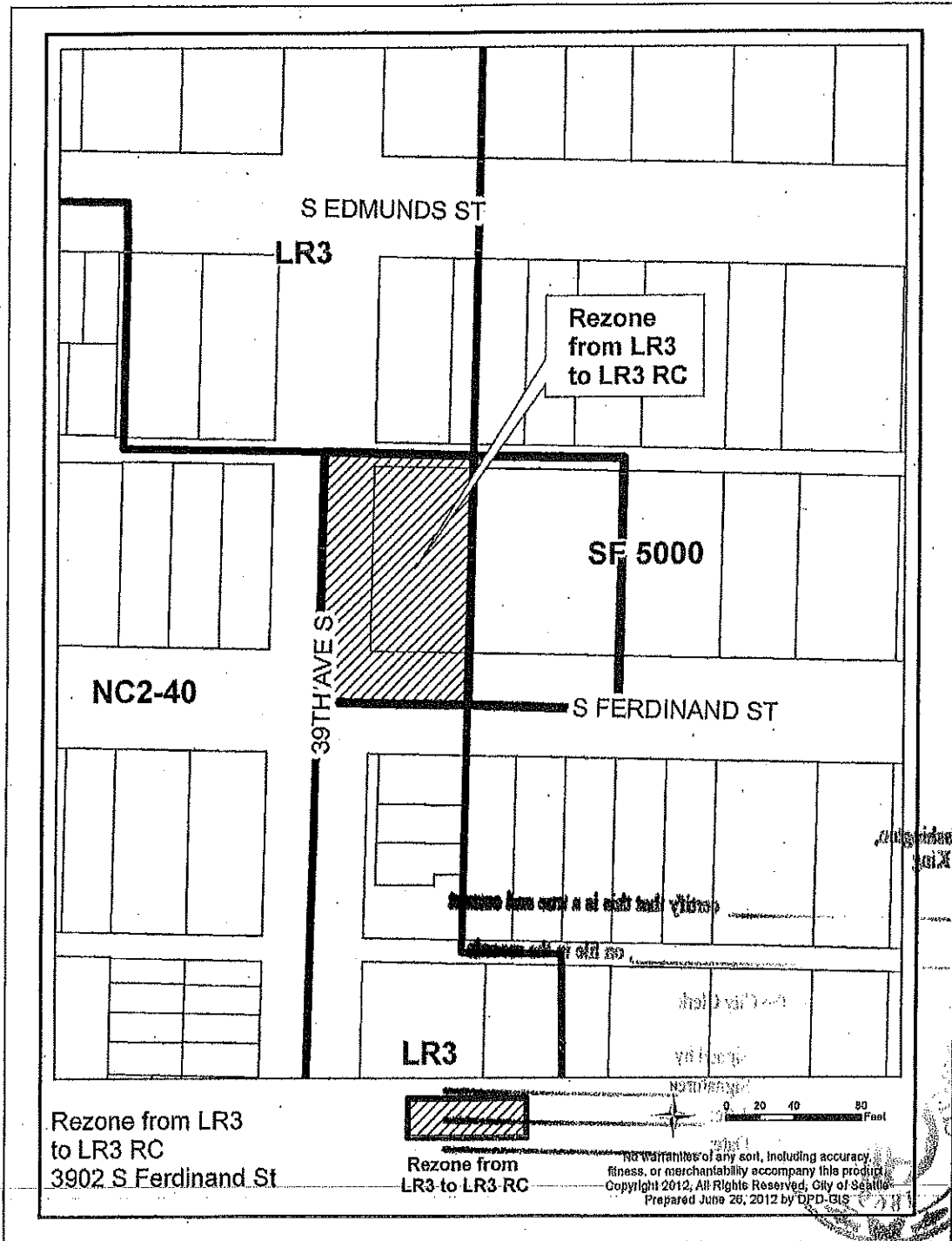
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4. Amendment. This Agreement may be amended or modified by agreement between Owner and the City; provided, such amendment shall be approved by the legislative authority of the City by ordinance.

5. Exercise of Police Power. Nothing in this Agreement prevents the City Council from making such further amendments to the Seattle Municipal Code or Land Use Code as it may deem necessary in the public interest.

6. No Precedent. The conditions contained in this Agreement are based on the unique circumstances applicable to this Property and this Agreement is not intended to establish precedent for other rezones in the surrounding area.

EXHIBIT 1 - PUDA - 3902 S. FERDINAND



State of Washington,
County of King

I, Janet Polata certify that this is a true and correct
copy of PUDA Ord. 123923, on file in the records
of the City of Seattle, Office of the City Clerk



Signed by:

Signature

Title: Information Specialist

Date: August 23, 2012