

Honorable Ken Schubert

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KING COUNTY SUPERIOR COURT

IRENE WALL and ROBERT MORGAN,
Petitioners,
v.

NO. 18-2-21317-7 SEA
ORDER GRANTING PETITIONERS'
MOTION FOR RECONSIDERATION
AND AMENDING THE ORDER OF
REMAND

CITY OF SEATTLE, a Washington
Municipal Corporation; and 70th &
GREENWOOD AVE, LLC and OJD, LLC,
Washington limited liability companies,
Respondents.

This matter comes before the Court upon Petitioners' Motion for
Reconsideration. The Court considered the Petitioners' Motion and briefing of
the parties and hereby grants Petitioners' Motion. Now therefore,

IT IS HEREBY ORDERED:

ORDER GRANTING PETITIONERS' MOTION FOR
RECONSIDERATION AND AMENDING THE ORDER
OF REMAND - 1

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1. Paragraph 1 on Page 3 of the Order of Remand dated March 5, 2019 is replaced in its entirety with the following:

“Pursuant to RCW 36.70C.140, the contract rezone approval and Property Use and Development Agreement are hereby remanded to the City Council to address compliance with SMC 23.34.009.D.2, which requires that ‘[a] gradual transition in height and scale and level of activity between zones shall be provided unless major physical buffers, as described in subsection [23.34.008.E.2] ,are present,’ in the area where the commercial Lot 287710-4100 shares a rear boundary line with the single family residential Lot 287710-4120 at 7010 Palatine Avenue North.”

2. In all other respects the Findings and Conclusions of the March 5, 2019 Order remain the same.

Done this 27th day of March 2019.

E-signature on following page

Honorable Ken Schubert
Superior Court Judge

LAW OFFICES OF
JEFFREY M. EUSTIS, PLLC

/s/ _____
Jeffrey M Eustis, WSBA #9262
Attorney for Petitioners

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CITY OF SEATTLE
CITY ATTORNEY'S OFFICE


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King County Superior Court
Judicial Electronic Signature Page

Case Number: 18-2-21317-7
Case Title: WALL ET ANO VS SEATTLE CITY OF ET AL
Document Title: ORDER GRANTING MTN FOR RECONSIDERATION
Signed by: Ken Schubert
Date: 3/27/2019 9:00:00 AM

A rectangular box containing a handwritten signature in black ink. The signature is stylized and appears to be 'K. Schubert'.

Judge/Commissioner: Ken Schubert

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 20DA9CAD30E9A356B2B090778A254A4188865BEC
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O=KCDJA, CN="Ken Schubert:
EPj/VAvS5hGqrSf3AFk6yQ=="