



Legislation Details (With Text)

**File #:** CB 119987    **Version:** 1    **Name:** CB 119987  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 2/1/2021  
**Final Action:** 2/1/2021    **Ord. No.** Ord 126275

**Title:** AN ORDINANCE approving the extension of a contract rezone approved by Ordinance 125433 and accepting an amended Property Use and Development Agreement for a property located at 1106 34th Avenue. (Petition by Martin Leibowitz, C.F. 314461, SDCI Project 3036784-LU)

**Sponsors:** Dan Strauss

**Indexes:**

**Attachments:** 1. Ex A - Executed Amended PUDA, 2. Ex A – Unexecuted Amended PUDA, 3. Summary and Fiscal Note, 4. Proposed Substitute, 5. Signed Ordinance 126275, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
2/1/2021	1	City Clerk	attested by City Clerk	
2/1/2021	1	City Council	passed as amended	Pass
1/27/2021	1	Land Use and Neighborhoods Committee	pass	Pass
1/11/2021	1	City Council	referred	
1/7/2021	1	Council President's Office	sent for review	
12/23/2020	1	City Clerk	sent for review	

CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL \_\_\_\_\_

AN ORDINANCE approving the extension of a contract rezone approved by Ordinance 125433 and accepting an amended Property Use and Development Agreement for a property located at 1106 34<sup>th</sup> Avenue. (Petition by Martin Leibowitz, C.F. 314461, SDCI Project 3036784-LU)

WHEREAS, the City Council passed Ordinance 125433 on October 9, 2017, approving a contract rezone for a property located at 1106 34<sup>th</sup> Avenue (Property) and accepting a Property Use and Development Agreement (PUDA); and

WHEREAS, the PUDA imposed conditions and covenants on future development of the Property; and

WHEREAS, the City passed Ordinance 125791 on March 18, 2018, which upzoned commercial and multifamily zoned sites adjacent to the Property to implement the Mandatory Housing Affordability

program; and

WHEREAS, Martin Leibowitz now seeks to extend the expiration date for the PUDA and contract rezone, by two additional years, in order to complete the development of the Property; and

WHEREAS, pursuant to Seattle Municipal Code (SMC) subsection 23.76.060.E, the City Council may extend the time limit on a Type IV land use decision by up to two years; and

WHEREAS, the Seattle Department of Construction and Inspections (SDCI) recommended that the Council approve the extension request on October 29, 2020; and

WHEREAS, the SDCI recommendation is filed in Clerk File 314461; and

WHEREAS; the City Council, pursuant to SMC subsection 23.76.060.E.2, finds the extension request to be reasonable, warranted by changed circumstances from passage of Ordinance 125791, and in the public interest; NOW, THEREFORE,

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

Section 1. The zoning designation established by Ordinance 125433 is extended for two years from the effective date of this ordinance.

Section 2. The Council accepts the Amended Property Use and Development Agreement (PUDA) attached to this ordinance as Exhibit A.

Section 3. The City Clerk is authorized and directed to file this amended PUDA in the King County Recorder's Office; to file, upon return of the amended PUDA from the King County Recorder's Office, the original amended PUDA at the City Clerk's Office; and to deliver copies of the same to the Director of the Seattle Department of Construction and Inspections and to the King County Assessor's Office.

Section 4. 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 30 days from and after its passage and approval by the City Council.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and signed by

me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

Attachments:  
Exhibit A - Amended PUDA