



Legislation Details (With Text)

File #: CB 119323 **Version:** 2 **Name:** CB 119323
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 8/6/2018

Final Action: 8/6/2018 **Ord. No.** Ord 125640

Title: AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 39 of the Official Land Use Map to rezone property located at 7009 Greenwood Avenue North from Neighborhood Commercial 2 with a 40-foot height limit to Neighborhood Commercial 2 with a 55-foot height limit and mandatory housing affordability suffix, and accepting a Property Use and Development Agreement as a condition of rezone approval. (Petition by 70th & Greenwood Ave, LLC, C.F. 314356, SDCI Project 3023260)

Sponsors: Rob Johnson

Indexes:

Attachments: 1. Exhibit A – Legal Description, 2. Exhibit B – Rezone Map, 3. Exhibit C – Property Use and Development Agreement v2, 4. Exhibit C – Property Use and Development Agreement v1, 5. Summary and Fiscal Note, 6. Proposed Substitute (added 8/7/18), 7. Amendment 2 (added 8/7/18), 8. Signed Ordinance 125640, 9. Affidavit of Publication

| Date | Ver. | Action By | Action | Result |
|-----------|------|--|------------------------|--------|
| 8/6/2018 | 2 | City Clerk | attested by City Clerk | |
| 8/6/2018 | 1 | City Council | passed as amended | Pass |
| 8/1/2018 | 1 | Planning, Land Use, and Zoning Committee | pass | Pass |
| 7/30/2018 | 1 | City Council | referred | |
| 7/25/2018 | 1 | Council President's Office | sent for review | |
| 7/24/2018 | 1 | City Clerk | sent for review | |

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 39 of the Official Land Use Map to rezone property located at 7009 Greenwood Avenue North from Neighborhood Commercial 2 with a 40-foot height limit to Neighborhood Commercial 2 with a 55-foot height limit and mandatory housing affordability suffix, and accepting a Property Use and Development Agreement as a condition of rezone approval. (Petition by 70th & Greenwood Ave, LLC, C.F. 314356, SDCI Project 3023260)

WHEREAS, the Council received an appeal by Bob Morgan and Irene Wall of the Hearing Examiner’s recommendation to conditionally approve the rezone;

WHEREAS, the Council determined that the Hearing Examiner did not err in his recommendation to conditionally approve the rezone;

WHEREAS, the appeal raised issues related to an administrative decision by the Seattle Department of Construction and Inspections to establish as a “development site,” for the purposes of the application of development standards, the rezone area and two adjacent single-family parcels;

WHEREAS, the Council has not yet made a policy decision reflected in regulations or definitions in the Land Use Code about the implications of “development sites” when a project is proposed for a site that includes a single-family zone designation and another more intensive zone designation;

WHEREAS, the Council intends to address policy issues related to “development sites;” and

WHEREAS, Council decisions related to contract rezone applications have no precedential effect; NOW
THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. This ordinance rezones a portion of the property commonly known as 7009 Greenwood Avenue North (“Property”), which is legally described in Exhibit A to this ordinance.

Section 2. Page 39 of the Official Land Use Map, Seattle Municipal Code Section 23.32.016, is amended to rezone a portion of the Property described in Section 1 of this ordinance, and shown in Exhibit B to this ordinance, from Neighborhood Commercial 2 with a 40-foot height limit (NC2 40) to Neighborhood Commercial 2 with a 55-foot height limit and mandatory housing affordability suffix (NC2 55 (M)). Approval of this rezone is conditioned upon complying with the Property Use and Development Agreement (PUDA) approved in Section 3 of this ordinance.

Section 3. The PUDA attached to this ordinance as Exhibit C is approved and accepted.

Section 4. The City Clerk is authorized and directed to take the following actions: (1) file the PUDA approved in Section 3 of this ordinance with the King County Recorder’s Office; (2) upon return of the

recorded PUDA from the King County Recorder's Office, file the original PUDA along with this ordinance at the City Clerk's Office; and (3) deliver copies of the PUDA and this ordinance to the Director of the Seattle Department of Construction and Inspections and to the King County Assessor's Office.

Section 5. This ordinance, effectuating a quasi-judicial decision of the City Council and not subject to mayoral approval or disapproval, shall take effect 30 days from its approval by the City Council.

Passed by the City Council the _____ day of _____, 2018, and signed by me in open session in authentication of its passage this _____ day of _____, 2018.

President _____ of the City Council

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Exhibit A - Legal Description

Exhibit B - Rezone Map

Exhibit C - Property Use and Development Agreement