



Legislation Text

File #: CB 118410, **Version:** 1

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

AN ORDINANCE approving the extension of a contract rezone and a Property Use and Development Agreement approved by Ordinance 121164 and amended by Ordinance 124194 for the Seattle Housing Authority's High Point Garden Community housing development located at 6550 32nd Avenue SW. WHEREAS, on May 23, 2003, the City Council passed Ordinance 121164, approving a contract rezone for the

Seattle Housing Authority's (SHA) High Point Garden Community housing development located at 6550 32nd Avenue SW (Property) and accepting a Property Use and Development Agreement (PUDA); and

WHEREAS, the PUDA imposed conditions and covenants concerning the extent of new development that was authorized under the rezone, including the adoption of a ten-year term for the PUDA and rezone; and

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

WHEREAS, the 2003 contract rezone of the Property was a Type IV land use decision; and

WHEREAS, on June 17, 2013, the City Council passed Ordinance 124194, extending the expiration date for the PUDA and contract rezone by an additional two years; and

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

WHEREAS; the City Council, pursuant to SMC subsection 23.76.060.E.2, finds SHA's request to be both reasonable 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 121164 and extended by Ordinance 124194, including the Property Use and Development Agreement (PUDA) incorporated by reference therein, is extended for an additional period of two years from the effective date of this ordinance.

Section 2. The City Clerk is hereby authorized and directed to file said PUDA amendment at the King County Records and Elections Division; to file, upon return of the recorded amendment from the King County Records and Elections Division, the original of said amendment 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 3. 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 upon its passage by the Council.

Section 4. If Section 3 of this ordinance shall be declared by any court of competent jurisdiction to be contrary to law: Section 3 shall be severed from the rest of the ordinance; all other provisions of this ordinance shall remain valid; this ordinance shall be deemed effective retroactive to June 17, 2015; and any act consistent with the authority of this ordinance taken prior to this retroactive effective date is ratified and confirmed.

Passed by the City Council the ____ day of _____, 2015, and
signed by me in open session in authentication of its passage this
____ day of _____, 2015.

President _____ of the City Council

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

Exhibit A: 2nd Amendment to Property Use and Development Agreement