



Legislation Details (With Text)

**File #:** CB 118676    **Version:** 2    **Name:** CB 118676  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 5/9/2016  
**Final Action:** 5/9/2016    **Ord. No.** Ord 125035

**Title:** AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 16 of the Official Land Use Map to rezone property located at 10711 8th Avenue NE from Neighborhood Commercial 3-40 (NC3-40) to Neighborhood Commercial 3-65 (NC3-65), and accepting a Property Use and Development Agreement as a condition of rezone approval. (Petition by Kevin Cleary, Baylis Architects, C.F. 314287, DPD Project 3018442)

**Sponsors:** Rob Johnson

**Indexes:**

**Attachments:** 1. Exhibit A - Rezone Map v2, 2. Exhibit B - Final Property Use and Development Agreement, 3. Exhibit A - Rezone Map v1, 4. Exhibit B - DRAFT Property Use and Development Agreement, 5. Summary and Fiscal Note, 6. Central Staff Memo (05/03/16), 7. Signed Ordinance 125035, 8. Recorded Property Use and Development Agreement, 9. Affidavit of Publication

Date	Ver.	Action By	Action	Result
5/9/2016	2	City Clerk	attested by City Clerk	
5/9/2016	1	City Council	passed	Pass
5/3/2016	1	Planning, Land Use, and Zoning Committee	pass as amended	Pass
5/2/2016	1	City Council	referred	
4/28/2016	1	Council President's Office	sent for review	
4/26/2016	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 16 of the Official Land Use Map to rezone property located at 10711 8<sup>th</sup> Avenue NE from Neighborhood Commercial 3-40 (NC3-40) to Neighborhood Commercial 3-65 (NC3-65), and accepting a Property Use and Development Agreement as a condition of rezone approval. (Petition by Kevin Cleary, Baylis Architects, C.F. 314287, DPD Project 3018442)

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

Section 1. This ordinance affects the following legally described property (collectively, the "Property"), which consists of real property separately owned by three owners (collectively, the "Owners"; individually,

“Owner”):

Property Owned by Wallace Properties - Northgate Eighth LLC	Parcel B of City of Seattle Short Subdivision No. 8705410 recorded May 20, 1988 under Recording No. 8805200974, in King County Washington.
Property Owned by Wallace GT - Northgate II LLC	The north 24.00 feet of the E ½ of the S ½ of the NW ¼ of the SW ¼ of the SE ¼ of Section 29, Township 26N, Range 4E, W.M., King County, Washington. Except the E 30.00 feet thereof. and Portion of the E ½ of the S ½ of the NW ¼ of the SW ¼ of the SE ¼ of Section 29, Township 26N, Range 4E, W.M., King County, Washington, described as follows: beginning 24.00 feet S of the NE corner of said subdivision; thence W 160.00 feet, thence S 55.00 feet, thence E 160.00 feet.
Property Owned by GRE/NOP Northgate LLC	Parcel A and Parcel C of City of Seattle Short Subdivision No. 8705410.

Section 2. Contingent on Section 3 of this ordinance, the Official Land Use Map zone classification for the Property, shown on page 16 of the Official Land Use Map, is amended to rezone the portion of the Property currently zoned Neighborhood Commercial 3 with a 40 foot height limit to Neighborhood Commercial 3 with a 65 foot height limit, all as shown in Exhibit A to this ordinance.

Section 3. If any Owner fails to execute the Property Use and Development Agreement, attached to this ordinance as Exhibit B (“Agreement”), before 30 days after passage and approval of this ordinance by the City Council, the rezone of the property owned by that Owner will not take effect. To the extent the rezone takes effect, the rezone is conditioned upon compliance with the Agreement.

Section 4. The Agreement, to the extent executed, is hereby approved and accepted.

Section 5. To the extent this rezone becomes effective, this rezone shall not expire and shall remain in full force and effect until changed by future Council action.

Section 6. No sooner than the 31st day following passage and approval of this ordinance by the City Council, and only if the Agreement is executed by at least one Owner, the City Clerk is hereby authorized and directed to file the Agreement 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 Agreement with this ordinance at the City Clerk's Office; and to deliver copies of the same to the Director of the Department of

Construction and Inspections and to the King County Assessor's Office.

Section 7. Except as provided in 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 30 days from and after its passage and approval by the City Council.

Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2016, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2016.

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

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2016.

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

(Seal)

Exhibits:  
Exhibit A - Rezone Map  
Exhibit B - Property Use and Development Agreement