

of 2-7-91

ORDINANCE No. 114397

Page 2

**

COUNCIL BILL No. 107123

The City of

AN ORDINANCE relating to land use and zoning; amending Plat 225E, page 14 of the Official Land Use Map to rezone certain property located at 1760 North Northgate Way, comprising six properties located between North 107th Street and Burke Avenue North along North Northgate Way from Single Family 7200 (SF 7200) Zone to Lowrise 3 (L-3) Zone and accepting a Property Use and Development Agreement in connection therewith. (Petition of Gordon Penix, C.F. 296060.)

Honorable President:

Your Committee on URBAN RE

to which was referred the within Cou report that we have considered the sa

Do PASS BY

on 1-18-89

2/27/89 held on

Vote 7-1 GA

COMPTROLLER FILE No. 296060

Introduced: <u>JAN 11 1989</u>	By: <u>NO SPONSOR REQUIRED</u>
Referred: <u>JAN 17 1989</u>	To: <u>Urban Redevelopment</u>
Referred:	To:
Referred:	To:
Reported: <u>MAR 6 1989</u>	Second Reading: <u>MAR 6 1989</u>
Third Reading: <u>MAR 6 1989</u>	Signed: <u>MAR 6 1989</u>
Presented to Mayor: <u>MAR 7 1989</u>	Approved: <u>MAR 17 1989</u>
Returned to City Clerk: <u>MAR 17 1989</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

President:

Committee on URBAN REDEVELOPMENT

was referred the within Council Bill No. 107123

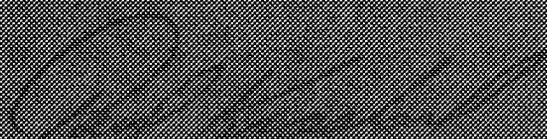
that we have considered the same and respectfully recommend that the same:

DO PASS BY A VOTE OF ⁶2-0

ON 4-18-89

97/89 held one week (Galle)

He 7-1 Galle



Committee Chair

#2
c.B.107123

ORDINANCE 114397

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3 AN ORDINANCE relating to land use and zoning; amending Plat
4 225E, page 14 of the Official Land Use Map to rezone cer-
5 tain property located at 1760 North Northgate Way,
6 comprising six properties located between North 107th
7 Street and Burke Avenue North along North Northgate Way
8 from Single Family 7200 (SF 7200) Zone to Lowrise 3 (L-3)
9 Zone and accepting a Property Use and Development
10 Agreement in connection therewith. (Petition of Gordon
11 Penix, C.F. 296060.)

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plat 225E, page 14 of the Official Land
Use Map is amended to rezone from Single Family 7200 (SF 7200)
Zone to Lowrise 3 (L-3) Zone the following described real
property:

12 Property Address: 1760 N. Northgate Way
13 Legal Description: Lot 11-12 Block 3 Lindsley's
14 Mineral Springs Plat Beg at PT
15 40 FT N and 67 FT E of SW COR
16 of 11 TH E PLL to N LN SD Lot
106.29 FT to NWLY LN of Mineral
Springs Way TH SWLY ALG SD LN
134.6 FT TH NWLY to PT 67 FT E
of 11-12 and S 52.5 FT FR POB
TH N 52.5 FT to POB

17 Property Address: 1766 N. Northgate Way
18 Legal Description: Lot 11 Block 3 Lindsley's Mineral
Springs Plat N 60 FT of E 158 FT

19 Property Address: 1724 N. 107th Street
20 Legal Description: Lots 11 and 12 Block 3 Lindsley's
21 Mineral Springs Plat BEG At PT 27
22 FT E of SW COR of 12 TH N 140 FT TH
E 40 FT TH S 52.5 FT TH SELY ALG
SWLY LN of PROP AUD #4440111 to NWLY
LN of Mineral Springs Way TH SWLY
ALG SD LN 30 FT TH W 60 FT to BEG

23 Property Address: 1780 N. Northgate Way
24 Legal Description: Lot 10 Block 3 Lindsley's Mineral
Springs Plat N 1/2

25 Property Address: 1772 N. Northgate Way
26 Legal Description: Lot 10 Block 3 Lindsley's Mineral
27 Springs Plat S 1/2
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1 as shown on Exhibit "A," and the City Clerk is directed to
2 place a copy of said Exhibit "A in a volume entitled "Zoning
3 Map Amendments," all as contemplated in C.F. 296060.

4 Section 2. That the Property Use and Development
5 Agreement which was submitted to the City by the owners of the
6 property described in Section 1, hereof, recorded in the
7 records of the Director of Records and Elections of King
8 County, and filed in C.F. 296060 by which said owners agree to
9 certain restrictions upon the use and development of said
10 property to ameliorate the adverse impact of uses and develop-
11 ment otherwise permitted in the Lowrise 3 (L-3) Zone upon
12 private property in the vicinity, is hereby accepted, and the
13 City Clerk is hereby authorized and directed to deliver copies
14 of the same to the Director of Construction and Land Use and
15 the Community Development Director.
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(To be used for all Ordinances except Emergency.)

C.B. 107123

Section 3..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 6th day of March, 1989, and signed by me in open session in authentication of its passage this 6th day of March, 1989.

Approved by me this 17th day of March, 1989, *Charles Poyner* Mayor.

Filed by me this 17th day of March, 1989.

Attest: *Norward J. Brooks*
City Comptroller and City Clerk.

By *Margaret Carter*
Deputy Clerk.

(SEAL)

Published.....

PUBLISH DO NOT PUBLISH

CITY ATTORNEY _____

RECEIVED THIS DAY

#2
C.B. 107123

MAR 28 3 03 PM '89

BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

89/03/28 #1046
RECD F 7.00
CASHSL *****7.00
55

ORDINANCE 114397

AN ORDINANCE relating to land use and zoning; amending Plat 225E, page 14 of the Official Land Use Map to rezone certain property located at 1760 North Northgate Way, comprising six properties located between North 107th Street and Burke Avenue North along North Northgate Way from Single Family 7200 (SF 7200) Zone to Lowrise 3 (L-3) Zone and accepting a Property Use and Development Agreement in connection therewith. (Petition of Gordon Penix, C.F. 296060.)

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plat 225E, page 14 of the Official Land Use Map is amended to rezone from Single Family 7200 (SF 7200) Zone to Lowrise 3 (L-3) Zone the following described real property:

Property Address: 1760 N. Northgate Way
Legal Description: Lot 11-12 Block 3 Lindsley's Mineral Springs Plat Beg at PT 40 FT N and 67 FT E of SW COR of 11 TH E PLL to N LN SD Lot 106.29 FT to NWLY LN of Mineral Springs Way TH SWLY ALG SD LN 134.6 FT TH NWLY to PT 67 FT E of 11-12 and S 52.5 FT FR POB TH N 52.5 FT to POB

Property Address: 1766 N. Northgate Way
Legal Description: Lot 11 Block 3 Lindsley's Mineral Springs Plat N 60 FT of E 158 FT

Property Address: 1724 N. 107th Street
Legal Description: Lots 11 and 12 Block 3 Lindsley's Mineral Springs Plat BEG At PT 27 FT E of SW COR of 12 TH N 140 FT TH E 40 FT TH S 52.5 FT TH SELY ALG SWLY LN of PROP AUD #4440111 to NWLY LN of Mineral Springs Way TH SWLY ALG SD LN 30 FT TH W 60 FT to BEG

Property Address: 1780 N. Northgate Way
Legal Description: Lot 10 Block 3 Lindsley's Mineral Springs Plat N 1/2

Property Address: 1772 N. Northgate Way
Legal Description: Lot 10 Block 3 Lindsley's Mineral Springs Plat S 1/2

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1 as shown on Exhibit "A," and the City Clerk is directed to
2 place a copy of said Exhibit "A in a volume entitled "Zoning
3 Map Amendments," all as contemplated in C.F. 296060.

4 Section 2. That the Property Use and Development
5 Agreement which was submitted to the City by the owners of the
6 property described in Section 1, hereof, recorded in the
7 records of the Director of Records and Elections of King
8 County, and filed in C.F. 296060 by which said owners agree to
9 certain restrictions upon the use and development of said
10 property to ameliorate the adverse impact of uses and develop-
11 ment otherwise permitted in the Lowrise 3 (L-3) Zone upon
12 private property in the vicinity, is hereby accepted, and the
13 City Clerk is hereby authorized and directed to deliver copies
14 of the same to the Director of Construction and Land Use and
15 the Community Development Director.
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8903281046

(To be used for all Ordinances except Emergency.)

C.B. 107123

8903281046

STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)

I, NORWARD J. BROOKS, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this 27th day of March, 1989

NORWARD J. BROOKS
Comptroller and City Clerk

By: Margaret Carter
Deputy Clerk

Section 3..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 6th day of March, 1989,
and signed by me in open session in authentication of its passage this 6th day of
March, 1989.

Approved by me this 17th day of March, 1989,
Charles Royin Mayor.

Filed by me this 17th day of March, 1989.

Attest: Norward J. Brooks
City Comptroller and City Clerk.

By: Margaret Carter
Deputy Clerk.

(SEAL)

Published.....

RECEIVED THIS DAY

BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY
FEB 16 9 04 AM '88

PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS INSTRUMENT, executed this date in favor of The City of Seattle, a municipal corporation (herein called "City"), by the undersigned owners of the within-described property (herein called "Owners"):

W I T N E S S E T H:

WHEREAS, Owners are persons owning a fee simple and/or having a substantial beneficial interest in the following described real property (herein called the "Property"):

Property Address: 1760 N. Northgate Way
Legal Description: Lot 11-12 Block 3 Lindsley's Mineral Springs Plat Beg at PT 40 FT N and 67 FT E of SW COR of 11 TH E PLL to N LN SD Lot 106.29 FT to NWLY LN of Mineral Springs Way TH SWLY ALG SD LN 134.6 FT TH NWLY to PT 67 FT E of 11-12 and S 52.5 FT FR POB TH N 52.5 FT to POB

Property Address: 1766 N. Northgate Way
Legal Description: Lot 11 Block 3 Lindsley's Mineral Springs Plat N 60 FT of E 158 FT

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Legal Description: Lots 11 and 12 Block 3 Lindsley's Mineral Springs Plat BEG At PT 27 FT E of SW COR of 12 TH N 140 FT TH E 40 FT TH S 52.5 FT TH SELY ALG SWLY LN of PROP AUD #4440111 to NWLY LN of Mineral Springs Way TH SWLY ALG SD LN 30 FT TH W 60 FT to BEG

Property Address: 1780 N. Northgate Way
Legal Description: Lot 10 Block 3 Lindsley's Mineral Springs Plat N 1/2

Property Address: 1772 N. Northgate Way
Legal Description: Lot 10 Block 3 Lindsley's Mineral Springs Plat S 1/2

situate in the City of Seattle, King County, Washington; and

8902160112

**FILED FOR RECORD AT REQUEST OF
CITY OF SEATTLE
OFFICE FOR PLANNING
650 DEXTER HORTON BLDG.
710 - SECOND AVENUE
SEATTLE, WASHINGTON 98104**

8902160112

WHEREAS, a petition (C.F. 296060) was filed with the City to rezone the Property from Single Family 7200 (SF 7200) Zone to Lowrise 3 (L-3) Zone pursuant to the provisions of the Land Use Code, the Hearing Examiner held a public hearing on the petition and recommended that the petition be approved subject to certain conditions; and

WHEREAS, the Land Use Committee recommended to the City Council that the Property be rezoned to the Lowrise 3 (L-3) Zone subject to the execution and recording of an agreement with the City pertaining to certain uses and development of the Property in order to ameliorate the adverse impact of unrestricted use and development in a Lowrise 3 (L-3) Zone;

NOW, THEREFORE, Owners hereby covenant, bargain and agree on behalf of themselves, their heirs, successors and assigns, that if the Property is rezoned to the Lowrise 3 Zone:

1. That any use or development of the Property shall be subject to the following conditions relating to height of structures on the Property, access, and the Owners' monetary contribution and property dedication for street purposes.

- A. Access. Access to any development on the property shall be provided only on Burke Avenue North.
- B. Height. In order to create a transition in height to the single family residences behind the property at a location where the topographical break is not sufficient, the Owners shall restrict the height of any development in the south two hundred (200) feet of the Property to that allowed in the Lowrise 2 (L-2) Zone.

8902160112

C. Monetary Contribution. At such time as the Owners make application for a building permit for the Property, the Owner/Applicant shall contribute Two Thousand Five Hundred Dollars (\$2,500.00) towards the installation of a traffic circle at the intersection of North 107th Street and Densmore Avenue North.

D. Dedication of Property. The Owners shall dedicate sufficient property to the City which will provide an arterial that meets Seattle Street Design Requirements for a principal arterial, and which also allows for the construction of a left turn pocket from North Northgate Way onto Burke Avenue North.

2. This Property Use and Development Agreement (hereafter "Agreement") shall be recorded in the records of King County and the covenants hereof shall be deemed to attach to and run with the Property and shall be binding upon the Owners, their heirs, successors and assigns, and shall apply to after-acquired title of the Owners of the Property; provided that the covenants hereof shall expire and be of no force and effect two years from the effective date of the approval of this rezone if the owners fail to satisfy the requirement of Section 23.76.060 of the Seattle Municipal Code.

3. This Agreement may be amended or modified by agreement between the Owners and the City; provided such amended agreement shall be approved by the legislative authority of the City by ordinance. Nothing in this

CITY COUNCIL TRANSMITTAL

C. F. # 296060

TO:

Date Sent:

10-26-88

Reply Requested By:

November 16, 1988

City Attorney

Subject:

*Permit of Gordon Park to
Rezone Property in 1960 in
Northwest City from 15700 to 1-3*

FROM:

*Mary Donald
City Council Central Staff*

ACTION
required *CB 107123*

	Review and Return File With Your Answer to Sender	
	Review and Answer Petitioner, Return File and Copy of Answer to Sender	
	Review and Make Recommendations, Return File and Recommendations to Sender () In Duplicate	
	Prepare Legislation and Return File to Sender	

Additional Information:

*Note: Amend conditions in findings & conclusions as
shown in attached file*

Mary Donald
Signature

COPY OF ORIGINAL FILED
FEB 16 1989
Director of Records & Elections

PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS INSTRUMENT, executed this date in favor of The City of Seattle, a municipal corporation (herein called "City"), by the undersigned owners of the within-described property (herein called "Owners"):

W I T N E S S E T H:

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Property Address: 1780 N. Northgate Way
Legal Description: Lot 10 Block 3 Lindsley's Mineral Springs Plat N 1/2

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Legal Description: Lot 10 Block 3 Lindsley's Mineral Springs Plat S 1/2

situate in the City of Seattle, King County, Washington; and

WHEREAS, a petition (C.F. 296060) was filed with the City to rezone the Property from Single Family 7200 (SF 7200) Zone to Lowrise 3 (L-3) Zone pursuant to the provisions of the Land Use Code, the Hearing Examiner held a public hearing on the petition and recommended that the petition be approved subject to certain conditions; and

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City of Seattle

ORDINANCE 11437

AN ORDINANCE relating to land use and zoning; amending Plat 225E, page 14 of the Official Land Use Map to rezone certain property located at 1760 North Northgate Way, comprising six properties located between North 107th Street and Burke Avenue North along North Northgate Way from Single Family 7200 (SF 7200) Zone to Lowrise 3 (L-3) Zone and accepting a Property Use and Development Agreement in connection therewith. (Petition of Gordon Penix, C.F. 296060.)

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plat 225E, page 14 of the Official Land Use Map is amended to rezone from Single Family 7200 (SF 7200) Zone to Lowrise 3 (L-3) Zone the following described real property:

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Property Address: 1766 N. Northgate Way
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Property Address: 1780 N. Northgate Way
Legal Description: Lot 10 Block 3 Lindsley's Mineral Springs Plat N $\frac{1}{2}$

Property Address: 1772 N. Northgate Way
Legal Description: Lot 18 Block 3 Lindsley's Mineral Springs Plat S $\frac{1}{2}$

as shown on Exhibit "A," and the City Clerk is directed to place a copy of said Exhibit "A in a volume entitled "Zoning Map Amendments," all as contemplated in C.F. 296060.

Section 2. That the Property Use and Development Agreement which was submitted to the City by the owners of the property described in Section 1, hereof, recorded in the records of the Director of Records and Elections of King County, and filed in C.F. 296060 by which said owners agree to certain restrictions upon the use and development of said property to ameliorate the adverse impact of uses and development otherwise permitted in the Lowrise 3 (L-3) Zone upon private property in the vicinity, is hereby accepted, and the City Clerk is hereby authorized and directed to deliver copies of the same to the Director of Construction and Land Use and the Community Development Director.

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 6th day of March, 1989, and signed by me in open session in authentication of its passage this 9th day of March, 1989.

SAM SMITH,
President of the City Council.
Approved by me this 17th day of March, 1989.

CHARLES ROYER,
Mayor.

Filed by me this 17th day of March, 1989.

Attest: NORWARD J. BROOKS,
City Comptroller and City Clerk.
(Seal) By MARGARET CARTER,
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.
Record of official publication in Daily Journal of Commerce, Seattle, March 26, 1989.

ZONE SF 7200 to L-3

CONTRACT 14

C.F. 296060

Ord 114397

