

2/21-91
ORDINANCE No. 114478

**
COUNCIL BILL No. 107273

AN ORDINANCE relating to Land Use and Zoning; amending Plat 12W, Page 55 of the Official Land Use Map to rezone property located at 6416 - 15th Avenue N.W. from Lowrise 3 (L-3) Zone to Neighborhood Commercial 3 with a 40 foot height limitation (NC3-40') Zone, and accepting a Property Use and Development Agreement in connection therewith. (Petition of John C. Pattok, C.F. 296400.)

Pass
The City of

Honorable President:

Your Committee on Urban R

to which was referred the within Council report that we have considered the same

4/19/89 Do Pass

Vote

COMPTROLLER FILE No. 296400

Introduced: APR 17 1989	By: No Sponsor Required
Referred: APR 17 1989	To: Urban Redevelopment
Referred:	To:
Referred:	To:
Reported: MAY 1 1989	Second Reading: MAY 1 1989
Third Reading: MAY 1 1989	Signed: MAY 1 1989
Presented to Mayor: MAY 2 1989	Approved: MAY 1 0 1989
Returned to City Clerk: MAY 1 2 1989	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: 

Law Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

President:

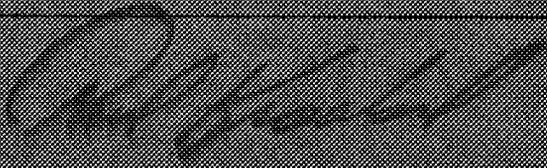
Committee on Urban Redevelopment

was referred the within Council Bill No. 101273

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

09 Do Pass (1-0; PK)

Vote 7-0



Committee Chair

CM:jrs
3/30/89
7:ORD1.

ORDINANCE 114478

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4 AN ORDINANCE relating to Land Use and Zoning; amending Plat
5 12W, Page 55 of the Official Land Use Map to rezone
6 property located at 6416 - 15th Avenue N.W. from
7 Lowrise 3 (L-3) Zone to Neighborhood Commercial 3 with
8 a 40 foot height limitation (NC3-40') Zone, and
9 accepting a Property Use and Development Agreement in
10 connection therewith. (Petition of John C. Pattok,
11 C.F. 296400.)

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

13 Section 1. That Plat 12W, Page 55 of the Official Land
14 Use Map adopted by Ordinance 110669 is amended to rezone
15 from Lowrise 3 (L-3) to Neighborhood Commercial 3, with a
16 40 foot height limitation (NC3-40') Zone, the following
17 described real property:

18 Lot 3, Block 6 of Gilman Park Addition, according
19 to plat thereof recorded in Volume 3 of Plats,
20 page 40, records of King County, Washington,

21 as shown in Exhibit A and the City Clerk is directed to
22 place a copy of said Exhibit A in a volume entitled "Zoning
23 Map Amendments," all as contemplated in C.F. 296400.

24 Section 2. That the City hereby accepts the Property
25 Use and Development Agreement submitted by the owners of the
26 property described in Section 1 hereof, by which said owners
27 have agreed to certain restrictions upon the property to
28 ameliorate the adverse impact of uses and development
otherwise permitted in a NC3-40' Zone upon property and
traffic in the vicinity. Said Property Use and Development
Agreement has been recorded in the records of the Director
of Records and Elections of King County, filed in C.F.
296400, and the City is hereby authorized and directed to
deliver copies of the same to the Director of Construction
and Land Use and the Community Development Director.

(To be used for all Ordinances except Emergency.)

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 15th day of May, 1989, and signed by me in open session in authentication of its passage this 15th day of May, 1989.

[Handwritten signature]
President of the City Council.

Approved by me this 10th day of May, 1989.

Charles Roper
Mayor.

Filed by me this 12th day of May, 1989.

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

(SEAL)

Published _____
By *Theresa J. Dunbar*
Deputy Clerk.

PUBLISH DO NOT PUBLISH

CITY ATTORNEY _____

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 property (herein called the "Property"):

Lot 3, Block 6 of Gilman Park Addition, according to plat thereof recorded in Volume 3 of Plats, page 40, records of King County, Washington.

WHEREAS, Owners have filed a petition (C.F. 296400) with the City to rezone the property from Lowrise 3 (L-3) to Neighborhood Commercial 3 with a 40 foot height limit (NC3-40') zone subject to the execution and recordation of an agreement with the City pertaining to the use and development of the Property, imposing conditions relating to development and landscaping, in order to ameliorate the adverse impacts of unrestricted use and development of property in a NC3-40' zone;

NOW, THEREFORE, the Owners hereby covenant, bargain and agree on behalf of themselves, their heirs, successors and assigns that they will comply with the following conditions if the Property is rezoned to a NC3-40' classification:

Section 1. Development of the Property shall be in accordance with the following conditions:

- A. Development. Development on the lot will be limited to that of a parking lot, accessory to the existing or successor business on lots 1 and 2.

8904110528

RECEIVED THIS DAY
APR 11 10 59 AM '89
BY THE DIVISION OF
RECORDS & LITIGATIONS
KING COUNTY

B. Landscaping. A detailed landscaping plan shall be submitted to DCLU for approval. Landscaping and screening will be installed and maintained as per approved plan.

Section 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 apply to afteracquired 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.

Section 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 Agreement shall prevent the City from making such further amendment to the Zoning Ordinance or Land Use Code as it may deem necessary in the public interest. Nothing in this Agreement is intended to authorize any use or dimension not otherwise permitted in a NC3 40' Zone.

Section 4. This Agreement is made for the benefit of the City and for the benefit of owners of the property within 300 feet of the Property, and either the City or any such property owner may institute and prosecute any proceeding at law or in equity to enforce this Agreement.

Section 5. It is further expressly agreed that in the event any condition or restriction hereinabove contained or

CM:jrs
3/30/89
7:ORDI.

BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

MAY 24 2 54 PM '89

RECEIVED THIS DAY

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ORDINANCE 114478

AN ORDINANCE relating to Land Use and Zoning; amending Plat 12W, Page 55 of the Official Land Use Map to rezone property located at 6416 - 15th Avenue N.W. from Lowrise 3 (L-3) Zone to Neighborhood Commercial 3 with a 40 foot height limitation (NC3-40') Zone, and accepting a Property Use and Development Agreement in connection therewith. (Petition of John C. Pattok, C.F. 296400.)

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plat 12W, Page 55 of the Official Land Use Map adopted by Ordinance 110669 is amended to rezone from Lowrise 3 (L-3) to Neighborhood Commercial 3, with a 40 foot height limitation (NC3-40') Zone, the following described real property:

Lot 3, Block 6 of Gilman Park Addition, according to plat thereof recorded in Volume 3 of Plats, page 40, records of King County, Washington,

as shown in 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. 296400.

Section 2. That the City hereby accepts the Property Use and Development Agreement submitted by the owners of the property described in Section 1 hereof, by which said owners have agreed to certain restrictions upon the property to ameliorate the adverse impact of uses and development otherwise permitted in a NC3-40' Zone upon property and traffic in the vicinity. Said Property Use and Development Agreement has been recorded in the records of the Director of Records and Elections of King County, filed in C.F. 296400, and the City is hereby authorized and directed to deliver copies of the same to the Director of Construction and Land Use and the Community Development Director.

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8905241033

(To be used for all Ordinances except Emergency.)

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 16th day of May, 1989

NORWARD J. BROOKS
Comptroller and City Clerk

By: *Theresa Dunbar*
Deputy Clerk

8905241033

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 15th day of May, 1989,

and signed by me in open session in authentication of its passage this 15th day of May, 1989.

[Signature]
President of the City Council.

Approved by me this 10th day of May, 1989.

Charles Royce
Mayor.

Filed by me this 12th day of May, 1989.

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

(SEAL)

Published

By: *Theresa Dunbar*
Deputy Clerk.

PUBLISH DO NOT PUBLISH

CITY ATTORNEY _____

CITY COUNCIL TRANSMITTAL

C. F. #

296400

TO:

Paul Krueber, City Attorney
1983 03-10-01

Date Sent:

3/15/89

Reply Requested By:

3/25/89

FROM:

Paul Krueber
Chair, Urban Redevelopment Committee

Subject:

Petition of John C. Parrot to remove approximately 5,000 sq. ft. from lotwise 2 (L-3), to neighborhood commercial 3/101 (NCC/NCOT) Glisan Park Addition. NUP 8801659

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

also RMA

ACTION required

Additional Information:

Please expedite, and give preference to Mary Demzel (8158) if when this can be completed. Thanks

Paul Krueber
Signature

STATE OF WASHINGTON - KING COUNTY

15350
City of Seattle, City Clerk

—SS.

No.

City of Seattle
ORDINANCE 114478

Affidavit of Publication

AN ORDINANCE relating to Land Use and Zoning; amending Plat 12W, Page 55 of the Official Land Use Map to rezone property located at 6416 - 15th Avenue N.W. from Lowrise 3 (L-3) Zone to Neighborhood Commercial 3 with a 40 foot height limitation (NC3-40') Zone, and accepting a Property Use and Development Agreement in connection therewith. (Petition of John C. Pattok, C.F. 296480.)

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plat 12W, Page 55 of the Official Land Use Map adopted by Ordinance 110669 is amended to rezone from Lowrise 3 (L-3) to Neighborhood Commercial 3, with a 40 foot height limitation (NC3-40') Zone, the following described real property:

Lot 3, Block 5 of Gilman Park Addition, according to plat thereof recorded in Volume 3 of Plats, page 40, records of King County, Washington,

as shown in 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. 296400.

Section 2. That the City hereby accepts the Property Use and Development Agreement submitted by the owners of the property described in Section 1 hereof, by which said owners have agreed to certain restrictions upon the property to ameliorate the adverse impact of uses and development otherwise permitted in a NC3-40' Zone upon property and traffic in the vicinity. Said Property Use and Development Agreement has been recorded in the records of the Director of Records and Elections of King County, filed in C.F. 296400, and the City 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 1st day of May, 1989, and signed by me in open session in authentication of its passage this 1st day of May, 1989.

SAM SMITH,
President of the City Council.
Approved by me this 10th day of May, 1989.
CHARLES ROVER,
Mayor.

Filed by me this 12th day of May, 1989.
Attest: NORWARD J. BROOKS,
City Comptroller and City Clerk
(Seal) By THERESA DUNBAR,
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, May 26, 1989.
(15350)

The undersigned, on oath states that he is an representative of The Daily Journal of Commerce, a paper, which newspaper is a legal newspaper of general n and it is now and has been for more than six months re date of publication hereinafter referred to, published in h language continuously as a daily newspaper in Seattle, nty, Washington, and it is now and during all of said time ed in an office maintained at the aforesaid place of n of this newspaper. The Daily Journal of Commerce e 12th day of June, 1941, approved as a legal newspaper e prior Court of King County.

notice in the exact form annexed, was published in regular The Daily Journal of Commerce, which was regularly l to its subscribers during the below stated period. The otice, a

ORDINANCE 114478

Subscribed and sworn to before me on

1989

Amount of the fee charged for the foregoing publication is \$ _____, which amount has been paid in full.

[Signature]

Subscribed and sworn to before me on

[Signature]
[Signature]

Notary Public for the State of Washington,
residing in Seattle

IG2 U/65'

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IB U/45'

L-1

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N.W. BALLARD

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N.W. BALLARD

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NC3/40 CONTRAS

C.F. 296400 ORD 114478