

26-10-91

ORDINANCE No.

115664

COUNCIL BILL No.

108581

The City of

AN ORDINANCE relating to land use and zoning; amending Plat 74W, page 175 of the Official Land Use Map to rezone property at 7500 Seward Park Avenue South from Single Family 9600 (SF 9600) and Single Family 9600/Planned Unit Development (SF 9600/PUD) to Lowrise 1 (L1) and accepting a Property Use and Development Agreement in connection therewith. (Petition of Caroline Kline Galland Home, C.F. 298162.)

Honorable President:

Your Committee on LAND

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

COMPTROLLER FILE No.

| | |
|---------------------------------------|--------------------------------|
| Introduced: MAY 20 '91 | By: DONALDSON |
| Referred: MAY 21 '91 | To: LAND USE |
| Referred: | To: |
| Referred: | To: |
| Reported: MAY 24 1991 | Second Reading: MAY 23 1991 |
| Third Reading: MAY 26 1991 | Signed: MAY 26 1991 |
| Presented to Mayor: MAY 29 1991 | Approved: JUN 4 1991 |
| Returned to City Clerk: JUN 4 1991 | Published: |
| Vetoed by Mayor: | Veto Published: |
| Passed over Veto: | Veto Sustained: |

DO PASS BY A VO

Full Council vote

OK

Law Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

President:

Committee on LAND USE

was referred the within Council Bill No. 108581

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

PASS BY A VOTE OF 50, PR, GB
3-0 ON 5-22-91

all Council vote 9-0



Committee Chair

ORDINANCE

115664

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3 AN ORDINANCE relating to land use and zoning; amending Plat
4 74W, page 175 of the Official Land Use Map to rezone
5 property at 7500 Seward Park Avenue South from Single
6 Family 9600 (SF 9600) and Single Family 9600/Planned Unit
7 Development (SF 9600/PUD) to Lowrise 1 (L1) and accept-
8 ing a Property Use and Development Agreement in
9 connection therewith. (Petition of Caroline Kline
10 Galland Home, C.F. 298162.)

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

12 Section 1. That Plat 74W, page 175 of the Official Land
13 Use Map adopted by Ordinance 110669 is amended to rezone from
14 Single Family 9600 (SF 9600) and Single Family 9600/Planned
15 Unit Development (SF 9600/PUD) to Lowrise 1 (L1) the following
16 described property:

17 PARCEL B:

18 Tract known as WILDWOOD IN PLAT OF
19 WILDWOOD, according to the plat recorded
20 in Volume 10 of Plats, page 77, in King
21 County, more particularly described as
22 follows:

23 Beginning at stone monument at the
24 Northeast corner of Lot 4, Section 26,
25 Township 24 North, Range 4 East, W.M., on
26 the shore of Lake Washington; running West
27 along North line of Lot 4, 794 feet to a
28 stone monument in the middle of the County
Road;

THENCE Southerly along middle of said
County Road, 270.7 feet;

THENCE East along the North line of Lot
16, as shown on Plat of Wildwood, 682 feet
to a stone monument on shore of Lake
Washington;

THENCE Northerly with meander to place of
beginning.

ALSO, second class shore lands lying in
front of above tracts.

ALSO, the use of private right-of-way for
footpath 18 feet wide along North side of
Lots 1 and 12 in Plat of Wildwood;

1 EXCEPTING, the portion thereof included
2 within the County Road above mentioned and
3 excepting the portion condemned for roads
4 situated in the County of King, State of
5 Washington by Ordinance No. 32174, City of
6 Seattle.

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PARCEL C:

Beginning at point on East marginal line
of Seward Park Avenue, (formerly Wilson
Avenue, as established by Ordinance No.
32174 of the City of Seattle) where South
boundary line of Government Lot 3 in
Section 26, Township 24 North, Range 4
East, W.M., in King County, Washington
intersects the same;

THENCE East along the South boundary line
of Government Lot 3, a distance of 177.2
feet;

THENCE North, 85.8 feet;

THENCE West parallel with the South
boundary line of said Government Lot 3, a
distance of 184.0 feet, more or less, to
East marginal line of Wilson Avenue;

THENCE Southerly along the East marginal
line of Wilson Avenue to the Point of
Beginning;

EXCEPT the North 10.0 feet thereof for
road.

PARCEL D:

Commencing at a point on the South
boundary line of Lot 3, Section 26,
Township 24 North, Range 4 East, W.M., in
King County, Washington, 177.20 feet East
from the intersection of the East margin
line of Wilson Avenue, as established by
Ordinance No. 32174, of the City of
Seattle, said point being the Southeast
corner of Lot conveyed to C.W. Nelson by
Julia A. Johnson, a widow, on May 18,
1918, by deed recorded in Volume 1031 of
Deeds, page 45, records of King County;

THENCE East along said South line of said
Lot 3, 213 feet, more or less, to a point
which is 1087 feet East of the Southwest
corner of said Government Lot 3;

THENCE North, 85.8 feet;

THENCE West, 213 feet, more or less, to
the Northeast corner of land conveyed to
said C.W. Nelson as aforesaid;

1 THENCE South along the East side of said
2 Nelson's land, 85.8 feet to the point of
beginning.

3 PARCEL E:

4 Portion of Government Lot 3, in Section
5 26, Township 24 North, Range 4 East, W.M.,
in King County, Washington, described as
follows:

6 Beginning at a point 1552.98 feet East of
7 the Southwest corner of said Government
Lot;

8 THENCE North 30° East, 111.45 feet;

9 THENCE West, 521.78 feet;

10 THENCE South, 96.6 feet;

11 THENCE East, 462 feet, more or less, to
point of beginning;

12 EXCEPT portion thereof lying East of a
13 line parallel to and 538 feet East of the
monument line of Seward Park Avenue.

14 TOGETHER WITH easement for right of way 15
15 feet in width, the centerline of which
begins at a point 1087 feet East and 85.8
16 feet North of the Southwest corner of said
Government Lot 3, and runs West to the
East line of Seward Park Avenue.

17 PARCEL F:

18 That portion of Government Lot 3, Section
19 26, Township 24 North, Range 4 East, W.M.,
in King County, Washington, described as
follows:

20 Beginning at a point 1552.98 feet East of
the Southwest corner of said Government
21 Lot;

22 THENCE North 30° East, 111.45 feet;

23 THENCE West, 521.78 feet;

24 THENCE South, 96.6 feet;

25 THENCE East, 462 feet, more or less, to
26 point of beginning;

27 EXCEPT that portion thereof which lies
West of a line parallel to and 538 feet
East of the monument line of Seward Park
Avenue.

28 TOGETHER WITH second class shorelands
adjoining.

1 TOGETHER WITH an easement for right-of-
2 way 15 feet in width, the centerline of
3 which begins at a point 1087 feet East and
4 85.8 feet North of the Southwest corner of
5 said Government Lot 3, and runs West of
6 the East line of Seward Park Avenue.

7 AND TOGETHER WITH an easement for right-
8 of-way 10 feet in width, the centerline of
9 which begins at a point 1087 feet East and
10 96.6 feet North of the Southwest corner of
11 said Government Lot 3, and runs East 161
12 feet; (the East 50 feet of the South 5
13 feet thereof being included within the
14 tract above described).

15 as shown in "Exhibit A", and the City Clerk is directed to
16 place a copy of said "Exhibit A" in a volume entitled "Zoning
17 Map Amendments", all as contemplated in C.F. 298162.

18 Section 2. That the Property Use and Development
19 Agreement which was submitted to the City by the Owner, the
20 Caroline Kline Galland Home, of the Property described in
21 Section 1 hereof, recorded in the records of the Director of
22 Records and Elections of King County and filed in C.F. 298162,
23 by which said owner agrees to certain restrictions upon the
24 Property to ameliorate the adverse impacts of uses and
25 developments otherwise permitted in the Lowrise 1 (L1) upon
26 property in the vicinity is hereby accepted. The City Clerk
27 is hereby authorized and directed to deliver copies of the
28 same to the Director of Construction and Land Use and the
Director of Community Development.

(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 28th day of May, 1991,
and signed by me in open session in authentication of its passage this 28th day of
May, 1991.
[Signature]
President of the City Council.

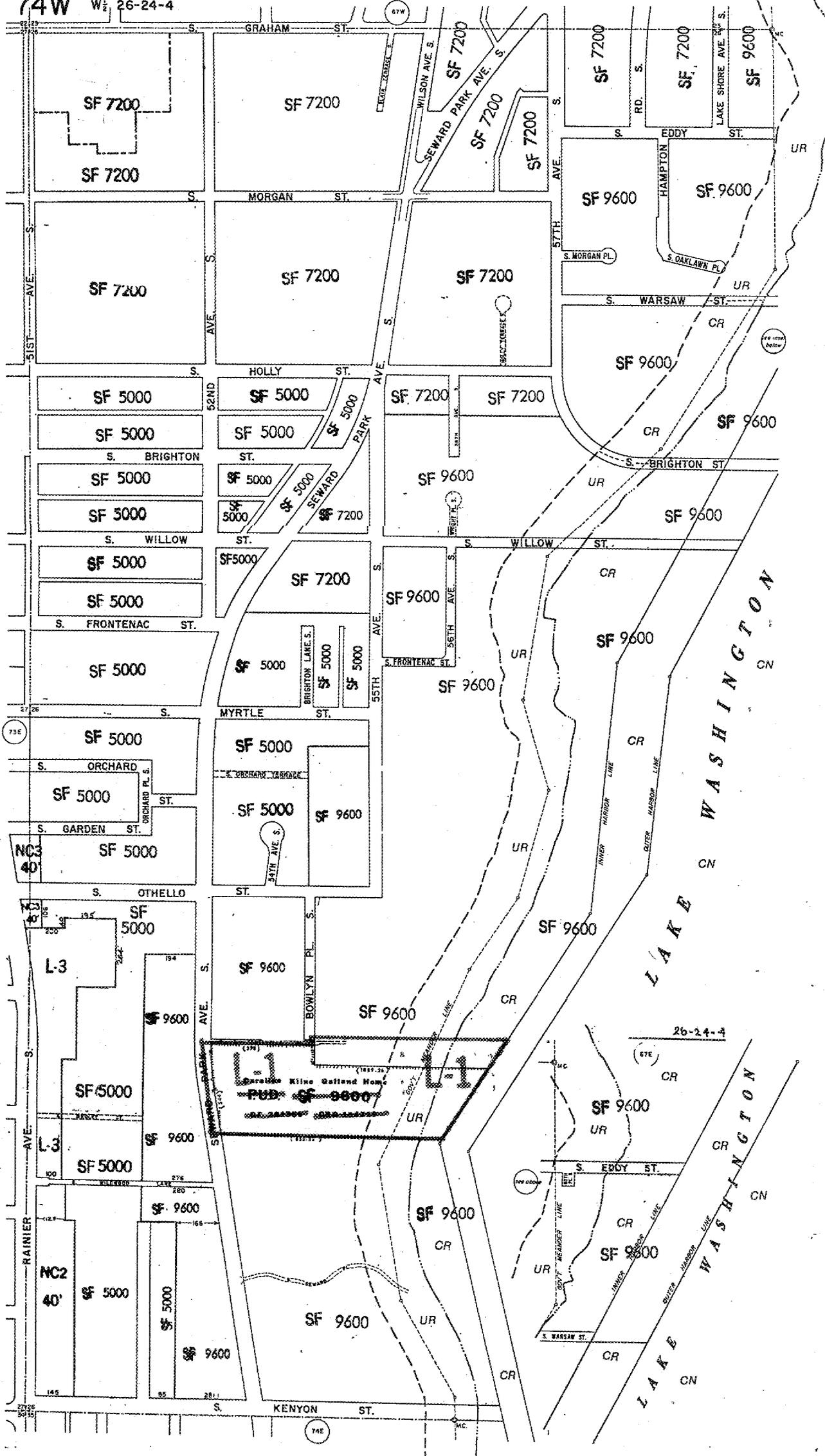
Approved by me this 4th day of June, 1991.
[Signature]
Mayor.

Filed by me this 4th day of June, 1991.
[Signature]
Attest: Norman J. Brooks
City Comptroller and City Clerk.

(SEAL)

Published.....

By *[Signature]*
Deputy Clerk.



175

REZONE SF9600/PUD & SF9600 to L-1 CONTRACT
CF. 298162

RECEIVED THIS

JUN 20 11 48 AM '91

BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

| | | |
|----------|----------|----|
| 91/06/20 | #0659 | \$ |
| REC FEE | 2.00 | |
| RECD F | 9.00 | |
| CASHSL | ***11.00 | |

ORDINANCE 115664

AN ORDINANCE relating to land use and zoning; amending Plat 74W, page 175 of the Official Land Use Map to rezone property at 7500 Seward Park Avenue South from Single Family 9600 (SF 9600) and Single Family 9600/Planned Unit Development (SF 9600/PUD) to Lowrise 1 (L1) and accepting a Property Use and Development Agreement in connection therewith. (Petition of Caroline Kline Galland Home, C.F. 298162.)

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plat 74W, page 175 of the Official Land Use Map adopted by Ordinance 110669 is amended to rezone from Single Family 9600 (SF 9600) and Single Family 9600/Planned Unit Development (SF 9600/PUD) to Lowrise 1 (L1) the following described property:

PARCEL B:

Tract known as WILDWOOD IN PLAT OF WILDWOOD, according to the plat recorded in Volume 10 of Plats, page 77, in King County, more particularly described as follows:

Beginning at stone monument at the Northeast corner of Lot 4, Section 26, Township 24 North, Range 4 East, W.M., on the shore of Lake Washington; running West along North line of Lot 4, 794 feet to a stone monument in the middle of the County Road;

THENCE Southerly along middle of said County Road, 270.7 feet;

THENCE East along the North line of Lot 16, as shown on Plat of Wildwood, 682 feet to a stone monument on shore of Lake Washington;

THENCE Northerly with meander to place of beginning.

ALSO, second class shore lands lying in front of above tracts.

ALSO, the use of private right-of-way for footpath 18 feet wide along North side of Lots 1 and 12 in Plat of Wildwood;

9106200659

FILED
CITY OF SEATTLE
AUG -7 PM 2:41
COMPTROLLER AND CITY CLERK

1 EXCEPTING, the portion thereof included
2 within the County Road above mentioned and
3 excepting the portion condemned for roads
4 situated in the County of King, State of
5 Washington by Ordinance No. 32174, City of
6 Seattle.

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PARCEL C:

Beginning at point on East marginal line
of Seward Park Avenue, (formerly Wilson
Avenue, as established by Ordinance No.
32174 of the City of Seattle) where South
boundary line of Government Lot 3 in
Section 26, Township 24 North, Range 4
East, W.M., in King County, Washington
intersects the same;

THENCE East along the South boundary line
of Government Lot 3, a distance of 177.2
feet;

THENCE North, 85.8 feet;

THENCE West parallel with the South
boundary line of said Government Lot 3, a
distance of 184.0 feet, more or less, to
East marginal line of Wilson Avenue;

THENCE Southerly along the East marginal
line of Wilson Avenue to the Point of
Beginning;

EXCEPT the North 10.0 feet thereof for
road.

PARCEL D:

Commencing at a point on the South
boundary line of Lot 3, Section 26,
Township 24 North, Range 4 East, W.M., in
King County, Washington, 177.20 feet East
from the intersection of the East margin
line of Wilson Avenue, as established by
Ordinance No. 32174, of the City of
Seattle, said point being the Southeast
corner of Lot conveyed to C.W. Nelson by
Julia A. Johnson, a widow, on May 18,
1918, by deed recorded in Volume 1031 of
Deeds, page 45, records of King County;

THENCE East along said South line of said
Lot 3, 213 feet, more or less, to a point
which is 1087 feet East of the Southwest
corner of said Government Lot 3;

THENCE North, 85.8 feet;

THENCE West, 213 feet, more or less, to
the Northeast corner of land conveyed to
said C.W. Nelson as aforesaid;

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6590029016

1 THENCE South along the East side of said
2 Nelson's land, 85.8 feet to the point of
beginning.

3 PARCEL E:

4 Portion of Government Lot 3, in Section
5 26, Township 24 North, Range 4 East, W.M.,
in King County, Washington, described as
follows:

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7 the Southwest corner of said Government
Lot;

8 THENCE North 30° East, 111.45 feet;

9 THENCE West, 521.78 feet;

10 THENCE South, 96.6 feet;

11 THENCE East, 462 feet, more or less, to
point of beginning;

12 EXCEPT portion thereof lying East of a
line parallel to and 538 feet East of the
monument line of Seward Park Avenue.

13 TOGETHER WITH easement for right of way 15
14 feet in width, the centerline of which
15 begins at a point 1087 feet East and 85.8
feet North of the Southwest corner of said
Government Lot 3, and runs West to the
East line of Seward Park Avenue.

16 PARCEL F:

17 That portion of Government Lot 3, Section
18 26, Township 24 North, Range 4 East, W.M.,
19 in King County, Washington, described as
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the Southwest corner of said Government
Lot;

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22 THENCE West, 521.78 feet;

23 THENCE South, 96.6 feet;

24 THENCE East, 462 feet, more or less, to
point of beginning;

25 EXCEPT that portion thereof which lies
26 West of a line parallel to and 538 feet
East of the monument line of Seward Park
27 Avenue.

28 TOGETHER WITH second class shorelands
adjoining.

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1 TOGETHER WITH an easement for right-of-
2 way 15 feet in width, the centerline of
3 which begins at a point 1087 feet East and
4 85.8 feet North of the Southwest corner of
5 said Government Lot 3, and runs West of
6 the East line of Seward Park Avenue.

7 AND TOGETHER WITH an easement for right-
8 of-way 10 feet in width, the centerline of
9 which begins at a point 1087 feet East and
10 96.6 feet North of the Southwest corner of
11 said Government Lot 3, and runs East 161
12 feet; (the East 50 feet of the South 5
13 feet thereof being included within the
14 tract above described).

15 as shown in "Exhibit A", and the City Clerk is directed to
16 place a copy of said "Exhibit A" in a volume entitled "Zoning
17 Map Amendments", all as contemplated in C.F. 298162.

18 Section 2. That the Property Use and Development
19 Agreement which was submitted to the City by the Owner, the
20 Caroline Kline Galland Home, of the Property described in
21 Section 1 hereof, recorded in the records of the Director of
22 Records and Elections of King County and filed in C.F. 298162,
23 by which said owner agrees to certain restrictions upon the
24 Property to ameliorate the adverse impacts of uses and
25 developments otherwise permitted in the Lowrise 1 (L1) upon
26 property in the vicinity is hereby accepted. The City Clerk
27 is hereby authorized and directed to deliver copies of the
28 same to the Director of Construction and Land Use and the
Director of Community Development.

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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 14th day of June, 1991

NORWARD J. BROOKS
Comptroller and City Clerk

By: Margaret Carter
Deputy Clerk

9106200659

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 28th day of May, 1991,
and signed by me in open session in authentication of its passage this 28th day of
May, 1991.
[Signature]
President of the City Council.

Approved by me this 4th day of June, 1991.
[Signature]
Mayor.

Filed by me this 4th day of June, 1991.
Norward J. Brooks
Attest: _____
City Comptroller and City Clerk.

(SEAL)

Published _____

By: Margaret Carter
Deputy Clerk.

SD:eb
3/4/91

RECEIVED THIS DAY

91/06/20 #0660 B
REC FEE 2.00
REC'D F 6.00
CASHESL *****8.00

JUN 20 11 48 AM '91
BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

ORDINANCE 115574

1 AN ORDINANCE approving the master plan for Seattle Pacific
2 University under the major institutions provisions of the
3 Land Use Code, and rezoning the property within the
4 boundaries of said major institution.

5 WHEREAS, Seattle Pacific University is an institution within or
6 adjacent to the boundaries of the major institution
7 designation established by Seattle Municipal Code (SMC)
8 23.48.002, entitled "Seattle Pacific University"; and

9 WHEREAS, Seattle Pacific University initiated the preparation of
10 a master plan for the area designated in SMC 23.48.002
11 pursuant to SMC 23.81.050(A); and

12 WHEREAS, a citizens advisory committee was formed pursuant to SMC
13 23.81.050(B) to review and comment on the proposed master
14 plan; and

15 WHEREAS, the Director of the Department of Construction and Land
16 Use issued his report on the proposed master plan on April
17 16, 1990 as required by SMC 23.81.050(E); and

18 WHEREAS, the Hearing Examiner conducted a public hearing on the
19 proposed master plan on June 7 and 8, 1990, and submitted
20 recommendations to the City Council on July 16, 1990; and

21 WHEREAS, the City Council has considered the proposed master
22 plan, the report of the Director of the Department of
23 Construction and Land Use and the Hearing Examiner's
24 recommendations and has entered its written findings and
25 conclusions on the proposed master plan; Now, Therefore,

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

27
28 Section 1. That the Seattle Pacific University Master Plan
dated 1986, and modified in May 1990 and filed in C.F. 294426, is
hereby approved as modified in the findings and conclusions of
the City Council for the area described in Exhibit A attached
hereto, and the property located within such area may be
developed for major institutional uses in accordance with said
master plan.

Section 2. That the Official Land Use Map is hereby amended
to designate all of the property within the boundaries of the
Seattle Pacific University major institution as MIO and to rezone
the property including the crew dock at the Metro water

910620660

1 quality laboratory MIO, as shown on Exhibit A attached hereto,
2 and the City Clerk is directed to place a copy of said Exhibit A
3 in a volume entitled "Zoning Map Amendments", all as contemplated
4 in CF 294426.

5 Passed by the City Council the 11th day of March
6 1991 and signed by me in open session in authentication of its
7 passage this 11th day of March, 1991.

8
9 C. J. Chow
Pro Tem President of the City Council

10
11 Approved by me this 26th day of March, 1991.

12
13 M. B. Fice
Mayor

14
15 Filed by me this 26th day of March, 1991.

16
17 ATTEST: Norward J. Brooks
City Comptroller and City Clerk

18
19 BY: Margaret Carter
Deputy Clerk

20
21 (SEAL)

22 Published _____

23
24 STATE OF WASHINGTON)
25 COUNTY OF KING) SS
26 CITY OF SEATTLE)

27 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.

28 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal
of The City of Seattle, this 14th day of June, 1991

NORWARD J. BROOKS
Comptroller and City Clerk
By: Margaret Carter
Deputy Clerk

0990029016
9106200660

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 Caroline Kline Galland Home (herein called "Owner") of the within described property:

W I T N E S S E T H:

WHEREAS, Owner owns in fee simple and/or has a substantial beneficial interest in the following described property (herein called the "Property"):

PARCEL B:

Tract known as WILDWOOD IN PLAT OF WILDWOOD, according to the plat recorded in Volume 10 of Plats, page 77, in King County, more particularly described as follows:

Beginning at stone monument at the Northeast corner of Lot 4, Section 26, Township 24 North, Range 4 East, W.M., on the shore of Lake Washington; running West along North line of Lot 4, 794 feet to a stone monument in the middle of the County Road;

THENCE Southerly along middle of said County Road, 270.7 feet;

THENCE East along the North line of Lot 16, as shown on Plat of Wildwood, 682 feet to a stone monument on shore of Lake Washington;

THENCE Northerly with meander to place of beginning.

ALSO, second class shore lands lying in front of above tracts.

ALSO, the use of private right-of-way for footpath 18 feet wide along North side of Lots 1 and 12 in Plat of Wildwood;

EXCEPTING, the portion thereof included within the County Road above mentioned and excepting the portion condemned for roads situated in the County of King, State of Washington by Ordinance No. 32174, City of Seattle.

PARCEL C:

Beginning at point on East marginal line of Seward Park Avenue, (formerly Wilson Avenue, as established by Ordinance No. 32174 of the City of Seattle) where South boundary line of Government Lot 3 in Section 26, Township 24 North, Range 4 East, W.M., in King County, Washington intersects the same;

THENCE East along the South boundary line of Government Lot 3, a distance of 177.2 feet;

THENCE North, 85.8 feet;

THENCE West parallel with the South boundary line of said Government Lot 3, a distance of 184.0 feet, more or less, to East marginal line of Wilson Avenue;

THENCE Southerly along the East marginal line of Wilson Avenue to the Point of Beginning;

EXCEPT the North 10.0 feet thereof for road.

PARCEL D:

Commencing at a point on the South boundary line of Lot 3, Section 26, Township 24 North, Range 4 East, W.M., in King County, Washington, 177.20 feet East from the intersection of the East margin line of Wilson Avenue, as established by Ordinance No. 32174, of the City of Seattle, said point being the Southeast corner of Lot conveyed to C.W. Nelson by Julia A. Johnson, a widow, on May 18, 1918, by deed recorded in Volume 1031 of Deeds, page 45, records of King County;

THENCE East along said South line of said Lot 3, 213 feet, more or less, to a point which is 1087 feet East of the Southwest corner of said Government Lot 3;

THENCE North, 85.8 feet;

THENCE West, 213 feet, more or less, to the Northeast corner of land conveyed to said C.W. Nelson as aforesaid;

THENCE South along the East side of said Nelson's land, 85.8 feet to the point of beginning.

PARCEL E:

Portion of Government Lot 3, in Section 26, Township 24 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at a point 1552.98 feet East of the Southwest corner of said Government Lot;

THENCE North 30° East, 111.45 feet;

THENCE West, 521.78 feet;

THENCE South, 96.6 feet;

THENCE East, 462 feet, more or less, to point of beginning;

EXCEPT portion thereof lying East of a line parallel to and 538 feet East of the monument line of Seward Park Avenue.

TOGETHER WITH easement for right of way 15 feet in width, the centerline of which begins at a point 1087 feet East and 85.8 feet North of the Southwest corner of said Government Lot 3, and runs West to the East line of Seward Park Avenue.

PARCEL F:

That portion of Government Lot 3, Section 26, Township 24 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at a point 1552.98 feet East of the Southwest corner of said Government Lot;

THENCE North 30° East, 111.45 feet;

THENCE West, 521.78 feet;

THENCE South, 96.6 feet;

THENCE East, 462 feet, more or less, to point of beginning;

EXCEPT that portion thereof which lies West of a line parallel to and 538 feet East of the monument line of Seward Park Avenue.

TOGETHER WITH second class shorelands adjoining.

TOGETHER WITH an easement for right-of-way 15 feet in width, the centerline of which begins at a point 1087 feet East and 85.8 feet North of the Southwest corner of said Government Lot 3, and runs West of the East line of Seward Park Avenue.

AND TOGETHER WITH an easement for right-of-way 10 feet in width, the centerline of which begins at a point 1087 feet East and 96.6 feet North of the Southwest corner of said Government Lot 3, and runs East 161 feet; (the East 50 feet of the South 5 feet thereof being included within the tract above described).

WHEREAS, Owner has filed a petition (C.F. 298162) with the City to rezone the Property from Single Family 9600 (SF 9600) and Single Family 9600/Planned Unit Development (SF 9600/PUD) to Lowrise 1 (L1) Zone pursuant to the provisions of the Land Use Code; and

WHEREAS, the Director of the Department of Construction and Land Use recommended approval of the petition subject to the terms of the contract rezone and certain conditions imposed as SEPA mitigating measures; and

WHEREAS, the Hearing Examiner recommended approval of the petition subject to certain conditions imposed by the Director of the Department of Construction and Land Use and conditions

relating to building height limitations, use of the property as nursing home and single family and development limitations on the new addition to the project plans approved by the City Council; and

WHEREAS, the Land Use Committee recommended to the City Council that the Property be rezoned to Lowrise 1 (L1) Zone subject to the execution and recording of an agreement with the City pertaining to the use and development of the Property and adopting, as its own, the Findings and Conclusions of the Hearing Examiner dated March 25, 1991.

NOW, THEREFORE, the Owner hereby covenants, bargains and agrees on behalf of itself and its successors and assigns that it will comply with the following conditions if the property is rezoned to Lowrise 1 (L1) Zone classification.

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

A. The height of the nursing home addition shall be limited to a maximum of six feet above the Lowrise 1 height limit of 25 feet; and

B. Development of the new addition shall substantially conform to the project plans approved by the City Council.

Section 2. The use of the Property shall be limited to a nursing home, its associated uses and single family residence.

Section 3. 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 Owner, their heirs, successors and assigns and shall apply to after-acquired title of the Owners of the Property; provided that the covenants herein and the rezone 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 23.76.060B.1.a. of the Seattle Municipal Code.

Section 4. This Agreement may be amended or modified by agreement between the Owner 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 Council from making such further amendments 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 Lowrise 1 (L1) Zone except as provided in Section 1.A above.

Section 5. This Agreement is made for the benefit of the City and for the benefit of owners of property within 300 feet of the Property and either the City or any such property owners may institute and prosecute any proceeding at law or in equity to enforce this Agreement.

Section 6. It is further expressly agreed that in the event any covenant or condition or restriction contained herein or any portion thereof is invalid or void, such invalidity or voidness

TAPE _____

TRACK START _____
TRACK FINISH _____

TIME START _____
TIME FINISH _____

LAND USE COMMITTEE

Wednesday, May 22, 1991

9:30 a.m.

Members: Sue Donaldson, Chair
George Benson, Vice Chair
Paul Kraabel, Member
Jane Noland, Alternate

Staff: Sally Marks, Council Asst.
Kymberley Michela, Council Asst.
Telephone: 684-8806
Nighttime Hotline: 684-8999

**RECOMMENDED
ACTION**

APPROXIMATE TIME:

9:30-10:00

1. C.F. 297889 SEPA Appeal of Allied Arts of Seattle from a decision of the Hearing Examiner to affirm the decision of the Director of the Department of Construction and Land Use Land Use on a master use permit application for property located at 700 Olive Way (8708403/MUP-90-009(W) and MUP-90-011(W).

**DISCUSSION
AND VOTE**

10:00 - 10:15

2. C.F. 298388 Appeal of Allied Arts from a recommendation of the Hearing Examiner on controls regarding the Music Hall Theatre.
- C.F. 298389 Appeal of the Landmarks Preservation Board from a recommendation of the Hearing Examiner on controls regarding the Music Hall Theatre.

ORAL ARGUMENT

ORAL ARGUMENT

10:15 - 10:30

3. C.F. 298311 SEPA Appeal of Thomas Veith from a decision of the Hearing Examiner to affirm the decision of the Director of the Department of Construction and Land Use and a master use permit application for property located at 922 North 49th Street (8907109/MUP-90-087(W) and MUP-90-088(W).

**SUFFICIENCY
OF RECORD**

RECOMMENDED ACTION

10:30 - 10:45

- 4. DCLU Status Report.

BRIEFING

10:45 - 10:50

- 5. C.B. 108578 Relating to land use and zoning; amending Plat 40W, page 110 of the Official Land Use Map to rezone property at 700 Union Street from Downtown Office Core 2 (DOC/2) to Downtown Office Core 1 (DOC/1) and accepting a Property Use and Development Agreement in connection therewith. (Petition of the Washington State Convention and Trade Center corporation, c/o Jerome L. Hillis, agent, C.F. 295976.)

DISCUSSION AND VOTE

3-0
SD
GB
PK

10:50 - 11:00

- 6. C.F. 298411 Appointment and Oath of Office of Margaret Shepherd as member, Pacific Hospital Preservation and Development Authority; for a term of confirmation to 12/31/92.

DISCUSSION AND VOTE

- C.F. 298412 Appointment and Oath of Office of James O'Hanlon as member, Pacific Hospital Preservation and Development Authority; for a term of confirmation to 12/31/92.

DISCUSSION AND VOTE

- C.F. 298413 Appointment and Oath of Office of David Kiehn as member, Pacific Hospital Preservation and Development Authority; for a term of confirmation to 12/31/92.

DISCUSSION AND VOTE

- C.F. 298414 Appointment and Oath of Office of Rita Brogan as member, Pacific Hospital Preservation and Development Authority; for a term of confirmation to December 1993.

DISCUSSION AND VOTE

11:00 - 11:15

- 7. C.B. 108577 Relating to land use and zoning; amending Section 23.54.015 of the Seattle Municipal Code ("SMC") to correct an error which occurred in the codification of Ordinance 113710.

DISCUSSION AND VOTE

RECOMMENDED
ACTION

11:15 - 11:30

8. C.B. 108576 Authorizing contracts for consulting services in connection with critical areas policies and increasing an expenditure allowance in the 1991 Budget of the Office for Long-Range Planning to provide therefor; making appropriations from the Emergency Fund and declaring the emergency therefor.

DISCUSSION
AND VOTE

11:30 - 11:45

9. C.F. 298162 Petition of The Kline Galland Center to rezone approximately 9.5 Acres from Single Family 9600 to Lowrise 3 and to construct a 49,815 sq. ft., 64 Bed Addition to an existing Nursing Home et al.

C.B. Relating to land use and zoning; amending Plat 74W, page 175 of the Official Land Use Map to rezone property at 7500 Seward Park Avenue South from Single Family 9600/Planned Unit Development (SF 9600/PUD) to Lowrise 1 (L1) and accepting a Property Use and Development Agreement in connection therewith. (Petition of Caroline Kline Galland Home, C.F. 298162.)

SD:ssj

CITY COUNCIL TRANSMITTAL

C. F. #

202162

TO:

Pat Schneider, Assistant City Attorney

Date Sent:

4-26-91

Reply Requested By:

5-7-91

FROM:

Sue Donaldson, Chair, Land Use Committee by Mary Denzel

Subject:

Rezone Petition of the Kline Galland Center to rezone from SF9600 and SF/PUD to L-1 property located at 7500 Seward Park Av. S.

ACTION — required

| | |
|------|--|
| | 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 |
| XXXX | Prepare Legislation and Return File to Sender |

Additional Information: ~~None that two lots, owned by Kline Galland, parcel # 320600 zoning~~

Mary Denzel
City Clerk

STATE OF WASHINGTON - KING COUNTY

5864
City of Seattle

—ss.

No.

Affidavit of Publication

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

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

ORD: 115664

was published on

06/11/91

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

Ma Shipton

Subscribed and sworn to before me on

06/11/91
Jennifer A. Richardson
Notary Public for the State of Washington,
residing in Seattle

REZONE SF9600/PUD & SF9600 to L-1 CONTRACT C.F. 298162

City of Seattle

ORDINANCE 118664

AN ORDINANCE relating to land use and zoning; amending Plat 74W, page 175 of the Official Land Use Map to rezone property at 7500 Seward Park Avenue South from Single Family 9600 (SF 9600) and Single Family 9600/Planned Unit Development (SF 9600/PUD) to Lowrise 1 (L1) and accepting a Property Use and Development Agreement in connection therewith. (Petition of Caroline Kline Galland Home, C.F. 298162.)

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plat 74W, page 175 of the Official Land Use Map adopted by Ordinance 110669 is amended to rezone from Single Family 9600 (SF 9600) and Single Family 9600/Planned Unit Development (SF 9600/PUD) to Lowrise 1 (L1) the following described property:

PARCEL B:

Tract known as WILDWOOD IN PLAT OF WILDWOOD, according to the plat recorded in Volume 10 of Plats, page 77, in King County, more particularly described as follows:

Beginning at stone monument at the Northeast corner of Lot 4, Section 26, Township 24 North, Range 4 East, W.M., on the shore of Lake Washington; running West along North line of Lot 4, 794 feet to a stone monument in the middle of the County Road;

THENCE southerly along middle of said County Road, 270.7 feet;

THENCE East along the North line of Lot 16, as shown on Plat of Wildwood, 882 feet to a stone monument on shore of Lake Washington;

THENCE Northerly with meander to place of beginning.

ALSO, second class shore lands lying in front of above tracts.

ALSO, the use of private right-of-way for footpath 18 feet wide along North side of Lots 1 and 12 in Plat of Wildwood;

EXCEPTING, the portion thereof included within the County Road above mentioned and excepting the portion condemned for roads situated in the County of King, State of Washington by Ordinance No. 32174, City of Seattle.

PARCEL C:

Beginning at point on East marginal line of Seward Park Avenue, (formerly Wilson Avenue, as established by Ordinance No. 32174 of the City of Seattle) where South boundary line of Government Lot 3 in Section 26, Township 24 North, Range 4 East, W.M., in King County, Washington intersects the same;

THENCE East along the South boundary line of Government Lot 3, a distance of 177.2 feet;

THENCE North, 85.8 feet;

THENCE West parallel with the South boundary line of said Government Lot 3, a distance of 184.0 feet, more or less, to East marginal line of Wilson Avenue;

THENCE Southerly along the East marginal line of Wilson Avenue to the Point of Beginning;

EXCEPT the North 10.0 feet thereof for road.

PARCEL D:

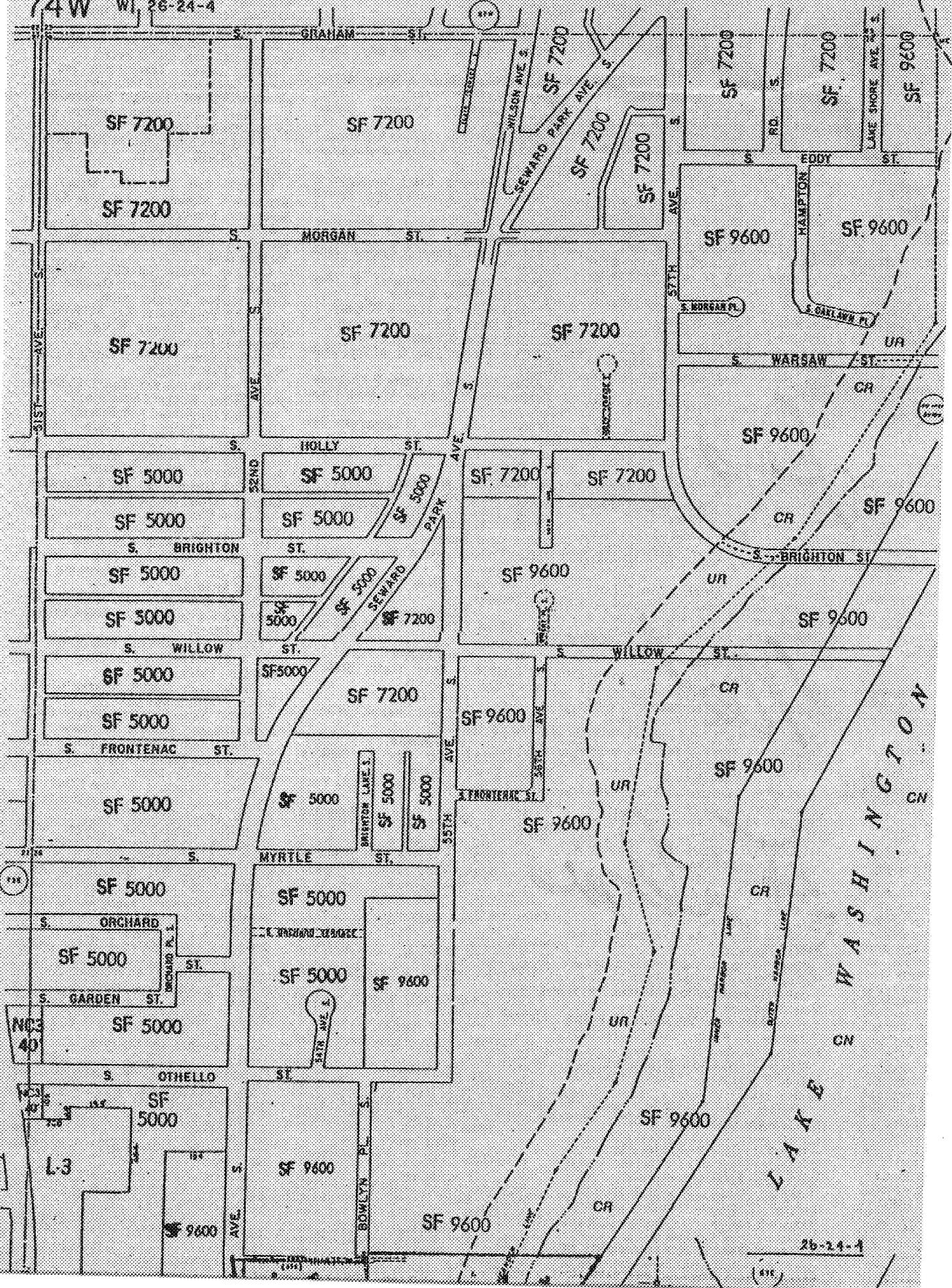
Commencing at a point on the South boundary line of Lot 3, Section 26, Township 24 North, Range 4 East, W.M., in King County, Washington, 177.20 feet East from the intersection of the East margin line of Wilson Avenue, as established by Ordinance No. 32174, of the City of Seattle, said point being the Southeast corner of Lot conveyed to C.W. Nelson by Julia A. Johnson, a widow, on May 18, 1918, by deed recorded in Volume 1031 of Deeds, page 45, records of King County;

THENCE East along said South line of said Lot 3, 213 feet, more or less, to a point which is 1087 feet East of the Southwest corner of said Government Lot 3;

THENCE North, 85.8 feet;

EXHIBIT A

74W WI 26-24-4



26-24-1

(411)