

Ordinance No. 122796

Council Bill No. 116330

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 145 of the Official Land Use Map, to rezone property located at 4551 Martin Luther King Jr Way South from Lowrise 4 Residential-Commercial (L4 R-C) to Neighborhood Commercial 1 with a 40' height limit and a pedestrian overlay (NC1 P 40). (Petition by Gay Westmoreland, C.F. 309071, DPD Project 3008163).

Related Legislation File: _____

Date Introduced and Referred: 9.15.08	To: (committee): Planning, Land Use & Neighborhoods (PLUNC)
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 9-29-08	Date Presented to Mayor: 
Date Signed by Mayor: —	Date Returned to City Clerk: 9.30.08
Published by Title Only _____ Published in Full Text <input checked="" type="checkbox"/> 2	Date Vetoed by Mayor:
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: 

Committee Action:

Date	Recommendation	Vote
9/24/8	ADAMS	20 SC, RC

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
9-29-08	Passed	9-0

Law Department

ORDINANCE 122796

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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. This Ordinance affects a portion of the following legally described property (the "Property") commonly known as 4551 Martin Luther King Jr Way South:

LOT 6 BLOCK 26 OF NEW RAINIER VISTA AS RECORDED IN VOLUME 217 OF PLATS AT PAGES 52 THROUGH 99 UNDER RECORDING NUMBER 20031028002277, RECORDS OF KING COUNTY WASHINGTON.

Section 2. The Official Land Use Map zone classification for the Property, as adopted by Ordinance 110381, as further amended by Ordinance 120561, and established on page 145 of the Official Land Use Map, is amended to rezone a portion of the Property from Lowrise 4 with a Residential-Commercial overlay (L4 RC) to Neighborhood Commercial 1 with a 40 foot height limit and a pedestrian overlay (NC1 P 40), as shown in "Exhibit A" to this Ordinance and as documented in Exhibit 3 of Clerk's File 309071.

Section 3. This rezone shall not expire and shall remain in full force and effect until changed by future Council action.



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Section 4. 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 thirty (30) days from and after its passage and approval by the City Council.

Passed by the City Council the 29th day of September 2008, and signed by me in open session in authentication of its passage this 29th day of September 2008.



President _____ of the City Council

Approved by me this 30 day of Sept, 2008.



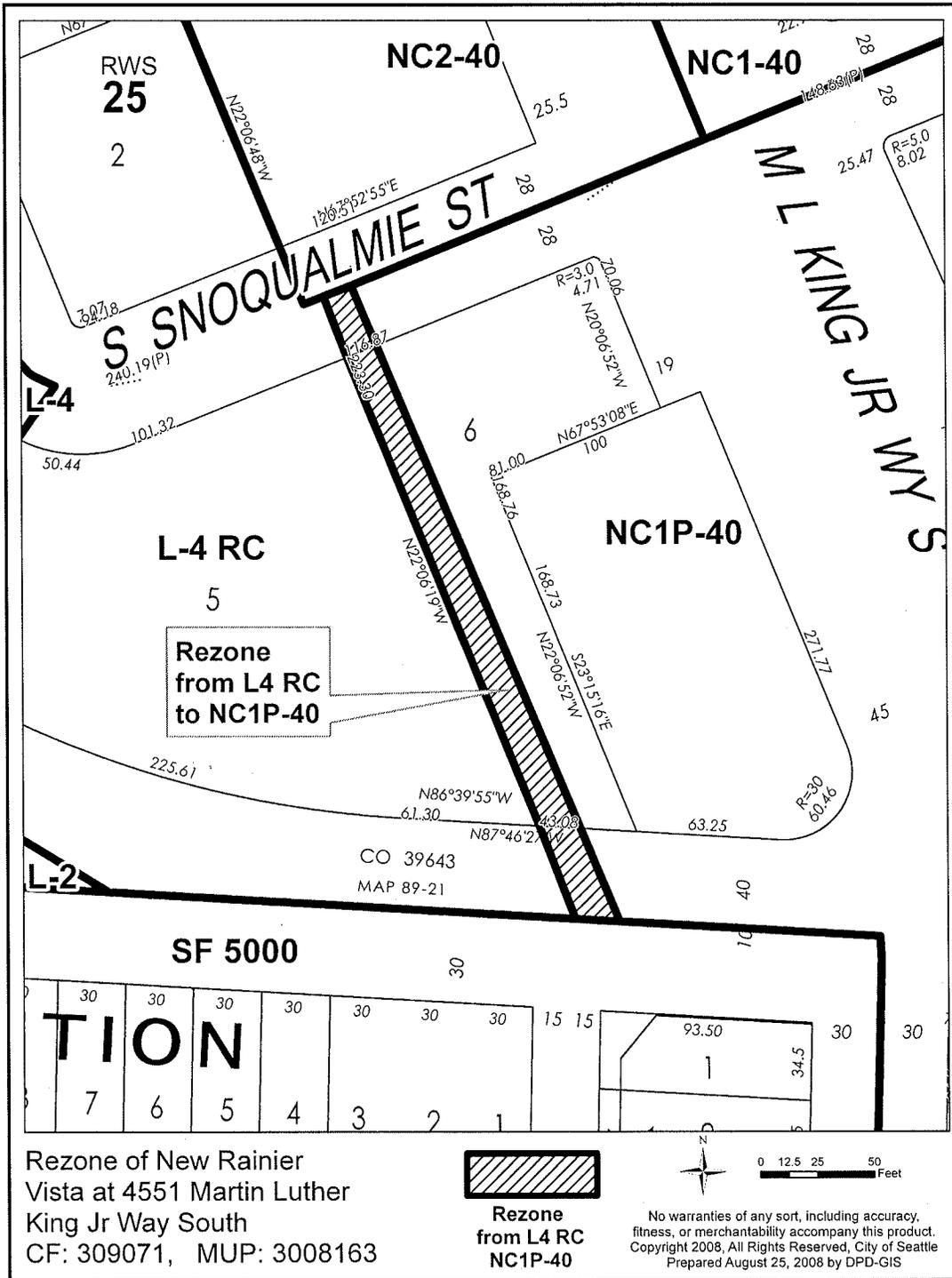
City Clerk

(Seal)

Exhibit A: Rezone Map



Exhibit A



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Michael Jenkins, 615-1674	NA

Legislation Title:

Petition of Gay Westmoreland to rezone 3,563 square feet of land at 4551 M.L. King Jr Way South from Lowrise 4 Residential-Commercial (L4-RC) to Neighborhood Commercial 1 with a forty-foot height limit and pedestrian overlay (NC1 P 40) Project Number 3008163 (C.F. 309071, Department of Planning and Development Master Use Permit number 3008163)

• **Summary of the Legislation:**

This legislation to rezone a portion of property located at 4551 Martin Luther King Jr Way S in the Columbia City Residential Urban Village. The proposed rezone would change a portion of the site from Lowrise 4, with a Residential-Commercial overlay (L4-RC) to Neighborhood Commercial 1 with a 40 foot height limit and a Pedestrian overlay (NC1 P 40). A Property Use and Development Agreement is not required for this rezone.

• **Background:**

The legislation is a petitioner-generated rezone subject to the Council's rules for quasi-judicial decisions. The original petition, Department of Planning and Development recommendation, Hearing Examiner's Findings and Recommendation, and record established by the Hearing Examiner are contained in related Clerk's File 309071.

• *Please check one of the following:*

This legislation does not have any financial implications. *(Stop here and delete the remainder of this document prior to saving and printing.)*

This legislation has financial implications. *(Please complete all relevant sections that follow.)*



STATE OF WASHINGTON – KING COUNTY

--SS.

230161
CITY OF SEATTLE, CLERKS OFFICE

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.

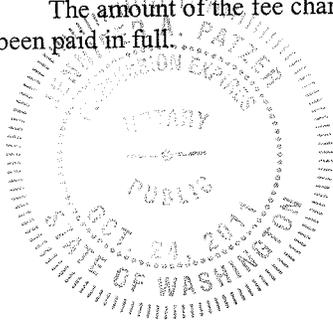
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122796 ORDINANCE

was published on

10/14/08

The amount of the fee charged for the foregoing publication is the sum of \$ 281.00, which amount has been paid in full.



10/14/08

[Signature]
Subscribed and sworn to before me on

[Signature]
Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

City of Seattle

ORDINANCE 122796

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Section 4. 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 thirty (30) days from and after its passage and approval by the City Council.

Passed by the City Council the 29th day of September, 2008, and signed by me in open session in authentication of its passage this 29th day of September, 2008.

RICHARD CONLIN,

President of the City Council.

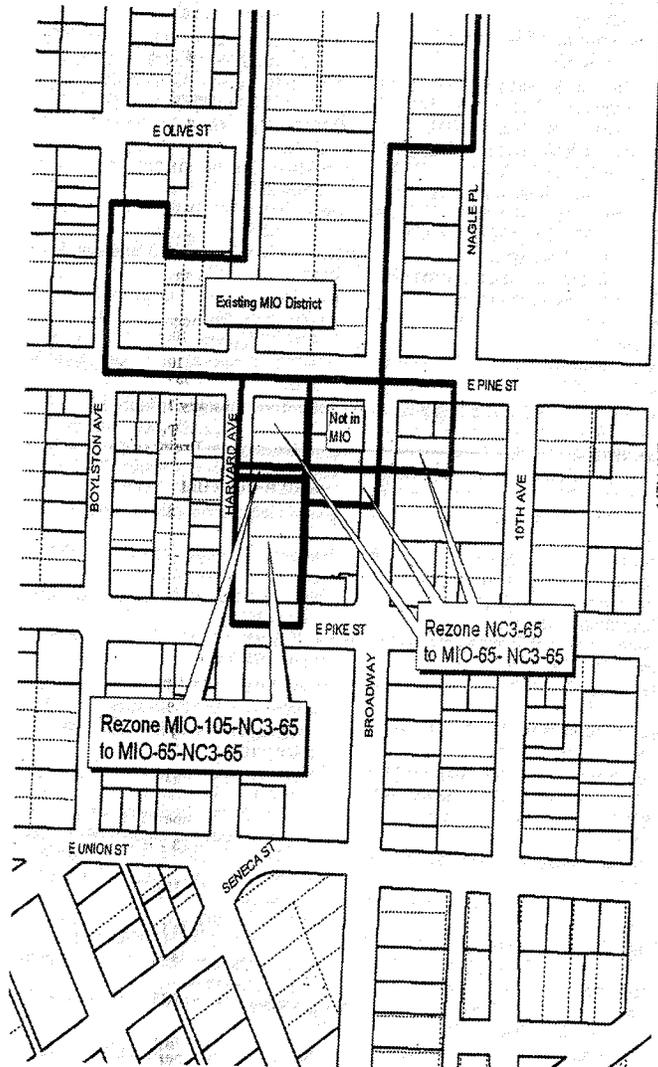
Approved by me this 30th day of September, 2008.

(Seal) JUDITH E. PIPPIN,

City Clerk.

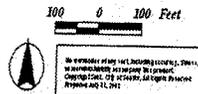
Publication ordered by JUDITH PIPPIN, City Clerk.

Exhibit A: Rezone Map



Seattle Central Community College Master Plan
Major Institution Overlay Boundaries
Amending Plats 40E, Page 111
Official Land Use Map

Rezone Areas
Platted Lot Lines
Parcel Outlines



NO WARRANTY OF ANY KIND, INCLUDING ACCURACY, TITLE, OR MERCHANTABILITY, IS MADE BY THE CITY OF SEATTLE FOR THIS MAP. THE CITY OF SEATTLE ACCEPTS NO LIABILITY FOR ANY ERRORS OR OMISSIONS.