FINDINGS, CONCLUSIONS AND DECISION
OF THE CITY COUNCIL OF THE CITY OF SEATTLE

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| In the matter of: | ) | C.F. 311813 |
| | ) | |
| Application of R.C. Backer and Aegis Living for a contract rezone of approximately 12,800 square feet of land at 225 West Galer Street from Neighborhood Commercial 2 with a 30 foot limit (NC2-30') to Neighborhood Commercial 2 with a 40 foot limit in height (NC2- 40'), to construct a 48,000 square foot, four-story 57 unit assisted living facility, to include 21 parking stalls in a below grade garage. (Project No. 3012582, Type IV). | ) | FINDINGS, CONCLUSIONS AND DECISION |

## Introduction

This matter involves the petition of R.C. Backer and Aegis Living for a contract rezone of 225 West Galer Street. The site, depicted on Attachment A, is approximately 12,800 square feet. The proposal is to rezone the site, by changing the mapped height limit, from Neighborhood Commercial 2 with a 30 foot height limit (NC2-30) to NC2 with a 40 foot height limit (NC2-40) The contract rezone will allow the construction of a 4 story, 57 unit assisted living facility (that can accommodate a total of 60 beds) and includes a 507 square foot retail space, an on-site loading space, and 21 parking spaces in a below grade garage.

On January 7, 2013, the Director of the Department of Planning and Development (DPD) recommended approval of the proposed rezone and proposed development. On February 19 and 22, 2013, the City of Seattle's Hearing Examiner held an open record hearing on the petition, including an appeal of the Design Review and environmental review (SEPA) determination for the proposed development. On March 13, 2013 the Hearing Examiner issued Findings and

Recommendations recommending approval of the rezone, with conditions. The Hearing Examiner also issued a decision that affirmed DPD's decision on the SEPA determination and Design Review decisions (Hearing Examiner File MUP-13-001).

On May 8, 2013, the matter came before the Planning, Land Use, and Sustainability Committee (PLUS), which reviewed the Hearing Examiner's record and exhibits. At their May 22, 2013 committee meeting, PLUS voted to approve the rezone and adopted these Findings, Conclusions and a Decision for this Clerk's File, and reviewed a draft Ordinance (Council Bill 117794) to change the City's Official Land Use Map.; both matters were referred to full Council for a vote. PLUS also approved an amendment to the title of the Clerk's File, which is reflected in title of this document.

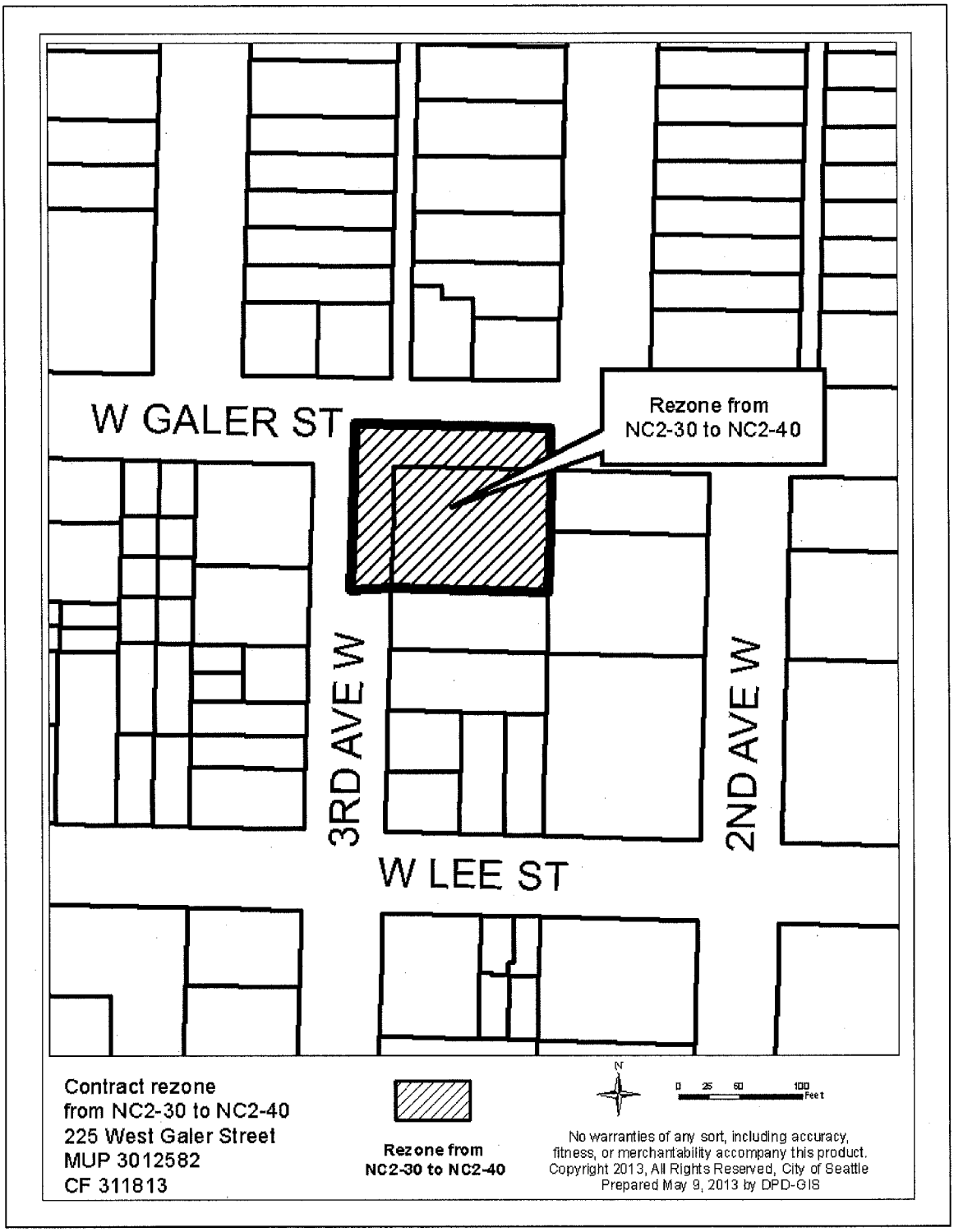
## Findings of Fact and Conclusions

The Council hereby adopts the Hearing Examiner's Findings of Fact, Conclusions and Recommendation for C.F. 311813, dated March 13, 2013. All conditions in the Hearing Examiner's recommendation are adopted.

## Decision

The Council hereby GRANTS a rezone of the properties from NC2-30 to NC2-40, as reflected in Attachment A, subject to the conditions set forth in the Property Use and Development Agreement (PUDA) attached to Council Bill 117794.

Dated this 3rd day of June, 2013.

City Council President

ATTACHMENT A