

ORDINANCE No. 115001

COUNCIL BILL No. 107632

AN ORDINANCE relating to land use and zoning; implementing a portion of the new major institution policies by rezoning the West Seattle Community Hospital campus, Plats 69W and 69E, pages 165 and 166 of the Official Land Use Map, from Lowrise 1 and Lowrise 2 to Commercial 1; and accepting property use and development agreement.

The City of Seattle--Legislative

REPORT OF COMMITTEE

Honorable President:

Your Committee on Land Use & Community Dev

to which was referred the within Council Bill No. 107632 report that we have considered the same and respectfully recommend that

Vote 8-0

3-12-90 (March 13, 1990) Committee of the Whole

DO PASS AS Amended

Committee Chair

COMPTROLLER FILE No.

Introduced: OCT 9 1989	By: Street
Referred: OCT 9 1989	To: Land Use & Comm Dev't
Referred:	To:
Referred:	To:
Reported: MAR 2 6 1990	Second Reading: MAR 2 6 1990
Third Reading: MAR 2 5 1990	Signed: MAR 2 6 1990
Presented to Mayor: MAR 2 7 1990	Approved: APR 2 1990
Returned to City Clerk: APR 2 1990	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

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Date Reported and Adopted

and zoning; new major ng the il campus, ind 166 of n Lowrise 1 and development

Use & Community Development

Council Bill No. 107632

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Honorable President:

Your Committee on Land Use & Community Development

to which was referred the within Council Bill No. 107632

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

8-0

Vote 8-0

Do pass

as amended

12/17/89

8-0

Committee of the Whole

PASS^{AS} Amended

3-12-90 (March 12, 1990) Committee of the Whole recommendation

DO PASS^{AS} Amended

ing: MAR 2 6 1990
MAR 2 6 1990
MAR 2 1990
MAR 2 1990
ed:
ed:

Committee Chair

Committee Chair

3
C.B. 107632

ORDINANCE 115001

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3 AN ORDINANCE relating to land use and zoning; implementing a
4 portion of the new major institution policies by rezoning
5 the West Seattle Community Hospital campus, Plats 69W and
6 69E, pages 165 and 166 of the Official Land Use Map, from
7 Lowrise 1 and Lowrise 2 to Commercial 1; and accepting a
8 property use and development agreement.

9 WHEREAS, the Mayor and the chair of the City Council's Land Use
10 and Community Development Committee have jointly
11 recommended adoption of new major institution policies and
12 code (C.F. 296889); and

13 WHEREAS, the recommended policies change the definition of
14 "major institution" so that West Seattle Community
15 Hospital no longer meets the definition; and

16 WHEREAS, the City Council has determined that the West Seattle
17 Community Hospital campus should be rezoned from Lowrise 1
18 and Lowrise 2 to Commercial 1, subject to a property use
19 and development agreement; and

20 WHEREAS, a new implementation guideline has been proposed to be
21 added to Policy 6: Transition Provisions of the
22 recommended policies, to guide the rezone of West Seattle
23 Community Hospital; NOW, THEREFORE,

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

25 Section 1. That Plats 69W and 69E, pages 165 and 166 of
26 the Official Land Use Map adopted by Ordinance 110669, are
27 amended to rezone, from Lowrise 1 (L1) and Lowrise 2 (L2) to
28 Commercial 1 (C1) with various height limits as shown on
29 Exhibit A, the campus of West Seattle Community Hospital,
30 described as follows:

31 Lots 11, 12, and 13, Block 2, Steel Plant Addition as
32 recorded in Vol. 11 of Plats, Page 90, Records of
33 King County, Washington, EXCEPT the East 30 feet of
34 the North half of lot 12 and the North half of lot 13
35 less streets under Ordinances 90238, 89479, and
36 90498, together with,

37 Lots 18, 19, and 20, Block 3, Steel Plant Addition as
38 recorded in Vol. 11 of Plats, Page 90, Records of
39 King County, Washington.

40 The City Clerk is directed to place a copy of Exhibit A in a
41 volume entitled "Zoning Map Amendments," as contemplated in
42 C.F. 296889.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

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Section 2. That the Property Use and Development Agreement that was submitted to the City by the owners of West Seattle Community Hospital as described in Section 1, recorded in the records of the Director of Records and Elections of King County and filed in C.F. 296889, by which the owners agree to certain restrictions upon the property to ameliorate the adverse impact of uses and development otherwise permitted in the Commercial 1 zone upon property in the vicinity, is hereby accepted. 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 26th day of March, 1990, and signed by me in open session in authentication of its passage this 26th day of March, 1990.

Salinas Sobrino
President Pro Tem of the City Council

Approved by me this 29th day of April, 1990.

Maurice P. ...
Mayor

Filed by me this 29th day of April, 1990.

ATTEST: Norward J. Brooks
City Comptroller and City Clerk

By: Theresa Dumban
Deputy

(SEAL)
Published _____

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RECEIVED THIS DAY

3

C.B. 107632

APR 18 4 11 17 '90 ORDINANCE 115001

BY THE CITY CLERK OF
RECORDS & COLLECTIONS

AN ORDINANCE relating to land use and zoning; implementing a portion of the new major institution policies by rezoning the West Seattle Community Hospital campus, Plats 69W and 69E, pages 165 and 166 of the Official Land Use Map, from Lowrise 1 and Lowrise 2 to Commercial 1; and accepting a property use and development agreement.

WHEREAS, the Mayor and the chair of the City Council's Land Use and Community Development Committee have jointly recommended adoption of new major institution policies and code (C.F. 296889); and

WHEREAS, the recommended policies change the definition of "major institution" so that West Seattle Community Hospital no longer meets the definition; and

WHEREAS, the City Council has determined that the West Seattle Community Hospital campus should be rezoned from Lowrise 1 and Lowrise 2 to Commercial 1, subject to a property use and development agreement; and

WHEREAS, a new implementation guideline has been proposed to be added to Policy 6: Transition Provisions of the recommended policies, to guide the rezone of West Seattle Community Hospital; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plats 69W and 69E, pages 165 and 166 of the Official Land Use Map adopted by Ordinance 110669, are amended to rezone, from Lowrise 1 (L1) and Lowrise 2 (L2) to Commercial 1 (C1) with various height limits as shown on Exhibit A, the campus of West Seattle Community Hospital, described as follows:

Lots 11, 12, and 13, Block 2, Steel Plant Addition as recorded in Vol. 11 of Plats, Page 90, Records of King County, Washington, EXCEPT the East 30 feet of the North half of lot 12 and the North half of lot 13 less streets under Ordinances 90238, 89479, and 90498, together with,

Lots 18, 19, and 20, Block 3, Steel Plant Addition as recorded in Vol. 11 of Plats, Page 90, Records of King County, Washington.

The City Clerk is directed to place a copy of Exhibit A in a volume entitled "Zoning Map Amendments," as contemplated in C.F. 296889.

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REC'D F 6.00
CASHSL *****00
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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 26th day of March, 1990, and signed by me in open session in authentication of its passage this 26th day of March, 1990.

Delores Sorriga
President Pro Tem of the City Council

Approved by me this 29th day of April, 1990.

Norward J. Brooks
Mayor

Filed by me this 29th day of April, 1990.

ATTEST: Norward J. Brooks
City Comptroller and City Clerk

By: Theresa Dunbar
Deputy

(SEAL) STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

I, NORWARD J. BROOKS, Comptroller and City Clerk of the City of Seattle, 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 April 11, 1990 19.2

2
NORWARD J. BROOKS
Comptroller and City Clerk

By: Theresa Dunbar
Deputy Clerk

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9004182001

Return To:
NORWARD J. BROOKS CITY COMPTROLLER
101 SEATTLE MUNICIPAL BUILDING
SEATTLE, WA 98108

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Seattle Engineering Department

Gary Zarker, Director

Room 910, Seattle Municipal Building, Seattle, Washington 98104-1879



Letter of Transmittal

Ord 115001

TO: Norward Brooks City Comptroller	DATE May 5, 1990 RE: Property Use & Development Agreement West Seattle Community Hospital	JOB NO. RW 90014
ATTN: Gail Keefe, Assistant City Clerk		

WE ARE SENDING YOU ATTACHED UNDER SEPARATE COVER VIA _____ THE FOLLOWING ITEMS:

SHOP DRAWINGS PRINTS REPRODUCIBLE PLANS SPECIFICATIONS

COPY OF LETTER _____

Copies	Date	Number	DESCRIPTION AND REMARKS
1			K.C. Recording #9003260437 - Property Use & Development Agreement
			Please reference to Ordinance 115001 which pertains to that real property located in Block 2, Steel Plant Addition.
			Please notify this office of the number assigned by noting same on the duplicate copy attached hereto:
			Seattle Engineering Dept. Property & Court Services Room 650 Dexter Horton Bldg. 710 Second Ave. Mail Stop: 13-06- 01

THESE ARE TRANSMITTED AS CHECKED BELOW:

- | | | |
|---|---|---|
| <input type="checkbox"/> FOR APPROVAL | <input type="checkbox"/> APPROVED AS SUBMITTED | <input type="checkbox"/> RESUBMIT _____ COPIES FOR APPROVAL |
| <input type="checkbox"/> FOR YOUR USE | <input type="checkbox"/> APPROVED AS NOTED | <input type="checkbox"/> SUBMIT _____ COPIES FOR DISTRIBUTION |
| <input type="checkbox"/> AS REQUESTED | <input type="checkbox"/> RETURNED FOR CORRECTIONS | <input type="checkbox"/> RETURN _____ CORRECTED PRINTS |
| <input type="checkbox"/> FOR REVIEW AND COMMENT | <input checked="" type="checkbox"/> For Filing | <input type="checkbox"/> PRINTS RETURNED AFTER LOAN TO US |

COPIES TO:

Councilman Paul Kraabel
Director, DCIU
Director, DCD

Signed: Teri Hallauer
Title: Title Examiner 4-7557

ENG. FORM 710
CS 7.267 REV. 1/90

IF ENCLOSURES ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE.

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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 owner of the within described property (herein called "Owner"):

WITNESSETH:

WHEREAS, Owner is vested with a fee simple title in the following described property, (herein called the "Property"):

Lots 11, 12, and 13, Block 2, Steel Plant Addition as recorded in Volume 11 of plats, page 90, records of King County, Washington, EXCEPT the east 30' of the north half of Lot 12 and the north half of Lot 13 less streets under Ordinances 90238, 89479, and 90498,

TOGETHER WITH Lots 18, 19, and 20, Block 3, Steel Plant Addition as recorded in Volume 11 of Plats, page 90, records of King County, Washington.

WHEREAS, the Mayor and the Chair of the City Council's Land Use Committee have jointly proposed new major institution policies which would among other things amend the definition of "major institution," remove West Seattle Community Hospital from the list of designated major institutions and rezone its campus to the Commercial 1 (C-1) Zone with structure height limits which vary by location on the site as shown on the map, Exhibit A to C.B. 107632; and

WHEREAS, the Mayor and the Chair of the City Council's Land Use Committee have recommended that the Property be rezoned to the Commercial 1 (C-1) Zone with height limits to provide transition to the surrounding zoning subject to the execution and recording of an agreement with the City pertaining to the use and development of the Property, relating to access and traffic circulation, buffer landscaping, and the design of structures and uses for new development to assure an appropriate relationship to adjacent single-family and multi-family areas;

NOW, THEREFORE, the Owner hereby covenants, bargains and agrees on behalf of itself and its successors and assigns that it

9003260437

RECEIVED THIS DAY

MAR 25 10 09 AM '90
BY THE DIVISION OF
RECORDS & INFORMATION
KING COUNTY

90-06106 00437 13
RECEIVED 2.00
RECORD F 3.00
CASHIER 11.00

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will comply with the following conditions if the Property is rezoned to the Commercial 1 (C-1) Zone Classification

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

- 9003260437
- A. Primary vehicular access shall be from S.W. Holden Street at locations that will minimize adverse impacts on adjacent residential areas.
 - B. The existing vehicular access drives from S.W. Webster Street shall be closed to regular, daily use. A removable physical barrier shall be installed to control use of the access drives. The barrier may be removed to permit occasional use for maintenance, service, emergency and other similar intermittent, non-daily purposes. Additional vehicular access drives to the site from S.W. Webster Street shall be prohibited.
 - C. All required parking shall be provided on site.
 - D. All existing trees over nine inches in diameter, measured two feet above finished grade, within 100 feet of the property line shall be surveyed and shall be "protected trees."

Within 50 feet of the property line, protected trees shall be preserved unless disease, safety precautions, or natural causes require tree removal. In addition, the Director of the Department of Construction and Land Use may approve removal of protected tree(s) within 50 feet of the property line for new development upon a determination that there is no reasonable site development alternative that can meet the institution's development needs while preserving the tree(s).

Between 50 feet and 100 feet from the property line, protected trees shall generally be preserved, but may be removed due to disease, safety precautions, natural causes, or development of new structures.

Whenever protected trees are removed, replacement shall be required elsewhere on the hospital campus. Replacement trees shall be a minimum of three inch caliper, measured two feet above finished grade, and of a species similar to the tree(s) removed. Smaller

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caliper replacement trees shall be permitted at a ratio of two replacement trees per protected tree removed.

- E. Landscaped setbacks shall be required along all property lines. Along S.W. Holden Street the minimum setback shall be 20 feet; along other property lines the minimum setback shall be 30 feet.

Landscaping of the setbacks and other site areas shall be according to Land Use Code development standards for landscaping in C-1 zones and other standards promulgated by the Director of the Department of Construction and Land Use. Trees and all plant materials shall be permanently planted in the ground. Driveways and sidewalks shall be permitted to cross setback areas but shall not be allowed parallel to the property line within the setback.

- F. Structures in the C-1/65' area of the site shall be limited to 50 feet in height. No portion of any structure may exceed four stories.
- G. The total footprint of all enclosed buildings in the C-1/65' area of the site shall not exceed 40 percent of the total surface area of the C-1/65' area.
- H. Rooftop mechanical equipment and related features shall be minimized. All mechanical equipment or similar elements located on roofs shall be screened and not visible from the S.W. Holden and S.W. Webster Streets public rights-of-way.
- I. C-1 uses shall be permitted if they are hospital uses or uses related and accessory to the hospital uses, unless listed below as prohibited, and are subject to the maximum size limits listed below for total gross floor area of the use permitted on the hospital campus:
- (1) Personal and household retail sales and services - 5,000 sq. ft.
 - (2) Eating and drinking establishment - 10,000 sq. ft.
 - (3) Transportation facilities - 5,000 sq. ft.
 - (4) Utilities - 3,000 sq. ft.

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Medical office buildings are permitted provided their use is limited to individuals or groups whose activities have a primary and direct relationship to the central mission of the hospital.

- J. The following C1 uses shall be prohibited: animal services; automotive retail sales and service; marine retail sales and service; principal use parking; mini-warehouse; warehouse; recycling collection station; recycling center; outdoor storage; mobile home park; mortuary service; major durables sales, service and rental; fast-food restaurant (over 750 square feet); tavern; brewpub; sales, service and rental of commercial equipment and construction materials; sales of heating fuel; heavy commercial services; spectator sports facility; wholesale showroom; passenger terminal; transit vehicle base; helistop; park and pool/ride lot; general manufacturing; multi-purpose convenience stores; specialty food stores; restaurants with cocktail lounges; lodging; business incubator; sales, service and rental of office equipment; entertainment; food processing and craft work; light manufacturing; private club; museum; school, elementary or secondary; college; university; and agricultural uses.

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 after-acquired title of the Owners of the Property.

Section 3. 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 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 Commercial 1 (C-1) Zone.

Section 4. This agreement is made for the benefit of the City and owners of property within 300 feet of the Property, and either the City or any such property owner may institute and

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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 any portion thereof is invalid or void, such invalidity or voidness shall in no way affect any other covenant, condition or restriction hereinabove contained.

DATED this 11th day of December, 1989.

OWNER;
WEST SEATTLE COMMUNITY
HOSPITAL

By

Leroy A. Pesch, M.D.
PESCH HEALTH SYSTEMS
CORPORATION
LEROY A. PESCH, M.D.
President

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Leroy A. Pesch, M.D. signed this instrument, on oath stated that he/~~she~~ was authorized to execute the instrument and acknowledged it as the President of WEST SEATTLE COMMUNITY HOSPITAL to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: December 11, 1989

Candi Ann Squarlett
NOTARY PUBLIC in and for the State
of Washington, residing at Seattle, WA
My appointment expires 7/9/93

9003260437

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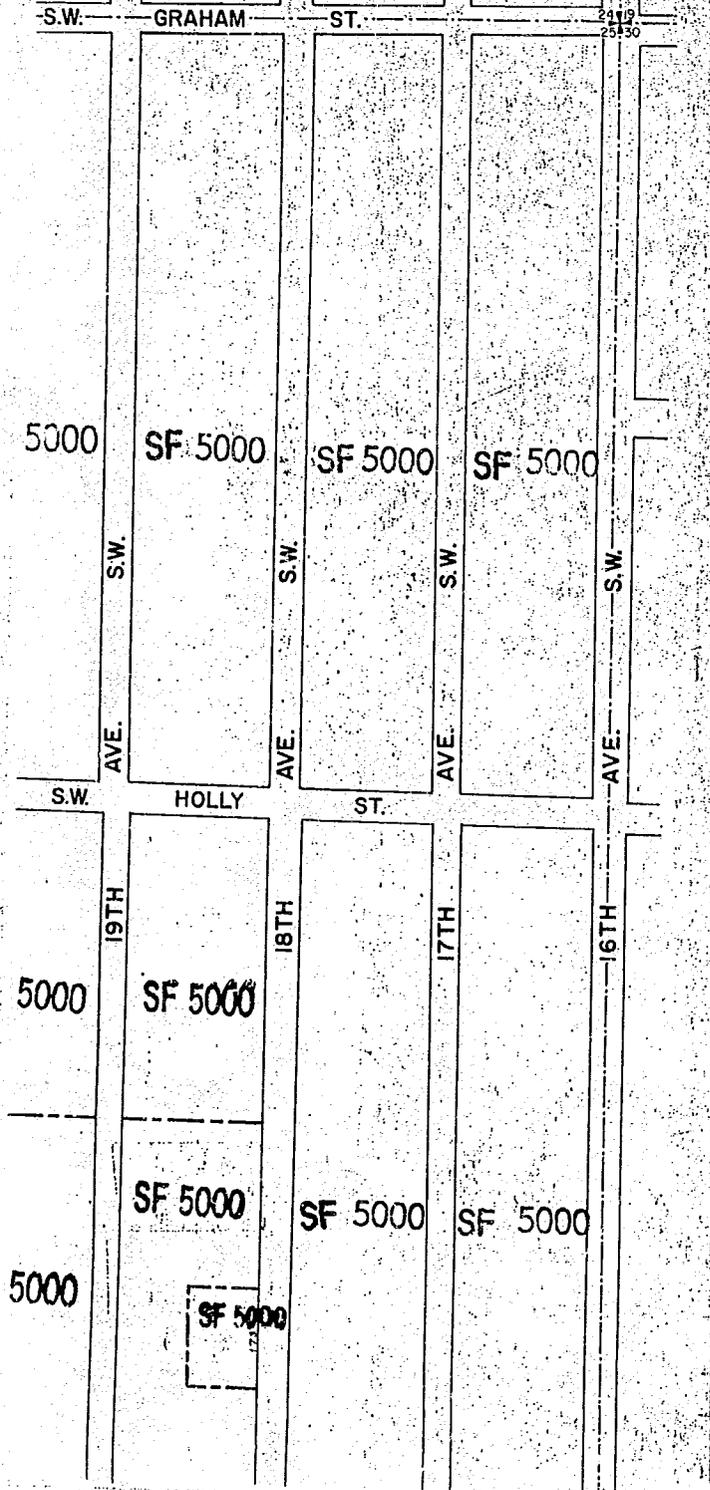
FILED FOR RECORD AT REQUEST OF

CITY OF SEATTLE
ENGINEERING DEPARTMENT
Property and Court Services
650 Dexter Horton Building
Seattle, WA 98104

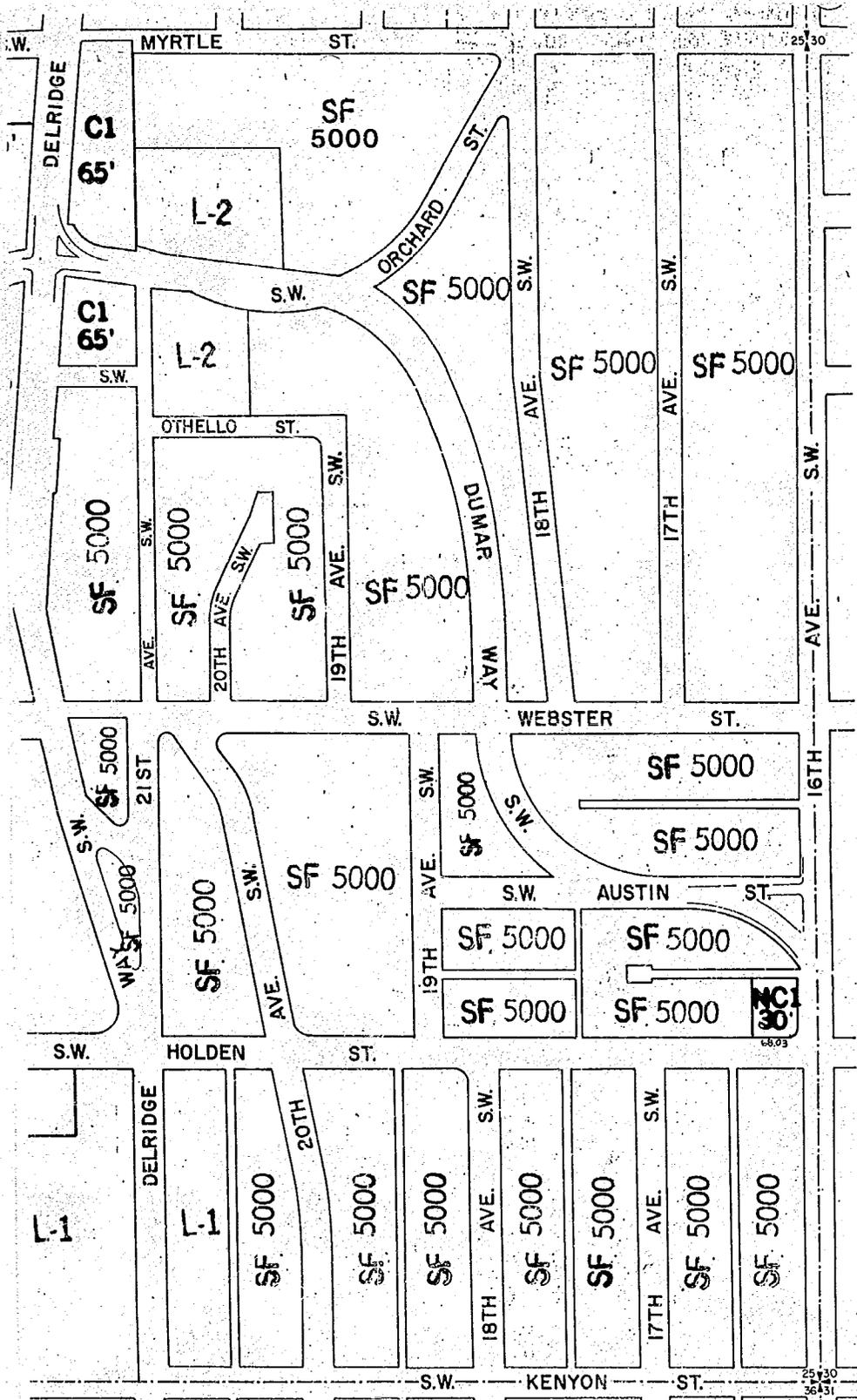
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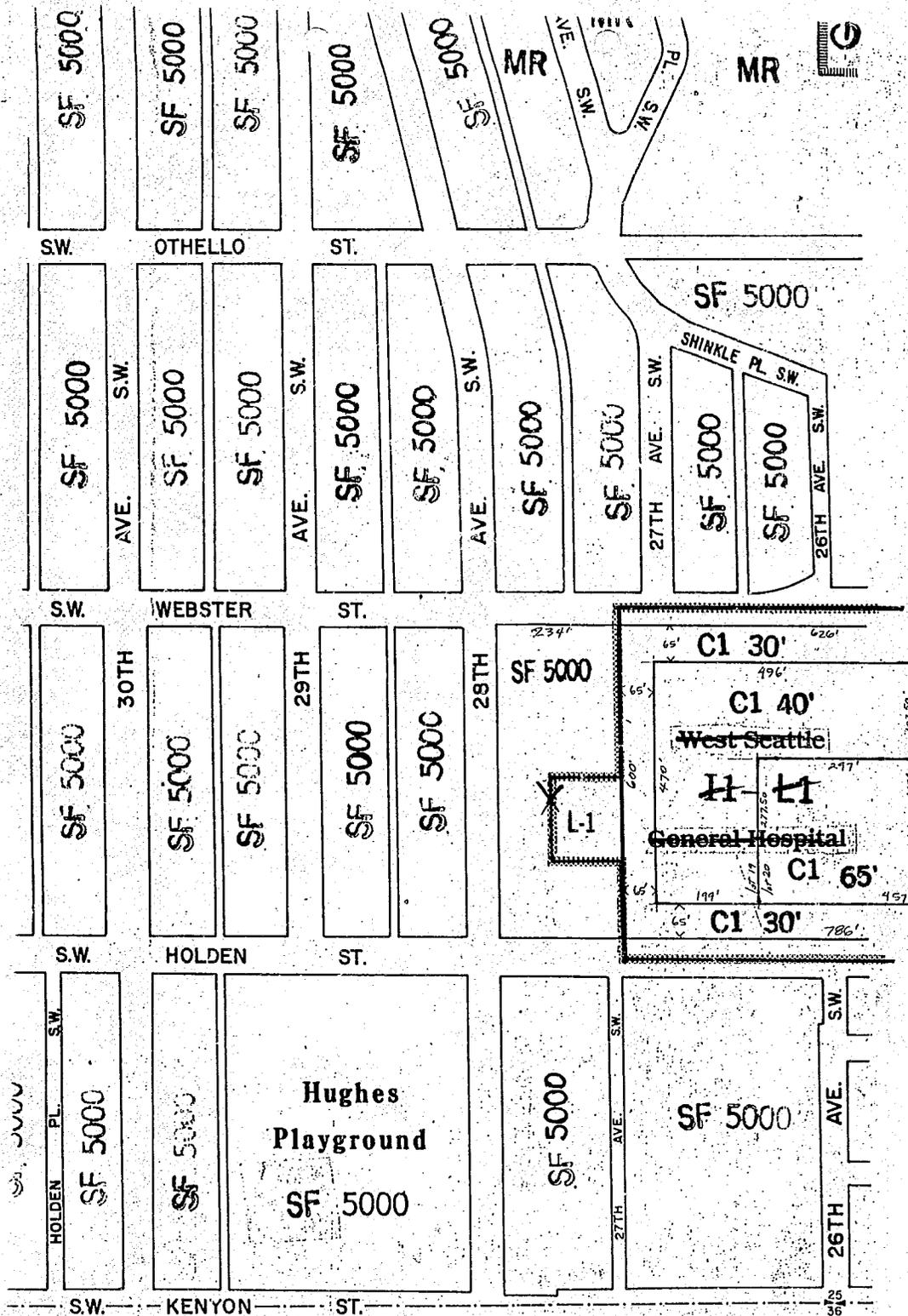
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ATUS
 107166 C.F. 296889

Ord 115001
 SCALE: 1 INCH = 200 FEET
 page 2 of 2

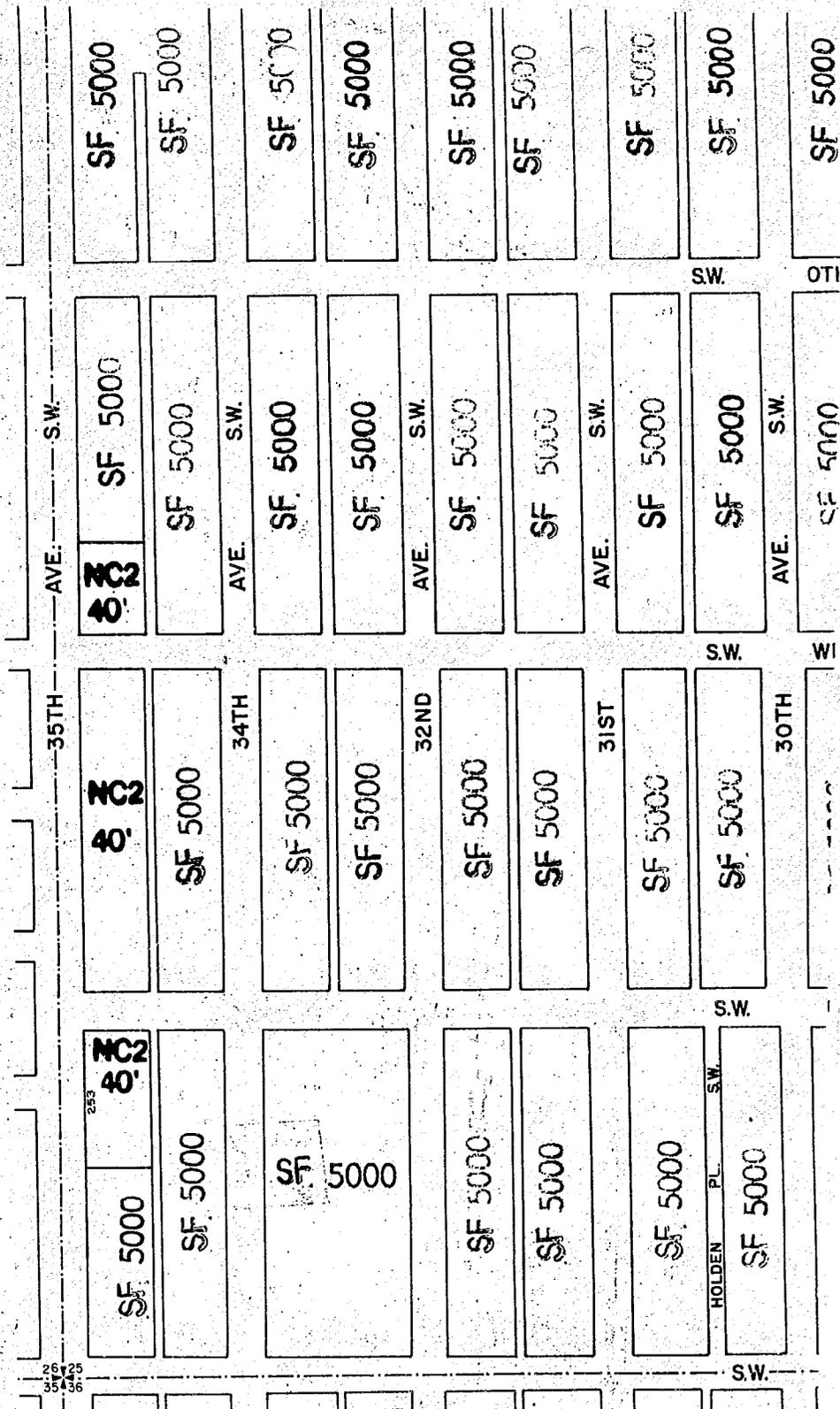


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STATUS
TRACT 165 C.F. 296889

Ord 115001

page 1 of 2



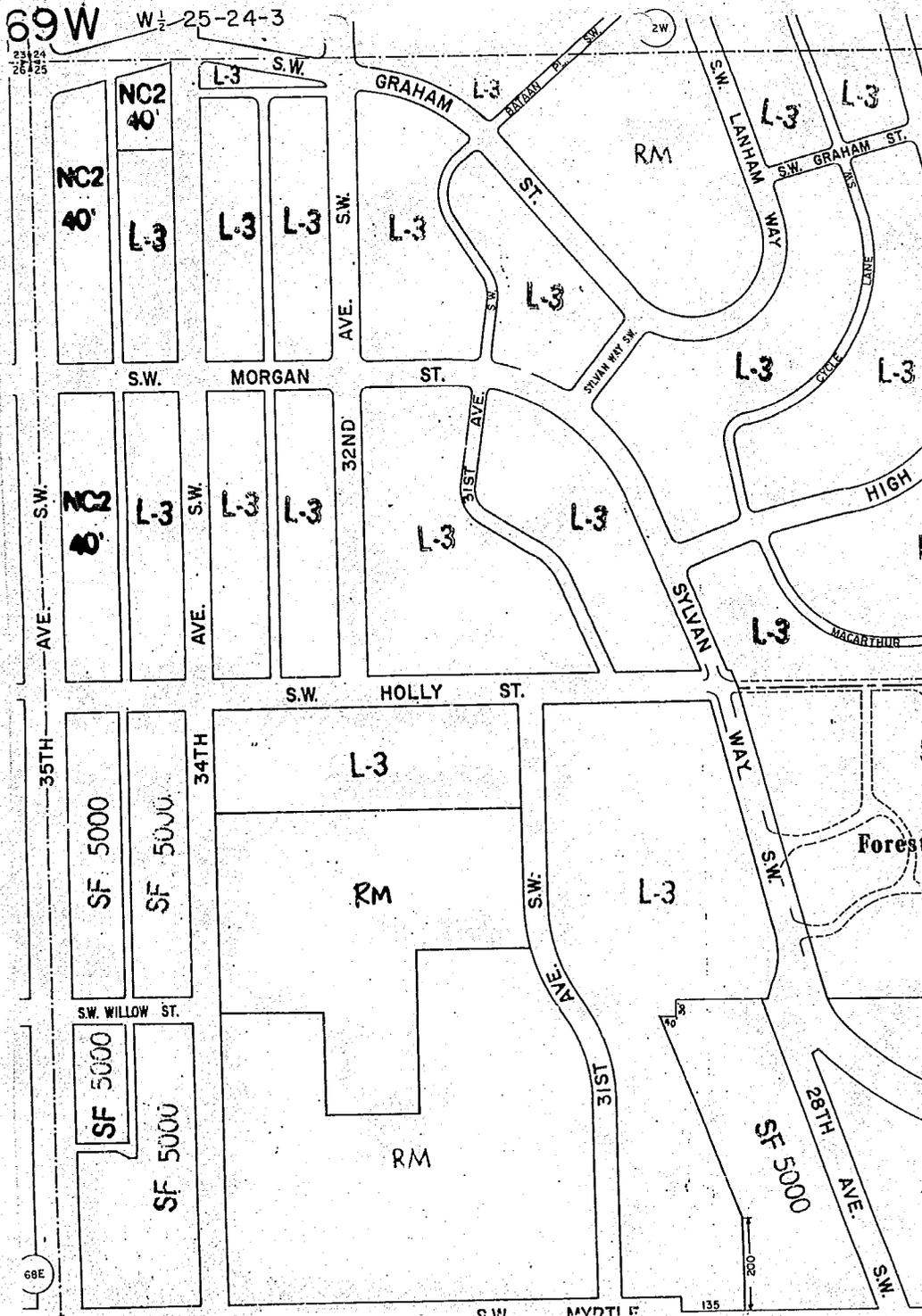
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DELETE MAJOR INSTITUTION STATUS
 REZONE L-1/L-2 to C1/CONTRACT

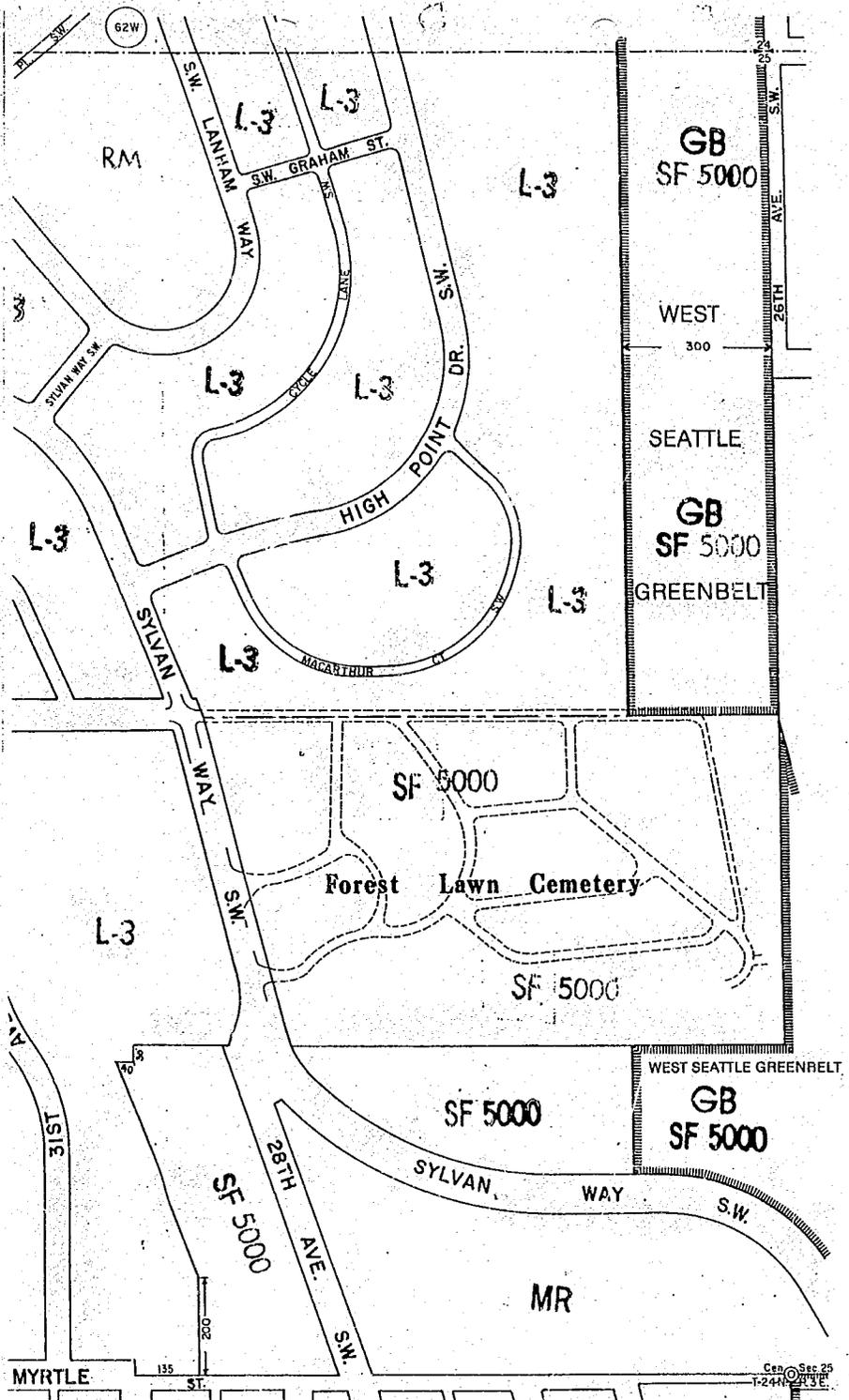
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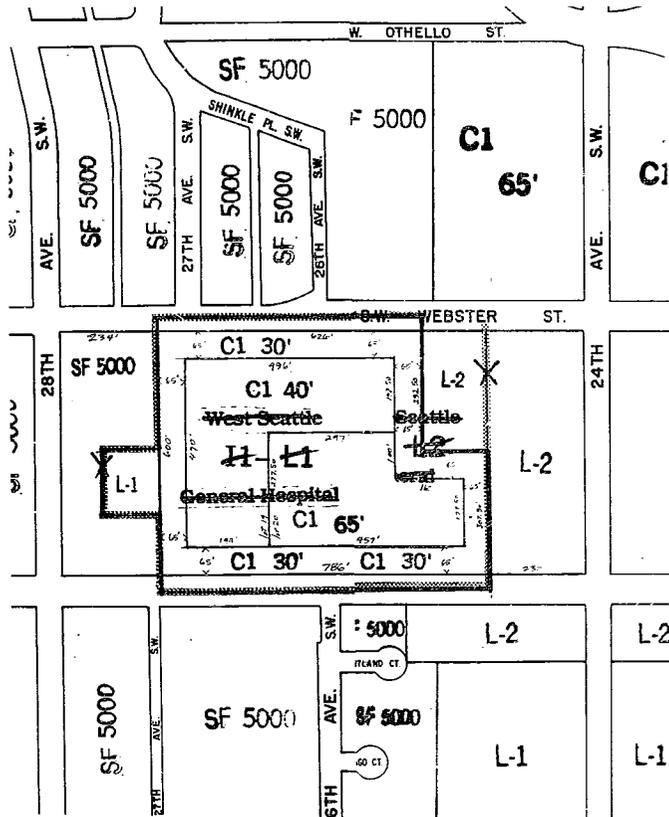


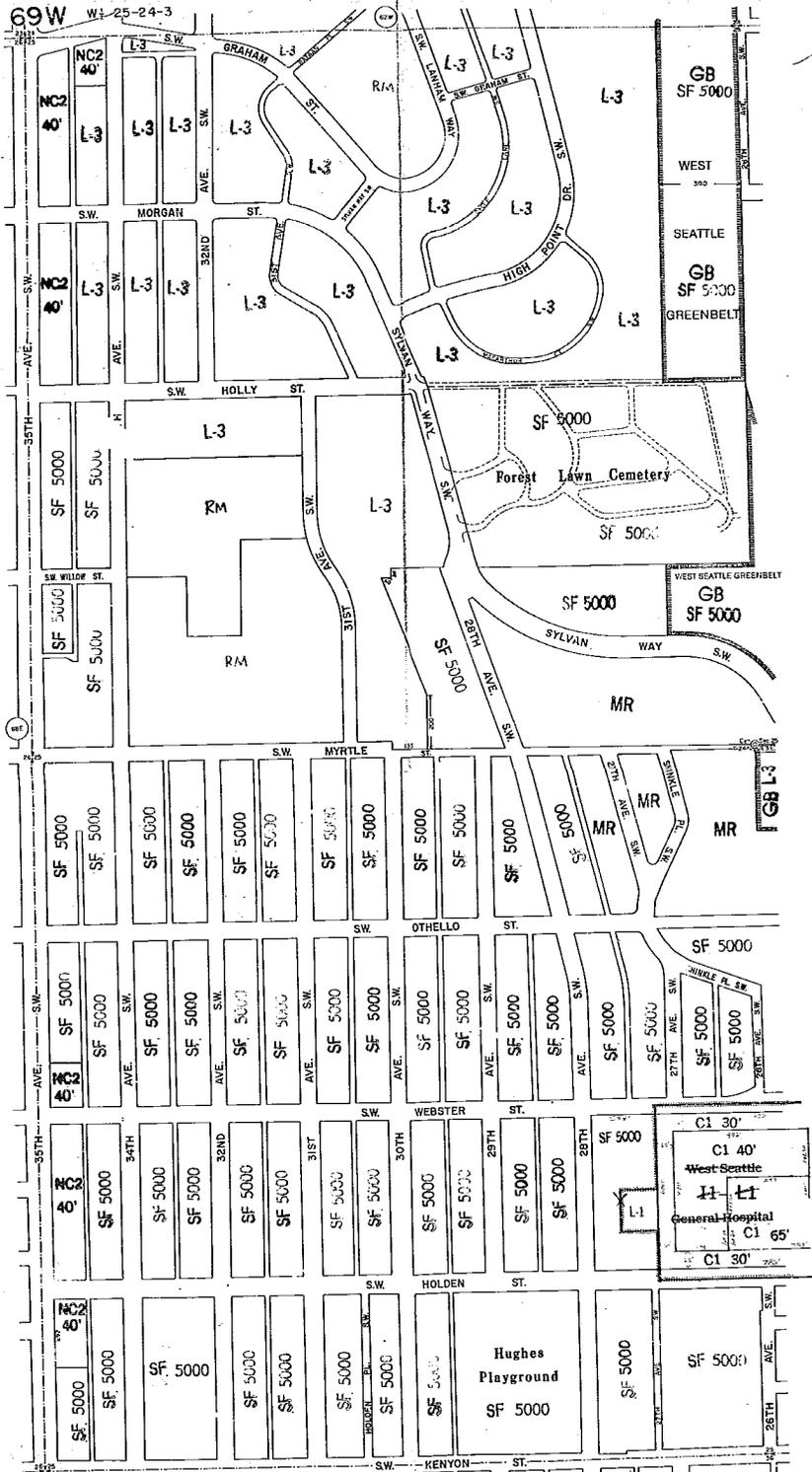
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Rezone Map for C.B. 107632
 West Seattle Community Hospital Contract Rezone

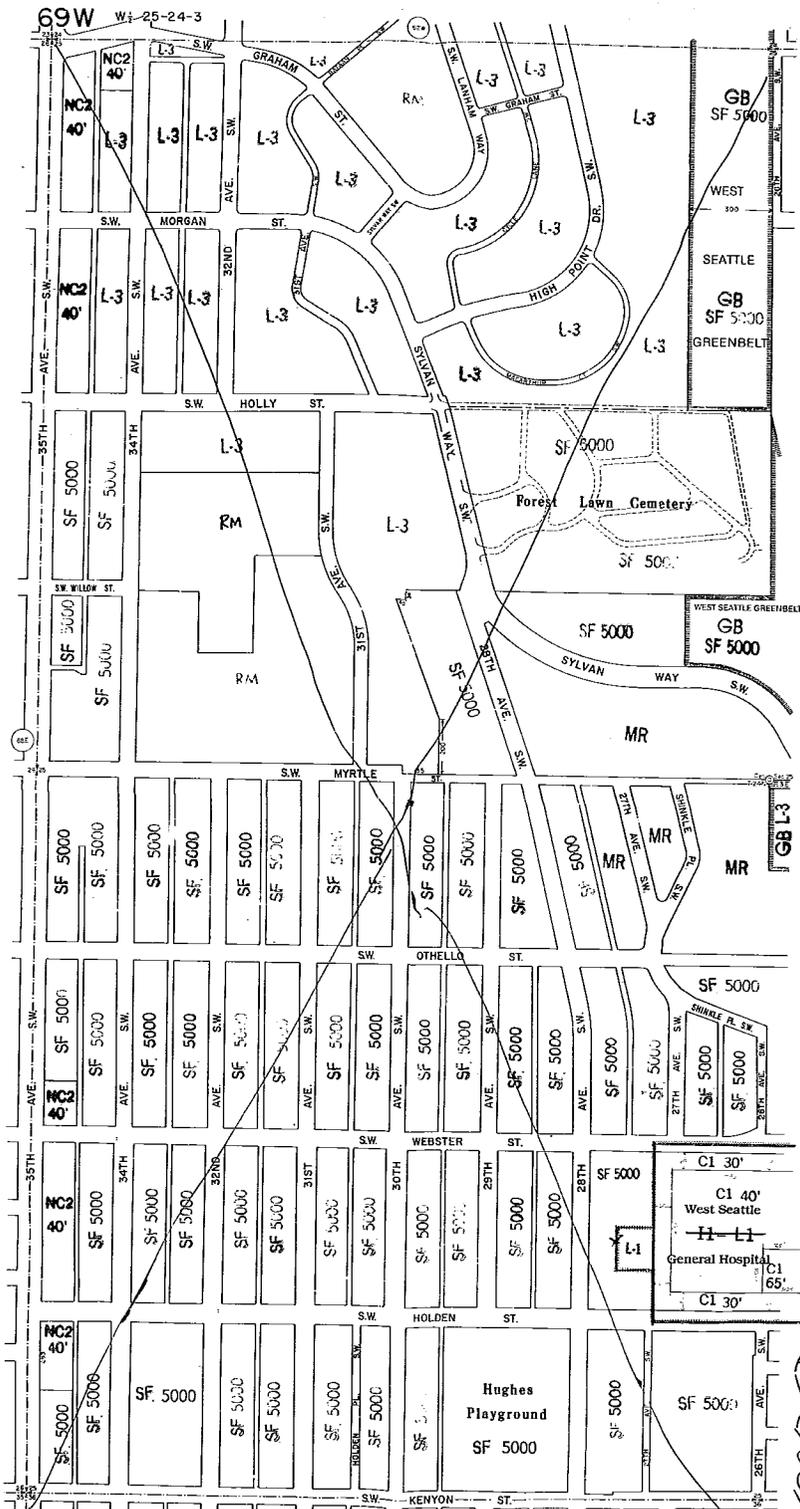




DELETE MAJOR INSTITUTION STATUS
 REZONE L-1 & L-2 to C1 / CONTRACT 165 C.F. 296889
 SCALE 1"=100' FILE

Ord 115001

page 142

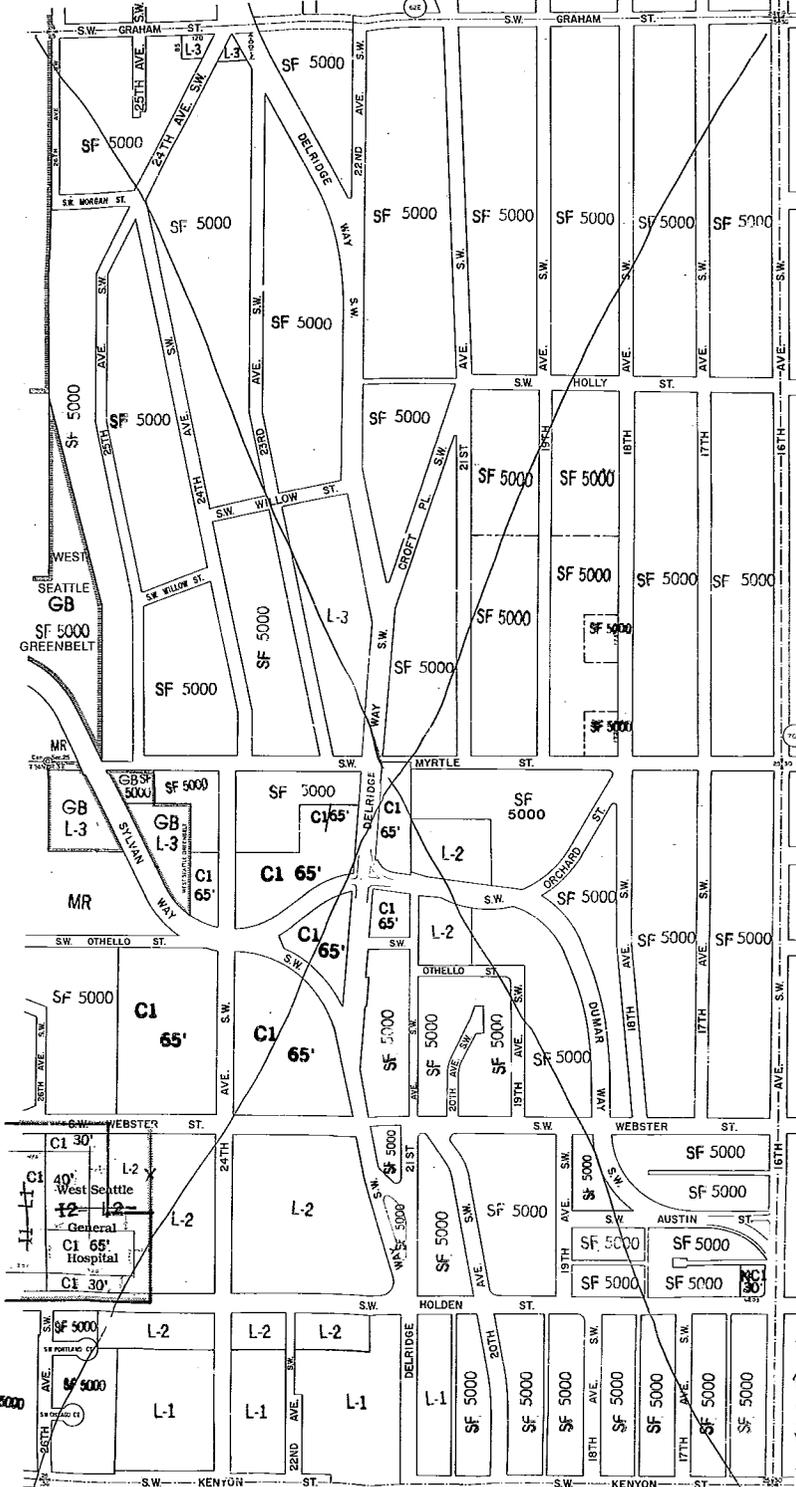


DELETE MAJOR INSTITUTION STATUS
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SCALE: 1 INCH = 200 FEET

page 1 of 2

SUPERSEDED



STATE OF WASHINGTON - KING COUNTY

25176
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: 115001

was published on

04/12/90

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

Subscribed and sworn to before me on

APR 12 1990

Ken Ray
Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

BOOKED
1990

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle

ORDINANCE 116691

AN ORDINANCE relating to land use and zoning; implementing a portion of the new major institution policies by rezoning the West Seattle Community Hospital campus, Plats 69W and 69E, pages 165 and 166 of the Official Land Use Map, from Lowrise 1 and Lowrise 2 to Commercial 1; and accepting a property use and development agreement.

WHEREAS, the Mayor and the chair of the City Council's Land Use and Community Development Committee have jointly recommended adoption of new major institution policies and code (C.F. 296889); and

WHEREAS, the recommended policies change the definition of "major institution" so that West Seattle Community Hospital no longer meets the definition; and

WHEREAS, the City Council has determined that the West Seattle Community Hospital campus should be rezoned from Lowrise 1 and Lowrise 2 to Commercial 1, subject to a property use and development agreement; and

WHEREAS, a new implementation guideline has been proposed to be added to Policy 6; Transition Provisions of the recommended policies, to guide the rezoning of West Seattle Community Hospital; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plats 69W and 69E, pages 165 and 166 of the Official Land Use Map adopted by Ordinance 110669, are amended to rezone, from Lowrise 1 (L1) and Lowrise 2 (L2) to Commercial 1 (C1) with various height limits as shown on Exhibit A, the campus of West Seattle Community Hospital, described as follows:

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The City Clerk is directed to place a copy of Exhibit A in a volume entitled "Zoning Map Amendments," as contemplated in C.F. 296889.

Section 2. That the Property Use and Development Agreement that was submitted to the City by the owners of West Seattle Community Hospital as described in Section 1, recorded in the records of the Director of Records and Elections of King County and filed in C.F. 296889, by which the owners agree to certain restrictions upon the property to ameliorate the adverse impact of uses and development otherwise permitted in the Commercial 1 zone upon property in the vicinity, is hereby accepted. 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 28th day of March, 1990, and signed by me in open session in authentication of its passage this 28th day of March, 1990.

DOLores SHONG, A
President Pro Tem of the City Council.
Approved by me this 2nd day of April, 1990.
NORMAN E. BICE,
Mayor.

Filed by me this 2nd day of April, 1990.
Attest: NORWARD J. BROOKS,
City Comptroller and City Clerk.
(Seal) By: THERESA DUMBAR,
Deputy Clerk.

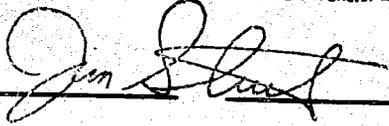
Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, April 10, 1990.
(25195)

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COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE

P. C. 20 78

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