

Ordinance No. 119235

Council Bill No. 112455

AN ORDINANCE relating to land use and zoning, amending the Official Land Use Map, SMC Chapter 23.32, and Chapter 23.47, to implement the University Community Urban Center Plan.

The City of Seattle
Council Bill/Ordinance

11/4/98 PASS

11-16-98 Fall

CF No. _____

Date Introduced: <u>NOV 2 - 1998</u>	
Date 1st Referred: <u>NOV 2 - 1998</u>	To: (committee) <u>Neighborhoods, Growth Planning and Code Enforcement Committee</u>
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: <u>11-16-98</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor: <u>11-16-98</u>	Date Approved: <u>11-23-98</u>
Date Returned to City Clerk: <u>11-23-98</u>	Date Published: <input type="checkbox"/> T.O. <input checked="" type="checkbox"/> F.T.
Date Vetoes by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

This file is complete and ready

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: CONLIN
Councilmember

Committee Action:

11/1/98 PASS 45 amended 3-0 REC, NL, SD

11-16-98 Full Council Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____
(initial/date)

Law Dept. Review

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Review

City Clerk
Review

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ORDINANCE 119235

AN ORDINANCE relating to land use and zoning, amending the Official Land Use Map, SMC Chapter 23.32, and Chapter 23.47, to implement the University Community Urban Center Plan;

WHEREAS, City Council Resolution 28966, adopted August 1, 1994, established a Neighborhood Planning Program for the City of Seattle; and

WHEREAS, an organizing committee of stakeholders in the University District Urban Center was formed in 1995, for the purpose of preparing a plan for the University District Urban Center as designated in the Seattle Comprehensive Plan; and

WHEREAS, this organizing committee conducted extensive outreach to stakeholders and adjacent communities in order to establish planning priorities; and

WHEREAS, stakeholders in this community formed a Planning Committee and worked with City staff and consultants to develop specific plan recommendations; and

WHEREAS, a community-wide validation process was conducted to familiarize stakeholders and neighboring areas with the proposed plan and ascertain support for it; and

WHEREAS, the GMA requires development regulations to be consistent with comprehensive plans; and

WHEREAS, the City of Seattle is approving the UCUC Plan and incorporating portions of it into the Comprehensive Plan; and

WHEREAS, the UCUC Plan proposes rezoning portions of the University District Urban Center; and

WHEREAS, the City Council finds that the rezoning accomplished by this ordinance will protect and promote the health, safety and welfare of the general public; and

WHEREAS, as a result of the analysis and alternatives brought forth in review of the rezones proposed with the UCUC Neighborhood Plan, the City Council intends to consider an addition to the proposed rezone A10A, as part of its UCUC legislative rezone review, that would extend the Lowrise 2 zone on the west side of Ravenna Avenue Northeast from Northeast 53rd Street to Northeast 54th Street; and

1 WHEREAS, additional public notice and an additional public hearing is warranted to
2 consider such an addition to the A10A rezone proposal,

3 **NOW, THEREFORE,**

4 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

5 **Section 1.** Attached to this ordinance is attachment 1 consisting of nine (9)
6 pages of zoning maps which attachment is incorporated herein by reference. The areas
7 depicted on these maps showing a change in zoning designation are hereby rezoned to the
8 designations shown on the maps. The zoning changes shown on these maps are hereby
9 adopted as amendments to the Official Land Use Map, SMC 23.32.016.

10 **Section 2.** Subsection C of Section 23.47.040 of the Seattle Municipal Code,
11 as last amended by Ordinance 119218, is further amended as follows:

12 **23.47.040 General provisions for pedestrian-designated zones.**

13 * * *

14 C. For purposes of this subchapter, the following streets are principal
15 pedestrian streets when located within a pedestrian-designated zone:

16 Lake City Way Northeast;
17 Roosevelt Way Northeast;
18 Greenwood Avenue North;
19 North 85th Street;
20 East Greenlake Drive North;
21 Woodlawn Avenue Northeast;
22 University Way Northeast;
Northeast Forty-fifth Street;
Northwest Market Street;
Fremont Avenue North;
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Mercer Street;

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First Avenue North;
15th Avenue East;
Broadway Avenue East;
East Olive Way;
East Madison Street;
Madison Street;
California Avenue Southwest;
Southwest Alaska Street;
Ranier Avenue South;
12th Avenue;
E. Union Street; ((and))
23rd Avenue((-)); and
25th Avenue Northeast.

Section 3. The Department of Construction and Land Use shall prepare an analysis and recommendation, and standard rezone public notice for a hearing on the proposed addition to the proposed rezone A10A, in connection with the UCUC Neighborhood Plan, that would extend the Lowrise 2 zone on the west side of Ravenna Avenue Northeast from Northeast 53rd Street to Northeast 54th Street.


Section 4. The provisions of this ordinance are declared to be separate and severable and the invalidity of any clause, sentence, paragraph, subdivision, section, subsection, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

1 **Section 5.** This ordinance shall take effect and be in force thirty (30) days
2 from and after its approval by the Mayor, but if not approved and returned by the Mayor
3 within ten (10) days after presentation, it shall take effect as provided by Municipal Code
4 Section 1.04.020.


5 Passed by the City Council the 16th day of November, 1998, and signed
6 by me in open session in authentication of its passage this 16th day of
7 November, 1998.

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9 President of the City Council

10 Approved by me this 23rd day of November, 1998.

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12 Paul Schell, Mayor

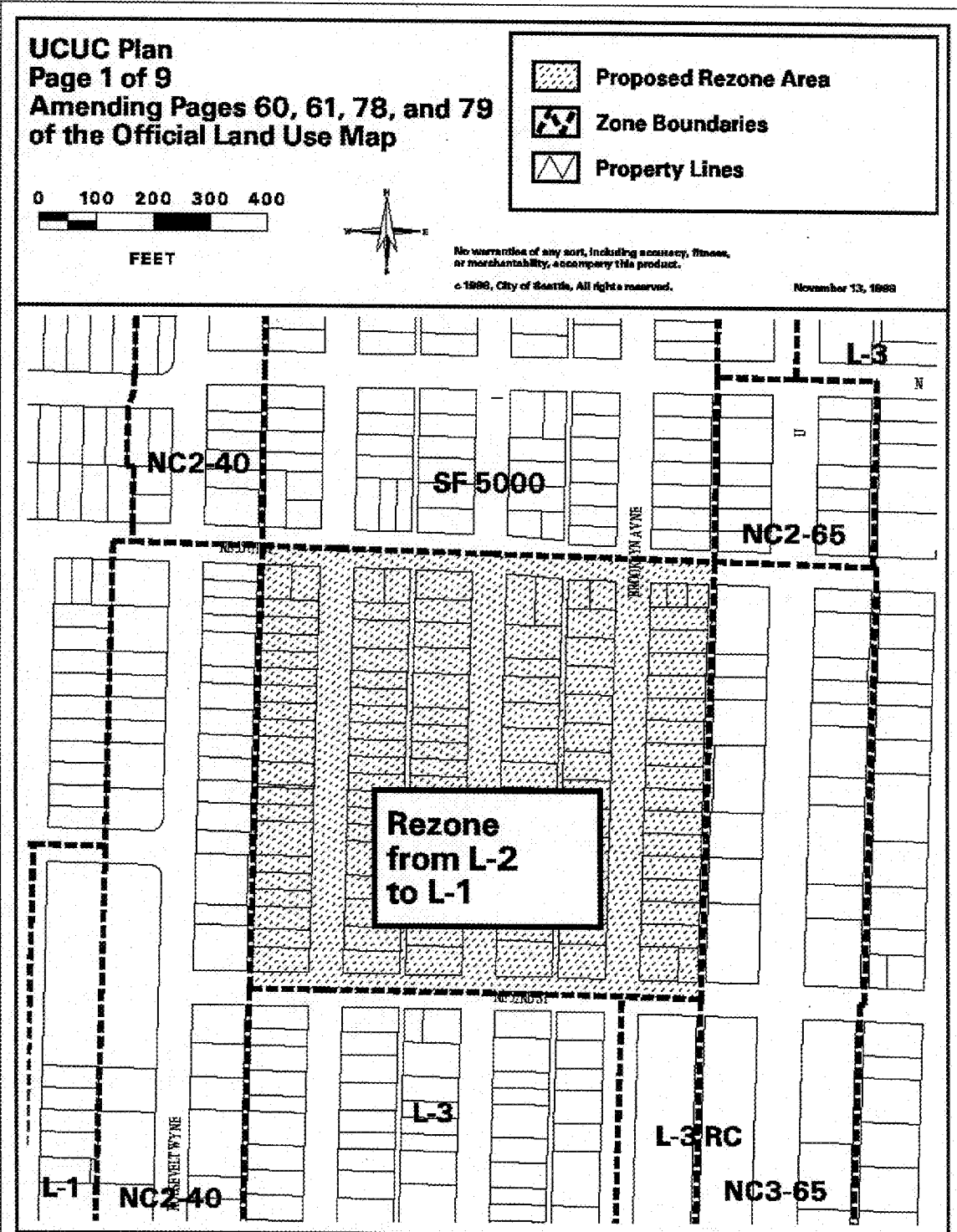
13 Filed by me this 23rd day of November, 1998.

14 
15 City Clerk

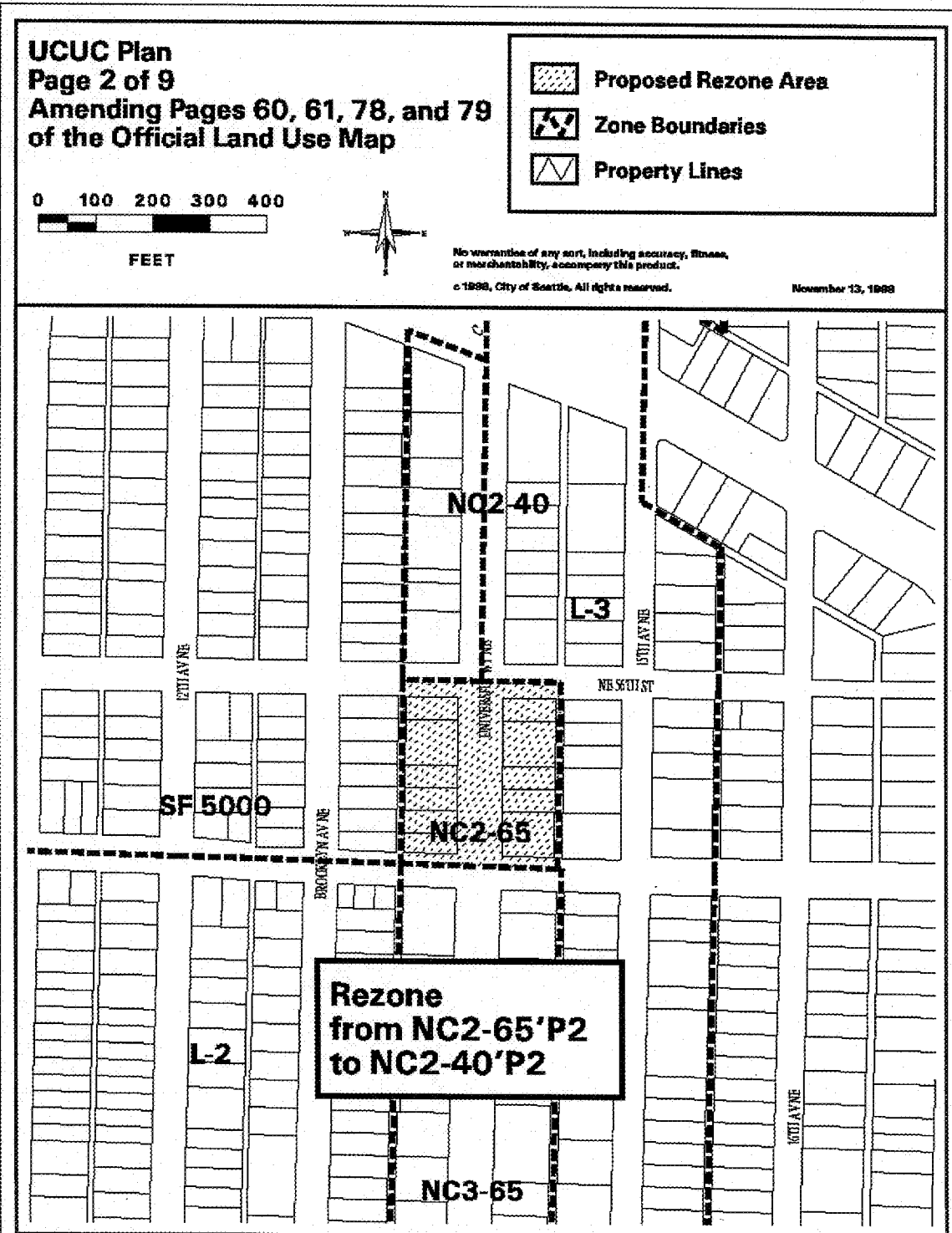
16 (SEAL)

17 **ATTACHMENTS**
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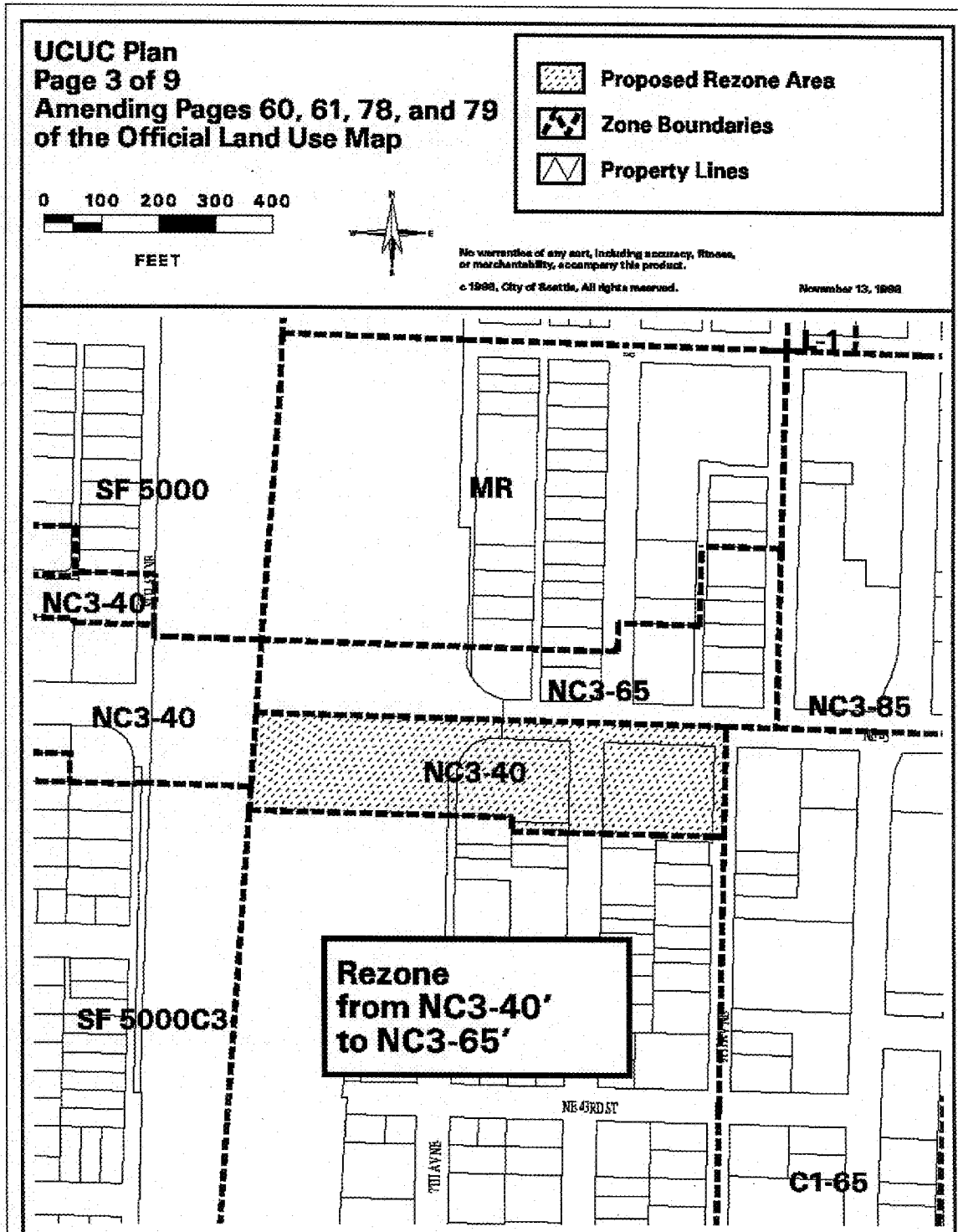
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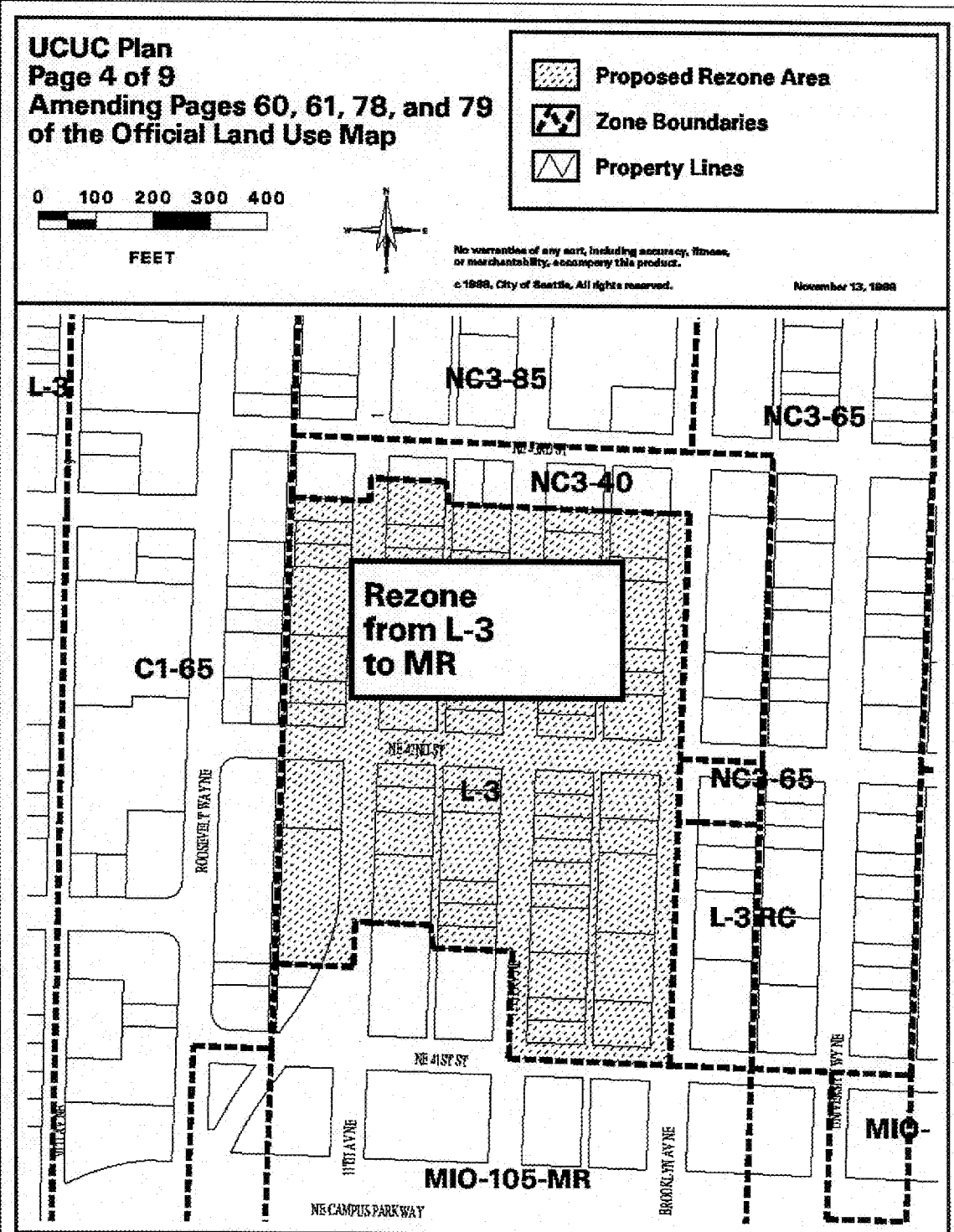
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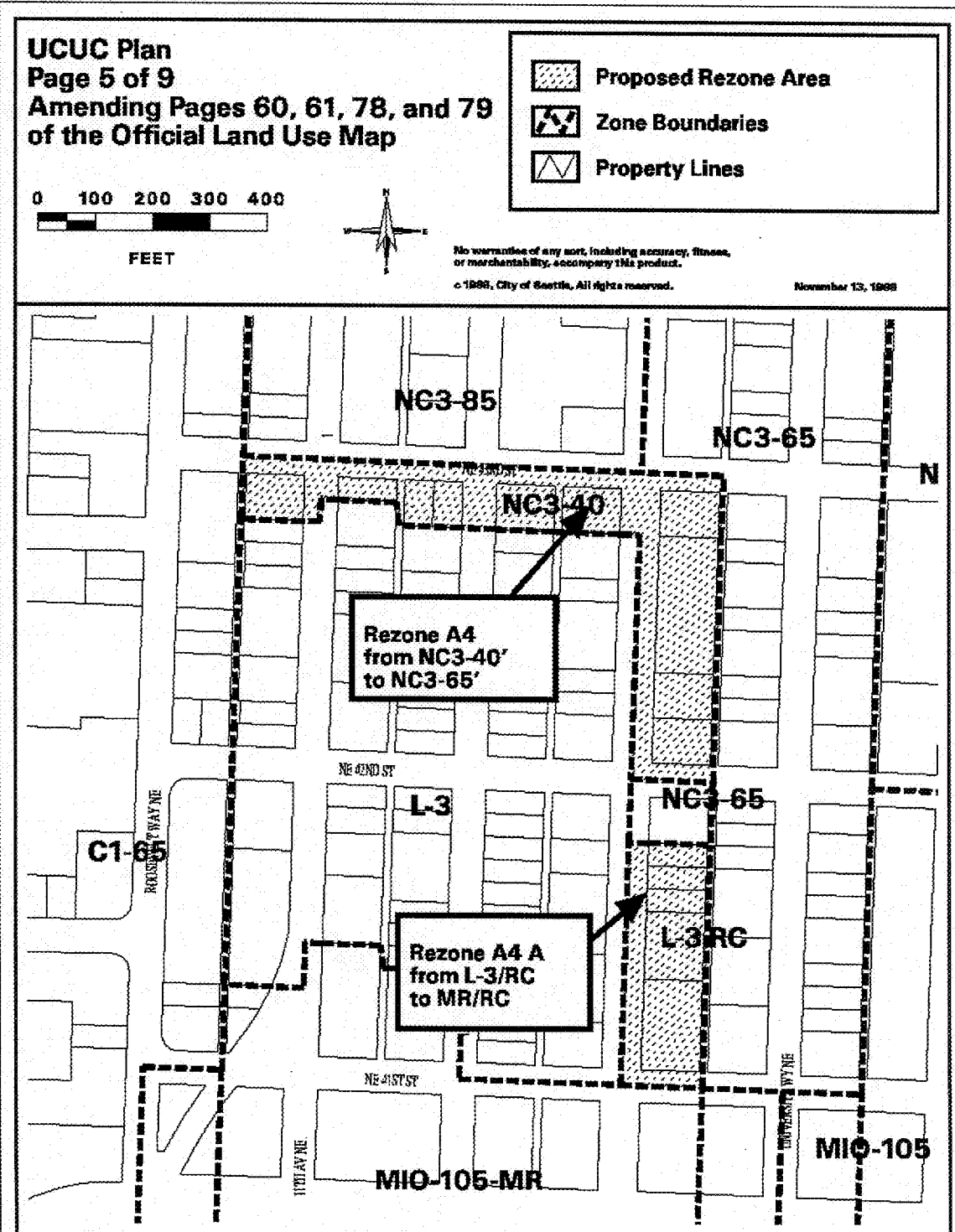
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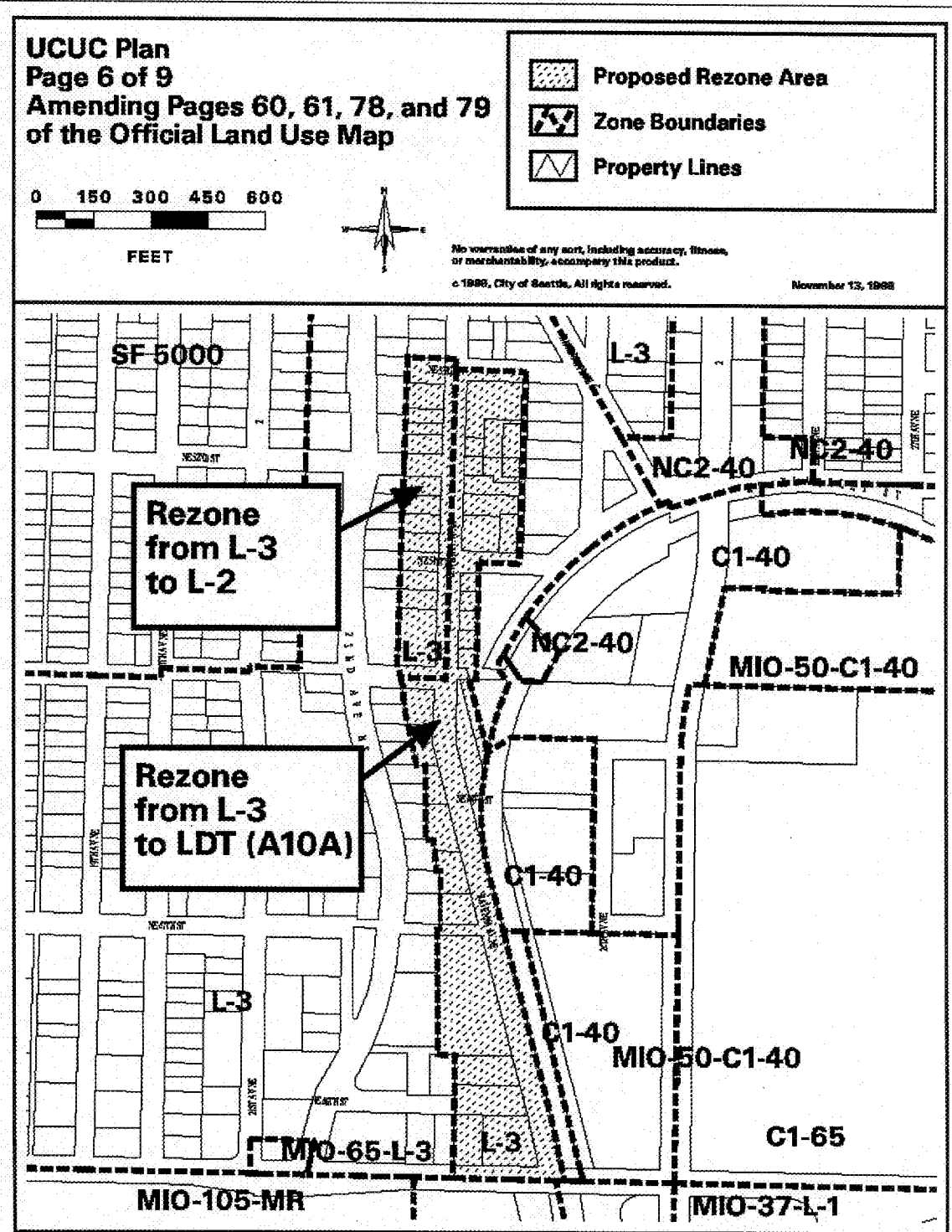
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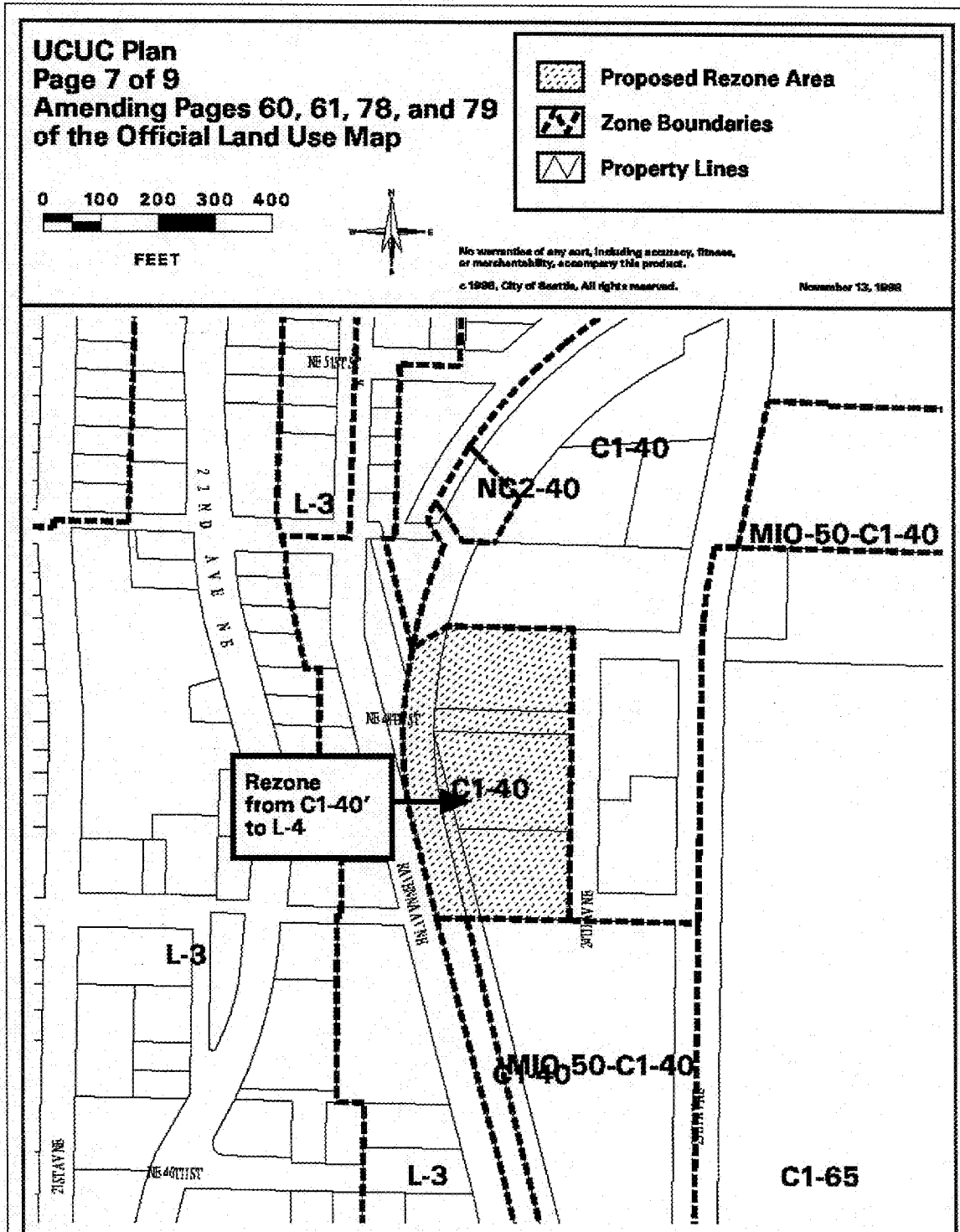
Attachment 1 Continued



Attachment 1 Continued



Attachment 1 Continued





**Legislative Department
Seattle City Council
Memorandum**

Date: November 13, 1998

To: All Councilmembers

From: *Bob*
Bob Morgan, Central Staff

Subject: **Divided Report**
University Community Urban Center Neighborhood Plan Rezone #A4A.

Majority Recommendation (Donaldson, Licata) : Midrise/Residential Commercial
Minority Recommendation (Conlin) : Neighborhood Commercial 3-65'

Background

One of the proposed rezones of the University Community Urban Center (UCUC) Neighborhood Plan would change the zoning of the properties, shown on the attached map, along the east side of Brooklyn Ave. NE, from NE 41st Street, to one lot south of NE 42nd Street. The Neighborhood Plan recommends that the designation be changed from Lowrise 3/RC (L3/RC) to Neighborhood Commercial 3-65' (NC 3-65'), and that the height limit for the area be increased to 65 feet, to be consistent with the 60 foot height limit of a newly created Midrise zone across Brooklyn Avenue NE, to the west.

The NGP&CE Committee concurs with the increase in height limit, but divided over whether to rezone the property in question to NC3-65', as recommended by the Neighborhood Plan, or to a Midrise/Residential Commercial (Midrise/RC) designation, which has a 60' height limit.

A Midrise/RC designation requires that development contain at least one residential unit, and does not permit commercial uses above the first floor level. The types of commercial uses permitted in Midrise/RC are more limited than in the Neighborhood Commercial zone. For example, gas stations, fast food restaurants, vehicle repair, cocktail lounges, and mini-warehouses are prohibited in RC zones. They are permitted outright in NC zones. Parking lots that are accessory to adjacent commercial areas (such as University Avenue in this case) are permitted outright in NC zones, but are conditional uses in the RC zone. Both the NC and RC zones permit mixed-use structures.

Majority Recommendation: Midrise/Residential Commercial

Comments (Donaldson, Licata):

A general principal of establishing zone boundaries is that commercial zones are discouraged across the street from residential zones. The current L3/RC designation takes this principle into account. It requires that residential use be included in development, and limits commercial uses that may conflict with a desirable residential environment. A Midrise/RC designation would continue these regulations that require relatively compatible commercial development.

An NC designation might result in uses such as gas stations or fast food restaurants that are not in keeping with the quality residential environment that should accompany the density permitted by the new Midrise zone to the west.

There is an NC zone located along Brooklyn Ave. NE, to the north of area in question, also across the street from the new Midrise zone. This zoning pattern should not be continued to the area in question which is developed exclusively with residential structures, except for one RC type, mixed-use, structure with commercial uses on the ground floor.

Minority Recommendation: Neighborhood Commercial 3-65'

Comments (Conlin):

Initially, the Neighborhood Planning Committee of the UCUC considered the Midrise/RC designation, at the suggestion of executive staff. They consider the NC zone to be more in keeping with their vision for the area in question. Both the executive and I prefer to defer to this preference of the Neighborhood Plan, given the minor differences between the zone choices.

Under the City's Land Use Code, the recommendations of a neighborhood plan are to be weighed and balanced with other zoning principles. In this case, the neighborhood plan proposes to continue a consistent pattern of zoning, from the north, along the east side of Brooklyn, down to NE 41st Street.

The intent of the UCUC Planning Committee is to allow uses complimentary to and supportive of University Avenue businesses, such as office uses above the first floor, and a wider range of commercial uses.

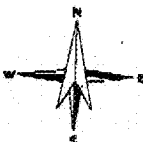
The range of uses permitted in the Neighborhood Commercial 3 zone would permit the kind of vibrant neighborhood that is appropriate in the heart of an urban center, in close proximity to the Midrise zone to the west, planned Sound Transit access, employment, and services.

Page 5 of 9

Amending Pages 60, 61, 78, and 79 of the Official Land Use Map



FEET

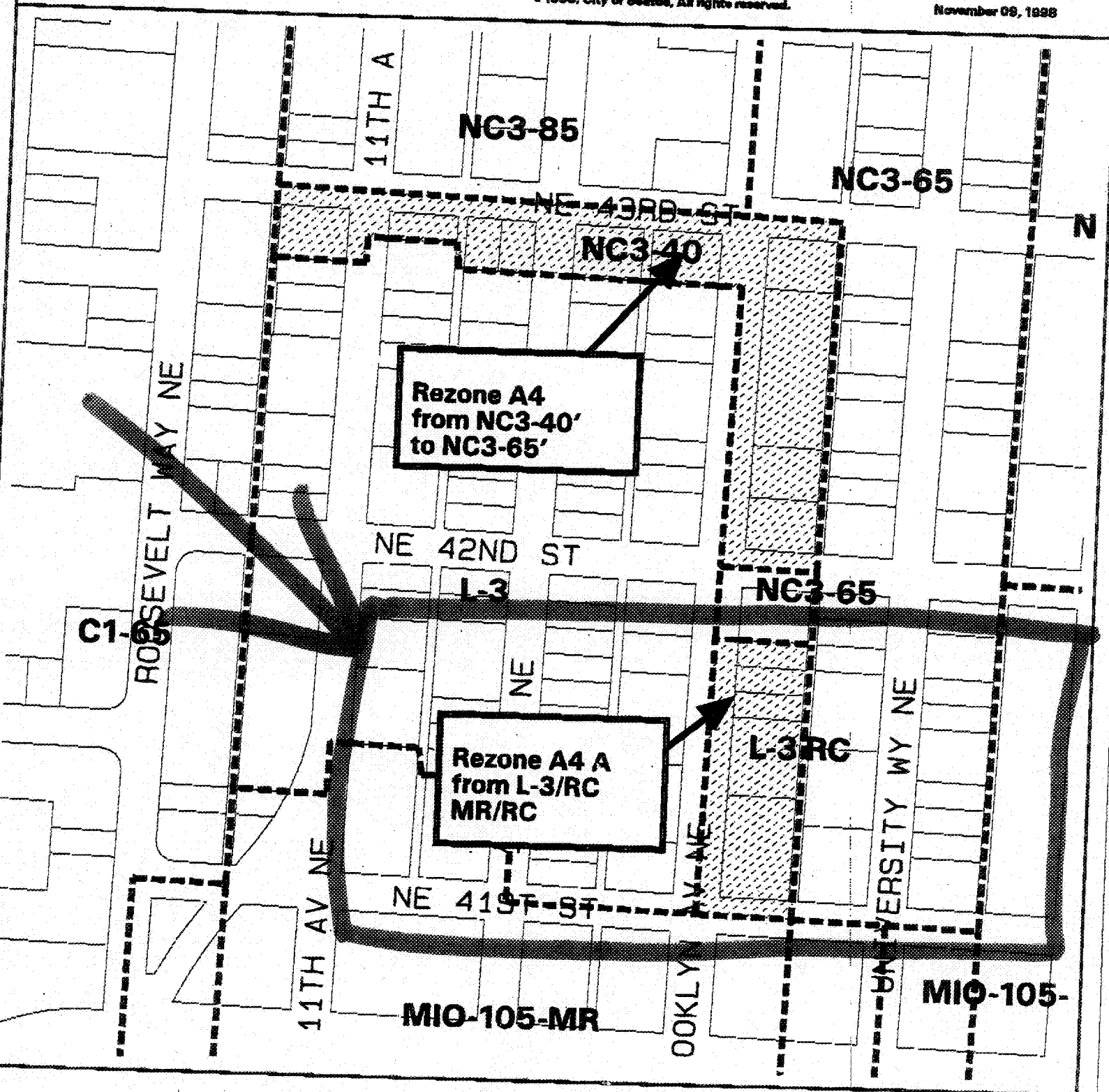


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November 09, 1998

- Proposed Rezone Area
- Zone Boundaries
- Property Lines



Return Address:

Seattle City Clerk's Office

600 4th Avenue, Room 104

Seattle, WA 98104

FILED
CITY OF SEATTLE

99 MAY -5 PM 1:46

CITY CLERK

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) (or transaction contained therein): (all areas applicable to your document must be filled
ORDINANCE # 119235 Plus Attachments

Re _____ of document.

NA

Grantor(s) (Last name first, then first name and initials)

1. CITY OF SEATTLE

☐ Additional, names on page-----of document.

Grantee(s) (Last name first, then first name and initials)

1. N/A

2.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

☐ Additional reference #'s on page _____ of document/ N/A

Assessor's Property Tax Parcel/Account Number/ N/A

☐ Assessor Tax # not yet assigned.

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JUN 10 1999
CLERK OF SUPERIOR COURT
KING COUNTY WASHINGTON
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November 12, 1998
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ORDINANCE 119235

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WHEREAS, City Council Resolution 28966, adopted August 1, 1994, established a Neighborhood Planning Program for the City of Seattle; and

WHEREAS, an organizing committee of stakeholders in the University District Urban Center was formed in 1995, for the purpose of preparing a plan for the University District Urban Center as designated in the Seattle Comprehensive Plan; and

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WHEREAS, stakeholders in this community formed a Planning Committee and worked with City staff and consultants to develop specific plan recommendations; and

WHEREAS, a community-wide validation process was conducted to familiarize stakeholders and neighboring areas with the proposed plan and ascertain support for it; and

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WHEREAS, the UCUC Plan proposes rezoning portions of the University District Urban Center; and

WHEREAS, the City Council finds that the rezoning accomplished by this ordinance will protect and promote the health, safety and welfare of the general public; and

WHEREAS, as a result of the analysis and alternatives brought forth in review of the rezones proposed with the UCUC Neighborhood Plan, the City Council intends to consider an addition to the proposed rezone A10A, as part of its UCUC legislative rezone review, that would extend the Lowrise 2 zone on the west side of Ravenna Avenue Northeast from Northeast 53rd Street to Northeast 54th Street; and

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November 12, 1998
(Ver. 2)

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November 12, 1998
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(Ver. 2)

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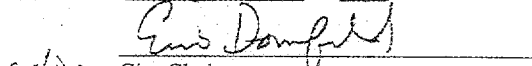
5 Passed by the City Council the 16th day of November, 1998, and signed
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8 
9 President of the City Council

10 Approved by me this 23rd day of November, 1998.

11 
12 Paul Schell, Mayor

13 Filed by me this 23rd day of November, 1998.

14 
15 acting City Clerk

16 (SEAL)

17 ATTACHMENTS
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STATE OF WASHINGTON
COUNTY OF KING
CITY OF SEATTLE

} ss

4 I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY
CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT
COPY OF Ordinance 119235

AS THE SAME APPEARS ON FILE, AND RECORDED IN THIS DEPARTMENT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE, THIS 15th day of December, 1998

JUDITH E. PIPPIN
CITY CLERK

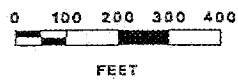

MARGARET CARTER
DEPUTY CLERK

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Attachment 1

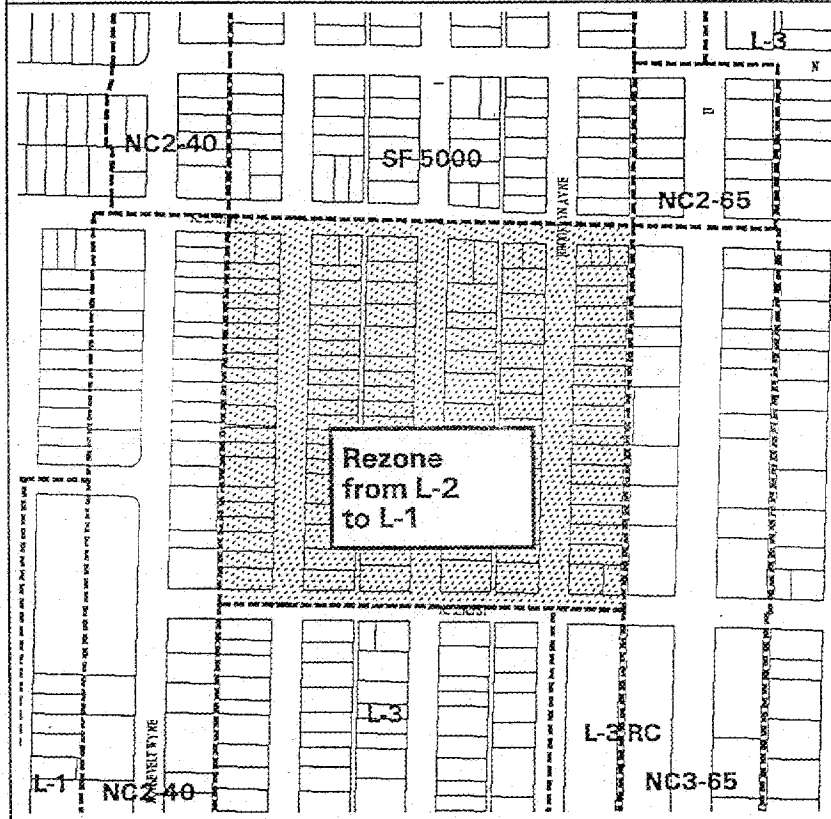
UCUC Plan
Page 1 of 9
Amending Pages 60, 61, 78, and 79
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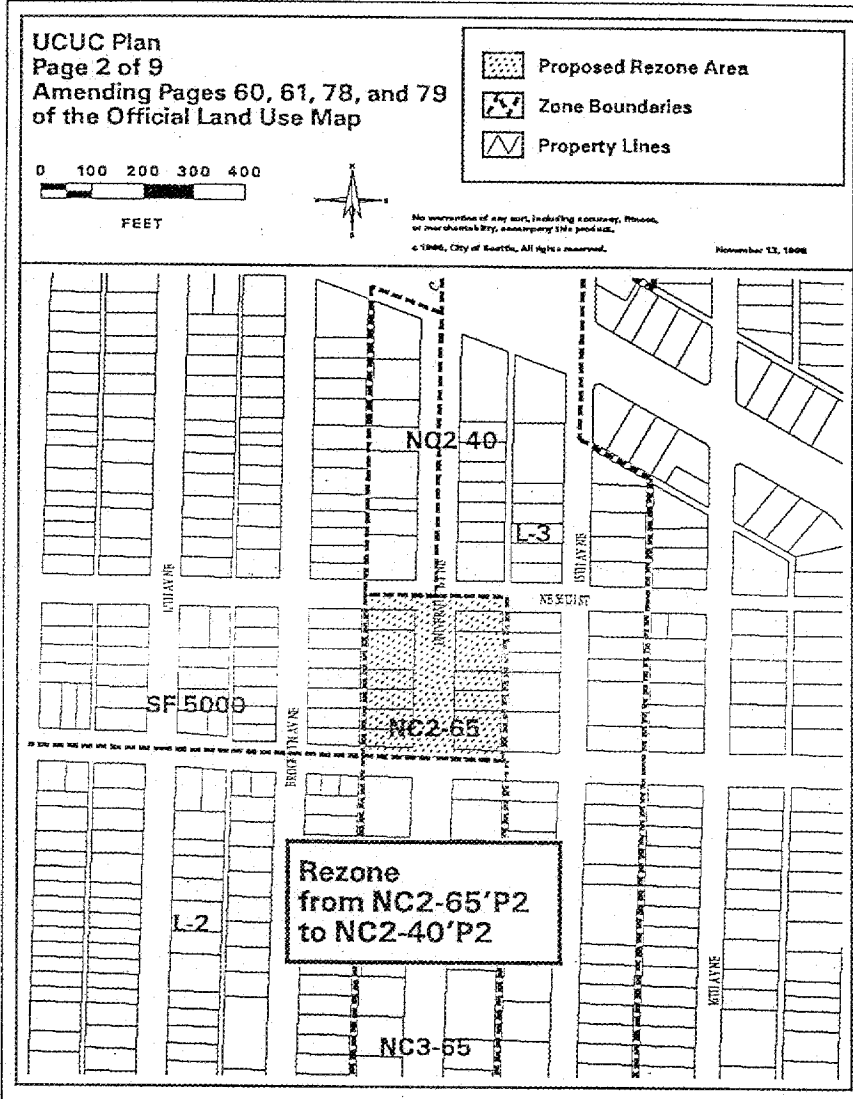
November 12, 1998

- Proposed Rezone Area
- Zone Boundaries
- Property Lines



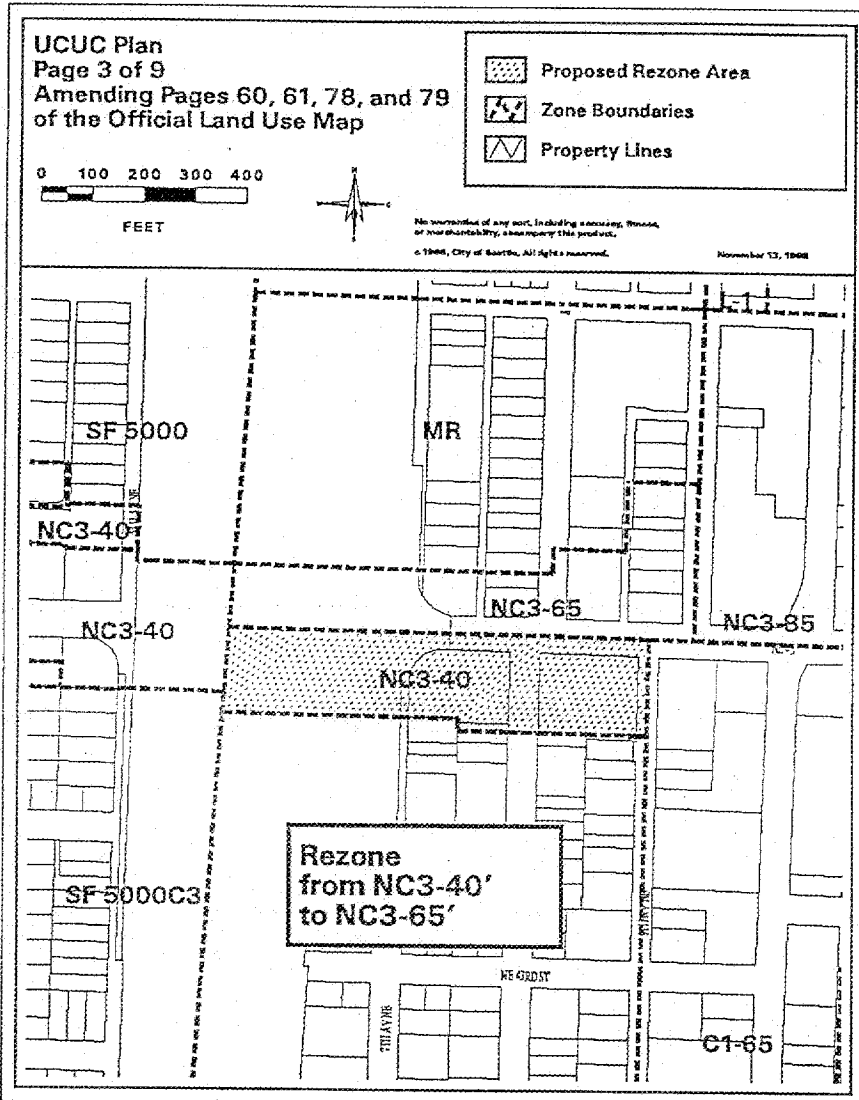
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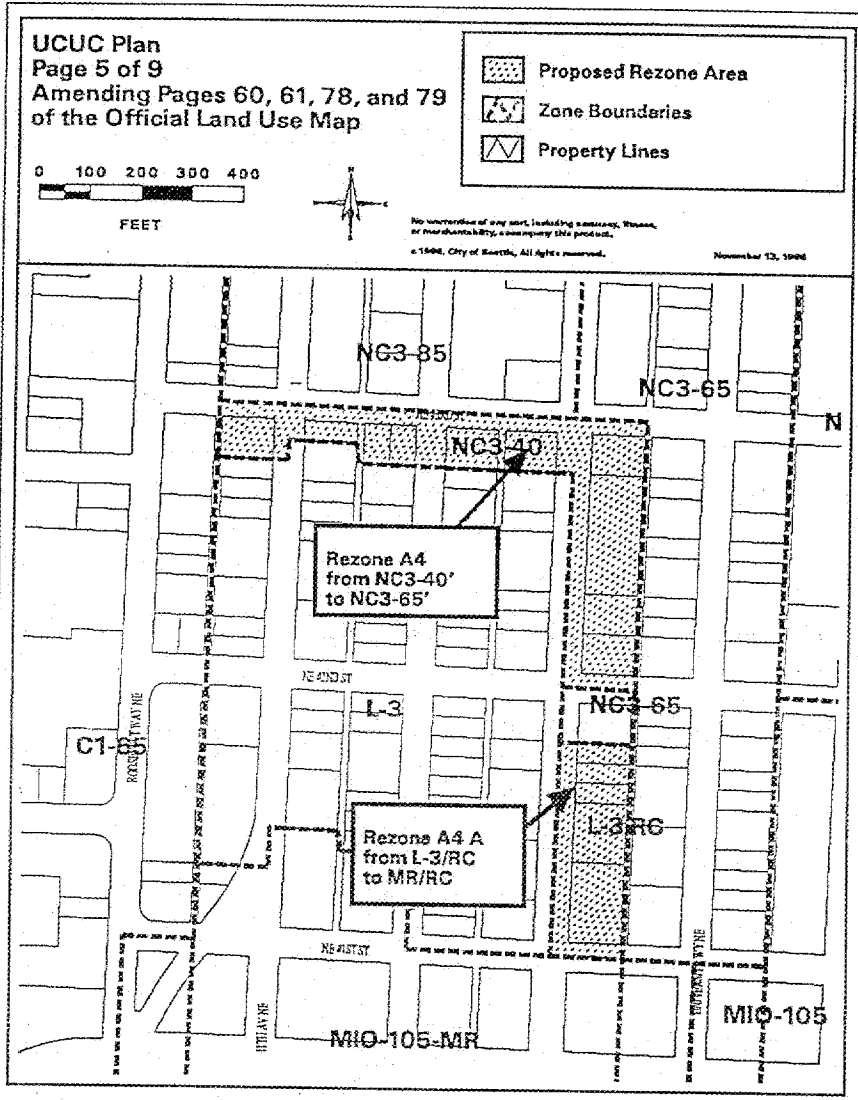
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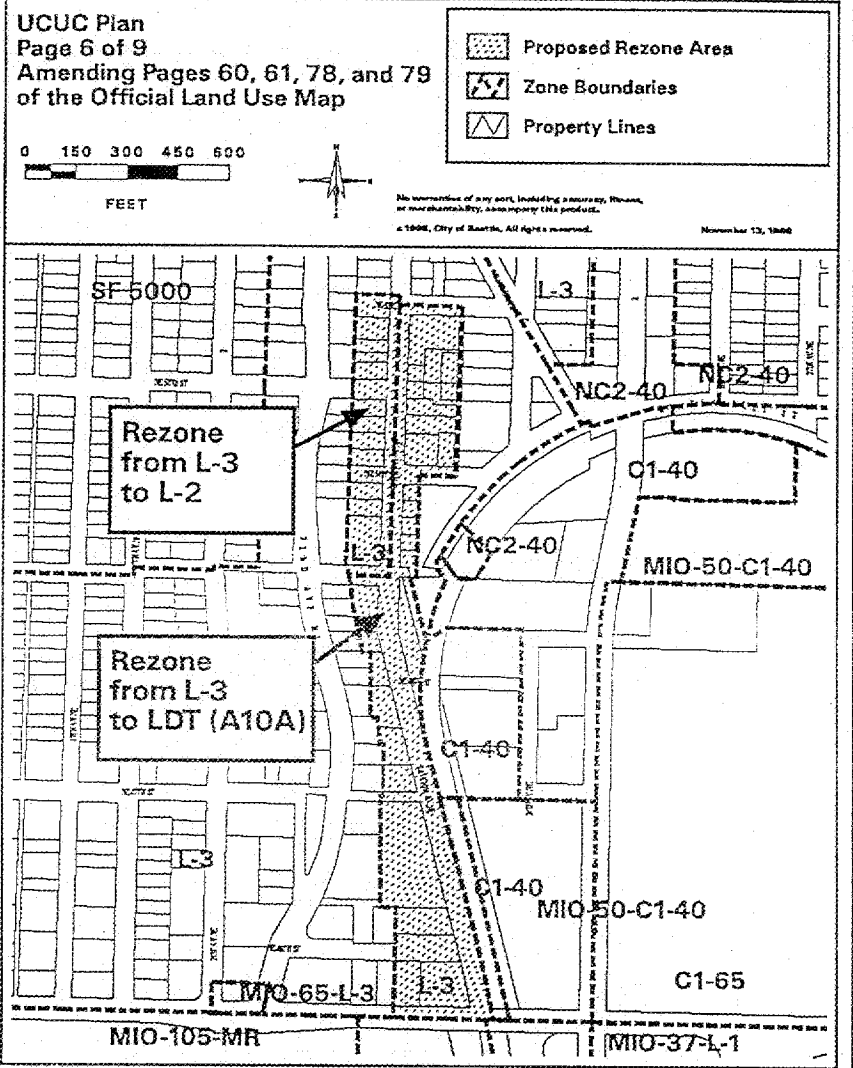
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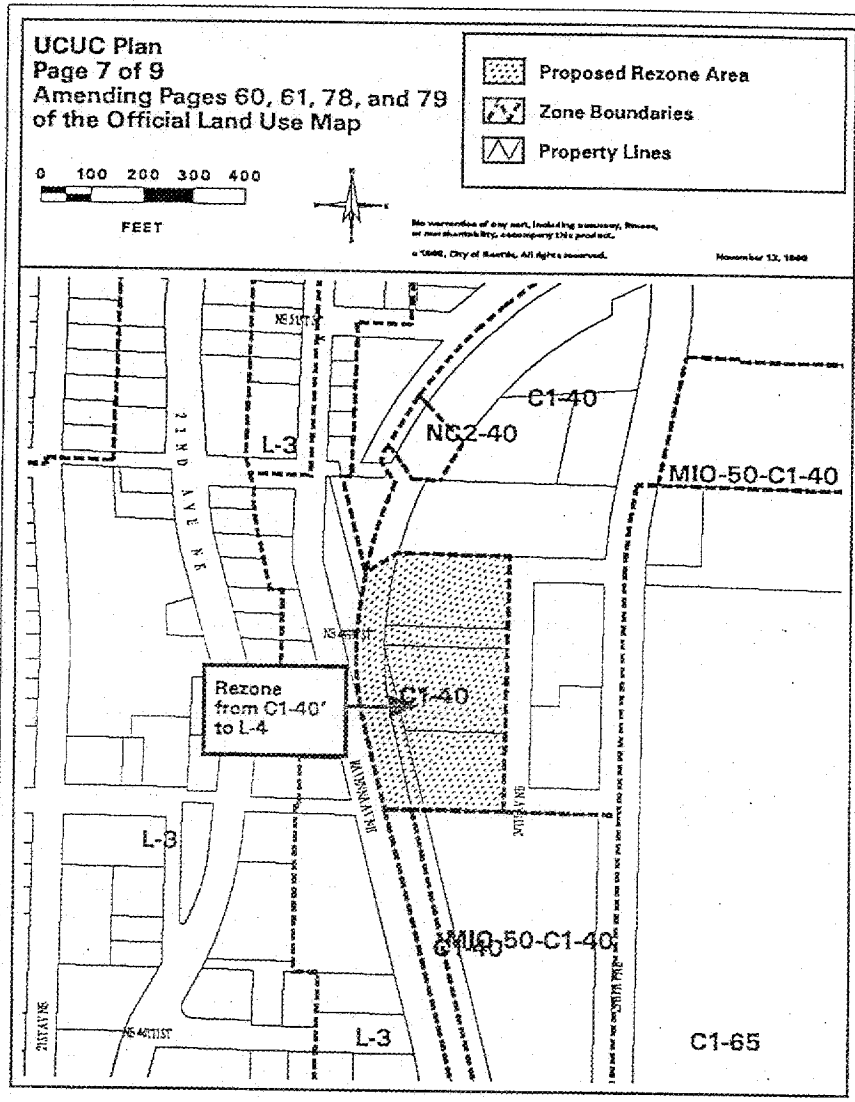
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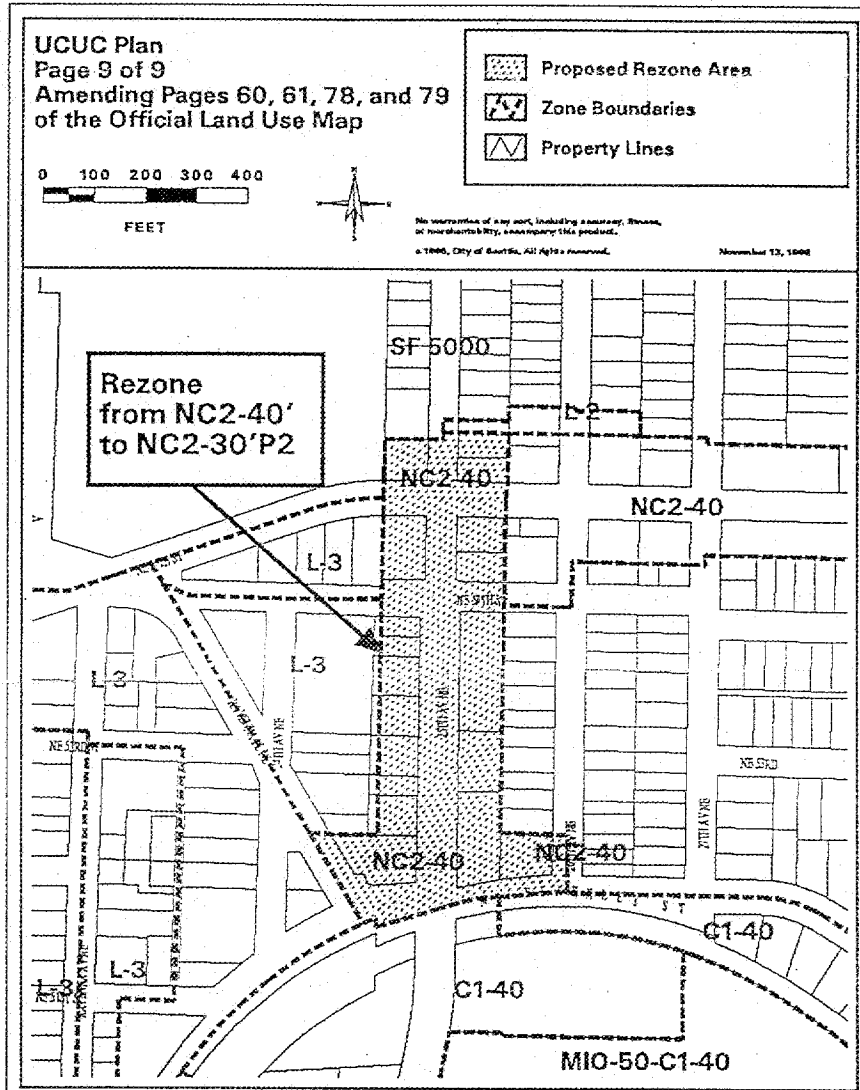
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 Mercer Street;
 Roy Street;
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 Broadway Avenue East;
 East Olive Way;

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October 30, 1998
(Ver. 1)

California Avenue Southwest;
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12th Avenue;
E. Union Street; ((and))
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8
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 President of the City Council

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11 _____
 Paul Schell, Mayor




12 Filed by me this ____ day of _____, 19____.

13 _____
14 City Clerk

(SEAL)

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17 **ATTACHMENTS**
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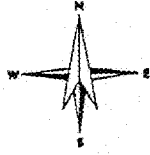
UCUC Plan
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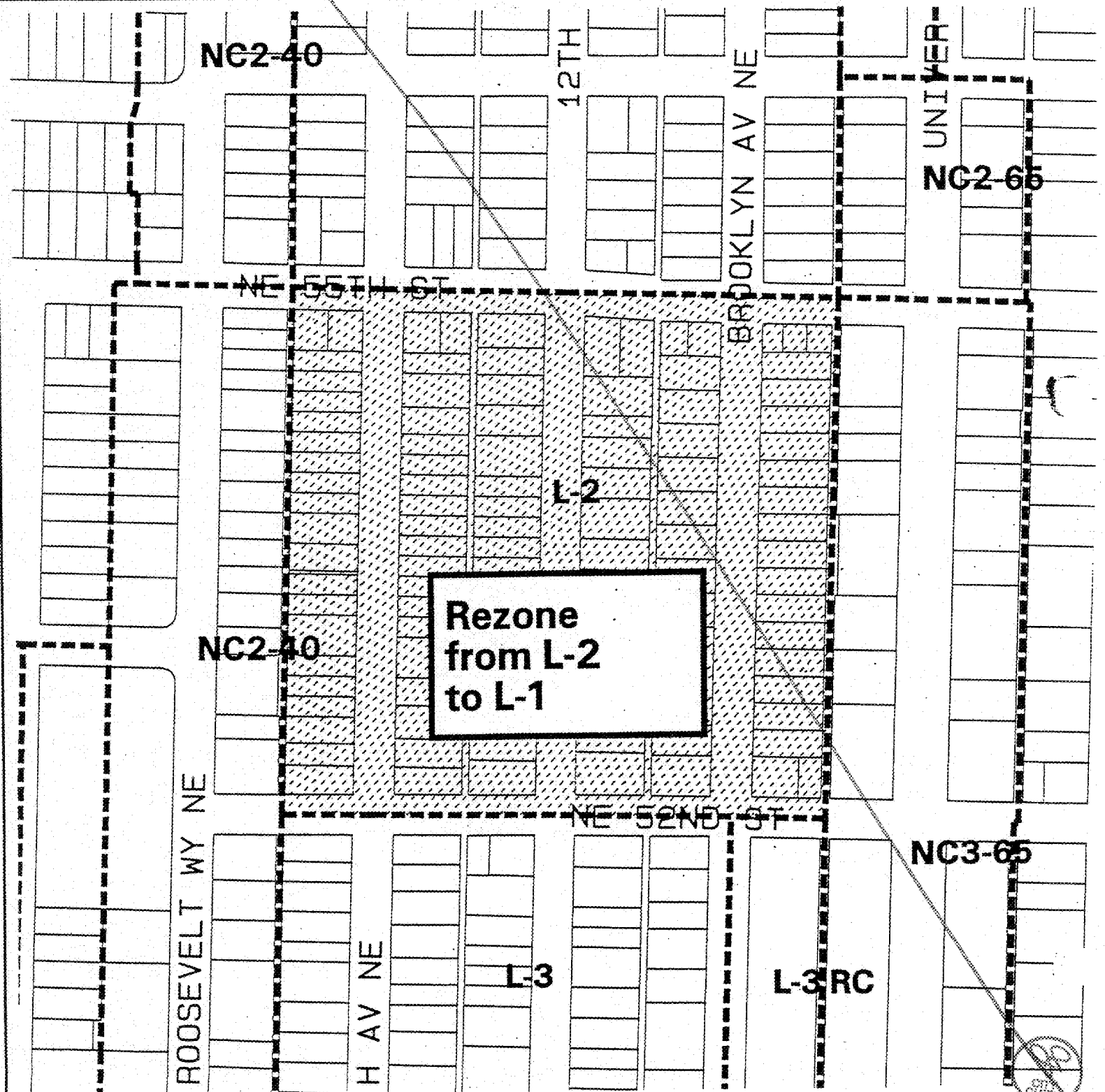
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July 08, 1998



**UCUC Plan
Page 2 of 9
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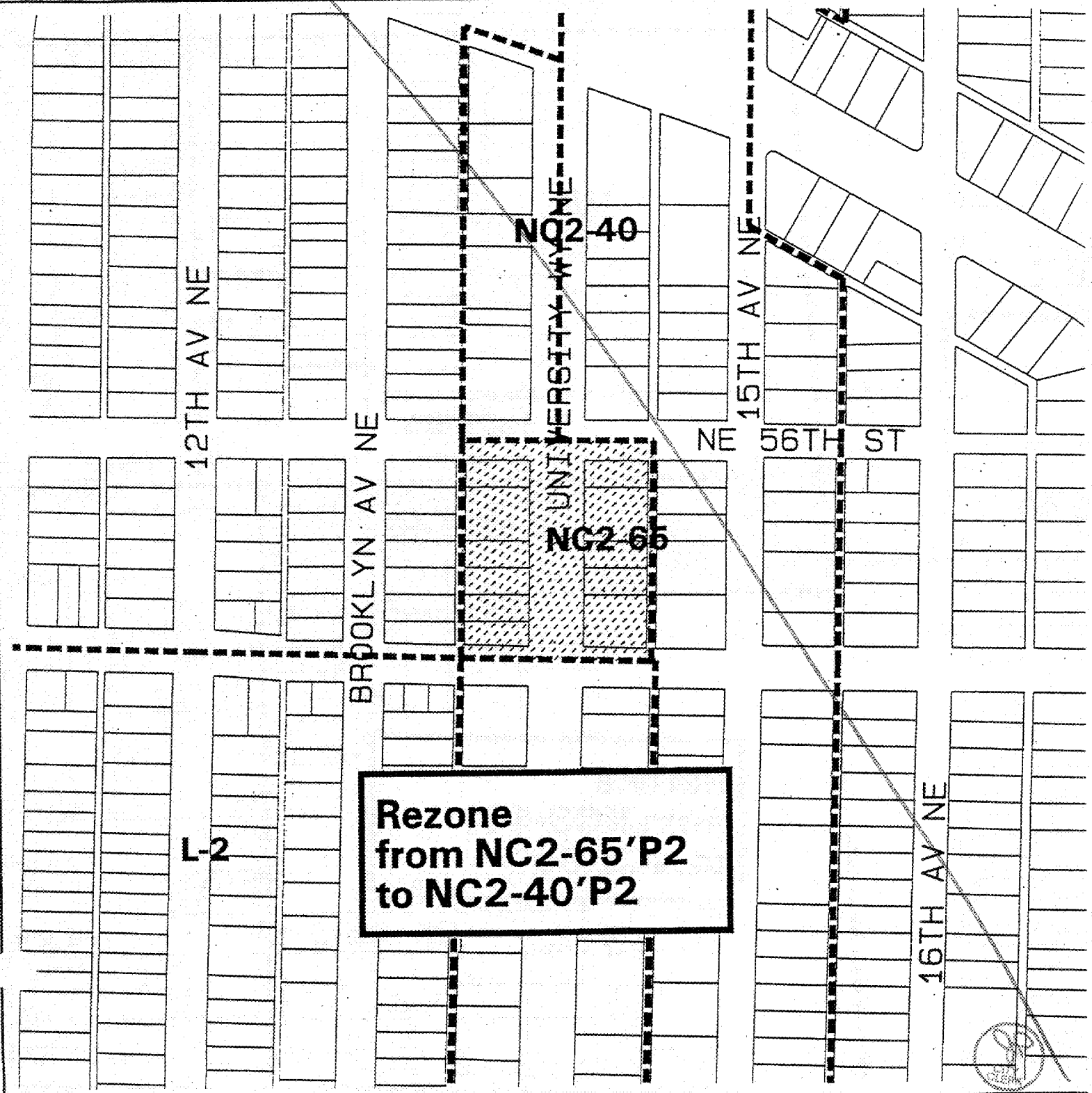
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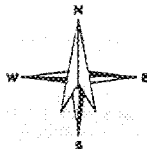
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July 08, 1998



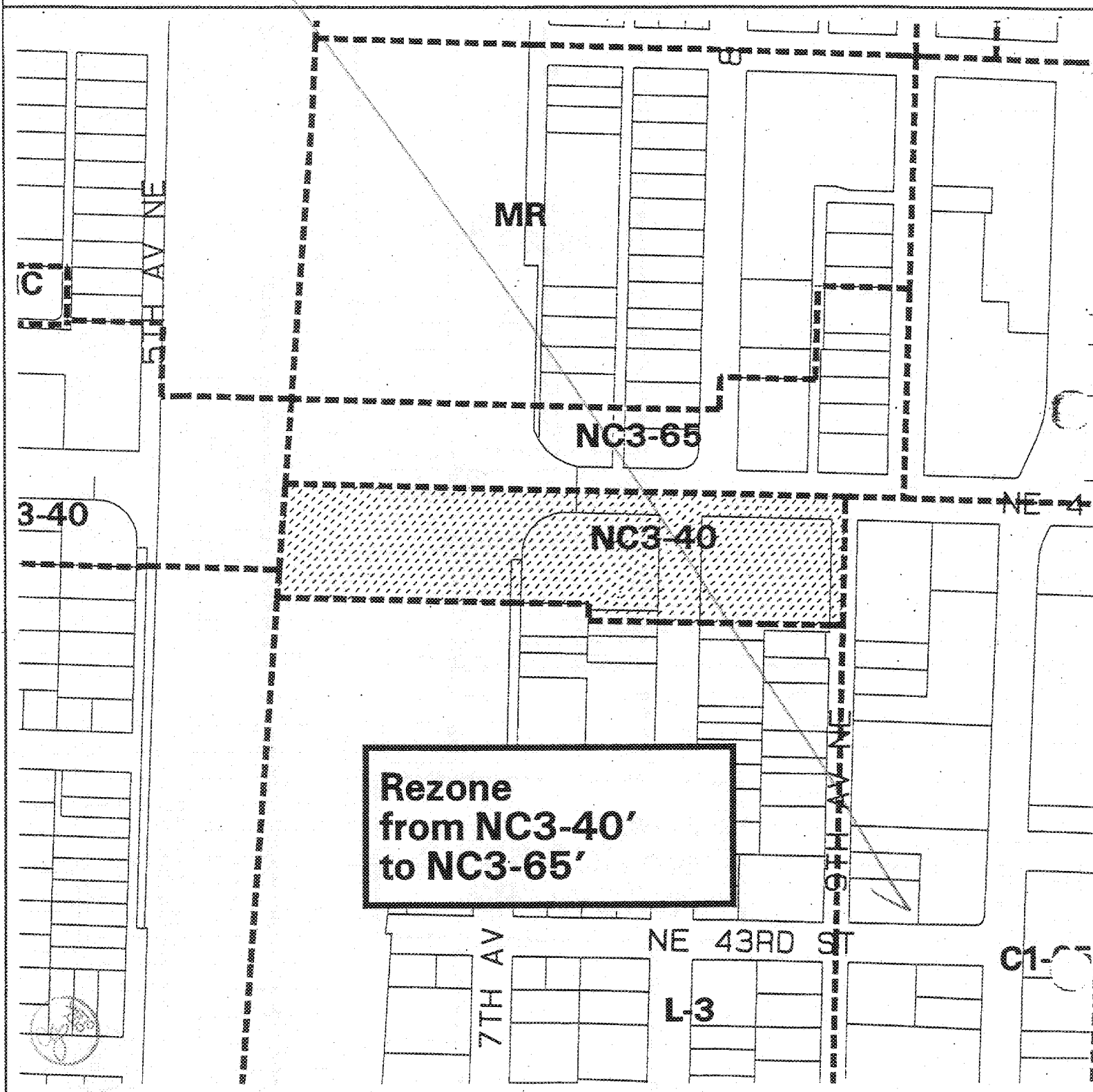
Proposed Rezone Area




Zone Boundaries





Property Lines

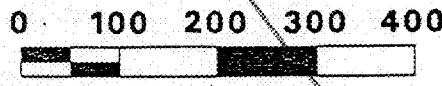


UCUC Plan
Page 4 of 9
Amending Pages 60, 61, 78, and 79
of the Official Land Use Map

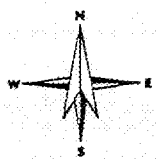
 Proposed Rezone Area

 Zone Boundaries

 Property Lines



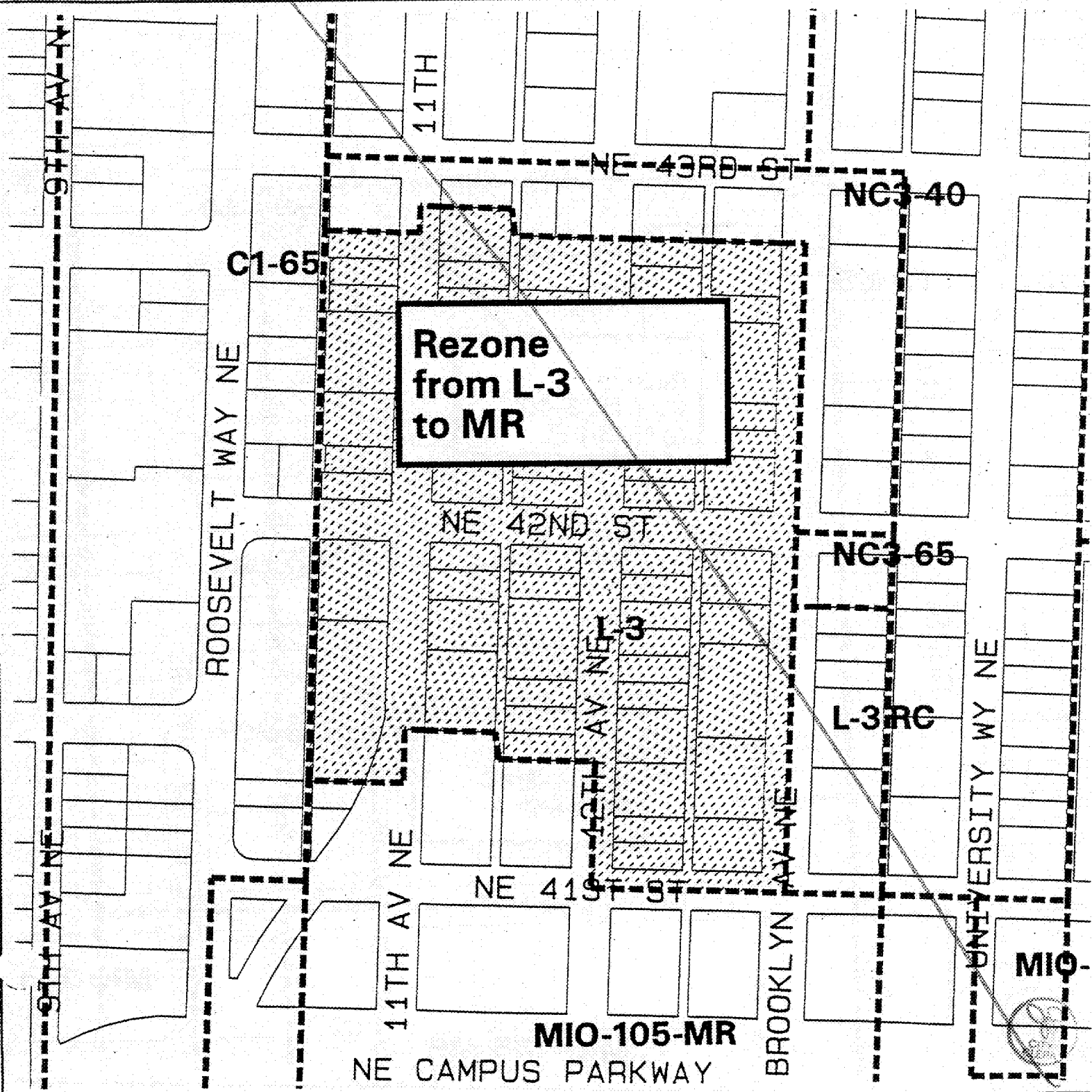
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

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July 08, 1998



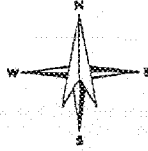
UCUC Plan
Page 5 of 9
Amending Pages 60, 61, 78, and 79
of the Official Land Use Map

-  Proposed Rezone Area
-  Zone Boundaries
-  Property Lines

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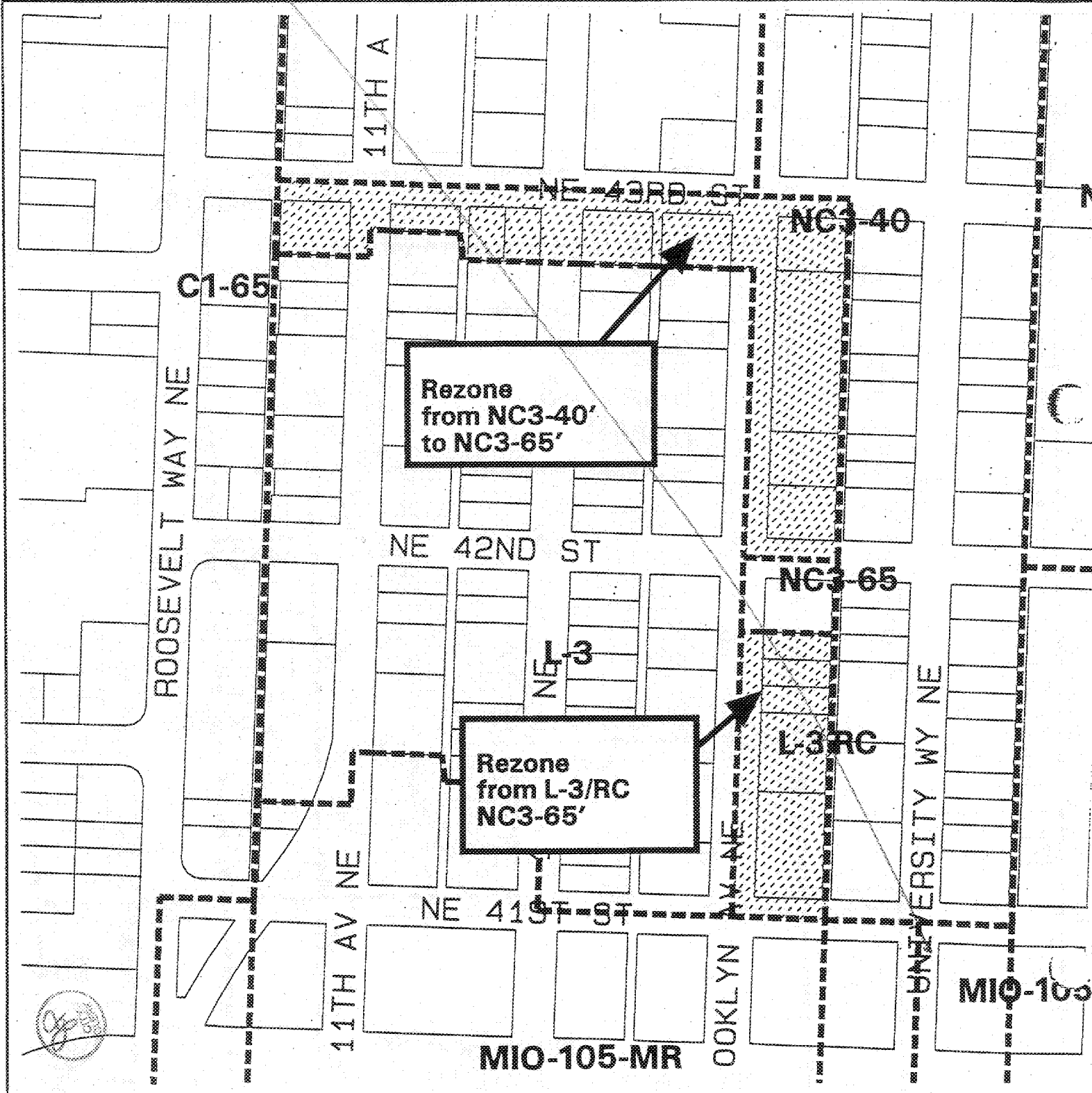
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Proposed Rezone Area

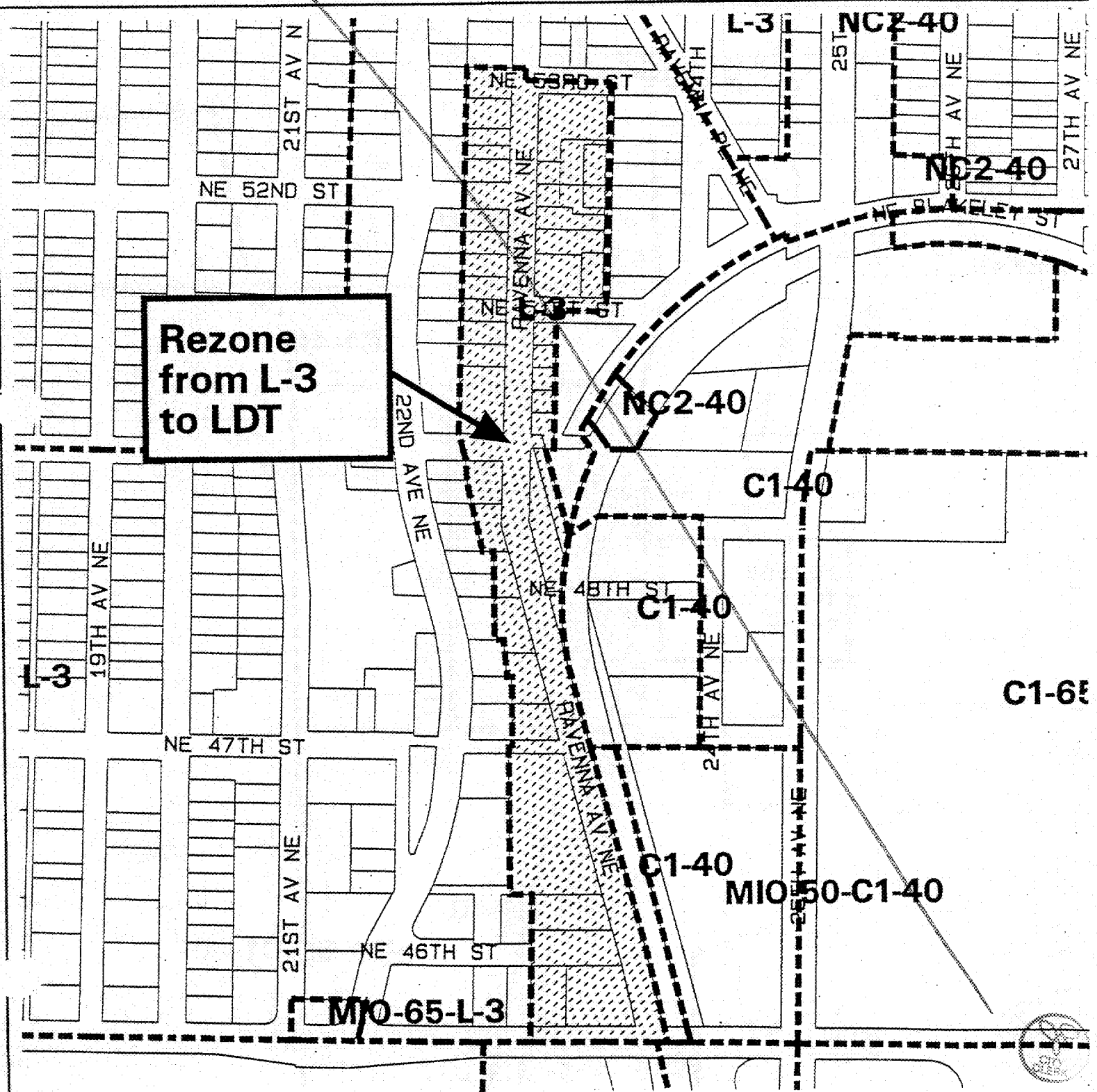


Zone Boundaries



Property Lines

**Rezone
from L-3
to LDT**

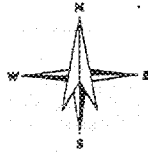


UCUC Plan
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July 08, 1998



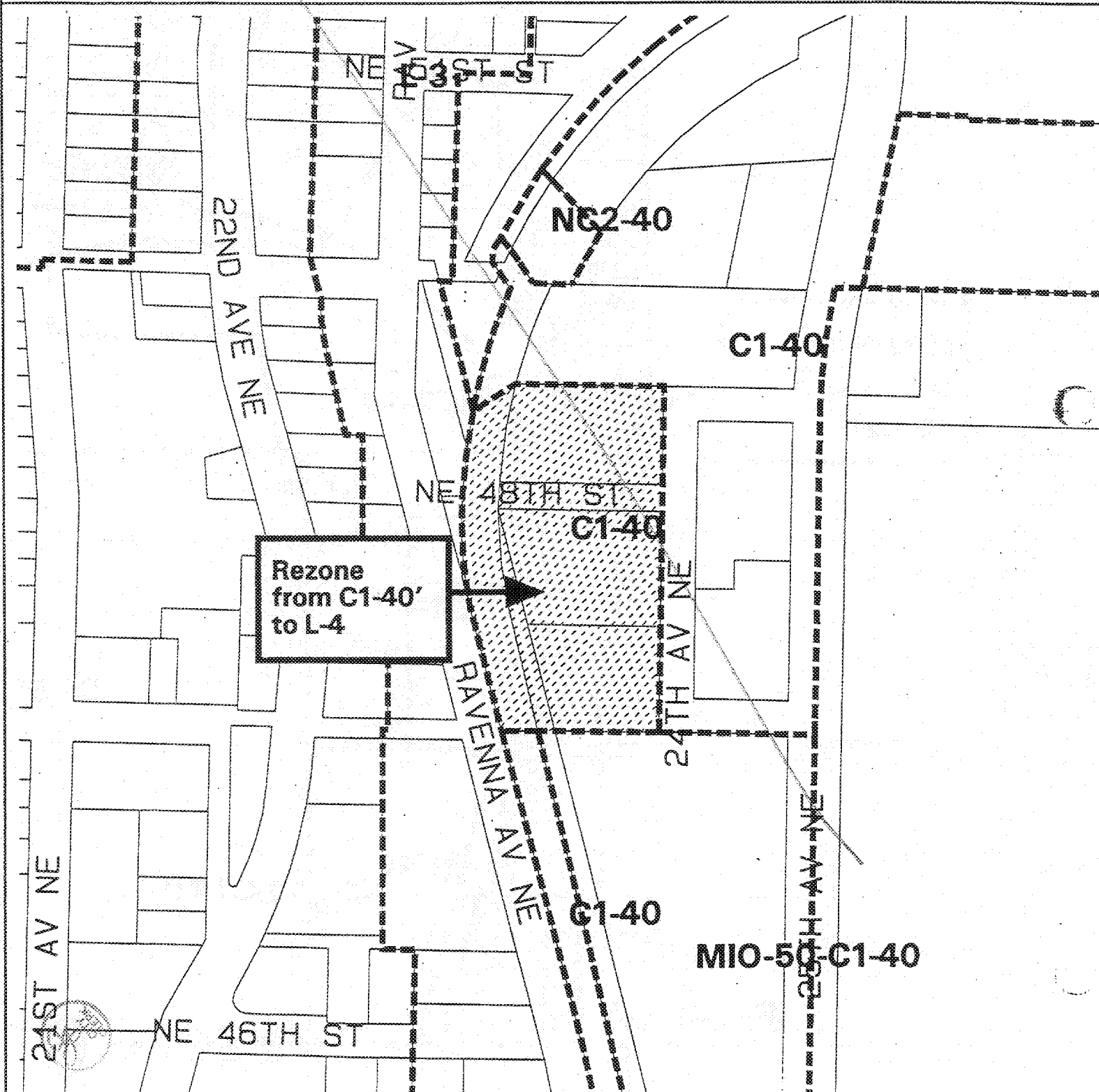
Proposed Rezone Area



Zone Boundaries



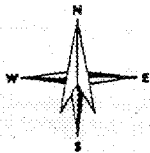
Property Lines



UCUC Plan
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July 08, 1998



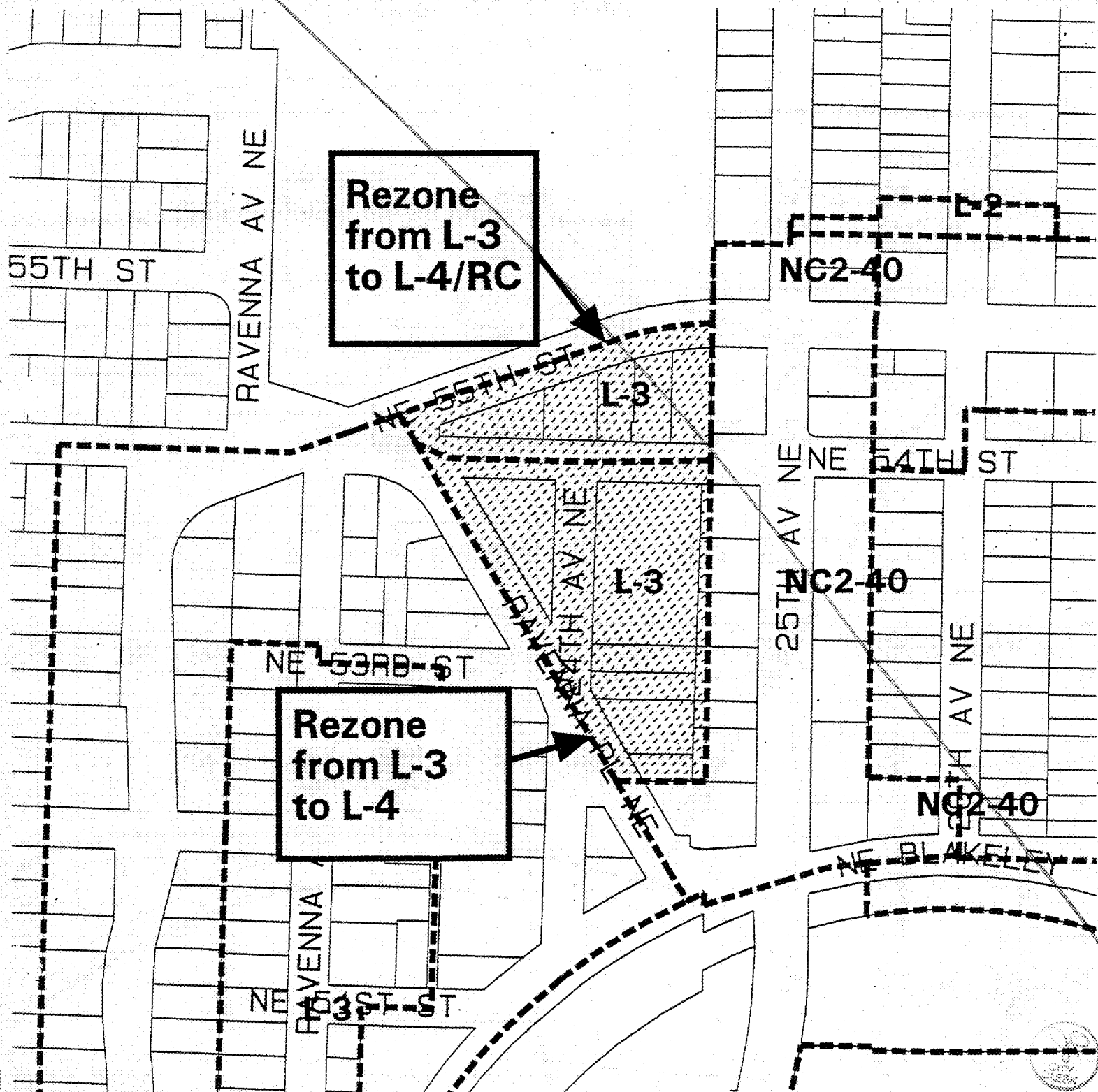
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Zone Boundaries



Property Lines

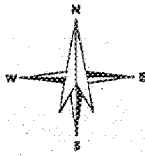


UCUC Plan
Page 9 of 9
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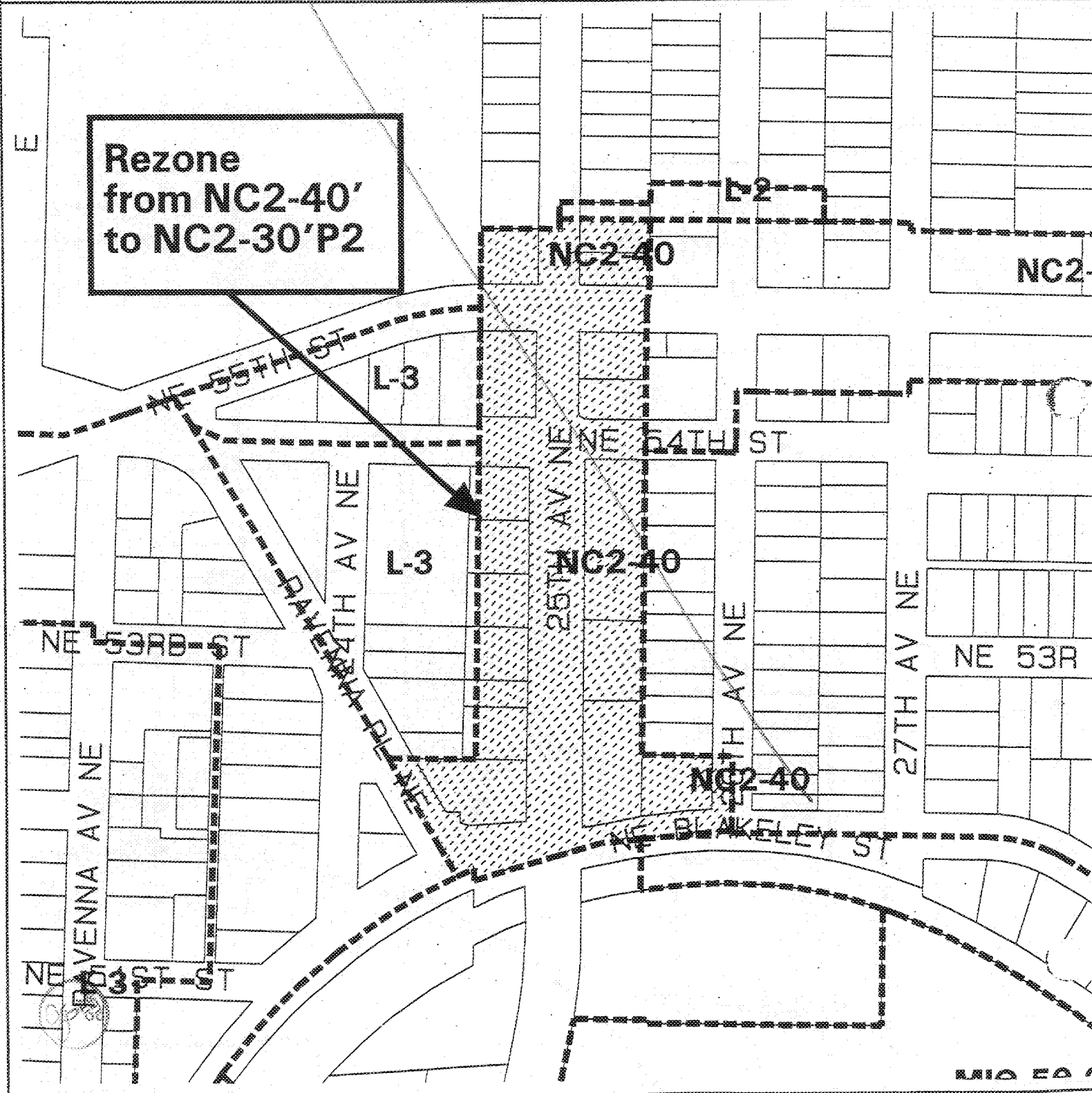
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July 08, 1996

Proposed Rezone Area

Zone Boundaries

Property Lines



From: Bob Morgan
To: CLERK.JPIPPIN, CLERK.TDUNBAR, CLERK.MCARTER
Date: 10/30/98 2:09pm
Subject: Number for Walk-on bill

Richard Conlin has agreed to walk on the replacement CB for the University Rezones.

When you have an idea what CB # it will get, can you let me know. If I get it in time, Tye can put it on their Committee agenda for next Friday.

Thank you.

Need #

From: Bob Morgan
To: CLERK.JPIPPIN, CLERK.TDUNBAR, dom15.p1503.Cartmec
Date: 10/30/98 10:22am
Subject: Walk-on

Here is a bill that I will be asking Richard Conlin to walk on on Monday.

I have the maps that are attached to the bill, but not in electronic form.

Walk-on

Richard:

FY-I

-See.
E-mail

Here is yet another walk-on needed.

The UCUC rezone ordinance does not include the designation of 25th Avenue NE as a Principal Pedestrian Street, although a P2 zone is proposed for this location.

I have attached a replacement bill that includes the designation.

Bob M.

Walk-on

STATE OF WASHINGTON - KING COUNTY

99897

City of Seattle, City Clerk

—SS.

No. FULL ORDINANCE

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:ORD 119235 w/maps

was published on

12/03/98

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

Subscribed and sworn to before me on

12/03/98

Notary Public for the State of Washington,
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DCLU Land Use Planner, Stephanie Haines -- Phone: (206) 684-5014.

The Seattle School District has applied to the Department of Construction and Land Use (DCLU) to modify the development standards for Latona Elementary School located at 401 N. E. 42nd Street.

The application proposes to establish the use for the future construction of a four story, approximately 35,000 square foot addition to an existing public school (Latona Elementary). Additions include new gymnasium, classroom and cafeteria buildings. Fourteen parking spaces to be provided on site. Demolition of existing building to north, approximately 8,500 cubic yards of grading and renovation of existing building proposed. EIS prepared by Seattle School District. Includes Addendum of EIS dated August, 1993. *Note: The proposal has been revised to include 20 on-site parking stalls.

The following appealable decisions have been made:

DEPARTURE DECISION

Grant -- Development Standards Departure to permit an increase in building height, to continue bus loading and unloading off-site and, to permit a reduction to required on-site parking.

Appeals of this decision must be received by the Hearing Examiner no later than December 18, 1998.

ENVIRONMENTAL DECISION

SEPA to approve, condition or deny pursuant to 25.05.660.

Appeals of this decision must be received by the Hearing Examiner no later than December 17, 1998.

INFORMATION AVAILABLE

Copies of the Director's report and the application materials are available at the DCLU Master Use Permit Information and Notification Center, 710 2nd Avenue, Suite 200 of the Dexter Harten Building, 684-8467. The Information and Notification Center is open 8:00 a. m. to 5:00 p. m. on Monday, Wednesday, Thursday, Friday and 10:00 a. m. to 5:00 p. m. on Wednesday. Questions may be directed to Stephanie Haines, Land Use Planner, at 684-5014.

APPEALS

Appeals should be addressed to the Hearing Examiner at the address below:

Hearing Examiner, 1320 Alaska Building, 618 Second Avenue, Seattle, Washington.

Date of publication in the Seattle Daily Journal of Commerce, December 3, 1998.

12/3/989344

City of Seattle

ORDINANCE 119234

AN ORDINANCE related to the Department of Executive Services, authorizing the acquisition of Lot 3, Block 5, of what is commonly known as Bell and Denny's Addition to the City of Seattle, according to the plat thereof recorded in Volume 1 of Plats, page 29, in King County, Washington; authorizing acceptance of the deed for general municipal purposes; authorizing acquisition by condemnation, if necessary, making a partially reimbursable appropriation from the Cumulative Reserve Subfund; and reimbursing the Executive Services Operating Fund, all by a three-fourths vote of the City Council.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of Executive Services is hereby authorized to acquire, for and on behalf of the City of Seattle, in accordance with the terms and provisions of the Real Estate Purchase and Sale Agreement attached hereto, and incorporated herein by reference, the following real property situated in the City of Seattle, King County, Washington, to-wit:

Lot 3, Block 5, Portion of the Town of Seattle, as laid out on the Land Claim of William H. Bell and the northwestern extremity of the Claim of A. A. Denny (commonly known as Bell and Denny's Addition to the City of Seattle), according to the plat thereof recorded in Volume 1 of Plats, page 29, in King County, Washington.

Section 2. Upon delivery of a statutory warranty deed for the real property described in Section 1, the Director of Executive Services, or his designee, is authorized to accept and record the deed on behalf of the City of Seattle for general municipal purposes.

Seattle Daily Journal of Commerce, December 3, 1998
12/3/989344

Comments must be submitted by December 17, 1998.

RESPONSIBLE OFFICIAL: Onum Esanu.

POSITION/TITLE: Land Use Planner

ADDRESS: 710 -- 2nd Avenue, Suite 200, Seattle, Washington 98104-1703.

PHONE: (206) 233-7196.

DATE: December 3, 1998.

SIGNATURE: Onum Esanu.

There is no agency appeal of the Determination of Non-significance other than to the State Shorelines Hearings Board at the time of filing of the final order to grant, condition, or deny the Shoreline Substantial Development Permit and Shoreline Variance/Conditional Use Permit with the State Department of Ecology.

Date of publication in the Seattle Daily Journal of Commerce, December 3, 1998.
12/3/989511



SUMMONS BY PUBLICATION Superior Court

No. 98-3-02319-1SEA

SUPERIOR COURT OF Washington, County of King.

In re the Marriage of: Ovtar Singh Toor, Petitioner and Parbjot Kaur Gill, Respondent. No. 98-3-02319-1SEA. Summons by Publication. (SMPB.)

To the Respondent: Parbjot Kaur Gill:

1. The petitioner has started an action in the above court requesting that your marriage be dissolved.

2. The petition also requests that the Court grant the following relief: dispose of property and liabilities.

3. You must respond to this summons by serving a copy of your written response on the person signing this summons and by filing the original with the clerk of the Court. If you do not serve your written response within 60 days after the date of the first publication of this summons (60 days after the 3rd day of December, 1998), the Court may enter an order of default against you, and the court may, without further notice to you, enter a decree and approve or provide for other relief requested in this summons. In the case of a dissolution of marriage, the court will not enter the final decree until at least 90 days after service and filing. If you serve a notice of appearance on the undersigned person, you are entitled to notice before an order of default or a decree may be entered.

4. Your written response to the summons and petition must be on form WPF DR 01.0300, Response to Petition (Domestic Relations). Information about how to get this form may be obtained by contacting the Office of the Administrator for the Courts at (360) 705-5328.

5. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

Seattle Daily Journal of Commerce, December 3, 1998
12/3/989344

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SUMMONS PUBLIC Superior

No. 98-2-26

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Plaintiff, 3535

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