

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

In the matter of the Petition of:)	C.F. 309451
)	DPD Project 3007044
Petition of Ezra Teshome to rezone)	
15,360 square feet of land at 1222)	FINDINGS, CONCLUSIONS
East Pine Street from)	AND DECISION
Neighborhood Commercial 3 with a)	
40 foot height limit (NC3 40) to)	
Neighborhood Commercial 3 with a)	
65 foot height limit (NC3 65))	
(Project No 3007044/Type IV.))	
)	
)	

Introduction

This matter involves the petition of Ezra Teshome (the “Proponent”) for a contract rezone of approximately 15,360 square feet of property located at 1222 East Pine Street, from Neighborhood Commercial 3 with a Pedestrian overlay with a 40 foot height limit (NC3P-40) to NC3P with a 65-foot height limit (NC3P-65). Attachment A shows the area to be rezoned.

On January 7, 2010, the Director of the Department of Planning and Development (DPD) recommended approval of the proposed rezone along with 14 recommended conditions. The Hearing Examiner held an open record hearing on February 8, 2010 and left the record open until February 22, 2010 to allow for post-hearing briefing. Following the close of the record, the Hearing Examiner issued Findings and Recommendations recommending approval of the rezone, dated February 23, 2010, including approval of all of the 14 conditions recommended by DPD.

On April 28, 2010 the matter came before the Committee on the Built Environment (COBE) that included a review of the Hearing Examiner file and staff report. COBE recommended approval of the rezone and adoption of the Hearing Examiner’s recommended conditions. COBE then

requested staff to prepare draft Findings, Conclusions and a Decision and a related Ordinance to change the City's Official Land Use Map. At the May 12, 2010 COBE meeting, committee members reviewed the draft Findings, Conclusions and Decision and voted to adopt the Hearing Examiner's February 23, 2010 recommendation along with the Hearing Examiner's 14 recommended conditions.

Findings of Fact and Conclusions

The Council hereby adopts the Hearing Examiner's Findings of Fact, Conclusions and Recommendation for C.F. 309451 dated February 23, 2010. The Council also adopts the conditions in the Hearing Examiner's Findings of Fact, Conclusions and Recommendations for C.F. 309451.

Decision

The Council hereby GRANTS a rezone of the property from NC3P-40 to NC3P-65, as shown in Attachment A. The rezone is subject to the execution of a Property Use and Development Agreement (PUDA) requiring the property owner to comply with the conditions established in the final approved Master Use Permit decision dated January 7, 2010 (MUP 3007044), as recommended by the Hearing Examiner. The rezone shall expire two years from the effective date of approval, unless, within the two- year period, an application is filed for a Master Use Permit, which permit is subsequently issued. The rezone remains in effect unless revoked pursuant to Section 23.34.004.

Dated this _____ day of _____, 2010.

City Council President

ATTACHMENT A



