
Council Bill Number: 116840

Ordinance Number: 123279

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 100 of the Official Land Use Map, to rezone property located at 100 Republican Street from Neighborhood Commercial 3 with a 40-foot height limit (NC3 40) and Neighborhood Commercial 3 with a 40-foot height limit and Pedestrian zone designation (NC3P 40), to Neighborhood Commercial 3 with a 65-foot height limit (NC3 65) and to Neighborhood Commercial 3 with a 65-foot height limit and Pedestrian zone designation (NC3P 65), respectively, authorizing acceptance of a Property Use and Development Agreement, and setting a contingent effective date.

Status: Passed

Note: Children's Hospital Major Institution Master Plan

Vote: 9-0

Date filed with the City Clerk: 2010/04/19 ([about the signature date](#))

Date introduced/referred to committee: 2010/04/12

Committee: Built Environment

Sponsor: CLARK

Committee Recommendation: Pass

Index Terms: CONTRACT-REZONES, LOWER-QUEEN-ANNE

Fiscal Note: [Fiscal Note to Council Bill No. 116840](#)

Electronic Copy: [PDF scan of Ordinance No. 123279](#)

Reference: Related:~~[Ordinance 123011](#)

Text:

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at page 100 of the Official Land Use Map, to rezone property located at 100 Republican Street from Neighborhood Commercial 3 with a 40-foot height limit (NC3 40) and Neighborhood Commercial 3 with a 40-foot height limit and Pedestrian zone designation (NC3P 40), to Neighborhood Commercial 3 with a 65-foot height limit (NC3 65) and to Neighborhood Commercial 3 with a 65-foot height limit and Pedestrian zone designation (NC3P 65), respectively, authorizing acceptance of a Property Use and Development Agreement, and setting a contingent effective date.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. This Ordinance affects the following legally described property (the "Property"), commonly known as 100 Republican Street:

LOTS 3 THROUGH 11, INCLUSIVE, BLOCK 33, D.T. DENNY'S HOME ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 3 OF PLATS, PAGE 115, IN KING COUNTY, WASHINGTON.

Section 2. Contingent upon approval by the Council of the street vacation petition contained in CF 309868, the Official Land Use Map zone classification for the Property, established on page 100 of the Official Land Use Map, as adopted by Ordinance 110381 and last modified by Ordinance 123263, is amended to rezone the portion of the Property currently zoned Neighborhood Commercial 3 with a 40-foot height limit (NC3 40) to Neighborhood Commercial 3

with a 65-foot height limit (NC3 65), and to rezone the portion of Property currently zoned Neighborhood Commercial 3 with a 40-foot height limit and Pedestrian zone designation (NC3P 40) to Neighborhood Commercial 3 with a 65-foot height limit and Pedestrian zone designation (NC3P 65), all as shown in Exhibit A to this Ordinance. This amendment to the Official Land Use Map zone classification is conditioned upon performance and continued compliance with the conditions set out in the Council Findings, Conclusions and Decision for Clerk File 309848 and upon compliance with the Property Use and Development Agreement referenced in Section 3 of this Ordinance.

Section 3. The City Council authorizes the City Clerk, contingent upon approval by the Council of the street vacation petition in Clerk File 309868, to accept and record a Property Use and Development Agreement executed by the owner of the Property, by which the owner agrees to restrictions upon the use and development of the Property to ameliorate the adverse impacts of uses and developments that would otherwise be permitted in the NC3 65 and NC3P 65 zone, which restrictions are directly related to the impacts expected to result from the rezone, and which restrictions are included in the Council's Findings, Conclusions and Decision for Clerk File 309848.

Section 4. If the rezone takes effect pursuant to Sections 2 and 3, the rezone of the Property approved by this Ordinance expires, pursuant to Section 23.76.060.B of the Seattle Municipal Code, two years from Council approval of the street vacation petition in Clerk File 309868, unless, within the two-year period, an application is filed for a Master Use Permit, which permit is subsequently issued. If the Master Use Permit is subsequently issued, the rezone approval expires when the Master Use Permit expires pursuant to Section 23.76.032. If the Master Use permit is issued and the owner receives a permanent certificate of occupancy for the entire project prior to expiration of the Master Use Permit, the rezone remains in effect unless revoked pursuant to Section 23.34.004.

Section 5. 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 ____ day of _____, 2010, and signed by me in open session in authentication of its passage this

____ day of _____, 2010.

President _____ of the City Council

Filed by me this ____ day of _____, 2010.

City Clerk

(Seal)

[Exhibit A: Rezone Map](#)

Ketil Freeman

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April 6, 2010

Version #2