

MOTION
NO.: 806

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2 A MOTION indicating the Council's approval
3 of reclassification of certain property
4 belonging to Juanita Firs, Inc., et al, which
5 application is designated by the Department
6 of Planning as File No. 116-71-P.

7 The decision of the Deputy Zoning and Subdivision
8 Examiner in this matter having been appealed by the applicant the
9 Council FINDS:

- 10 1. The subject property complies with the Comprehensive
11 Plan Criteria for BC zoning.
12 2. Because of the close proximity of an elementary
13 school and residential development, taverns should not
14 be allowed on the subject property.
15 3. The character of the area has changed substantially
16 since the last area zoning hearings.

17 The Council CONCLUDES therefore:

- 18 1. The Deputy Zoning and Subdivision Examiner's decision
19 recommending denial of the applicant's request for
20 reclassification from BN to BC was based on an error
21 in judgement.
22 2. An unqualified reclassification to BC would not be
23 in the public's interest, but the interest of the
24 adjoining properties and general public will be pro-
25 tected if the applicant files a covenant running with
26 the land declaring the subject property shall be held
27 by the applicant, its assigns and successors subject
28 to the restriction that no taverns shall be operated
29 thereon.

30 The Council hereby rejects the Deputy Examiner's recom-
31 mendation and does hereby grant the application for reclassification
32 of the subject property from BN to BC SUBJECT TO THE FOLLOWING
CONDITIONS:

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1. Applicant shall file and record a declaration of covenant restricting the operation of taverns on the subject property for ten (10) years, which covenant shall, by its terms, run with the land, be binding upon the applicant, its assigns and successors and shall inure to the benefit of and be enforceable by King County by injunctive proceedings.
2. Applicant shall at the written request of the competent County authority after acquisition by the applicant of the fee title to the necessary realty deed to the County an additional twenty (20) feet of right of way on the east side of 100th Avenue N.E. and an additional twelve (12) feet of right of way on the northwest of Juanita-Woodinville Way, N.E., as delineated on the attached sketch.

PASSED at a regular meeting of the King County Council
this 23rd day of August, 1971.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Robert B. Dunn
Chairman

ATTEST:

Lee Kraft
Administrative Clerk of the Council