

May 10, 1994
LOWE-ORD.clerk

Introduced By: Chris Vance

Proposed No.: 94 - 280

MOTION NO. 9282

1
2 A MOTION relating to scheduling
3 reconsideration of the Council's approval
4 of the reclassification of certain
5 property upon the application of LOWE
6 ENTERPRISES NORTHWEST ("Klahanie
7 Commercial Center" (DDES File No. 111-89-
8 R)).

9 WHEREAS, an 11.8 acre site abutting Issaquah-Fall City
10 Road in the East Sammamish Community Plan area was
11 reclassified from SR-P (Suburban Residential with P-suffix
12 conditions) (Potential B-C-P) to BC-P (Community Business with
13 P-Suffix conditions), subject to conditions on August 23,
14 1993, in Ordinance No. 10996, and

15 WHEREAS, the ordinance concurred with the recommendation
16 of the zoning and subdivision examiner, and

17 WHEREAS, Condition 13 (see Zoning and Subdivision
18 Examiner's report dated July 28, 1993), adopted by Ordinance
19 No. 10996 requires the applicant to widen Issaquah-Fall City
20 Road within its existing right-of-way to add a continuous 12-
21 foot center two-way left turn lane from the intersection of
22 Issaquah-Fall City Road with 247th Place SE to its
23 intersection of Issaquah-Pine Lake Road, as an interim
24 improvement until King County constructs its proposed
25 improvement of Issaquah-Fall City Road, and to install a
26 fully actuated traffic signal at the intersection of
27 Issaquah-Fall City Road and 247th Place SE, and

28 WHEREAS, it was the intent of the council, in imposing
29 Condition 13, to require interim improvements to Issaquah-
30 Fall City Road that address safety considerations, meet
31 department of public works standards, can be accomplished

1 within the existing road right of way, and take into account
2 the physical limitations of the existing roadway without
3 major reconstruction of that road, and

4 WHEREAS, it was also the intent of the council that the
5 interim improvements required by Condition 13 be installed
6 when the amount of development within the Klahanie Commercial
7 Center justifies such improvements, in the judgment of the
8 Land Use Services Division and the department of public
9 works, and

10 WHEREAS, after preliminary engineering and design study,
11 it appears that the two-way left turn lane required by
12 Condition 13 cannot be added at the designated location on
13 Issaquah-Fall City Road while still complying with department
14 of public works road standards without (i) expanding outside
15 the existing right-of-way in order to accommodate significant
16 cuts and fills required to meet such road standards or (ii)
17 lowering the existing roadbed by a number of feet and
18 constructing substantial rockeries and/or retaining walls, as
19 well as reconstructing a number of existing abutting
20 driveways, neither of which options would meet the intent of
21 the council's stipulation that improvements be interim, and

22 WHEREAS, Condition 13 was volunteered by the applicant
23 in order to accommodate community concerns regarding
24 Issaquah-Fall City Road, as substantiated by the Final
25 Supplement Environmental Impact Statement issued by King
26 County in January 1993, and such condition was not
27 recommended for imposition by either the land use services
28 division, the department of public works, or the examiner, in
29 order to mitigate any significant adverse impact pursuant to
30 SEPA, and

31 WHEREAS, Condition 13, in light of current King County
32 road standards and the existing topography of Issaquah-Fall

1 City Road, is unreasonable and incapable of being
2 accomplished, and

3 WHEREAS, RCW 43.21C.060, and WAC 197-11-660(1)(C), as
4 adopted K.C.C. 20.44.080(A), require that mitigating measures
5 be reasonable and capable of being accomplished, and

6 WHEREAS, neither the applicant, the staff personnel of
7 the land use services division or the public works
8 department, the zoning and subdivision examiner, nor the
9 council, were aware at the time that Condition 13 was imposed
10 that it could not reasonably be accomplished, because of
11 erroneous facts or information regarding the requirements of
12 the King County road standards and the topography of
13 Issaquah-Fall City Road, and

14 WHEREAS, the proper implementation of Condition 13 must
15 be resolved prior to occupancy of the first building in the
16 Klahanie Commercial Center, and

17 WHEREAS, the facts in this matter meet the criteria for
18 reconsideration established by King County council
19 20.24.250(A) and (B), and the Metropolitan King County
20 council desires to remand this matter to the zoning and
21 subdivision examiner for the purpose of holding a public
22 hearing regarding appropriate rewording of Condition 13 of
23 the Lowe Enterprises zoning reclassification;

24 NOW, THEREFORE, BE IT MOVED by the Council of King
25 County:

26 A. Condition 13 of the zoning and subdivision
27 examiner's July 28, 1993, report and recommendation in LUSD
28 File No. 111-89-R, as adopted in Ordinance No. 10996, will be
29 reconsidered by the Metropolitan King County council, on land
30 use appeals, on June 6th, 1994.

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B. The zoning and subdivision examiner is hereby directed to immediately notify all parties of record of the scheduled hearing date.

PASSED this 9th day of May, 1994.

Passed by a vote of 10-0.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Kent Pullen
Chair

ATTEST:

Gerald A. Pater
Clerk of the Council

Attachments: