

December 4, 1990  
KP:df/ord.427:ae

Introduced by: Kent Pullen

Proposed No.: 90-985

ORDINANCE NO. **9732**

1 AN ORDINANCE approving a zone reclassification  
2 from SR and SR (7200) to BC-P and RM 1800-P  
3 petitioned by C.M. IMRIE, ET AL, designated  
4 Building and Land Development File No. 230-88-R,  
5 adding conditions, and repealing Ordinance 9436.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 SECTION 1. The Council finds there are changes in  
8 circumstances affecting the subject property since the last  
9 area zoning including: the 1987 reclassification of ten acres  
10 of BC at the SR 515/S.E. 208th Avenue intersection; development  
11 of Panther Lake Shopping Center; the 1989 approval of a four-  
12 acre reclassification to BC for the nearby Modde property;  
13 planned widening and improvement of SR 515; and, completion of  
14 the Diamond interchange at So. 212th Street and SR 167. The  
15 subject property shares approximately 300 feet of common  
16 boundary with the Panther Lake Shopping Center development.  
17 The proposed development will provide mini-warehousing storage  
18 not presently available to the surrounding community.

19 SECTION 2. The Council concludes that the reclassification  
20 of the property to BC-P and RM 1800-P established by Section 3  
21 of this ordinance will be consistent with KCC 20.24.190D and  
22 the Soos Creek Community Plan. The applicant has demonstrated  
23 with substantial evidence that:

24 A. Since the previous area zoning of the subject property,  
25 authorized public improvements, permitted private development  
26 or other conditions or circumstances affecting the subject  
27 property have undergone substantial and material change not  
28 anticipated or contemplated in the community plan or area  
29 zoning.

30 B. The impacts from these changed conditions and  
31 circumstances affect the subject properties in a manner and to  
32 a degree different from other properties in the vicinity.

33 C. The reclassification to provide mini-warehouse storage  
34 is in the public interest.

35 D. The examiner erred in concluding that the application

1 should be denied.

2 SECTION 3. The Council of King County does not concur with the  
3 report and recommendation of the Zoning and Subdivision  
4 Examiner dated June 16, 1989 filed with the Clerk of the  
5 Council on July 6, 1989, and hereby reclassifies the subject  
6 property as follows:

7 A. The southern 3.5 acres of the subject property is  
8 reclassified to BC-P (community business with a P-suffix  
9 condition of site plan approval required);

10 B. The northern 3.0 acres, the remaining portion of the  
11 subject property, is reclassified to RM 1800-P (high density  
12 multiple-dwelling with a P-suffix condition of site plan  
13 approval required), for the purpose of allowing warehouse  
14 "mini-storage" only. Any use other than warehouse "mini-  
15 storage" shall require submittal and approval of another  
16 reclassification request. In any event, if the warehouse  
17 "mini-storage" use is for any reason discontinued, the SR 7200  
18 zoning shall be in effect.

19 C. Each of these reclassifications is subject to the  
20 following conditions:

21 1. Any use other than warehouse "mini-storage" for the  
22 portion of the property reclassified RM-1800-P shall require  
23 submittal and approval of another reclassification application.  
24 In any event, if the warehouse "mini-storage" use is for any  
25 reason discontinued the SR 7200 zoning shall be in effect.

26 2. The applicant shall provide an emergency access  
27 street which extends southward from the south terminus of  
28 110th Street S.E. to S.E. 204th Street along the western side  
29 of the subject property. The north end of this emergency  
30 access street shall be permanently barricaded in a manner  
31 satisfactory to the King County Fire Marshall and to the King  
32 County Department of Public Works.

33 3. The project will consist of a one-story development.

34 4. The finally approved site plan will provide a twenty  
35 foot wide landscape buffer around the north and east

1 boundaries. The landscape buffer shall provide a five foot  
2 earth berm with a hedge or bushes planted at the top of berm;  
3 ground cover; trees, and fencing, all consistent at a minimum  
4 with KCC 21.51 "Type I" landscaping standards.

5 5. The applicant shall provide such bonds as are  
6 authorized by KCC 21.51 to assure landscaping maintenance  
7 consistent with KCC 21.51 landscape maintenance requirements.

8 6. Project drainage will be designed and constructed  
9 consistent with current KCC 9.04 requirements to handle  
10 drainage flowing from Panterra Lago development in a manner  
11 which assures that no blockage of the flow or no back up of  
12 water into the pond on Panterra Lago property will occur.

13 7. The lighting for the development will be designed so  
14 that there is no disturbing glare onto properties to the north  
15 and east.

16 8. No openings in the mini-storage units shall face  
17 north or east. And there will be no open, uncovered storage  
18 allowed anywhere in the mini-storage section or the retail  
19 section of the project.

20 9. Buildings will be set back at least twenty feet from  
21 the north and east property lines.

22 10. The Panterra Lago Landscape Committee will have  
23 approval over the lighting plan. The Committee will  
24 participate in the creation of the final site plan to be  
25 submitted to the King County Building and Land Development  
26 Division and will have final approval over the planning of the  
27 buffer on the north and the east boundaries of the development.

28 11. The property owner agrees to not sell the property  
29 until the development is completed.

30 12. The emergency access road along the west boundary of  
31 the subject property shall not encroach upon the stream buffer  
32 area depicted on applicants' exhibit no. 6; and, pursuant to  
33 ordinance 9614, a stream protective buffer shall be set aside  
34 as a sensitive area tract to extend at least 25 feet each  
35 direction from the stream centerline or 5 feet from the top of

1 the bank, whichever distance is greater.

2 D. Conditions C.1. through C.8. of this ordinance section  
3 must be met before final site plan approval. KCC 21.46.150-  
4 200.

5 E. Prior to final site plan approval, a covenant shall be  
6 filed by the property owner with the King County Division of  
7 Records and Elections expressly agreeing and binding the  
8 property, property owner, successors in interest and assigns to  
9 each and every condition of approval in this ordinance. The  
10 covenant shall contain an accurate legal description of the  
11 property.

12 SECTION 4. Ordinance 9436 is hereby repealed.

13 INTRODUCED AND READ for the first time this 26<sup>th</sup> day  
14 of November, 1990.

15 PASSED this 3<sup>rd</sup> day of December, 1990.

16 KING COUNTY COUNCIL  
17 KING COUNTY, WASHINGTON

18 Lois North  
19 Chairman

20 ATTEST:

21 Gerald W. Johnson  
22 Clerk of the Council

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