

June 18, 1991
4015D/34

Introduced by Lois North

Proposed No. 90-731

ORDINANCE NO. **9999**

AN ORDINANCE modifying and concurring with the recommendation of the Zoning and Subdivision Examiner to approve subject to conditions (modified) the Preliminary Plat of ANSTALT PROPERTY, designated Building and Land Development File No. 989-1.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

This ordinance does hereby adopt and incorporate herein, with the following modifications, the findings and conclusions contained in the report of the zoning and subdivision examiner dated March 18, 1991, which was filed with the clerk of the council on April 4, 1991, to approve subject to conditions (modified) the preliminary plat of Anstalt Property, designated by the building and land development division, file no. 989-1.

Finding No. 13 is corrected so that the first paragraph on page 10 reads as follows:

"The second exception is the need to continue an easy trail for children and handicapped riders between N.E. 133rd Street and the Redmond Watershed Trail. 209th Place N.E., an easement on the applicant's property, has provided a major segment of that trail. Although closed at the time of the last hearing on this application, it would be in the public interest to require the applicant to provide that part of the historical route which has traversed the subject property. This could be accomplished on the applicant's property within or adjacent to the existing easement, subject to the outcome of pending litigation."

The council does hereby adopt as its action the recommendation(s) contained in said report, with the following

modifications:

Condition No. 14 on page 19 is modified to add to the first paragraph on that page:

"(This condition is not intended to preclude future County action which may approve or require construction within the dedicated right-of-way to serve development of the Flippin (Keesling) property consistent with existing or future zoning.)"

Condition No. 23 on pages 21 through 22 is modified by:

A. Deleting the sentence which begins on the bottom of page 21 and concludes on page 22;

B. Adding two paragraphs, providing as follows:

"All trails required as conditions of final plat approval shall be constructed and signed through each division of the plat prior to final approval and recording of that division.

"The applicant shall survey the location of the Redmond watershed trail in relation to proposed lot 58. To the extent the trail is located within the subject property, it shall be designated as a separate tract."

C. Modifying the last paragraph to provide as follows:

"Any trails or portions of trails to be constructed within King County right-of-way shall be constructed by the applicant in accordance with the applicable King County Road Standards. Trails shall be within public easements or tracts or dedicated right-of-way, and shall be maintained by the homeowners' association, which may enter into an agreement with a public agency or other body acceptable to the

Subdivision Technical Committee to undertake responsibility for maintenance of the affected trails."

Condition No. 18 on page 19 is modified to provide as follows:

"A homeowners association or other workable organization shall be established to the satisfaction of BALD which provides for the ownership and continued maintenance of open space areas, which may include the public trails (see condition no. 23). The establishing of covenants of said organization shall, to the satisfaction of BALD, specifically address the following:

- 1. Trails are public pedestrian/equestrian trails.
- 2. Method and funding of trail maintenance.
- 3. Homeowners cannot alter their responsibility for the existence and/or maintenance of the trail.
- 4. No unreasonable interferences such as garbage, clippings, weeds, debris, fences, walls, hedges, trees, branches, brush or any other matter of material shall be deposited or allowed to remain upon the pedestrian/equestrian trail."

INTRODUCED AND READ for the first time this 13th day of August, 19 91.

PASSED this 17th day of June, 19 91.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Lois North
Chair

ATTEST:

Gerald G. Peterson
Clerk of the Council