

1 Introduced by: PAUL BARDEN

2 Proposed No. 79-1392

3
4 ORDINANCE NO. 4617

5 AN ORDINANCE amending the King County
6 zoning resolution number 25789, as
7 amended, by reclassifying property
8 owned by the Polygon Corporation
9 known as Highland Village, and
10 approving a preliminary plat, approv-
11 ing a planned unit development, modifying
12 the use designation on the Highline Plan
13 map, and authorizing execution of an
14 agreement related to the development
15 of the property.

16 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

17 SECTION 1. The King County Council finds that the
18 Polygon Corporation now owns the subject property and has
19 proposed development of the approximately 30 acres constituting
20 the subject property as reflected in the attached Agreement and
21 Exhibit A thereto (together designated as Attachment I hereto).
22 The Council further finds that subject to the provisions of this
23 ordinance, and based on the record and environmental impact
24 statement regarding the subject property, the reclassification
25 and development of the property as proposed will promote the
26 public health, safety and general welfare and is an appropriate
27 use of the property.

28 SECTION 2. The King County Council hereby amends the
29 King County Zoning Code, Resolution 25789, as amended, by
30 reclassifying the subject property from RM-1800 (multiple
31 dwelling) to RS-7200 PUD (single family residential subject to a
32 Planned Unit Development) and directs that Area Map E17-22-4 be
33 modified to so designate. The subject property reclassified by
this ordinance is legally described in Attachment II and is
shown on the map as Attachment III, which Attachments II and III
are incorporated herein by this reference.

1 SECTION 3. The King County Council hereby finds the
2 development proposal as set forth in the attached Agreement and
3 Exhibit A thereto constitutes and is approved as a Planned Unit
4 Development subject to the performance of all terms and conditions
5 of said Agreement. The County Executive or his designee is
6 hereby authorized to sign the Agreement in substantially the
7 same form as attached hereto.

8 SECTION 4. The King County Council hereby finds that
9 the development as proposed with conditions and the rezone to a
10 less intensive use, as provided in Sections 2 and 3 above, will
11 promote the policies of the Highline Communities Plan and makes
12 adequate provision for open space and recreation, including a
13 fee-in-lieu of dedication for park purposes. The Council hereby
14 modifies the designation on the "South Development Plan Map" in
15 the Highline Plan covering the subject property and directs the
16 Planning Division to modify the use designation on said Plan map
17 to reflect the rezone and approvals contained in this ordinance.

18 SECTION 5. The King County Council hereby adopts as
19 its own the findings, conclusions and recommendation of the
20 Deputy Zoning and Subdivision Examiner, as set out in his Report
21 and Recommendation dated October 5, 1979 and designated Building
22 and Land Development Division file number 879-25, and hereby
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1 approves the preliminary plat of Highland Village with the
2 conditions contained in said report and recommendation, subject
3 to the provisions of this ordinance.

4 INTRODUCED AND READ for the first time this 29th
5 day of October, 1979.

6 PASSED this 3rd day of December, 1979.

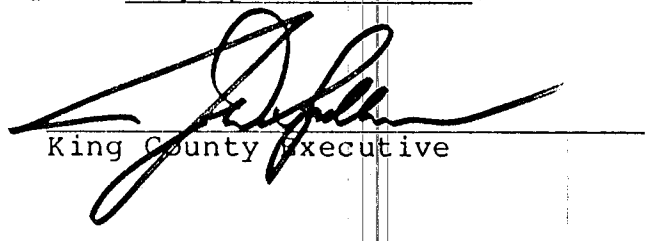
7 KING COUNTY COUNCIL
8 KING COUNTY, WASHINGTON

9 
10 Chairman

11 ATTEST:

12
13  DEPUTY
14 Clerk of the Council

15
16 APPROVED this 6th day of December, 1979.

17 
18 King County Executive

AGREEMENT FOR DEVELOPMENT
KNOWN AS HIGHLAND VILLAGE

THIS AGREEMENT is made and entered into this 6th day of December, 1979, by and between the Polygon Corporation (the "Applicant"), a Washington corporation, and King County ("the County"), a municipal corporation of the State of Washington.

WHEREAS, the Applicant previously filed an application for a building permit (application job number 1C-8751) for 646 apartment building units and prepared an Environmental Impact Statement therefor, which application, records and Environmental Impact Statement are by this reference incorporated herein;

WHEREAS, the Division of Building and Land Development on March 20, 1979, denied said building permit application under the authority granted pursuant to SEPA and King County Ordinance 3821. The denial was based on findings of fact and conclusions contained in a Written Decision and Order dated March 20, 1979, which is by this reference incorporated herein;

WHEREAS, the Applicant owns the subject property and has proposed an alternative development of the property ("development proposal"), described in Exhibit A hereto, with 82 single-family residential lots and 143 multi-family units to be sold as condominiums, totaling 225 units on the subject 30 acres;

WHEREAS, the Applicant's alternative development proposal was considered in principle as an alternative in the Environmental Impact Statement prepared for the original application, Job 1C-8751, and the alternative development proposal will result in an acceptable level of impacts when mitigating measures are imposed through the provisions of this Agreement;

WHEREAS, the Planned Unit Development (PUD) provisions of the zoning code, Chapter 21.56 KCC, permits flexibility in the development of land in both RS-7200 and RM-1800 zone classifications;

WHEREAS, the development proposal would result in an over-all density of 7.5 units per acre, which is permitted in a PUD in an RS-7200 zone;

WHEREAS, the development proposal would meet the 25% common open space requirement of a PUD by designating 2.9 acres of common open space within the multiple family area, and by providing a fee in lieu of open space for the single family area;

WHEREAS, the development proposal as represented through this Agreement and Exhibit A satisfies the intent, purpose and requirements of a PUD under Chapter 21.56 KCC;

NOW, THEREFORE, it is hereby agreed by and between the parties as follows:

1. The development proposal consists of the documents attached as Exhibit A hereto (consisting of Plates 1-4), which is hereby incorporated by this reference, together with the terms of this Agreement, and shall constitute the final planned unit development for the subject property upon completion of the terms of this Agreement and the development of the subject property in accordance with Exhibit A. The subject property is legally described in Exhibit B hereto, which is hereby incorporated by this reference.

2. A short plat application shall be submitted delineating two tracts: one tract for a plat of single family lots and one tract for a multiple dwelling.

3. A building permit application shall be submitted for the multiple dwelling tract for a maximum of 143 condominium units and common open space designated for 2.9 acres.

4. A preliminary and final plat shall be submitted for the single family tract for a maximum of 82 lots as building sites for detached single family dwellings.

5. A fee in lieu of open space in the amount equal to the current assessed value of 5% of the single family tract, less that area of Tract A dedicated as open space, plus the current assessed value of 2.5 acres per 1,000 persons anticipated in the single family tract, shall be paid by the Applicant to King County. Said amount is calculated to be \$13,788.53. Said fee shall be used generally for open space and recreational purposes in the vicinity of the tract, including improvements to Zenith Park, as determined by the County.

6. The applicant shall comply with any conditions imposed as part of an approval of the short plat, the preliminary and final plat for single family lots, and the building permit. Minor variations from the development proposal as described in Exhibit A may be included in any approval mentioned above.

7. The applicant's signature of this Agreement shall constitute an application for reclassification from RM-1800 to RS-7200 PUD, which application is authorized by all owners of the subject property.

DATED this 6th day of December, 1979.

Approved as to form:

KING COUNTY

By Thomas A. Goeltz
THOMAS A. GOELTZ
Deputy Prosecuting Attorney

By [Signature]
POLYGON CORPORATION

By [Signature] - PRESIDENT.

STATE OF WASHINGTON)

ss.

COUNTY OF KING)

On this day personally appeared before me J. G. PETERSON
President, to me known to be the
 of Polygon Corporation, the corporation that executed the within and
 foregoing instrument, and acknowledged the said instrument to be the
 free and voluntary act and deed of said corporation, for the uses and
 purposes therein mentioned, and on oath stated that he was authorized
 to execute said instrument and that the seal affixed thereto is the
 corporate seal of said corporation.

GIVEN under my hand and official seal this 25 day of ^{October}~~August~~,
 1979.

Monroe R. Youngblood
 NOTARY PUBLIC in and for the state
 of Washington, residing at Woodville

POLYGON CORPORATION HIGHLAND VILLAGE
ZENITH, WASHINGTON

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE NORTH LINE OF SOUTH 240TH STREET IN KING COUNTY, WASHINGTON, WHICH POINT IS 400 FEET WEST OF THE INTERSECTION OF 16TH PLACE SOUTH WITH SOUTH 240TH STREET, THENCE N 88°26'55" W ALONG SAID NORTH LINE, 1030.21 FEET, THENCE N 01°02'54" E PARALLEL WITH THE EAST LINE OF SECTION 17, T.22N, R4E, W.M., KING COUNTY, WASHINGTON; A DISTANCE OF 1268.37 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, THENCE S 88°27'43" E ALONG SAID SECTION SUBDIVISION NORTH LINE, 1030.21 FEET TO A POINT WHICH IS 400 FEET WEST OF THE EAST LINE OF SAID SECTION 17; THENCE S 01°02'54" W, PARALLEL WITH SAID EAST LINE, 1268.61 FEET TO THE POINT OF BEGINNING.