

May 16, 1991  
4015D/61

Introduced by Lois North

Proposed No. 91-56

ORDINANCE NO. **9992**

AN ORDINANCE partially concurring with, and partially reversing, the recommendation of the Zoning and Subdivision Examiner to approve subject to conditions (modified) the Preliminary Plat of FALCON POINT, designated Building and Land Development File No. S90P0037.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

Section 1: This ordinance adopts and incorporates herein the findings and conclusions contained in the report of the zoning and subdivision examiner dated February 15, 1991, which was filed with the clerk of the council on March 7, 1991, to approve subject to conditions (modified) the preliminary plat of Falcon Point, designated by the building and land development division, file no. S90P0037, except finding no. 8 and conclusion no. 2 and except as indicated in Sections 2 and 3, below. The council adopts as its action the recommendations contained in the examiner's report, except that recommendation C (condition no. 15) regarding a recommended noise study requirement, and recommendation E (condition no. 17) regarding walkway construction, are each deleted and therefore not required.

Section 2. The council finds that the portion of the subject property which would be affected by the recommended noise study requirement is located 100 to 200 feet from northeast 190th street; is 70 feet higher than that street; is protected by dense natural vegetation which will not be removed; and, will contain only one building lot.

The council therefore concludes that the examiner's recommendation to require a noise study is based on an error in

1 judgment and conclusion, and that the recommended noise study  
2 should not be required.

3 Section 3. The council finds that 152nd avenue northeast  
4 is a minor street with low traffic volumes and no presently  
5 known history of traffic accidents. The Northshore School  
6 District has not indicated that this street should have priority  
7 for walkway improvement. Given these circumstances, combined  
8 with small size of the proposed subdivsion and the length of the  
9 recommended walkway improvement, it would not be reasonable to  
10 require the applicant to make the recommended walkway  
11 improvement on 152nd avenue northeast.

12 The council therefore concludes that the examiner's  
13 recommendation to require a walkway along 152nd avenue northeast  
14 is based on an error in judgment and conclusion and that the  
15 recommended offsite walkway on 152nd avenue northeast should not  
16 be required.

17 INTRODUCED AND READ for the first time this 14<sup>th</sup> day  
18 of January, 19 91.  
19 PASSED this 6<sup>th</sup> day of June, 19 91.

20 KING COUNTY COUNCIL  
21 KING COUNTY, WASHINGTON

22 Lois North  
23 Chair

24 ATTEST:  
25 Gerald A. Peterson  
26 Clerk of the Council