ORDINANCE NO. 2028

AN ORDINANCE of the City of Kent, Washington, relating to planning and rezoning for land development a portion of certain property originally zoned by the City of Kent as MA (Industrial Agricultural) to MRM (Medium Density Multi-Family Residential) zone.

WHEREAS, certain land was zoned by the City of Kent by Ordinance 1827, entitled "Ordinance adopting Zoning Code for the City of Kent, Washington", passed by the City Council of the City of Kent, Washington, on the 4th day of June, 1973; and

WHEREAS, the effective date of the zoning of said land by said Ordinance 1827 and the effective date of said Ordinance 1827 itself, was the 20th day of June, 1973; and

WHEREAS, as required by Ordinance 1827, a public hearing was held before the Planning Commission of the City of Kent, wherein it was recommended that said land be rezoned from MA (Industrial Agricultural) zone to MRM (Medium Density Multi-Family Residential) zone; and

WHEREAS, thereafter the City Council of the City of Kent did upon the 18th day of April, 1977, hold a public hearing on said recommendation insofar as it related to said certain lands, and said public hearing being held after proper notice thereof, and after said public hearing the City Council having determined that the land should be rezoned to MRM (Medium Density Multi-Family Residential) zone; and

WHEREAS, it is found that a rezone of land is in the best interest of the health and welfare of the citizens of the City of Kent and is consistent with the Comprehensive Plan of the City of Kent and consistent with good planning, NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. The following described land, situated in the City of Kent, County of King, State of Washington, and
presently zoned as MA (Industrial Agricultural) zone and more particularly described as follows:

That portion of Government Lots 1 and 2, Section 11, Township 22 North, Range 4, E., W.M. described as follows:

Beginning at the SW corner of the tract of land conveyed to Earl M. McLaughlin, et ux, by Deed recorded under Auditor's File No. 5059977 records of King County;

thence north 89°01'25" west 1,032.34 feet, more or less, to the easterly line of County Road No. 8 (now Russell Road),

thence northerly along the easterly line of said Road to its point of intersection with the south line of the tract of land described in Contract recorded under Auditor's File No. 6093744; thence east along said south line to the southeast corner of said tract of land described in Contract recorded under Auditor's File No. 6093744;

thence north along the east line thereof 132 feet, more or less, to a point on the south line of County Road No. 22 (now South 212th Street), as said road existed on September 8, 1966; said point being 212 feet easterly of the intersection of the southerly line of South 212th Street and the easterly line of State Road No. 8; thence easterly along the southerly line of South 212th Street to a point which is north 01°15'17" east of the point of beginning;

thence south 01°15'17" west 392.40 feet, more or less to the point of beginning.

EXCEPT those portions thereof lying within South 212th Street as deeded to the City of Kent.

Situate in the City of Kent, County of King, State of Washington.

AND ALSO EXCEPT, any portions granted to public agencies for roads or public utility improvements.

is hereby rezoned to MRM (Medium Density Multi-Family Residential) zone.

Section 2. The Planning Director of the City of Kent be and he is hereby authorized and directed to indicate upon the Comprehensive Zoning Map of the City of Kent or upon an addendum thereto, the zoning of said property as provided for in Section 1 of this Ordinance.

Section 3. That upon said amendment being shown upon the Comprehensive Zoning Map of the City of Kent, or upon an addendum thereto, the copy of said map or addendum, shall be filed with the Director of Records and Elections of King County, Washington, and the City Clerk of the City of Kent be and she is
hereby authorized and directed to record this Ordinance with the County Auditor of King County and pay the filing fee therefor.

Section 4. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

 Authorized by the City Council at a regular meeting thereof, the eighteenth day of April, 1977.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 2 day of May, 1977.
APPROVED the 3 day of May, 1977.
PUBLISHED the 5 day of May, 1977.

I hereby certify that this is a true copy of Ordinance No. 2020, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK
FLOOD CONTROL

It was determined that the agreement specifies that the work-program will be submitted by the technical committee no later than 90 days after the adoption date of said agreement. Harris opined that the agreement would be signed by King County, Renton, Auburn and Tukwila by the end of May.

At the close of the meeting, Mayor Hogan announced that she was administratively instructing the Public Works Director and Planning Director that any building permits issued for the areas that had been under consideration for the moratorium include a disclaimer to protect the City from any liability during the interim period while the study is taking place. The Council concurred, and agreed that a motion was unnecessary.

REZONE

Garrett. On March 22, 1977, the Planning Commission held a public hearing on an application filed by Delane Garrett for a rezone from MA, Industrial Agriculture, to MR-M, Medium Density Multi-Family Residential, on property located along the south side of S. 212th Street and extending approximately 1,000' east of Russell Road. The Planning Commission recommends that this application be approved with the following conditions:

1) Prior to approval of the rezone, an acceptable drainage plan is submitted to the Public Works Department. This plan should include provision for on-site detention facilities to meet the requirements of the King County Ordinance.

2) The area at the east end of the applicant's property shall be reserved for the future right-of-way for Russell Road. The width of the reservation shall conform to the City's standards for arterial streets and the precise location shall be designated by the Public Works Department.

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[Signature]
Delane Garrett
Rezone 5/17
Ord. 2028
3) At such time that Russell Road is relocated the applicant shall relocate any improve­ment within the new right-of-way at his own expense.

4) A Shoreline Permit is required prior to development.

Harris pointed out the location of the proposed rezone, noting that the area consisted of approximately 7.5 acres. He determined that under Condition #2 the reserved right-of-way could be used by the property owner until such time as the realignment of Russell Road is accomplished.

Delane Garrett addressed the meeting, noting that he had been working on the proposed development of the KOA Campground site since last September, and stating that there was a need for such type of facility in the Valley area. He referred to the conditions which the Planning Commission had placed on its approval of the rezone and noted that most of them have been accomplished or are underway. He pointed out that there had been some misunderstanding regarding the necessity for a Shoreline Permit but that such Permit would be applied for immediately. He noted that the matter of drainage has been discussed with the Engineering Department and that the necessary Flood Control Permit has been applied for also.

In response to Masters' question as to the proposed realignment of Russell Road, Harris noted that this was planned to remove heavy traffic from a narrow roadway and for development of the interior portion of the land in that area.

Kitto questioned what was planned to handle the flood control problem in the area. Masters opined that the area in question does not have a major flooding problem and Harris clarified
that only one small portion of the property in question has a problem with standing water. Ulett expressed the opinion that any plan for the area would rely on the advice put forth by the King County Hydraulics Division. In response to Kitto's further question, Ulett noted that most of the property is above the 100 year natural flood level. Kitto inquired whether detailed plans would be required for development of any area where flooding is a possibility, and Ulett noted that in order to protect the City this would have to be a requirement. There was no correspondence and no further comments were offered.

JUST MOVED that the hearing be closed, Carey seconded. Motion carried.

JOHNSON MOVED that the Attorney be directed to prepare the ordinance approving the rezone in accordance with the Planning Commission recommendations and conditions, Carey seconded. Motion carried.

Garrett Mobile Home Park - Recreational Vehicle Park Combining District. On March 22, 1977, the Planning Commission held a public hearing to consider the request of Delane Garrett for a Mobile Home Park Recreational Vehicle Park Combining District to allow a 150-pad overnight recreational vehicle campground on property located along the south side of S. 212th Street and extending approximately 1,000 feet east of Russell Road.

The Planning Commission recommends approval of the application with the following conditions:

1) Prior to approval of the MHP-RVP District, the applicant shall submit an acceptable drainage plan to the Public Works Department. This plan should include provision for on-site detention facilities