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 R1-7.2 (Single Family Residential) and MR-M (Medium Density Multi-Family Residential) zone to MR-G (Garden 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", 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 2180, a public hearing was held before the Hearing Examiner of the City of Kent, wherein it was recommended that said land be rezoned subject to certain conditions, and

WHEREAS, thereafter the City Council of the City of Kent did on the 2nd day of February, 1981 hold a hearing on said recommendation insofar as it related to said certain lands, said hearing being held after proper notice thereof; and after said public hearing the City Council determined the land should be rezoned to MR-G (Garden Density Multi-Family Residential) zone; and

WHEREAS, it is found that the 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 findings and conclusions of the Hearing Examiner issued January 7, 1981 under the style of RZ-80.8 are hereby adopted as the findings and conclusions of the City Council.
Section 2. That certain land described in Exhibit "A" attached hereto and incorporated herein by reference situated in the City of Kent, County of King, State of Washington and presently zoned as RI-7.2 (Single Family Residential) and MR-M (Medium Density Multi-Family Residential) is hereby rezoned to MR-G (Garden Density Multi-Family Residential) zone.

Section 3. Said rezone is expressly conditioned upon conditions 1 through 8 contained in the recommendations of the Hearing Examiner attached hereto as Exhibit "B" and incorporated herein by reference.

Section 4. 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 2 of this Ordinance.

Section 5. 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 therefore.

Section 6. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ATTEST:  

ISABEL HOGAN, MAYOR

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 3 day of August, 1981.

APPROVED the 4 day of August, 1981.

PUBLISHED the 7 day of August, 1981.
I hereby certify that this is a true copy of Ordinance No. 2306, passed by the City Council of the City of Kent, Washington and approved by the Mayor of the City of Kent as here­ on indicated.

[Signature]
MARIE JENSEN, CITY CLERK (SEAL)
THE SHIRES REZONE

(Application #RZ-80-8)

LEGAL DESCRIPTION

PARCEL 1: The west quarter of the west half of the northwest quarter of the southeast quarter of Section 20, Township 22 North, Range 5 East, W.M. in King County, Washington, EXCEPT the north 300 feet thereof.

PARCEL 2: The east 30 feet, EXCEPT the north 30 feet thereof for county road, of the north 300 feet of the west quarter of the west half of the northwest quarter of the southeast quarter of Section 20, Township 22 North, Range 5 East, W.M. in King County, Washington, the westerly boundary of which is established by instrument recorded under King County Recording No. 8106260448.

The east half of the west half of the west half of the northwest quarter of the southeast quarter of Section 20, Township 22 North, Range 5 East, W.M. in King County, Washington, EXCEPT the north 30 feet thereof for county road.

The east half of the west half of the northwest quarter of the southeast quarter of Section 20, Township 22 North, Range 5 East, W.M. in King County, Washington, EXCEPT a tract of land 82.5 feet (east and west) by 284 feet (north and south) measured from the center of the county road, out of the northwest corner of said subdivision, the boundaries of which are established by instrument recorded under King County Recording No. 8106260447, AND EXCEPT the north 30 feet thereof for county road.

The west half of the east half of the northwest quarter of the southeast quarter of Section 20, Township 22 North, Range 5 East, W.M., in King County, Washington, EXCEPT the east 130 feet of the south 242 feet of the north 272 feet AND EXCEPT the west 130 feet of the south 370 feet of the north 400 feet, AND EXCEPT the north 30 feet thereof for county road.
RECOMMENDATIONS

For each of the aforementioned reasons, the recommendation of the Hearing Examiner to the Kent City Council on the proposed reclassification is as follows:

The application should be APPROVED, subject to the following conditions:

1. The property should be developed substantially as shown on the Conceptual Site Plan submitted as part of this record and which is attached as Exhibit A.

2. A maximum of two hundred (200) residential dwelling units may be developed on the property. The type of structure to be built shall be restricted to one and two-story townhomes with no more than four units attached.

3. No less than 59% of the net site area exclusive of roadways shall be left in open space as shown on the Conceptual Site Plan.

4. Prior to the issuance of any development permits, the applicant shall provide plans for the necessary extensions of water, sewer, and storm drainage systems. Such plans shall be submitted to the City Engineer for review and approval.

5. The applicant shall agree to execute a no-protest LID covenant with the City with regard to improvement of SE 248th Street including but not limited to the following: pavement, cement concrete curb and gutter, storm drainage, street lighting, cement concrete sidewalks, underground power and other related appurtenances. Such covenants shall be approved by the City Attorney and City Engineer.

6. The applicant shall dedicate a 60 foot right-of-way on the western portion of the property for the future extension of 109th Avenue. The exact location and alignment shall be subject to review and approval by the City Engineer. Further, the applicant shall dedicate 30 feet adjacent to the southern property line for the right-of-way of S. 252nd Street.

7. Prior to issuance of any development permits, the applicant shall submit a landscaping plan depicting detailed information for the phase under construction, and an over-all plan for the entire project, including a tree plan. The landscaping plan shall provide for maximum visual screening on those portions of the site adjacent to the single family properties which front on SE 248th. Plans shall be submitted to the Planning Department for review and approval.

8. The Planning Department shall review development plans for each phase to insure compliance with the Conceptual Site Plan (Exhibit A). Any substantial modification shall be reviewed by the Hearing Examiner at a public hearing. Such modifications include increased densities, significant alteration in unit type, or general site design or decrease in the amount of open space.

Entered this 7th day of January, 1981, pursuant to the authority granted under Ordinance #2233, City of Kent.

N. M. BURKE, HEARING EXAMINER