AN ORDINANCE of the City of Kent, Washington, relating to planning and property; rezoning, with conditions, approximately 22 acres located south of Southeast 248th Street on the east and the west side of 104th Ave. S.E., from Rl-20, Single Family Residential to MR-M, Medium Density Multi-Family Residential and O, Office. (Rowley Rezone #3/AZ-84-1)

WHEREAS, a application for rezone was filed on October 27, 1983 for the following described property:

The east half of the northwest quarter of the southwest quarter of Section 20, Township 22N, Range 5E, W.M. in King County, Washington, lying north of the line described as follows:

Beginning at the southwest corner of said east half of the northwest quarter of the southwest quarter; thence north 88°7'50" east a distance of 595.42 feet to a point on the west margin of 104th Ave. S.E. Together with the west half of 104th Ave. S.E. lying in the north half of the southwest quarter of said section. And also the northwest quarter of the northeast quarter of the southwest quarter of said section, and also that portion of S.E. 248th Street lying within the northeast quarter of the southwest quarter of said section and that portion of S.E. 248th St. lying within the southeast quarter of the northeast quarter of said section;

Also known currently as:

Tax lots 125, 128, 129, 30, 203, 95, 61, 98, 177, 99, 68, 91, 55, 117, 120, 208, 43, 112, and 47, located in the City of Kent, King County, Washington.

and;

WHEREAS, the subject rezone concerns the initial zoning designation of the above property subsequent to annexation by the City of Kent. Said property is located south of Southeast 248th Street on the east and on the west side of 104th Ave. S.E. The property is currently zoned Rl-20, as an interim zoning designation; and

WHEREAS, A Declaration of Nonsignificance was filed by the Planning Department on November 10, 1983; and
WHEREAS, the Planning Department issued its staff report on July 6, 1984, and recommended that tax lots 125, 128, 129 and 30 be zoned MR-M, and the remainder of the property be zoned O, in order to avoid splitting lots with different zoning designations; and

WHEREAS, a public hearing was held before the Hearing Examiner of the City of Kent on July 18, 1984; and

WHEREAS, the Hearing Examiner issued FINDINGS AND RECOMMENDATION OF THE HEARING EXAMINER FOR THE CITY OF KENT on August 1, 1984, and recommended that zoning designations for the subject property be consistent with those in the East Hill Plan land use element, which recommendation had the effect of creating lots with multiple zoning designations; and

WHEREAS, a public hearing was held before the City Council of the City of Kent on September 4, 1984, and was continued until October 15, 1984; and

WHEREAS, public testimony was presented on the merits of both the original Planning Department staff recommendation and the Hearing Examiner recommendation; and

WHEREAS, the City Council on October 15, 1984 adopted the staff report and recommendation of the Planning Department, together with the FINDINGS AND RECOMMENDATIONS OF THE HEARING EXAMINER not inconsistent therewith and approved by motion a rezone to conform to the Planning Department recommendation for the reason that:

1. The zoning designations proposed did not create lots splits between two zoning districts,

2. The office zoning provides a transitional area between the existing office and multi-family zoning, and

3. The proposed zoning designations would provide for orderly development of the subject property; and
WHEREAS, the City Council's approval was conditioned upon
the following:

Prior to the issuance of any development permit (building
zoning, etc.) for a permitted use of the property herein which
abuts 104th Avenue S.E. and/or S.E. 248th Street, property shall
be deeded therefrom for street purposes in accordance with the
following right-of-way criteria:

<table>
<thead>
<tr>
<th>STREET</th>
<th>RIGHT OF WAY WIDTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>104th Ave. S.E.</td>
<td>100 feet in width as centered on the existing right of way center line.</td>
</tr>
<tr>
<td>S.E. 248th St.</td>
<td>60 feet in width as centered on the existing right of way center line plus 40-foot radius at the intersection of the right of way lines with 104th Ave. right of way lines.</td>
</tr>
</tbody>
</table>

NOW THEREFORE,

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

Section 1. The staff report and recommendation of the
Planning Department, together with the Findings and Conclusions of
the Hearing Examiner not inconsistent therewith, are hereby
adopted as the findings and conclusions of the City of Kent.

Section 2. The following described land situated in the
City of Kent, County of King, State of Washington, and presently
zoned Rl-20, Single Family Residential, and more particularly
described as follows:

The east half of the northwest quarter of the southwest quarter of Section 20, Township 22N, Range 5E, W.M. in King County, Washington,
lying north of the line described as follows:
Beginning at the southwest corner of said east half of the northwest quarter of the southwest quarter; thence north 88°7'50" east a distance of 595.42 feet to a point on the west margin of 104th Ave. S.E. Together with the west half of 104th Ave. S.E. lying in the north half of the southwest quarter of said section. And also the northwest quarter of the northeast quarter of the southwest quarter of said section, and also that portion of S.E. 248th Street lying within the southeast quarter of the southwest quarter of the northwest quarter of said section and that portion of S.E. 248th St. lying within the southwest quarter of the northeast quarter of said section;

Also known currently as:

Tax lots 125, 128, 129, 30, 103, 95, 61, 98, 177, 99, 68, 91, 55, 117, 120, 208, 43, 112 & 47, Kent, King County, Washington.

is hereby rezoned as follows:

a. The east 341.47 feet of the north 675.00 feet of the east half of the northwest quarter of the southwest quarter of Section 20, Township 22N, Range 5E, W.M. EXCEPT those portions, if any, lying within public right-of-way, also known currently as Tax lots 125, 128, 129 and 30, to MR-M, Medium Density Multi-Family Residential.

b. The northwest quarter of the northeast quarter of the southwest quarter in Section 20, Township 22N, Range 5E, W.M. AND that portion of the east half of the northwest quarter of the southwest quarter of said section, EXCEPT any portion thereof lying south of that area annexed by Kent Ordinance 2466, AND EXCEPT that east 341.47 feet of the north 675.00 feet thereof AND ALSO EXCEPT, if any, portions thereof lying within public right-of-way, also known currently as Tax lots 203, 95, 61, 98, 177, 99, 68, 91, 55, 117, 120, 208, 43, 112 and 47, to O, Professional and Office.

Section 3. The rezone is subject to and expressed upon the condition that: Prior to the issuance of any development permit (building, zoning, etc.) for a permitted use of the property herein zoned which abuts 104th Ave. S.E. or S.E. 248th Street, properly shall be deeded therefrom for street purposes in
according to the following right-of-way criteria:

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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 is hereby authorized and directed to record this ordinance with the County Auditor of King County and pay the filing fee therefor.

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.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK
APPROVED AS TO FORM:

[Signature]

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the ___ day of ______, 1984.
APPROVED the ___ day of ______, 1984.
PUBLISHED the ___ day of ______, 1984.

I hereby certify that this is a true copy of Ordinance No. 2503, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
MARIE JENSEN, CITY CLERK
(SEAL)

FILED for Record at Request of

01910-080