AN ORDINANCE of the City of Kent, relating to planning and property; rezoning, with conditions approximately .5 acres located on the southwest corner of Central Avenue and Willis Street from CM, Community Manufacturing to GC, General Commercial. (Rezone #RZ-83-4)

WHEREAS, an application for rezone was filed on December 7, 1983 for the following described property:

Lots 1, 2, 3, and 4 in Block 4, of Kent, as per Plat Recorded in Volume 2 of Plats, on page 165, Records of King County, Washington;

TOGETHER WITH the vacated east 15 feet of the north 104 feet of the alley adjoining said Lots 2 and 3;

EXCEPT that portion of Lots 2 and 3 lying easterly of the westerly line of S. Central Avenue;

EXCEPT that portion conveyed in the State of Washington for highway purposes under Recording No. 710914-0280;

Situated in the City of Kent, County of Kent, State of Washington.

and

WHEREAS, the subject rezone concerns the request by Southland Corporation to rezone the subject property from CM, Community Manufacturing to GC, General Commercial. Said property is located at the southwest corner of S. Central Avenue and Willis Street; and

WHEREAS, a Declaration of Nonsignificance was filed by the Planning Department on July 26, 1984; and

WHEREAS, a public hearing was held before the Hearing Examiner of the City of Kent on September 12, 1984; and

WHEREAS, the Hearing Examiner issued FINDINGS AND RECOMMENDATIONS OF THE HEARING EXAMINER FOR THE CITY OF KENT on September 26, 1984; and pursuant to a request for reconsideration by the Public Works Department filed October 5, 1984 recommended further conditions pursuant to that reconsideration on October 8, 1984; and
WHEREAS, the City Council on November 5, 1984 adopted the FINDINGS AND RECOMMENDATIONS OF THE HEARING EXAMINER and approved the rezone with conditions recommended by the Hearing Examiner, those conditions being:

1. The applicant shall execute a no protest LID covenant for future improvements to S. Bridges Avenue, Willis Street and S. Central Avenue.

2. Landscaping plans which provide for significant screening on the west and south side of the property shall be provided to the Planning Department for review and approval.

3. The applicant shall dedicate to the City twelve (12) feet adjacent to Willis Street for the entire frontage of the property for the purposes of widening and improving Willis Street. In addition, the applicant shall dedicate sufficient property to provide a forty (40) foot right-of-way radius at Willis and Central and a twenty-five (25) foot right-of-way radius at Willis Street and Bridges Avenue.

4. The applicant shall construct sidewalks to City standards along Willis Street and S. Central Avenue.

WHEREAS, the applicant requested that the City vacate a portion of the alley between S. Bridges and S. Central Avenue located within the property boundaries, which the Council declined to do as it was without its jurisdiction at the time; but agreed to credit the value of the required dedication against any payments required for the appraised value of any vacated properties; NOW THEREFORE,

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

Section 1. The FINDINGS AND RECOMMENDATIONS OF THE HEARING EXAMINER OF THE CITY OF KENT are hereby adopted as the findings and conclusions of the City Council of the City of Kent.
Section 2. The following described land situate in the City of Kent, County of King, State of Washington, and presently zoned CM, Community Manufacturing, and more particularly described as follows:

Lots 1, 2, 3, and 4 in Block 4, of Kent, as per Plat Recorded in Volume 2 of Plats, on page 165, Records of King County, Washington;

TOGETHER WITH the vacated east 15 feet of the north 104 feet of the alley adjoining said Lots 2 and 3;

EXCEPT that portion of Lots 2 and 3 lying easterly of the westerly line of S. Central Avenue;

EXCEPT that portion conveyed in the State of Washington for highway purposes under Recording No. 710914-0280;

Situated in the City of Kent, County of Kent, State of Washington.

is hereby rezoned to GC, General Commercial.

Section 3. The rezone is subject to and expressly conditioned upon the following:

1. The applicant shall execute a no protest LID covenant for future improvements to S. Bridges Avenue, Willis Street and S. Central Avenue.

2. Landscaping plans which provide for significant screening on the west and south side of the property shall be provided to the Planning Department for review and approval.

3. The applicant shall dedicate to the City twelve (12) feet adjacent to Willis Street for the entire frontage of the property for the purposes of widening and improving Willis Street. In addition, the applicant shall dedicate sufficient property to provide a forty (40) foot right-of-way radius at Willis and Central and a twenty-five (25) foot right-of-way radius at Willis Street and Bridges Avenue.

4. The applicant shall construct sidewalks to City standards along Willis Street and S. Central Avenue.
Section 4. In the event the applicant petitions for vacation of that portion of the alley between S. Bridges and S. Central Avenue which is more particularly described as:

That portion of the north and south alley in Block 4, of the original plat of the Town of Kent, described as follows:

Beginning at the northeast corner of Lot 1 of said Block 4, thence south along the east line of Lots 1 and 4 of said Block 4, a distance of 120 feet; thence east 20 feet, thence north 16 feet, thence west 15 feet, thence north parallel to the east lines of said Lots 1 and 4, 104 feet to the south line of Willis Street, thence west 5 feet to the point of beginning.

and the petition is granted by the City; the applicant shall be entitled to a credit against amounts due for one-half the assessed value of the alley equal to the value of the property dedicated to the City pursuant to this ordinance.

Section 5. 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 6. 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 7. Effective Date. 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:

Betty Gray

BETTY GRAY, DEPUTY CITY CLERK

APPROVED AS TO FORM:

P. Stephen DiJulio

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 19th day of November, 1984.
APPROVED the 30th day of November, 1984.
PUBLISHED the 31st day of November, 1984.

I hereby certify that this is a true copy of Ordinance No. 2505, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Betty Gray

BETTY GRAY, DEPUTY CITY CLERK