ORDINANCE NO. 2516

AN ORDINANCE of the City of Kent, Washington, relating to planning and property; rezoning, with conditions, approximately 2.0 acres located north of South 260th Street and west of 101st Avenue Southeast from CC, Community Commercial to MR-M, Medium Density Multifamily Residential. (Robert Randall Rezone/RZ-80-3)

WHEREAS, an application for rezoned was filed May 30, 1980 for the following described property:

The south 650 feet of the west 650 feet of the northwest quarter of the northwest quarter of Section 29, Township 22 North, Range 5 East, W.M., in King County, Washington; EXCEPTING therefrom the north 199 feet of the west 217 feet; ALSO EXCEPTING that portion lying within the 60 foot strip of land conveyed to King County for the T.E. Crow Road, by deed recorded under King County Recording Number 439174; and ALSO EXCEPTING the easterly 290 feet and the west 217' therefrom.

TOGETHER WITH an easement over the east 30 feet of the west 247 feet of said subdivision lying north of the south 650 feet and southerly of State Highway 5-A, for utilities and for ingress and egress to all parcels. Also, the west 1 foot of the east 290 feet of the west 650 feet of the south 650 feet of the northwest quarter of the northwest quarter of Section 29, Township 22 North, Range 5 East, W.M., in King County, Washington; EXCEPTING any portion thereof previously conveyed to the City of Kent for street purposes and disclosed under Recording Number 7602090167.

and;

WHEREAS, the subject rezone concerns a request by Robert Randall to reclassify the above described property from CC, Community Commercial to MR-M, Medium Density Multifamily Residential; and

WHEREAS, a declaration of nonsignificance was filed by the Planning Department on June 3, 1980; and

WHEREAS, a public hearing was held before the Hearing Examiner of the City of Kent on July 16, 1980; and
WHEREAS, the Hearing Examiner issued FINDINGS AND RECOMMENDATION OF THE HEARING EXAMINER FOR THE CITY OF KENT on July 29, 1980; and

WHEREAS, the City Council on September 2, 1980 approved, by motion, the rezone with certain conditions. Said conditions are stated as follows:

1) Dedicate the southern 30 feet of the property paralleling and abutting S.E. 260th Street from Crow Road to 101st Avenue S.E. to the City for street purposes.

2) Execute a no protest LID Covenant with the City for the following improvements:
   (a) The improvements of S.E. 260th and 101st Avenue S.E. to a width of 36 feet of asphalt concrete pavement, curb, gutter, sidewalks, street lights, underground utilities, storm drainage, and other related appurtenances. Such covenants to be approved by the City Attorney and the City Engineer.

3) The site development plan shall be designed to provide maximum protection and buffering to the single family residences adjacent to the north; such consideration to include a solid sight-obscuring fence of no less than six feet in height. The site plan shall also consider the need to buffer the apartment residents from the existing and prospective commercial development to the east. As a minimum, Type II landscaping shall be provided on the northern and eastern perimeters of the property.

WHEREAS, it appearing that conditions for said rezone have been met; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES 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 CC, Community Commercial, and particularly described as follows:

The south 650 feet of the west 650 feet of the northwest quarter of the northwest quarter of Section 29, Township 22 North, Range 5 East, W.M., in King County, Washington; EXCEPTING therefrom the north 199 feet of the west 217 feet; ALSO EXCEPTING that portion lying within the 60 foot strip of land conveyed to King County for the T.E. Crow Road, by deed.
recorded under King County Recording Number 439174; and ALSO EXCEPTING the easterly 290 feet and the west 217' therefrom.

TOGETHER WITH an easement over the east 30 feet of the west 247 feet of said subdivision lying north of the south 650 feet and southerly of State Highway 5-A, for utilities and for ingress and egress to all parcels. Also, the west 1 foot of the east 290 feet of the west 650 feet of the south 650 feet of the northwest quarter of the northwest quarter of Section 29, Township 22 North, Range 5 East, W.M., in King County, Washington; EXCEPTING any portion thereof previously conveyed to the City of Kent for street purposes and disclosed under Recording Number 7602090167.

is hereby rezoned to MR-M, Medium Density Multifamily Residential.

Section 2. The rezone is subject to and expressly conditioned upon the following conditions established by the City Council on September 2, 1980.

1) Dedicate the southern 30 feet of the property paralleling and abutting S.E. 260th Street from Crow Road to 101st Avenue S.E. to the City for street purposes.

2) Execute a no protest LID Covenant with the City for the following improvements:
   (a) The improvements of S.E. 260th and 101st Avenue S.E. to a width of 36 feet of asphalt concrete pavement; curb, gutter, sidewalks; street lights; underground utilities; storm drainage, and other related appurtenances.
   Such covenants to be approved by the City Attorney and the City Engineer.

3) The site development plan shall be designed to provide maximum protection and buffering to the single family residences adjacent to the north; such consideration to include a solid sight-obscuring fence of no less than six feet in height. The site plan shall also consider the need to buffer the apartment residents from the existing and prospective commercial development to the east. As a minimum, Type II landscaping shall be provided on the northern and eastern perimeters of the property.

Section 3. 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 4. 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 thereof.

Section 5. 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:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DI JULIO, CITY ATTORNEY

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

I hereby certify that this is a true copy of Ordinance No. 2516, 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 (SEAL)