AN ORDINANCE of the City of Kent, Washington, relating to planning, zoning and property; rezoning, with conditions, approximately 3.31 acres located on the south side of S.E. 248th Street, approximately 600 feet east of 104th Avenue S.E. from R1-7.2, Single Family Residential, to MR-G, Garden Density Multifamily Residential. [Kent Meadows Rezone, No. RZ-85-1]

WHEREAS, an application for rezone was filed on January 22, 1985 for the following described property:

The south 345 feet of the west half of the Northeast quarter of the Northeast quarter of the Southwest quarter of Section 20, Township 22 North, Range 5 East, W.M., in King County, Washington. Except, the west 130.00 feet thereof and also the west 130.00 feet of the west half of the Northeast quarter of the Northeast quarter of the Southwest quarter of Section 20, Township 22 North, Range 5 East, W.M., in King County, Washington except the north 30 feet thereof for S.E. 248th Street.

and;

WHEREAS, Condominium Builders, Inc., for the Kent Meadows Rezone, has requested the reclassification of 3.31 acres from R1-7.2 Single Family Residential to MR-G, Garden Density Multifamily Residential; and

WHEREAS, a Declaration of Nonsignificance was filed by the Planning Department on December 28, 1984; and

WHEREAS, the Planning Department issued its Staff Report on March 7, 1985 and recommended that the highest density permitted under the rezone should not exceed twelve units per acre; and also recommended that no protest L.I.D. covenants for widening and improving of S.E. 248th Street with asphalt pavement, curb and gutter, sidewalk storm drainage facilities, street lighting, underground and related appurtenances, be executed; and
WHEREAS, a public hearing was held before the Hearing Examiner of the City of Kent on March 20, 1985; and

WHEREAS, the Hearing Examiner issued FINDINGS AND RECOMMENDATION OF THE HEARING EXAMINER FOR THE CITY OF KENT on April 30, 1985, recommending that the rezone be approved subject to the conditions recommended by the Planning Department; and

WHEREAS, the City Council considered the recommendation of the Hearing Examiner at a regular open public meeting on May 6, 1985, and upon consideration approved the recommendation of the Hearing Examiner; and

WHEREAS, the limit of twelve units per acre recommended by the Planning Department and proposed by the Hearing Examiner would result in a fractional unit determination (3.31 acres x 12 units per acre = 39.72 units), and it being appropriate to round the figure to 40 units; NOW THEREFORE,

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

Section 1. The staff report and the recommendation of the Planning Department, together with the FINDINGS AND RECOMMENDATION OF THE HEARING EXAMINER FOR THE CITY OF KENT 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 R1-7.2, Single Family Residential, and more particularly described as follows:

The south 345 feet of the west half of the Northeast quarter of the Northeast quarter of the Southwest quarter of Section 20, Township 22 North, Range 5 East, W.M., in King County, Washington. Except, the west 130.00 feet thereof and also the west 130.00 feet of the west half of the Northeast quarter of the Northeast quarter of the Southwest quarter of Section 20, Township 22 North, Range 5 East, W.M., in King County, Washington except the north 30 feet thereof for S.E. 248th Street.

is hereby rezoned to MR-G, Garden Density Multifamily Residential.
Section 3.

3.1 The rezone is subject to and expressed upon the condition the highest density permitted shall not exceed twelve units per acre, provided, however, that 40 units shall be allowed on the subject property.

3.2 The rezone is further subject to and expressed upon the applicant's execution of a no protest L.I.D. covenant for the widening and improvement of S.E. 248th Street with asphalt pavement, curb and gutter, sidewalks, storm drainage facilities, street lights, underground utilities and related appurtenances.

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 and 3 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. 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.

ATTEST:

ISABEL HOGAN, MAYOR

MARC JENSEN, CITY CLERK

- 3 -
I hereby certify that this is a true copy of Ordinance No. 2598, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)

MARIE JENSEN, CITY CLERK