To: Jim White, Council President and City Council Members
From: Dan Kelleher, Mayor
Subject: Veto of Ordinance #2833

Yesterday I vetoed Ordinance #2833 known as the Kent Hill Apartments rezone.

If passed, Ordinance #2833 would rezone approximately 3.25 acres of single-family zoned land to MR-G (Multifamily residential - Garden density). Together with adjacent land already zoned multifamily to the west, a total of 80 multifamily units would be authorized by Ordinance #2833.

I do not agree with the elimination of single-family zoning for the purpose of developing multifamily housing. Ordinance #2833 would do just this. I believe, as the City Council stated in Resolution #1123, that single-family residential use should be promoted. Therefore, reclassifying such lands to multifamily zoning is inconsistent with established City policy.

Proponents of Ordinance #2833 argue that the rezone will merely maintain the existing permitted density. I do not support this strategy on the East Hill. Instead, I support density reductions on East Hill. The goals and policies of the proposed Housing Element of the Comprehensive Plan recommend limits on multifamily development on East Hill. The following policy statements relate to new residential development on the East Hill:

Goal 2, Objective 2
Policy 3.
Protect existing single-family neighborhoods from adverse impacts of new development.
Policy 5.
Limit opportunities for multifamily development.

The Housing Advisory Committee and Planning Commission have both endorsed this growth policy. The Housing Element has also received preliminary approval by the City Council at its February 21, 1989 meeting. I believe the rezone is contrary to the emerging policy direction of the Housing Element.

For the above-stated reasons, I vetoed Ordinance #2833.

cc: City Council Members
Jim Harris
Fred N. Satterstrom
Sandra Driscoll
AN ORDINANCE of the City of Kent, Washington, relating to land use and zoning, providing for the rezoning with conditions of approximately 3.24 acres of a 6.48 acre site located at the southwest corner of 108th Ave. S.E. and S.E. 260th St. from RL-7.2, Single Family Residential, to MRG, Garden Density Multifamily Residential, with a maximum of 12.5 units per acre in the entire site.

WHEREAS, an application for a rezone of Kent Hill Apartments was filed on April 13, 1988 for the property described in the attached Exhibit A and incorporated herein by this reference; and

WHEREAS, the applicant requested that approximately 3.24 acres of a 6.48 acre site be rezoned from RL-7.2, Single Family Residential, to MRG, Medium Density Multifamily Residential, for the purposes of constructing a 123-unit apartment development; and

WHEREAS, the Hearing Examiner held a public hearing to consider the rezone of the property on December 7, 1988; and

WHEREAS, following the public hearings and consideration of reports and testimony submitted into the record on the proposed rezone and the staff recommendation, the Hearing Examiner for the City of Kent rendered her Findings, Conclusions and Recommendations for conditional approval on January 4, 1989, in "Kent Hill Apartments: Findings and Recommendation of the Hearing Examiner for the City of Kent"; and

WHEREAS, on February 7, 1989, a hearing was held before the City Council at 7 o'clock p.m. in the City Hall of the City of Kent, upon proper notice given; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:
Section 1. The Findings, Conclusions, and Conditional Recommendations of the Hearing Examiner as set forth in "Kent Hill Apartments: Findings and Recommendation of the Hearing Examiner for the City of Kent", which is on file with the Kent City Clerk, are hereby adopted and the Findings, Conclusions, and Conditional Recommendations are concurred with for this site.

Section 2. Zoning for this site, generally located at the southwest corner of 108th Ave. S.E. and S.E. 260th St., and legally described in the attached Exhibit A, incorporated by this reference, is hereby changed from R1-7.2, Single Family Residential, to MRG, Garden Density Multifamily Residential, with the overall density of 12.5 units per acre or approximately 80 units for the entire site with the conditions listed in Section 3 below.

Section 3. The rezone is subject to the following conditions as set forth in the Findings and Recommendations of the Hearing Examiner for the City of Kent as referenced above:

1. The Developer shall contribute 100 percent of traffic mitigation assessment for additional trips generated by the section of land where zoning changes from single-family to multifamily is to occur.

2. The developer shall install street lighting as determined by the Public Works Director.

3. The developer shall install signing where required.

4. A minimum ten-foot Type I planting strip shall be planted along the west property line.

5. Additional fire protection measures, including requiring buildings to be equipped with sprinklers, may be applied at the time of development plan review, if so determined by the Fire Department.
6. Sidewalks shall be provided along 108th Avenue SE and SE 260th Street. An internal sidewalk shall be required connecting the perimeter walkways to the internal walkways.

7. The applicant shall orient buildings along the perimeter of the site at an angle to the perimeter property lines.

8. The applicant shall not pipe, enclose or relocate the minor creek or pond. The minor creek, including any ponding area, must be maintained in its natural state.

Section 4. 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.

DAN KELLEHER, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

PASSSED the ___ day of ____, 1989.

VETOED

APPROVED the ____ day of ____ , 1989.

PUBLISHED the ____ day of ________, 1989.

VETO SUSTAINED BY COUNCIL ___, 1989
I hereby certify that this is a true copy of Ordinance No. 2853, 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
TOTAL PARCEL

The Northeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 29, T 22 N, R 5 E, W.M., in King County, Washington;

EXCEPT THEREFROM the South 165 feet and the East 30 feet and the North 30 feet conveyed for road purposes by deeds recorded under Recording Nos. 2755769 and 8306290024, Records of King County, Washington.

Situate in the City of Kent, County of King, State of Washington.