ORDINANCE NO. 2900

AN ORDINANCE of the City of Kent, Washington, relating to land use and zoning, providing for the rezone of property located east of 80th Avenue South between South 180th Street and South 188th Street, consisting of approximately 36 acres in King County, Washington from M2, Limited Industrial, to M1, Industrial Park District.

WHEREAS, on December 20, 1989 the Hearing Examiner held a public hearing to consider the rezone of the area described in attached Exhibit A, incorporated herein by this reference; and

WHEREAS, the applicant requested that the property be rezoned from M2, Limited Industrial, to M1, Industrial Park District; and

WHEREAS, following 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 his findings, conclusions, and recommendations for conditional approval on January 3, 1990, in Eastbrook Business Park: Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Kent; and

WHEREAS, on February 6, 1990, 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 Eastbrook Business Park: Findings, Conclusions 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 east of 80th Avenue South, between South 180th Street and South 188th Street, and legally described in the attached Exhibit A, incorporated by this reference, is hereby changed from M2, Limited Industrial, to M1, Industrial Park, subject to compliance with conditions set forth in Section 3.

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

A. The applicant shall complete a traffic study to identify any increase in projected p.m. peak hour trips generated from rezoning the property from M2 to M1. The study shall also recommend mitigation measures to reduce the impact of any traffic increase. This study shall be completed prior to the issuance of any building permit through the subject property and must be reviewed and approved by the City. In lieu of constructing the recommended mitigation measures, the applicant/developer may elect to execute a corridor participation agreement with the City. Any trips generated under M1 zoning that exceed what would be generated under M2 zoning shall be charged to the applicant/developer at a rate equal to 100 percent of the standard vehicle trip rate, rather than the normal 50 percent rate.

B. The applicant will complete a traffic study to determine if the rezone will add ten or more vehicle trips to the intersections of S.R. 167/South 180th Street and/or S.R. 181/South 180th Street. If ten or more vehicle trips will be added, then the applicant/developer shall conduct a traffic analysis to determine measures necessary to mitigate the impacts.

Section 4. Effective Date. This ordinance shall take effect and be in force thirty (30) days from the time of its final passage as provided by law.

DAN KELLEHER, MAYOR

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ATTEST:

Brenda Jacober
BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

Sandra Driscoll
SANDRA DRISCOLL, CITY ATTORNEY

PASSED the 20 day of Feb., 1990.
APPROVED the 21 day of Feb., 1990.
PUBLISHED the 23 day of Feb., 1990.

I hereby certify that this is a true copy of Ordinance No. 2900, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Brenda Jacober (SEAL)
BRENDA JACOBER, DEPUTY CITY CLERK