AN ORDINANCE of the City of Kent, Washington, rezoning certain property located generally south of So. 212th Street east of 84th Avenue South, north of So. 218th St. and abutting the west side of SR 167, consisting of approximately 8.7 acres within the City limits of Kent, from the current zoning of GWC, Gateway Commercial, to M2, Limited Industrial. (RZ-90-4)

WHEREAS, on June 6, 1990 the Hearing Examiner held a Public Hearing to consider the rezone of the property described in the attached Exhibit A, incorporated herein by reference and proposed development of Kent East Corporate Park, Application No. RZ-90-4; and

WHEREAS, the Applicant, Trammell Crow Company, requested that the property be rezoned from GWC, Gateway Commercial, to M2, Limited Industrial; and

WHEREAS, June 10, 1990, the Hearing Examiner recommended approval of the rezone in the Hearing Examiner Findings, Conclusions and Recommendation for this rezone (RZ-90-4); and

WHEREAS, the Public Hearing was duly held on this matter on July 17, 1990 at which time the Kent City Council considered the Hearing Examiner’s Findings, Conclusions and Recommendations and additional public and Staff Report; and

WHEREAS, the Hearing Examiner has concluded that the proposed rezone from GWC to M2 is consistent with the comprehensive plan, and the proposed rezone and development of the site is compatible with development in vicinity of the site, and the proposed rezone will not adversely effect the health, safety and general welfare of the citizens of Kent upon application pursuant to mitigating measures to be imposed during the development and environmental review process; and
WHEREAS, the City Council adopted the Hearing Examiner’s Findings of Fact and Conclusions of Law regarding the Easthill Corporate Park Rezone No. RZ-90-4; NOW, THEREFORE,

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

Section 1. The Findings, Conclusions, and Recommendations of the Hearing Examiner as set forth in the Findings for Easthill Corporate Park No. RZ-90-4 for the City of Kent which is on file with the Kent City Clerk are hereby adopted by reference as if stated verbatim with the condition as contained in Section 2 below.

Section 2. The zoning for this site, located generally south of So. 212th St., east of 84th Ave. So. north of So. 218th St. and abutting the west side of SR 167, and consisting of approximately 8.7 acres and as more fully described in Exhibit A attached hereto and incorporated herein by this reference, is hereby changed from the current zoning of GWC, Gateway Commercial, to M2, Limited Industrial, subject to the following conditions:

1. Applicant, Trammell Crow Company, shall demonstrate a clear agency relationship to the owners of the property affected by this rezone pursuant to Kent City Zoning Code 15.09.050(A.1.C.)

2. Applicant, Trammell Crow Company, shall satisfy those conditions and mitigation measures as contained in a final Mitigated Determination of Non-Significance (ENV-90-27) issued on March 29, 1990, which are as follows:

A. Execute a no protest LID covenant for the future widening and improvement of So. 218th St. to industrial access road standards (36 feet from curb to curb, curb and gutter, sidewalks, street lighting, storm drainage facilities, underground utilities and related appurtenances).
B. Deed the necessary property to the City to provide a half street right-of-way with the 50 feet for the entire property frontage of 84th Ave. So. (this shall provide adequate right-of-way for the extension of the northbound acceleration/deceleration/right turn lane at 84th Ave. So. and So. 218th St.

C. Deed the northerly 13.5 feet of all property paralleling and abutting So. 212th St. to provide for the widening of the street to City standards as noted in Condition 1 above.

D. Deed the necessary property to provide a right-of-way radius of 55 feet at the intersection of S. 218th St. and 84th Ave. So.

E. Deed the property necessary to provide a 50 foot right-of-way radius for a cul-de-sac turnaround at the easterly terminus of So. 218th St. (adjacent to SR 167).

F. The owner/developer shall provide an as-built by Washington License Land Surveyor locating the King County Drainage District No. 1 Drainage Channel (Springbrook Creek) as it crosses the subject property. Grant necessary easement to the City for conveyance and maintenance of the creek. The width of the easement shall extend landward from the top of the channel bank 15-feet perpendicular and parallel to the top of the channel bank on each side of the creek.

G. Abandon and cap, in accordance with Washington State Department of Ecology (DOE) requirements, the existing water well serving the property including releasing the water rights thereto back to DOE.

H. Such other conditions as may be necessary as the extent of traffic impacts become more clearly known.
Section 3. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

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.

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

BILL H. WILLIAMSON, ACTING CITY ATTORNEY

PASSED the __ day of Aug, 1990.
APPROVED the ___ day of ___ , 1990.
PUBLISHED the ___ day of ___ , 1990.

I hereby certify that this is a true copy of Ordinance No. __935__, 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
Kent East Corporate Park Re-Zone Area

That portion of the Northwest 1/4 and the of the Southwest 1/4 of Section 7, Township 22 North, Range 5 East, W.M., in King County, Washington, being more particularly described as follows:

COMMENCING at the West 1/4 corner of said Section 7; thence S 89° 59'28" E along the South line of said Northwest 1/4 a distance of 50.01 feet to a point on the East line of a parcel to be deeded to the City of Kent for 84TH AVENUE SOUTH road purposes (pursuant to D.N.S. No. ENV-90-34 and No. ENV-90-27) said point also being the POINT OF BEGINNING; thence N 1°15'05" E along said line 767.80 feet to the North line of the South 767.62 feet of Government Lot 2 in said Section 7; thence S 89°59'28" E along said North line 447.76 feet to the East line of the West 497.65 feet of said Government Lot 2; thence S 1°15'05" W along said East line and a Southerly extension thereof, 1024.87 feet to the North line of Tract 9 Shinn's Cloverdale Addition to Kent, as per plat recorded in Volume 6 of Plats, Page 52, records of said King County; thence N 89°58'36" E along said North line, 156.66 feet to the West line of the East 1 acre of said Tract 9; thence S 1°18'03" W along said West line 243.49 feet to the North line of a parcel to be deeded to the City of Kent for SOUTH 218TH STREET and for 84TH AVENUE SOUTH road purposes (pursuant to D.N.S. No. ENV-90-34 and No. ENV-90-27); thence along said North line by the following courses and distances: S 89°56'39" W 548.02 feet to the beginning of an arc of a curve to the right having a radius of 55.00 feet; thence Northwesterly along said curve through a central angle of 91°19'01" an arc distance of 87.66 feet to a point of tangency; thence N 1°15'40" E 20.24 feet; thence leaving said line N 89°56'39" E 238.06 feet to the East line of the West 258 feet of said Tract 9; thence N 1°15'40" E along said line 167.17 feet to the North line of said Tract 9; thence N 89°58'36" E 18.00 feet to the East line of the West 306 feet of Tract 10 of said plat; thence N 1°15'40" E along said line 248.46 feet to the South line of the North 8.72 feet of said Tract 10; thence N 89°59'28" W along said South line 256.06 feet to the East line of said parcel to be deeded to the City of Kent for SOUTH 218TH STREET and for 84TH AVENUE SOUTH road purposes (pursuant to D.N.S. No. ENV-90-34 and No. ENV-90-27); thence N 1°15'40" E along said East line 8.72 feet to the POINT OF BEGINNING.

EXCEPT those portions of the West 162.00 feet thereof, immediately adjacent to said 84TH AVENUE SOUTH.
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EXCEPT those portions of the West 162.00 feet thereof, immediately adjacent to said 84TH AVENUE SOUTH.