AN ORDINANCE of the City of Kent, Washington, rezoning a 2.9 acre site with conditions in the general area of the southeast corner of W. Willis St. and 74th Ave. So. within the City of Kent from M2, Limited Industrial to M1C, Industrial Park Commercial Suffix.

WHEREAS, applicant has applied for a rezone of the property located in the general area of S.E. corner of W. Willis Street and 74th Street So., and legally described in Exhibit A attached hereto; and

WHEREAS, a public hearing on the rezone was held before the Kent Hearing Examiner on May 16, 1990; and

WHEREAS, on May 30, 1990 the Hearing Examiner recommended that the rezone be approved with five conditions; and

WHEREAS, applicant timely appealed the Hearing Examiner’s rezone conditions #4 and #5; and

WHEREAS, a public hearing was held on August 7, 1990 wherein the Kent City Council considered the recommendations of the Hearing Examiner, and applicant’s appeal of conditions #4 and #5; and

WHEREAS, the Kent City Council granted the appeal of applicant; and

WHEREAS, the Kent City Council adopted by reference the recommendations of the Hearing Examiner for the rezone subject to conditions #1, #2, #3 as recommended by the Hearing Examiner and conditions #4 and #5 as modified by the appeal of applicant; NOW, THEREFORE,
THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES
HEREBY ORDAIN AS FOLLOWS:

Section 1. The property legally described in Exhibit A
attached hereto and in the general area of the S.E. corner of W.
Willis St. and 74th Ave. So. is rezoned from M2, Limited
Industrial, to M1C - Industrial Park Commercial Suffix, subject to
the following conditions:

1. For those peak hour trips generated from development
of the property under this rezone which are in excess of those
peak hour trips which would have been generated from development
of the property under its present zoning, the Developers financial
contribution to the 272nd/277th corridor project as a means of
providing partial mitigation of the traffic impact of the
development shall be calculated at 100 percent of the estimated
trip cost.

2. An integrated pedestrian circulation system shall be
constructed to provide access to 74th Street, Willis Street, and
the development to the south.

3. Landscaping along the western and northern perimeters
shall be at least 20 feet in depth and at least 15 feet in depth
along the southern perimeter.

4. A landscape strip of at least 10 feet in depth along
with a berm of at least three feet in height, or a design
alternative acceptable to the Planning Department shall be
provided along the eastern perimeter of the site to help establish
a visual and aural buffer between users of the adjacent Interurban
Trail.

5. The drainage channel, and the associated vegetation
and wetland areas, shall be left in its existing state and shall
not be disturbed unless modifications are approved and supervised
by the Planning Department and Public Works.
Section 2. 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

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

BILL W. WILLIAMSON, ACTING CITY ATTORNEY

PASSED the 21 day of Aug., 1990.

APPROVED the 22 day of , 1990.

PUBLISHED the 24 day of , 1990.

I hereby certify that this is a true copy of Ordinance No. 2936, 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)
Lot 1, 2, & 3 of City of Kent Short Plat No. 78-27, recorded under Recording No. 7810170678. Records of King County and part of Lot #9, Plat of "Foster Industrial Park" Vol. 133, pages 8-11, Records of King County, and Russell Southwest D. C. #41, the south 20' of north 450' of D.C. lying west of P.S.E.R.Y. right-of-way.