ORDINANCE NO. 2945

AN ORDINANCE of the City of Kent, Washington, relating to and amending the Official Zoning Map of the City of Kent, Ordinance 1827, to rezone approximately 18.5 acres of property located at 20227 and 20129-92nd Avenue South from RA to R1-12 zoning, subject to mitigating conditions. (Application of Minshull/Wagner #RZ-90-5.)

WHEREAS, an application (#RZ-90-5) was filed with the City to rezone certain property located at 20227 and 20129 - 92nd Avenue South from Residential Agricultural (RA) to Single Family Residential with 7,200 square foot minimum lot size (R1-7.2), pursuant to the provisions of the Kent Zoning Ordinance (1827); and

WHEREAS, the Hearing Examiner having held a hearing on said matter and having recommended denial of the applicant’s request for R1-7.2 zoning; and

WHEREAS, the Kent City Council held a hearing on the proposed rezone and a hearing on the appeal of the Hearing Examiner’s decision on the rezone appeal and voted to deny the appeal and to modify the Examiner’s recommendation and to adopt Single Family Residential with 12,000 square foot lot size (R1-12) zoning for the property, subject to certain mitigating conditions to ameliorate the adverse impact of uses and developments not otherwise permitted in an R1-12 zone; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:
Section 1. That, subject to Section 3 below, the Official Zoning Map of the City of Kent as adopted by Ordinance 1827 is further amended to rezone from Residential Agricultural (RA) to Single Family Residential with 12,000 square foot minimum (R1-12), subject to mitigating conditions set forth below, on the following property:

Parcel #1 S 1/2 of NE 1/4 of SW 1/4 lying easterly of Primary State Highway #5 Less S 130 feet of N 160 feet of E 170 feet less S 125 feet of E 230 feet less County Road;

Parcel #2 NE 1/4 of NE 1/4 of SW 1/4 of Section 6, Twn 22 N, Range 5 E, W.M., in King County, WA, lying E of the E line of Primary State Highway #5, EXCEPT the E 30 feet thereof conveyed to King County for road;

All as recorded in the records of the King County Auditor, King County, Washington.

Section 2. That as a condition to the R1-12 Zone, the following development conditions are imposed on any development permit approved for the Property, and will complete said conditions prior to approval of a final rezone plat in conjunction with any such development:

1. The Owners shall reconstruct the west half of 92nd Avenue South (minimum 18-feet of asphalt pavement) including the installation of curb and gutter, sidewalk, street lights, storm drainage, underground utilities and related appurtenances for the entire property frontage. On the east side of 92nd Avenue South a 12-foot wide asphalt paved half-street improvement shall be constructed.
2. The Owners shall widen and improve 92nd Avenue South to a width of 24-feet with a minimum five-foot paved shoulder on the west side of the street from the southerly property line to the intersection of 92nd Avenue South/South 208th Street.

3. The Owners shall install a minimum five-foot wide paved shoulder on the northside of South 200th Street from 92nd Avenue South to 96th Avenue, where an existing paved shoulder exists.

4. The Owners shall secure necessary permits and approvals from King County for all road improvements.

5. If any road grades on the subject property exceed 12 percent, the Owners agree to install sprinkling systems on any single family residences constructed on the site.

Section 3. This rezone is conditioned upon the owners of the above described property executing an agreement setting forth and agreeing to the above noted mitigating conditions, which agreement shall be recorded in the records of the King County Auditor and filed with the City Clerk. The conditions contained therein shall be deemed to attach to and run with the Property and shall be binding upon the Owners, their heirs, successors and assigns, and shall apply to after-acquired title of the Owners of the Property.

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

DAN KELLEHER, MAYOR

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ATTEST:

[Signature]

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

[Signature]

ROGER LUBOVICH, CITY ATTORNEY

PASSED the 2\textsuperscript{nd} day of \textit{Oct}, 1990.

APPROVED the 3\textsuperscript{rd} day of \textit{Oct}, 1990.

PUBLISHED the 5\textsuperscript{th} day of \textit{Oct}, 1990.

I hereby certify that this is a true copy of Ordinance No. 2945, 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]

(SEAL)

MARIE JENSEN, CITY CLERK