AN ORDINANCE of the City Council of the City of Kent, Washington, to rezone approximately 7.25 acres of property from R1-7.2, Single Family Residential (minimum lot size of 7,200 square feet) to R1-5.0, Single Family Residential (minimum lot size of 5,000 square feet).

(ROP OF THE HILL REZONE)

WHEREAS, on December 3, 1993, an application for a rezone was filed by Baima & Holmberg, Inc., seeking to rezone approximately 7.25 acres of property from R1-7.2, Single Family Residential (minimum lot size of 7,200 square feet) to R1-5.0, Single Family Residential (minimum lot size of 5,000 square feet); and

WHEREAS, on September 17, 1993, an environmental Mitigated Determination of Nonsignificance (MDNS), with fifteen conditions, was issued by the Kent Planning Department; and

WHEREAS, a public hearing on the rezone request was held before the Hearing Examiner on February 2, 1993; and

WHEREAS, the Hearing Examiner issued findings that the proposed rezone is consistent with the comprehensive plan, that the proposed rezone and subsequent development of the site would be compatible with development in the vicinity, that the proposed rezone will not unduly burden the transportation system in the vicinity of the property with significant adverse impacts which
cannot be mitigated, that circumstances have substantially changed since the establishment of the current zoning district to warrant the proposed rezone, and that the proposed rezone will not adversely affect the health, safety, and general welfare of the citizens of the City of Kent; and

WHEREAS, these findings are consistent with the standards for a rezone set forth in Section 15.09.050(A)(3) of the Kent City Code; and

WHEREAS, on March 15, 1994, the Kent City Council held a public meeting to consider the Hearing Examiner's recommendation that the application to rezone approximately 7.25 acres of property from R1-7.2 (attached as Exhibit A), Single Family Residential (minimum lot size of 7,200 square feet) to R1-5.0, Single Family Residential (minimum lot size of 5,000 square feet) be approved; and

WHEREAS, the City Council moved to accept the findings of the Hearing Examiner and to adopt the Hearing Examiner's recommendation for approval of rezone RZ-93-4, also known as the Top of the Hill rezone; NOW, THEREFORE,

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

Section 1. The subject property located at 10050 SE 244th Street and depicted in Exhibit A, attached, consisting of approximately 7.25 acres of property which is presently zoned R1-7.2, Single Family Residential (minimum lot size of 7,200 square...
feet) be rezoned to R1-5.0, Single Family Residential (minimum lot size of 5,000 square feet).

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

Judy Woods
JIM WHITE, MAYOR PRO TEM

ATTEST:

Brenda Jcobcr
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

Roger A. Lubovich, City Attorney
by Thomas C. Palksbire, Ass't.
PASSED ___________ 5th ___________ day of ___________ April ___________, 1994.

APPROVED ___________ 6th ___________ day of ___________ April ___________, 1994.

PUBLISHED ___________ 8th ___________ day of ___________ April ___________, 1994.

I hereby certify that this is a true copy of Ordinance No. 3160, 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 Ja
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BRENDA JACOBER, CITY CLERK
APPLICATION NAME: Top of the Hill

NUMBER: #RZ-93-4

REQUEST: Rezone

DATE: February 2, 1994

LEGEND
- Application site
- Zoning boundary
- Kent City Limits

Zoning / Topography