ORDINANCE NO. 3205

AN ORDINANCE of the City Council of the
City of Kent, Washington, to rezone
approximately 1.43 acres of property from O,
Professional and Office, to CC, Community
Commercial (Red Robin Rezone No. RZ-94-1).

WHEREAS, on June 17, 1994, an application for a rezone
was filed by Nicholas S. Fisher and George E. Hanson, George
Hanson Architects, seeking to rezone approximately 1.43 acres of
property located at 25051/59 104th Avenue S.E. from O,
Professional and Office, to CC, Community Commercial; and

WHEREAS, on July 28, 1994, an environmental
Determination of Nonsignificance (DNS), without conditions, was
issued by the Kent Planning Department; and

WHEREAS, a public hearing on the rezone request was
held before the Hearing Examiner on October 5, 1994; and

WHEREAS, the Hearing Examiner issued findings that the
proposed rezone is consistent with the city-wide comprehensive
plan and the East Hill subarea comprehensive plan, that the
proposed rezone and potential development of the site would be
compatible with existing development in the vicinity of the
proposed rezone, that the proposed rezone will not unduly burden
the transportation system, that circumstances have substantially
changed since the establishment of the Office and Professional
zone to warrant the proposed rezone, and that the proposed rezone
will not adversely affect the general welfare of the citizens of
the City of Kent in the area surrounding the proposed rezone; and

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

WHEREAS, on November 15, 1994, the Kent City Council
held a public meeting to consider the Hearing Examiner's
recommendation on the application to rezone approximately 1.43
acres of property from O, Professional and Office, to CC,
Community Commercial; 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-94-1, also known as the
Red Robin rezone; NOW, THEREFORE,

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

Section 1. The subject property located at 25051/59
104th Avenue S.E. and depicted in Exhibits A, B and C, attached
hereto and incorporated by reference, consisting of approximately
1.43 acres of property which is presently zoned O, Professional
and Office be rezoned to CC, Community Commercial.

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.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED 13 day of December, 1994.
APPROVED 14 day of December, 1994.
PUBLISHED 16 day of December, 1994.

I hereby certify that this is a true copy of Ordinance No. 3205, 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, CITY CLERK
APPLICATION NAME: Red Robin

NUMBER: #RZ-94-1

REQUEST: Rezone

DATE: October 5, 1994
APPLICATION NAME: Red Robin

NUMBER: #RZ-94-1

REQUEST: Rezone

DATE: October 5, 1994

LECEND

Application site
Zoning boundary
Kent City Limits

EXHIBIT B
APPLICATION NAME: Red Robin

NUMBER: #RZ-94-1

REQUEST: Rezone

DATE: October 5, 1994

LEGEND
Application site

Site Plan

EXHIBIT C