ORDINANCE NO. 3349

AN ORDINANCE of the City Council of the City of Kent, Washington, amending the Kent Zoning Map to rezone approximately 0.4 acres of property from M1, Industrial Park, to M1-C, Industrial Park-C Suffix.

WHEREAS, a request to rezone approximately 0.4 acres from M1, Industrial Park, to M1-C, Industrial Park-C Suffix, for property located at 22815 West Valley Highway was filed by the applicant on December 5, 1996; and

WHEREAS, on January 3, 1997, the responsible official issued a mitigated determination of non-significance (ENV-96-85) for the proposal; conditions address impacts to traffic, pedestrian access, wetlands, water quality, and water quantity; and

WHEREAS, on March 5, 1997, the Kent Hearing Examiner conducted a public hearing on the proposed Van Doren's Landing Building J rezone for property located at 22815 West Valley Highway from M1, Industrial Park, to M1-C, Industrial Park-C Suffix; and

WHEREAS, at the hearing, the City of Kent staff recommended approval of Van Doren's Landing Building J Rezone No. RZ-96-5, with the condition that access may be taken off of only South 228th Street; and

WHEREAS, pursuant to Kent City Code, Section 15.09.050(C)(1-5), the Hearing Examiner made findings that the proposed rezone is consistent with the Kent Comprehensive Plan, the proposed rezone and subsequent development of the site would
be compatible with development in the vicinity, the proposed rezone would not unduly burden the transportation system in the vicinity of the property with significant adverse impacts which could not be mitigated, circumstances have changed substantially since the establishment of the current zoning district to warrant the proposed rezone, and the proposed rezone would not adversely affect the health, safety, and general welfare of the citizens of Kent; and

WHEREAS, pursuant to Kent City Code, Section 15.09.050(D), the Hearing Examiner must evaluate a request for M1-C zoning by reviewing the request for consistency with M1-C review criteria; and

WHEREAS, pursuant to M1-C review criteria, the Kent Hearing Examiner found that the proposed rezone is in close proximity to the intersection of South 228th Street and West Valley Highway, an intersection identified on the comprehensive land map as being an appropriate location for commercial type land uses, and that the proposed rezone to M1-C is not speculative in nature, but based on a development plan to construct and operate a Jack-In-The-Box Restaurant; NOW, THEREFORE,

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

SECTION 1. The City of Kent Zoning Map is hereby amended to establish a new zoning map designation for property located at 22815 West Valley Highway from M1, Industrial Park, to M1-C Industrial Park-C Suffix and as depicted in the attached Exhibit A and incorporated herein by this reference (RZ-96-5).

SECTION 2. - Severability. If any one or more sections, sub-sections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall
not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

SECTION 5. - Effective Date. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED 20th day of May, 1997.

APPROVED 21st day of May, 1997.

PUBLISHED 24th day of May, 1997.

I hereby certify that this is a true copy of Ordinance No.3342 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, CITY CLERK
APPLICATION NAME: Van Doren's Landing Building J

NUMBER: #RZ-96-5

REQUEST: Rezone
Zoning/Topography

DATE: March 5, 1997

LEGEND
- Application site
- Zoning boundary
- City limits

EXHIBIT A
APPLICATION NAME: Van Doren's Landing Building J

NUMBER: #RZ-96-5

REQUEST: Rezone

Site Plan

DATE: March 5, 1997

LEGEND
Application site

EXHIBIT A
APPLICATION NAME: Van Doren's Landing Building J

NUMBER: #RZ-96-5

REQUEST: Rezone

DATE: March 5, 1997

LEGEND
- Application site
- Railroad tracks
- City limits

EXHIBIT
Brenda Jacober, City Clerk
City of Kent
220 4th Avenue South
Kent, WA 98032-5894
(253) 859-3370

ORDINANCE NO. 3349

Grantor(s): Kent City

Grantee(s): N/A

This document is an amendment of the Kent Zoning Map for a rezone of approximately 0.4 acres.

Legal Description: N/A

Assessor's Property Tax Parcel Account Number(s): N/A

TOTAL NUMBER OF PAGES 7
(INCLUDING THIS COVER SHEET AND ALL EXHIBITS AND ATTACHMENTS)