ORDINANCE NO. 3481

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to Land Use and Zoning, rezoning two parcels of property comprising of approximately 12.19 acres, located at 22440 – 88th Avenue South, from MRG, Garden Density Multifamily with contract density and design conditions, to MRG, Garden Density Multifamily without conditions (Tonelli Rezone – RZ-99-3).

WHEREAS, an application to rezone approximately 12.19 acres from the current zoning of MRG, Garden Density Multifamily with contract density and design conditions to MRG, Garden Density Multifamily without conditions, was filed on August 10, 1999; and

WHEREAS, the City’s SEPA responsible official issued a Determination of Nonsignificance (DNS) with no conditions for the proposed rezone on September 9, 1999; and

WHEREAS, a public hearing on the Tonelli Rezone was held before the Hearing Examiner on October 6, 1999; and
WHEREAS, the Hearing Examiner issued findings that the Tonelli Rezone is consistent with the City Comprehensive Plan, that the proposed rezone and subsequent development activity would be compatible with the 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 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, the findings are consistent with the standards for rezone set forth in Sections 15.09.050(A)(3) and 15.09.050(C) of the Kent City Code; and

WHEREAS, the Kent Hearing Examiner recommended approval of the Tonelli Rezone on October 11, 1999, as submitted by the applicant; and

WHEREAS, the City Council moved to accept the findings of the Hearing Examiner and the Hearing Examiner's recommendation for approval of the Tonelli Rezone from MRG, Garden Density Multifamily with contract density and design conditions to MRG, Garden Density Multifamily without conditions; NOW, THEREFORE,

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

SECTION 1. The property located at 22440 – 88th Avenue South, Kent, Washington consisting of approximately 12.19 acres (parcel #1822059339 is 10.85 acres and parcel #1822059319 is 1.34 acres), depicted in Exhibit A attached hereto and incorporated herein by this reference, is rezoned as follows:
Parcel numbers 1822059339 and 1822059319 located at 22440 – 88th Avenue South, Kent, Washington, shall be rezoned from MRG, Garden Density Multifamily with contract density and design conditions to MRG, Garden Density Multifamily without conditions.

SECTION 2. Ordinance Numbers 2410 and 2426 are hereby repealed in their entirety.

SECTION 3. 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 4. 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.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY
PASSED 19 day of October, 1999.

APPROVED 20 day of October, 1999.

PUBLISHED 22 day of October, 1999.

I hereby certify that this is a true copy of Ordinance No. 3481, 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: TONELLI #RZ-99-3/KIVA #9901685

REQUEST: REZONE REQUEST

VICINITY AND SITE PLAN MAP

North
Return Address:

Attn: City Clerk
City of Kent
220 Fourth Ave. S.
Kent, WA 98032

WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3481: Relating to the rezoning of approximately 12.19 acres of land from Garden Density Multifamily with contract density and design conditions (MRG) to Garden Density Multifamily without conditions (MRG) (Tonelli Rezone R2-99-3).

Reference Number(s): N/A
Grantor(s): N/A
Grantee(s): N/A
Legal Description: Located at 22449-88th Avenue South, in the City of Kent, King County, Washington
Assessor's Property Tax Parcel/Account Number(s): 1822059339 and 1822059319