ORDINANCE NO. 36-35

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, rezoning two (2) parcels of property comprised of approximately 11 acres and located approximately two blocks south of Southeast 240th Street on 108th Avenue Southeast, from Community Commercial (CC) to Multifamily Residential Townhome District (MR-T16) (108th Avenue Townhomes Rezone, # RZ-2002-1).

WHEREAS, an application to rezone approximately 11 acres from the current zoning of Community Commercial (CC) to Multifamily Residential Townhome District (MR-T16) was filed on May 16, 2002, (108th Avenue Townhomes Rezone, #RZ-2002-1); and

WHEREAS, the city's State Environmental Policy Act (SEPA) responsible official issued a Determination of Nonsignificance (DNS) for the proposed rezone on August 31, 2002, (#ENV-2002-27), and

WHEREAS, a public hearings on the 108th Avenue Townhomes Rezone was held before the hearing examiner on October 2, 2002; and
WHEREAS, the hearing examiner issued findings that the 108th Townhomes Rezone is consistent with the city of Kent’s 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 108th Townhomes Rezone on October 16, 2002, as submitted by the applicant, and

WHEREAS, on November 5, 2002, the City Council moved to accept the findings of the hearing examiner and the hearing examiner’s recommendation for approval of the 108th Townhomes Rezone from Community Commercial (CC) to Multifamily Residential Townhome District (MR-T16), NOW, THEREFORE,

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

SECTION 1. Rezone. The property located approximately two blocks south of Southeast 240th Street on 108th Avenue Southeast, Kent, Washington consisting

108th Townhomes Rezone
of approximately 1.1 acres depicted in Exhibit A, attached and incorporated herein by this
reference is rezoned as follows

King County tax parcel numbers 7830800074 and 7830800076 located in
Kent, Washington, shall be rezoned from Community Commercial (CC) to
Multifamily Residential Townhome District (MR-T16)

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 3. 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.

TOM BRUBAKER, CITY ATTORNEY
PASSED 19 day of November 2002
APPROVED 19 day of November 2002.
PUBLISHED 23 day of November 2002

I hereby certify that this is a true copy of Ordinance No. 3625, 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: 108TH AVENUE TOWNHOMES REZONE

REQUEST: #RZ-2002-1 KIVA #2021538

VICINITY MAP

EXHIBIT "A"
WASHINGTON STATE COUNTY AUDITOR/RECORDER’S COVER SHEET

Document Title: City of Kent Ordinance No. 3625 authorizing the rezoning of approximately 1.1 acres of property located approximately two (2) blocks south of Southeast 240th Street on 108th Avenue Southeast from Community Commercial (CC) to Multifamily Residential Townhouse (MR-T16), per the Application for Rezone filed by 108th Avenue Townhomes Rezone.

Reference Number(s): N/A

Grantor(s): City of Kent, a Washington municipal corporation

Grantee(s): The Public

Abbreviated Legal Description: Ptn of NE ¼ of the NW ¼ of Sec. 20, Twn. 22N, Rng 5E, W.M. King County, Washington

Assessor’s Property Tax Parcel/Account Number(s): 7830800074 and 7830800076

Project Name: 108th Avenue Townhomes Rezone