AN ORDINANCE of the city council of the city of Kent, Washington, relating to land use and zoning, specifically the rezoning of approximately 9.76 acres of property which consists of two (2) parcels which are located at 23601 and 23659 98th Avenue South from Single Family Residential (SR-4.5), to Single Family Residential (SR-6). (Morgan Place Rezone, #RZ-2002-6).

WHEREAS, an application to rezone approximately 9.76 acres from the current zoning of Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential six units per acre (SR-6) was filed on December 13, 2002 (Morgan Place Rezone, #RZ-2002-6); and

WHEREAS, the city's SEPA responsible official issued a Determination of Nonsignificance (DNS) for the proposed rezone on July 24, 2003; and

WHEREAS, a public hearing on the Morgan Place Rezone was held before the hearing examiner on September 3, 2003; and

WHEREAS, on September 17, 2003, the hearing examiner issued findings and conclusions that the Morgan Place Rezone is consistent with the city’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

Morgan Place Rezone
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 Morgan Place Rezone on September 17, 2003, and

WHEREAS, on November 4, 2003, the city council moved to accept the findings of the hearing examiner and the hearing examiner's recommendation for approval of the Morgan Place Rezone from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6); NOW, THEREFORE,

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

SECTION 1. - Rezone. The property located at 23601 and 23659 98th Avenue South, Kent, Washington consisting of approximately 9.76 acres depicted in Exhibit "A" (marked "Site"), attached and incorporated by this reference, and legally described in Exhibit "B" attached and incorporated by this reference, is rezoned as follows:

King County tax parcel numbers 1822059053 and 1822059154 located in Kent, Washington, shall be rezoned from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential six units per acre (SR-6).

The city of Kent zoning map shall be amended to reflect the rezone granted above.
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 4 day of November, 2003.

APPROVED 4 day of November, 2003.

PUBLISHED 8 day of November, 2003.

Morgan Place Rezone
I hereby certify that this is a true copy of Ordinance No. 3666, 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

(SEAL)
APPLICATION NAME: MORGAN'S PLACE

REQUEST:       #RZ-2002-6 and #SU-2000-6

VICINITY MAP                        EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL A:
The North half of the northwest quarter of the southeast quarter of the southeast quarter of section 18, Township 22 North, Range 5 East, W.M., in King County, Washington; except that part conveyed for road purposes by deeds recorded under recording numbers 1141198 and 5515484.

PARCEL B:
The south half of the northwest quarter of the southeast quarter of the southeast quarter of section 18, Township 22 North, Range 5 East, W.M., in King County, Washington; except that part conveyed for road purposes by deed recorded under recording numbers 1141198.

EXHIBIT "B"
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3666 authorizing the rezoning of approximately 9.76 acres of property located on two (2) parcels located at 23601 and 23659 98th Avenue South from Single Family Residential, 4.5 units per acre (SR-4.5) to Single Family Residential, six (6) units per acre (SR-6) per the Application for Rezone filed by Morgan Place Rezone (#RZ-2002-6).

Reference Number(s): N/A

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

Grantee(s): The Public

Abbreviated Legal Description:

Parcel A N ½ OF THE NW ¼ OF THE SE ¼ OF THE SE ¼ OF SEC. 18, TWN. 22N, R5E, W.M. KING COUNTY;

Parcel B S ½ OF THE NW ¼ OF THE SE ¼ OF THE SE ¼ OF SEC. 18, TWN. 22N, R5E, W.M. KING COUNTY

Additional legal description is on Exhibit “B” of document.

Assessor’s Property Tax Parcel/Account Number(s): 1822059053 and 1822059154

Project Name: Morgan Place Rezone