ORDINANCE NO. 3677

AN ORDINANCE of the City Council of the City of Kent, Washington, amending the Kent Zoning Map to change the zoning designations as follows: (1) from Single Family, 3.63 unit per acre (SR-3), to Single Family, 6.05 units per acre (SR-6) for property located at 21907 100th Avenue Southeast (CPZ-2003-2); and (2) from Single Family, 6.05 units per acre (SR-6), to Neighborhood Convenience Commercial (NCC) for property located at 11525 SE 240th Street (CPZ-2003-4).

WHEREAS, pursuant to the Washington Growth Management Act ("GMA"), the City of Kent accepts applications for comprehensive plan amendments once each year; and

WHEREAS, the City of Kent received applications to amend the comprehensive plan’s land use map designations, and three (3) of those applications involve properties requesting corresponding area wide amendments to the zoning map designation of parcels with the following addresses: (1) 21907 100th Avenue Southeast (CPZ-2003-2); (2) 11644 SE 240th Street (CPZ-2003-3); and (3) 11525 SE 240th Street (CPZ-2003-4); and

WHEREAS, the City of Kent Land Use & Planning Board held a public hearing on the proposed comprehensive plan and zoning map amendments on October 27, 2003, and made the following recommendations: the conditional approval of CPZ-2003-2, the denial of CPZ-2003-3, and the denial of CPZ-2003-4; and
WHEREAS, on November 18, 2003, the Kent City Council made the following decisions on the zoning amendments:

A. For the property located at 21907 100th Avenue Southeast, approve a zoning designation amendment from Single Family, 3.63 units per acre (SR-3), to a zoning designation of Single Family, 6.05 units per acre (SR-6), as depicted in the map attached as Exhibit “A-1” and incorporated by this reference (CPZ-2003-2), with the condition that the approval is contingent upon completion and recording of storm water and open space tracts on the subject site consistent with the approvals of the Kara Crest and Cofield Subdivisions; and

B. For the property located at 11644 SE 240th Street, deny a zoning designation amendment from Single Family, 6.05 units per acre (SR-6), to a zoning designation of Neighborhood Convenience Commercial (NCC) (CPZ-2003-3); and

C. For the property located at 11525 SE 240th Street, approve a zoning designation amendment from Single Family, 6.05 units per acre (SR-6), to a zoning designation of Neighborhood Convenience Commercial (NCC), as depicted in the map attached as Exhibit “B-1” and incorporated by this reference (CPZ-2003-4) with the following conditions: (i) that if Russ Hanscom, of Arbor Village Assisted Living, or its associate(s) can purchase the property, no later than March 15, 2004, and develop it as a senior oriented public park in perpetuity, then the property zoning designation will not be amended; (ii) that if the proposal described in (i) above fails, the zoning designation shall be amended to Neighborhood Convenience Commercial (NCC) effective midnight on March 16, 2004; and (iii) that if an alternative park project different from (i) above is proposed by Russ Hanscom, the City Council must vote on that proposal before midnight on March 16, 2004; and

WHEREAS, on September 12, 2003, the City provided the required sixty (60) day notification under RCW 36.70A.106 to the state of Washington of the City’s proposed amendment to the zoning designations; and

WHEREAS, the sixty (60) day notice period has lapsed; NOW, THEREFORE,
THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. - Amendment. The City of Kent zoning map is amended to establish a new zoning map designation for the property located at 21907 100th Avenue Southeast, Kent, Washington, and legally described on the attached Exhibit "A," from a zoning designation of Single Family, 3.63 units per acre (SR-3), to Single-Family, 6.05 units per acre (SR-6), as depicted in the attached Exhibit "A-1," incorporated by this reference, with the condition that approval is contingent upon completion and recording of storm water and open space tracts on the subject site consistent with the approvals of the Kara Crest and Cofield Subdivisions; and.

SECTION 2. - Amendment. The City of Kent zoning map is amended to establish a new zoning map designation for the property located at 11525 SE 240th Street, Kent, Washington, and legally described on the attached Exhibit "B," from a zoning designation of Single Family, 6.05 units per acre (SR-6), to a zoning designation of Neighborhood Convenience Commercial (NCC), as depicted in the map attached as Exhibit "B-1" and incorporated by this reference, with the following conditions: (i) that if Russ Hanscom, of Arbor Village Assisted Living, or its associate(s) can purchase the property no later than March 15, 2004 and develop it as a senior oriented public park in perpetuity, then the property zoning designation will not be amended; (ii) that if the proposal described in (i) above fails, the zoning designation shall be amended to Neighborhood Convenience Commercial (NCC) effective midnight March 16, 2004; and (iii) that if an alternative park project different from (i) above is proposed by Russ Hanscom, the City Council must vote on that proposal before midnight on March 16, 2004 (CPZ-2003-4);

SECTION 3. - Severability. If any one or more sections, subsections, 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 thirty (30) days from and after the date of passage and publication as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED 9 day of December, 2003.
APPROVED 9 day of December, 2003.
PUBLISHED 13 day of December, 2003.

I hereby certify that this is a true copy of Ordinance No. 3677, 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

2003 Zoning Amendments
LEGAL DESCRIPTION:

LOT 2, CITY OF KENT SHORT PLAT NO. SP-99-1, RECORDED UNDER RECORDING NO. 19991122900001;

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

SECTION: 07  TOWNSHIP: 22N  RANGE: 05E
This map is a graphic aid only, and is not a legal document. The City of Kent makes no warranty to the accuracy of the labeling, dimensions, contours, property boundaries, or placement or locations of any map features depicted therein. The City of Kent disclaims and shall not be held liable for any and all damage, loss, or liability, whether direct or indirect, or consequential, which arises from use of this product.

1:5,000

Exhibit "A-1"

December 1, 2003
City of Kent
Planning Services Office

Cofield
CPZ-2003-2

Buildings
Parcels
Inventoried Wetlands
Wetland Buffers:
25-ft. (Category 3)
50-ft. (Category 2)
100-ft. (Category 1)
75-ft. Slope Buffer
Cofield Properties
Major Water Features
Minor Water Features
5-Foot Contour Lines
Spot Elevations
The northeast quarter of the northeast quarter of the northeast quarter of the northeast quarter of Section 20, Township 22 North, Range 5 East, W.M., in King County, Washington; EXCEPT that portion thereof conveyed to the City of Kent by deed recorded under Recording Number 8812130026.

EXHIBIT "B"
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City of Kent
Parks Dept.
CPZ-2003-4

Buildings
Parcels
Inventoried Wetlands
COKPD Property
Major Water Features
Minor Water Features
5-Foot Contour Lines
Spot Elevations

1:5,000
Exhibit "B-1"

City of Kent
Planning Services Office

December 1, 2003