Ordinance No. 3704

(Amending or Repealing Ordinances)

CFN=0121 - Rezones
Passed – 8/3/2004
Kentara Rezone

Recorder’s # 20040908002495

The date ["Beginning July 1, 1998"] has led to confusion. This date will be deleted from cover sheets of ordinance/resolution revision pages. This cover sheet will be deleted on electronic pages only, no other deletions or changes have been made to the document – 6/21/2012.
ORDINANCE NO. 3704

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, specifically the rezoning of approximately 6.4 acres of property located south of the intersection of 104th Avenue SE and SE 272nd Street from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6). (Kentara Rezone, #RZ-2003-1).

RECITALS

A. An application to rezone approximately 6.4 acres of property located south of the intersection of 104th Avenue SE and SE 272nd Street, Kent, Washington from the current zoning of Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6) was filed on January 24, 2003, by Ken Peckman, Peckman Homes (Kentara Rezone, #RZ-2003-1).

B. The City's SEPA responsible official issued a Determination of Nonsignificance (DNS) (#ENV-2003-2) for the proposed rezone on April 16, 2004, 2003, and a public hearing on the rezone was held before the hearing examiner on June 9, 2004.

C. On June 23, 2004, the hearing examiner issued findings and conclusions that the Kentara 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 that 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.

D. Based on these findings and conclusions, the hearing examiner
recommended approval of the Kentara Rezone.

E. On August 3, 2004, the City Council determined that the hearing
examiner's findings and conclusions are consistent with sections 15.09.050(A)(3)
and 15.09.050(C) of the Kent City Code, accepted the findings of the hearing examiner,
and adopted the hearing examiner's recommendation for approval of the Kentara
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:

ORDINANCE

SECTION 1. – Rezone. The property located south of the intersection of 104th
Avenue SE and SE 272nd Street, Kent, Washington consisting of approximately 6.4
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 322205-9049, 322205-9022, a portion of
322205-9192, and a portion of 322205-9190 located in Kent,
Washington, shall be rezoned from Single Family Residential 4.5 units
per acre (SR-4.5) to Single Family Residential 6 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 as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED:  3  day of August, 2004.

APPROVED:  3  day of August, 2004.

I hereby certify that this is a true copy of Ordinance No. \[3704\] passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

\[\text{Seal} \]

BRENDA JACOBER, CITY CLERK

P:\Civil:ORDINANCE:Rezone-Kentara.doc
LEGAL DESCRIPTION


EXCEPT THE SOUTH 251 FEET THEREOF AS CONVEYED TO THE CITY OF KENT BY DEED RECORDED UNDER RECORDING NUMBER 9310081300;

AND EXCEPT THE NORTH 30 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD BY DEED RECORDED UNDER RECORDING NUMBER 2739777;

TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 22 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH-EAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 32;
THENCE SOUTH 00°40'49" WEST, ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 469.45 FEET TO A POINT HERIN-AFTER REFERRED TO AS POINT "A";
THENCE SOUTH 89°54'19" WEST A DISTANCE OF 143.55 FEET;
THENCE SOUTH 40°22'19" WEST A DISTANCE OF 148.93 FEET TO A POINT HERIN-AFTER REFERRED TO AS POINT "B";
THENCE NORTH 89°42'13" EAST A DISTANCE OF 319.94 FEET;
THENCE NORTH 01°36'53" EAST A DISTANCE OF 584.53 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 32;
THENCE SOUTH 89°42'13" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 549.06 FEET TO THE POINT OF BEGINNING;

EXCEPT THE NORTH 30 FEET OF THE EAST 30 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD BY DEED RECORDED UNDER RECORDING NUMBER 2739777;

AND TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF SAID SECTION 32 DESCRIBED AS FOLLOWS:

BEGINNING AT THE HERIN-BEFORE DESCRIBED POINT "A";
THENCE SOUTH 89°54'19" WEST A DISTANCE OF 143.55 FEET;
THENCE SOUTH 40°22'19" WEST A DISTANCE OF 148.93 FEET TO THE HERIN-BEFORE DESCRIBED POINT "B";
THENCE SOUTH 89°42'13" EAST A DISTANCE OF 93.93 FEET;
THENCE NORTH 57°41'30" EAST A DISTANCE OF 32.79 FEET;
THENCE SOUTH 82°36'22" EAST A DISTANCE OF 118.07 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, FROM WHICH THE SOUTHWEST CORNER THEREOF LIES A DISTANCE OF 72.31 FEET;
THENCE SOUTH 81°05'28" EAST A DISTANCE OF 325.62 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, FROM WHICH THE SOUTHEAST CORNER THEREOF LIES A DISTANCE OF 22.50 FEET;
THENCE NORTH 00°40'04" EAST, ALONG SAID EAST LINE, A DISTANCE OF 228.51 FEET TO THE NORTH LINE OF THE SOUTH 251 FEET OF SAID WEST HALF;
THENCE NORTH 89°48'32" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 325.20 FEET TO THE WEST LINE THEREOF;
THENCE SOUTH 00°40'49" WEST, ALONG SAID WEST LINE, A DISTANCE OF 66.84 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"
WASHINGT0N STATE COUNTY AUDITOR/RECORDER’S COVER SHEET

Document Title: City of Kent Ordinance No. 3704 authorizing the rezoning of approximately 6.4 acres of property located south of the intersection of 104th Avenue SE and SE 272nd Street from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6) per the Application for Rezone filed by Ken Peckman, Peckman Homes – Kentara Rezone (#RZ-2003-1).

Reference Number(s): N/A

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

Grantee(s): The Public

Abbreviated Legal Description: Ptn. of NW ¼ of NE ¼ of NW ¼ of Sec. 32, Twn. 22 N, Rng. 5E, W.M., King County

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

Assessor’s Property Tax Parcel/Account Number(s): 322205-9049, 322205-9022, 322205-9192, and 322205-9190

Project Name: Kentara Rezone

Said document(s) were filed for

Examined under the execution or

as to its affidavit, if any.