Ordinance No. 3723
(Amending or Repealing Ordinances)

CFN=0121-Rezones
Passed - 11/2/2004
Deal Rezone

Recorder's # 20041117002417

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. 3723

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, specifically the rezoning of approximately 1.07 acres of property located at 302 Summit Avenue North from Duplex, Multifamily Residential District (MR-D) to Multifamily Residential Townhouse District (MR-T16). (Deal Rezone, #RZ-2004-2).

RECITALS

A. An application to rezone approximately 1.07 acres of property located at 302 Summit Avenue North from the current zoning of Duplex, Multifamily Residential District (MR-D) to Multifamily Residential Townhouse District (MR-T16) was filed on June 25, 2004, by Louis and Linda Deal, (Deal Rezone, #RZ-2004-2)

B. The City’s SEPA responsible official issued a Determination of Nonsignificance (DNS) (#ENV-2004-35) for the proposed rezone on August 17, 2004, and a public hearing on the rezone was held before the hearing examiner on September 15, 2004.

C. On September 22, 2004, the hearing examiner issued findings and conclusions that the Deal 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 Deal Rezone.

E. On October 19, 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 Deal Rezone from Duplex, Multifamily Residential District (MR-D) to Multifamily Residential Townhouse District (MR-T16).

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

ORDINANCE

SECTION 1. – Rezone. The property located at 302 Summit Avenue North, Kent, Washington consisting of approximately 1.07 acres depicted in Exhibit “A” (marked “Deal Property”), 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 number 192205909208 shall be rezoned from Duplex, Multifamily Residential District (MR-D) to Multifamily Residential Townhouse District (MR-T16).

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: 2 day of November, 2004.

APPROVED: 2 day of November, 2004.


I hereby certify that this is a true copy of Ordinance No. 3723 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as herein indicated.

BRENDA JACOBER (SEAL)
BRENDA JACOBER, CITY CLERK
APPLICATION NAME: DEAL
REQUEST: #RZ-2004-2
VICINITY MAP

EXHIBIT "A"
EXHIBIT “B”

LEGAL DESCRIPTION

TAX PARCEL NO. 1922059092

POR OF SW 1/4 OF NE 1/4 & SE 1/4 OF NW 1/4 BEG AT NE COR OF SE 1/4 OF NW 1/4 TH W TO ELY BNDRY OF SUMMIT AVE TH SWLY ALG SD BNDRY TO PT 160 FT S OF N LN OF SUBD TH S 18-28-00 W 43.88 FT TH N 88-21-00 E 54.20 FT TH N 78-02-00 E 43.28 FT TH N 56-54-00 E 32.07 FT TH S 82-44-00 E 44.82 FT TH S 66-22-30 E 85.80 FT TH S 55-03-00 E 50.68 FT TH S 07-50-30 E TO S LN OF N 1/2 OF NW 1/4 OF SW 1/4 OF NE 1/4 TH N 326.6 FT M/L TO N LN TH W TO BEG
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3723 authorizing the rezoning of approximately 1.07 acres of property located at 302 Summit Avenue North from Duplex, Multifamily Residential District (MR-D) to Multifamily Residential Townhouse District (MR-T16) per the Application for Rezone filed by Louis and Linda Deal - Deal Rezone (#RZ-2004-2).

Reference Number(s): N/A

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

Grantee(s): The Public

Abbreviated Legal Description: Ptn. of SW¼ of NE¼ and SE¼ of NW¼ of Sec. 19, 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): 1922059092

Project Name: Deal Rezone