ORDINANCE NO. 3757

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, specifically the rezoning of approximately 19.5 acres of property located at 27864 124th Avenue SE from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6). (Pfaff Rezone, #RZ-2004-6).

REQUITALS

A. An application to rezone approximately 19.5 acres of property located at 27864 124th Avenue SE, 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 December 3, 2004, by Kurt Wilson, SBI Developing, LLC (Pfaff Rezone, #RZ-2004-6).

B. The City’s SEPA responsible official issued a Determination of Nonsignificance (DNS) (#ENV-2004-76) for the proposed rezone on March 8, 2005. A public hearing on the rezone was held before the hearing examiner on April 6, 2005, and continued to June 8, 2005.

C. On June 23, 2005, the hearing examiner issued findings and conclusions that the Pfaff 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 Pfaff Rezone.

E. On July 19, 2005, 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 Pfaff 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 at 27864 124th Avenue SE, Kent, Washington consisting of approximately 19.5 acres depicted in Exhibit “A” (marked “Subject 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 numbers 332205-9020 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:

Mary Simmons
BRENDA JACOBER, CITY CLERK
Mary Simmons, Deputy City Clerk

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 2nd day of August, 2005.
APPROVED: 2nd day of August, 2005.

I hereby certify that this is a true copy of Ordinance No. 3757 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
Mary Simmons, Deputy City Clerk

Pfiff Rezone
APPLICATION NAME: PFAFF

REQUEST: #RZ-2004-6 EXHIBIT "A"

SITE MAP REZONE MAP
Legal Description – Pfaff Property, King County Tax Parcel # 332205-9020

The South Half of the Southwest Quarter of the Northwest Quarter of Section 33, Township 22 North, Range 5 East of the Willamette Meridian, in King County, Washington.
Except the West 20 feet thereof;
Except the East 10 feet of the West 30 feet thereof condemned by King County Superior Court Case No. 815888 for 124th Avenue SE.

WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3757 authorizing the rezoning of approximately 19.5 acres of property located at 27864 124th Avenue SE from Single Family Residential 4.5 units per acre (SR-4.5) to Single Family Residential 6 units per acre (SR-6). (Pfaff Rezone, #RZ-2004-6).

Reference Number(s): N/A

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

Grantee(s): The Public

Abbreviated Legal Description: S ½ of SW ½ of NW ¼ of Sec. 33, 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): 332205-9020

Project Name: Pfaff Rezone

Said document(s) were filed for record by Pacific Northwest Title as accommodation only. It has not been examined as to proper execution or as to its affect upon title.