Ordinance No. 3782

(Amending or Repealing Ordinances)

CFN=121 - Rezones
Passed - 1/17/2006
Smith Court Homes Rezone

Recorder's # 20060213000998

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. 3782

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, specifically the rezoning of approximately 2.5 acres of property located on the west side of 64th Avenue South, north of West Smith Street from General Commercial (GC) to Medium Density Multifamily (MR-M). (Smith Court Homes Rezone, #RZ-2005-6).

RECITALS

A. An application was filed on June 1, 2005, by Lakeridge Development, Inc., to rezone approximately 2.5 acres of property located on the west side of 64th Avenue South, north of West Smith Street in Kent, Washington, from the current zoning of General Commercial (GC) to Medium Density Multifamily (MR-M). (Smith Court Homes Rezone, #RZ-2005-6).

B. The City's SEPA responsible official issued a Determination of Nonsignificance (DNS) (#ENV-2005-35) for the proposed rezone on October 18, 2005.

C. A public hearing on the rezone was held before the hearing examiner on November 16, 2005. On November 23, 2005, the hearing examiner issued findings and conclusions that the Smith Court Homes 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 Smith Court Homes Rezone
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 Smith Court Homes Rezone.

E. On January 3, 2006, 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 Smith Court Homes Rezone from General Commercial (GC) to Medium Density Multifamily (MR-M).

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

ORDINANCE

SECTION 1. - Rezone. The property located on the west side of 64th Avenue South, north of West Smith Street, Kent, Washington consisting of approximately 2.5 acres depicted in Exhibit "A" (marked "Vicinity Map"), attached and incorporated by this reference, and legally described in Exhibit "B", attached and incorporated by this reference, is rezoned from General Commercial (GC) to Medium Density Multifamily (MR-M). 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.

Smith Court Homes Rezone
I hereby certify that this is a true copy of Ordinance No. 3782 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.
The land referred to in this commitment is described as follows:

Lot(s) 3, City of Kent Short Plat Number SPC-80-9, recorded under Recording Number 8009100829, in King County, Washington, and corrected by Affidavit recorded under Recording Number 8010080590, being a portion of the following described property:

That portion of the west half of the northeast quarter and of Government Lots 16 and 17, Section 23, Township 22 north, Range 4 east, W.M., in King County, Washington.

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

Document Title: City of Kent Ordinance No. 3782 authorizing the rezoning of approximately 2.5 acres of property located on the west side of 64th Avenue South, north of West Smith Street from General Commercial (GC) to Medium Density Multifamily (MR-M). (Smith Court Homes Rezone, #RZ-2005-6).

Reference Number(s): N/A

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

Grantee(s): The Public

Abbreviated Legal Description: Lot 3, City of Kent Short Plat No. SPC-80-9 and a Ptn. of W ½ of the NE ¼ of Gov’t Lots 16, and 17, STR 23-22-04, W.M., King County

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

Assessor’s Property Tax Parcel/Account Number(s): 232204-9055

Project Name: Smith Court Homes 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.